



Todd A. Bettison
Chief of Police

D.P.D. 568 (rev. 11/24)

INTER-OFFICE MEMORANDUM CRIME STRATEGIES BUREAU

Date
February 25, 2026

To: Board of Police Commissioner Chairperson Eva Dewaelshe (Through Channels)

Subject: **REQUEST FOR THE APPROVAL OF THE SPECIFICATION REPORT FOR UNMANNED AERIAL VEHICLE**

From: Deputy Chief Mark Bliss, Crime Strategies Bureau

Please see the attached Specification Report for the Unmanned Aerial Vehicle. This report is to comply with the Community Input Over Government Surveillance (CIOGS) Ordinance. The report has been approved by the Chief of Police and needs review and approval from the Board of Police Commissioners.

ML
MARK BLISS

Deputy Chief
Crime Strategies Bureau

RECEIVED
MAR 13 2026
BOARD OF POLICE COMMISSIONERS

APPROVED
FEB 26 2026
For ML
ASSISTANT CHIEF
STRATEGIC POLICING

APPROVED
MAR 09 2026
T.A. Bettison
CHIEF OF POLICE
OFFICE OF THE CHIEF

2nd L.C. Hk for review 2-27-26

APPROVED
FEB 27 2026
SECOND DEPUTY CHIEF
OFFICE OF LEGAL ADVISOR
OCOP

To: Board of Police Commissioner Chairperson Eva Dewaelshe (Through Channels)

Subject: **REQUEST FOR THE APPROVAL OF THE SPECIFICATION
REPORT UNMANNED AERIAL VEHICLE**

From: Deputy Chief Mark Bliss, Crime Strategies Bureau

SIGNATURE PAGE



Todd A. Bettison
Chief of Police

D.P.D. 568 (rev.11/24)

INTER-OFFICE MEMORANDUM
CRIME STRATEGIES BUREAU

Date

January 20, 2026

To: Chief of Police Todd A. Bettison (Through Channels)
2nd Deputy Chief Grant Ha, Legal Advisor, (Through Channels)

Subject: **RESUBMISSION OF SPECIFICATION REPORT UNMANNED AERIAL VEHICLE**

From: Deputy Chief Mark Bliss, Crime Strategies Bureau

Attached for your review and approval is the Specification Report for the Unmanned Aerial Vehicle. This report is to comply with the Community Input Over Government Surveillance (CIOGS) Ordinance. The Specification Report has been reviewed and approved by Director Robert Millender, of the Department of Innovation and Technology (Dolt). This report needs approval from the Chief of Police and the Board of Police Commissioners before submission for a public hearing on the matter.

The report includes the following updates:

- Question #5, on page (4), was revised to address the Civil Rights/Liberties Union Impact of the equipment
- Question #11, on page (9), was revised to include information regarding Court Orders, Subpoenas and Discovery Requests

MARK BLISS
Deputy Chief
Crime Strategies Bureau

Attachments:

1. Specification Report - Unmanned Aerial Vehicle
2. Manual Directive 102.2 - Bias-Based Policing
3. Manual Directive 102.6- DPD Citizen Complaints Policy
4. Manual Directive 101.11 - Record Retention Schedule
5. Manual Directive 101.12 - Data Sharing, Retention and Dissemination

Specification Report – Unmanned Aerial System (Drone)

Sec. 17-5-453: Surveillance Technology Specification Reports.

- (a) The Police Department certifies that the information contained in this document reflects the complete and accurate proposed use of surveillance technology.
- (b) This report has been approved by the Chief of Police and received the approval of the Board of Police Commissioners on _____.

(1) Description: Information describing surveillance technology and its capabilities.

- The Detroit Police Department (DPD) seeks Unmanned Aerial Vehicle (UAV) (aka Drone) technology in three separate categories: Visual Line of Sight UAVs (VLOS), Drone First Responders (DFR), and Tactical UAVs. They will offer a wide range of services by providing an aerial situational awareness, from calls for service to precise and direct tactical operations, including but not limited to search and rescue, crime/accident scene investigation, mental health incidents, and/or overhead views of critical incident scenes. The UAV technology will assist officers with collecting vital information about critical incidents, while providing a situational awareness of the incidents and fostering a safer environment for both our police officers and citizens.
- The UAV solution fosters aerial situational awareness to assess and identify areas that may not be visible from an on-the-ground position or to the naked eye, thus aiding in investigations, crime/accident scene reconstruction, search and rescue operations, and calls for service.
- UAVs are powered by an Artificial Intelligence (AI)-driven autonomous flight engine that enables unparalleled 360° obstacle avoidance, GPS navigation and tracking, along with the ability to be taken control of by a Federal Aviation Administration (FAA) licensed human pilot.
- The DPD would deploy UAVs built specifically for first responders and compliant with the National Defense Authorization Act (NDAA). Law enforcement UAV that are compliant with the NDAA are built with a secure supply chain, typically in the U.S. or by allied nations, and are available from various U.S.-based manufacturers. These UAVs will include high resolution megapixel color camera, thermal camera, digital voice capabilities, searchlight systems, night flight capability, with some having extended flight time ability for public safety use.

Categories:

- **Visual Line of Sight (VLOS):** These UAV will be flown by certified operators within their visual line of sight, to include both tethered and untethered UAV. Tethered UAV are physically connected to a power source that enable it to

remain in flight for long periods of time in a typically stationary position. Untethered UAVs allow an operator versatile mobility but have limited battery duration. Both types of VLOS UAVs can provide real-time aerial footage to assess situations and can be used for but not limited to purposes such as crime/accident scene reconstruction, crowd control and monitoring, critical incident operations, search and rescue operations, and assist in locating missing persons.

- **Drone First Responder (DFR):** This UAV will be autonomously deployed to priority calls for service and/or other priority incidents. These UAVs fly directly to the incident location and transmit high resolution video back to the controller's screen, making even distant and minute details visible in just seconds. This allows the responding officers to have a visual imprint of the scene while enroute. This fosters a safer response for not only the officers but also other citizens at the scene. DFR deployment will also assist in managing and freeing up resources from calls where officers may no longer be needed to respond.
- **Tactical UAVs:** Tactical UAV are able to fit into confined spaces on the interior of a structure due to their size and maneuverability. They are physically smaller VLOS UAV, enabling them to be more precise and direct during tactical operations missions, including but not limited to: high-risk life-safety incidents such as active shooters, search/arrest warrant execution, and barricaded persons. The enhanced views and data collected by these UAVs will help the team assess a scene safely and bring the situation to a more favorable conclusion.

(2) ***Purpose:*** This surveillance technology is intended to enhance first responder ability during:

- **Community Events:** UAVs can document and record public events for media and public consumption, promoting community relations and transparency of DPD activities.
- **Critical Incidents:** UAVs can provide incident commanders with a real time overhead view at large and complex scenes to ensure safe, efficient operations and identify potential hazards. UAVs provide a "birds-eye view" during search and rescue missions, crime/accident investigations, mental health calls for service, and tactical views of incident locations. UAVs can make visual and audio contact with an individual without placing officers or citizens in physical danger. The aerial perspective provided by the UAV can be used by incident commanders and investigators to more efficiently direct resources and personnel to areas where it is most needed, saving valuable time.
- **Large Scenes:** UAV can help increase public safety by allowing personnel to monitor critical incident scenes and large crowds to quickly gain

situational awareness. The AI technology onboard these drones allow operators to simply tap on a point of interest on the control screen, which directs the drone to fly to that location and transmit high resolution video back to the controller's screen, making even distant and minute details visible in just seconds.

- **Accident Scene Reconstruction:** The UAV has the capacity to assist with accident scene investigations by leveraging the UAV data capture modes to quickly and efficiently capture data from accident scenes to assist in scene reconstruction and documentation.
- **Live Streaming to the Real Time Crime Center (RTCC) and/or Command Post:** The UAV will provide a means of monitoring and tracking the progress of critical incidents and identify potential threats via live streaming back to responding officers, supervision, analysts at the RTCC, the command/executive team, and other individuals or locations determined to be appropriate by DPD.
- **Response to calls for service:** DFR units can be deployed autonomously to locations of calls for service and crimes in progress. DFRs can arrive at calls much faster than physical patrol officers. A monitoring remote pilot can make an initial assessment of the incident and relay that information to the responding police officers.

(3) Deployment: If surveillance technology is not uniformly deployed or targeted throughout the City, what factors will be used to determine where the technology is deployed or targeted?

- The DPD will deploy VLOS UAV technology when there is a situation as described above, to keep the community, its residents, and first responders safe. Additionally, UAVs can be used to gain real time situational awareness by viewing the live video and thermal feed on the UAV monitor. The operator can choose whether to capture photos and record videos, based on the specific needs of the situation and guided by the established DPD standard operating procedures (SOPs). Unlike other forms of fixed and static surveillance technology that remain present 24/7, UAV will be deployed on a limited basis for the duration of an incident, project or mission.
- Tactical UAVs will be utilized primarily by the Special Response Team (SRT) to gain visual images of the interior of a home, building, or other confined space during a life-safety event, such as, but not limited to, the execution of a search/arrest warrant or potentially violent barricaded person. These Tactical UAVs will have the ability to enter structures through open windows or doors and possibly breach the same when necessary.
- DFR UAVs will be deployed by the type of call for service once the call has been processed and determination has been made that deployment will

enhance responding officer and citizen safety. A DFR will arrive at a scene much sooner than a dispatched unit to provide situational awareness when time is of the essence and relay crucial information from a safe distance without undue risk to responding officers. The DFR aerial view can also assist in locating the scene of an incident when it may have been initially unclear from the 911 caller or if the involved parties have left the scene prior to the responding officers' arrival.

(4) Fiscal Impact: What is the fiscal impact of this surveillance technology?

- UAV have significantly lower operating expenses than manned aircraft (helicopters or fixed-wing planes), which can cost hundreds of thousands to millions of dollars with hefty hourly costs. UAV are battery operated and incur lower maintenance and staffing costs.
- DFR as a call for service unit provides DPD with a faster response and assessment of an incident than possible by a physically responding police unit. A monitoring DFR operator will be able to determine if a scout car response is even necessary or if the matter can be closed without dispatching a unit. Situations in which the caller has left the scene or if there is no indication an incident occurred at the call location, police resources are free to be sent to other calls where it would be more essential for officers to directly respond. Clearing calls for service in this manner results in improved response time for critical events and efficiency of travel, saving both manpower hours and travel resources while processing a greater number of calls in a shorter time span.
- By using VLOS at critical incident scenes, DPD can reduce personnel hours that it would normally take for real-time situational awareness at the scene. The aerial view of an event may reveal areas where security gaps may exist. VLOS helps to inform the decision-making of incident commanders by providing an aerial perspective to assess the entire scene of a critical situation. The capability to efficiently and tactically position personnel and resources to where they will be most needed or relieve those that are not, achieves cost savings in equipment and personnel duty hours.
- The integration of tactical law enforcement UAV enhances fiscal performance by providing a more efficient, cost-effective, and operationally reliable means of achieving public safety objectives, optimizing resource allocation, and potentially reducing liabilities associated with high-risk incidents.

(5) Civil Rights / Liberties Impacts: An assessment identifying with specificity.

(a) Any potential adverse impacts the surveillance technology, if deployed, might have on civil liberties and civil rights:

The American Civil Liberties Union (ACLU) has published multiple articles documenting a list of key concerns with the use of law enforcement UAV. The main concerns center on the possibility of widespread, suspicionless surveillance, chilling of free speech/assembly, lack of strong regulation and policy, potential for misuse against protesters, and violation of reasonable expectations to privacy. The ACLU advocates for defined limits of use, public transparency, and community control over UAV deployment to prevent "mission creep" and abuse, and call for strong oversight and operations policies.

- **Mass Surveillance & Privacy:** UAV makes affordable, pervasive aerial surveillance of entire communities possible.
- **Chilling Effect on Free Speech:** Constant aerial monitoring can deter people from attending protests or exercising their First Amendment rights, creating a "chilling effect" on assembly.
- **Data Retention & Misuse:** There is a risk of agencies creating video databases of protesters and citizens, leading to identification, cataloging, and over-policing for minor infractions.
- **Lack of Regulation (Mission Creep):** UAV use often expands beyond initial authorized purposes into general patrol or surveillance of historically high crime areas without specific cause.
- **"Drones as First Responders" (DFR):** UAV surveillance technology could inadvertently collect information that compromises an individual's right to a reasonable expectation of privacy while in route to a call for service or while returning to its docking base.

(b) What specific, affirmative measures will be implemented to safeguard the public from the potential adverse impacts identified in this section.

The ACLU recommends the following mitigation measures:

Strong Policies & Laws: Need strict limits on use, public notice and transparency, community input, and independent audits.

Presumption Against Surveillance: A strong presumption against using UAV for unprompted surveillance of protests and gatherings.

Data Minimization: Policies against retaining images unless relevant to a crime or ongoing investigation, and making retained data publicly available when possible consistent with DPD policy.

- The DPD Homeland Security/Emergency Management unit (HSEM), in collaboration with the Office of Strategic Policing, is creating a UAV program that places privacy and civil liberties as a priority. They will aid in developing policies and procedures for responsible use, drawing on the principles set forth by Federal, State and Local laws. Within already codified portions of the DPD

Manual, DPD makes clear that members may not violate any person's civil rights afforded by the Bias-Based Policing Policy 102.2, and that retention of criminal investigation files shall strictly follow the policy guidelines listed in the Record Retention Schedule Policy 101.11.

- HSEM is also working in partnership with other established local law enforcement agency UAV programs to benchmark best practices policy and operations to minimize any uneasiness citizens or the community may have as well as address the key ACLU concerns.
 - Law enforcement UAVs have the requirement to record video throughout the duration of its flight for transparency and liability purposes, however, the mission in which the UAV is deployed will be the principal focus and intent of any video recorded. Although the possibility exists that the UAV may record images unrelated to the primary mission inadvertently, DPD supervisors overseeing the UAV program will conduct video reviews and audits of recorded footage in coordination with the Officer in Charge (OIC) of an investigation to determine its relevancy to the proceeding. Any recording determined to be unnecessary, inadvertently recorded, or captured in violation of DPD policy or established law, will be deleted as part of the video review process.
- (6) **Authorized use:** A complete description of the purpose and intended uses of surveillance technology, including any uses that will be expressly prohibited.
- The purpose and intended uses of the proposed technology include:
 - Realtime situational awareness during an incident
 - Critical incident response
 - Evidentiary discovery during criminal investigation
 - Crime scene documentation
 - Accident reconstruction
 - Responding to Calls for Service
 - Search and rescue/locating missing person
 - Monitoring community events for safety and public relations
 - Certification training and continued training
 - Other legitimate law enforcement purposes
 - The following uses of UAV technology are expressly prohibited:
 - The UAVs shall not be weaponized
 - Where a reasonable expectation of privacy exists absent a court order
 - To harass, intimidate or discriminate against any individual or group or any other characteristic
 - To conduct personal business of any type
 - With any additional attachments or equipment without the prior authorization of the appropriate program coordinator

(7) **Data Collection:**

(a) What types of surveillance data will be collected, captured, recorded, intercepted, or retained by surveillance technology.

- UAVs will provide visual, GPS, telemetry, audio, or video data on a location or individual. Audio and/or visualization are recorded at the discretion of the operator, while other data is retained when available. This data is recorded and retained onboard the UAV and can be deleted by the operator or another authorized individual.

(b) What surveillance data may be inadvertently collected during the authorized uses of the surveillance technology, and what measures will be taken to minimize the inadvertent collection of data; and

- While in flight to a call for service, DFR UAV cameras are recording to document their entire flight and every deployment is required to be reviewed and logged. During flight from the docking station to the call location and then the return flight to the docking station, there may be occurrences of inadvertent recordings captured. After review of the entire flight recording, any inadvertently collected video data will be deleted within thirty (30) days.

(c) How inadvertently collected surveillance data will be expeditiously identified and deleted.

- The UAV operator, or other authorized person, can access all recorded media stored on UAV and can review the images and video via the Video Controller or by accessing the SD card on any standard desktop/laptop computer. The authorized person then retains or deletes the video according to DPD's established policies and procedures for recorded media.
- In the event protected information is collected through the misuse of the technology, the DPD will cause and ensure its deletion as soon as feasible as stated in the above audit and review process.
- Upon identifying that protected information has been collected through the misuse of technology, DPD will report the following to the Board of Police Commissioners (BOPC) within 15 days of its discovery:
 - i. Type of information collected;
 - ii. Date range of the collection;
 - iii. Extent of impact (i.e., how many person's information was collected);
 - iv. DPD members who had access to the information; and
 - v. Date and method of destruction, once it has been destroyed.

(8) Data Protection: What safeguards will be used to protect surveillance data from unauthorized access, including encryption and access control mechanisms.

- DPD will comply with the State of Michigan Criminal Justice Information System (CJIS) regulations and other applicable standards and policy to protect data. Audio and video data is transmitted from UAVs wirelessly to

encrypted collection points, ensuring the data cannot be intercepted or decrypted by unauthorized individuals.

(9) Data Retention: The privacy of the public can be severely compromised by the long-term storage of mass surveillance data, what rules and procedures govern the retention of surveillance data, including those governing:

(a) For no longer than what is determined to be a necessary period, surveillance data will be retained. Such data shall include a statement explaining why the designated retention period is no greater than that which is necessary to achieve the specific purpose(s) enumerated in the Surveillance Technology Specification Report;

- DPD will adhere to its Data Retention Policy (101.11) of 30 days unless otherwise needed as part of an investigation.

(b) The specific conditions that must be met to retain surveillance data beyond the retention period identified pursuant to Subsection (b)(9)(a) of this section; and

- Data will not be retained beyond the retention period except where such information constitutes evidence of a crime related to an open case or a closed case where prosecution and/or appeals remain pending.

(c) The process utilized to regularly delete surveillance data after the retention period stated in Subsection (b)(9)(a) of this section has elapsed and the auditing procedures that will be implemented to ensure data is not improperly retained.

- DPD's policies and procedures allow for the retention of video recordings for up to 30 days unless otherwise needed for an investigative purpose. UAV recordings will be audited by UAV authorized supervisors after 30 days to ensure deletion if the recording does not hold evidentiary value. Recordings that contain evidence of incidents are retained until the case is solved, closed, or litigation ends.

(10) Surveillance Data Sharing: If a City of Detroit department is seeking authorization to share access to surveillance technology or surveillance data with any other governmental agencies, departments, bureaus, divisions, or units, or non-governmental persons or entities in the absence of a judicial warrant or other legal mandate, it shall detail:

(a) Which governmental agencies, departments, bureaus, divisions, or units, or non-governmental persons or entities will be approved for:

- i. Surveillance technology sharing to the governmental agency, department, bureau, division, or unit, or non-governmental person or entity, and**

- ii. **Surveillance technology sharing from the governmental agency, department, bureau, division, unit, or non-governmental person or entity, and**
- iii. **Surveillance data sharing to the governmental agency, department, bureau, division, or unit, or non-governmental person or entity.**

(b) Where applicable, the type of information of surveillance data that may be disclosed to the governmental agency, department, bureau, division, or unit, or non-governmental person or entity; and

(c) Where applicable, any safeguards or restrictions that will be imposed on the surveillance technology or data receiving governmental agency, department, bureau, division, or unit, or non-governmental person or entity regarding the use or dissemination of the provided surveillance technology or data.

- DPD has a Data Sharing Policy (101.12) that sets forth the standard DPD must follow when sharing data. The contents of any record, file or report will not be exhibited or divulged to any non-Departmental person or entity except in the performance of official duties and in accordance with Department policy, and applicable federal, state and local laws.
- DPD must ensure the protection of Criminal Justice Information (CJI) and will also comply with all constitutional applicable law and Criminal Justice Information System (CJIS) policies.

(11) Demands for Access to Surveillance Data: What legal standard must be met by government entities or third parties seeking or demanding access to surveillance data?

- The government is limited by the **Privacy Act of 1974**, which requires written consent from the individual to disclose records. Third parties seeking access to surveillance data are guided by the **Freedom of Information Act (FOIA)**, which allows public access to government records with certain exemptions.
- For purposes of request(s) submitted under FOIA, it should be noted that the data is "public record" within the meaning of the Act. **Therefore, the data is public record and subject to court orders, subpoenas, and discovery requests, unless otherwise exempt from disclosure under the Act or other applicable statute.**
- DPD will only share information with government entities or third parties in accordance with a duly authorized data sharing agreement. Under no circumstances is a member of DPD authorized to share information for the purpose of assessing immigration status or enforcing immigrations laws.

(12) Auditing and Oversight: What mechanisms will be implemented to ensure the Surveillance Technology Specification Report is followed, including what independent persons or entities will be given oversight authority, if and how regular audits will be conducted, and in the case of the Police Department, also how the Board of Police Commissioners (BOPC) will be involved in the auditing and oversight process.

- The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAV program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices.
- Federal Aviation Administration (FAA) requires reporting of any accident or incident resulting in injury to be reported to them within ten (10) days. The UAV program coordinator will ensure proper reporting and supervise members use of UAVs as prescribed, taking immediate corrective action if the member is observed or reported to be improperly handling, operating, or in any way damaging a Department UAV.
- An operator, or Remote Pilot in Command (RPIC) will possess and maintain an FAA Part 107A Remote Pilot Certificate with a small UAV rating. The designated RPIC of the UAV mission is directly responsible for and is the final authority over the operation of the UAV.
- RPICs have the absolute authority to refuse a flight based upon weather conditions, aircraft limitations, physical conditions, site conditions, FAA regulations, applicable law, or any other reason that the RPIC believes will affect the safety of the flight. The RPIC will complete all pre-flight checks, notifications, and paperwork, including the UAV Preflight Checklist, prior to the start of each flight and complete all post-flight documentation and reporting as required.
- DPD will include the UAV in the annual Surveillance Technology and Surveillance Use Reports. Additionally, a usage report will be sent to BOPC on a weekly basis and all other documentation shall be provided upon request.

(13) Training: Would specialize training be required in connection with the use of this surveillance technology.

- To fly a UAV for any commercial purpose, including law enforcement, an operator must obtain a Remote Pilot Certificate by passing the FAA Part 107A knowledge exam. The exam covers UAV regulations, airspace, weather, and operational knowledge. All applicable DPD members will be vetted, CJIS cleared, and familiar with all relevant DPD UAV technology for their assignment before utilizing DPD UAV. DPD operators will be provided regular, monthly specialized training with DPD and maintain licensing with the FAA by recertification every two years.

(14) Complaints: What procedures will allow members of the public to register complaints or concerns or submit questions about the deployment or use of specific surveillance technology, and how the city department will ensure each question and complaint is responded to in a timely manner.

- The DPD Citizen Complaints Policy (102.6) requires that upon receiving notice of a citizen's desire to file a complaint, a member of DPD must involve a supervisor as soon as possible to receive the complaint. Such a complaint shall be documented on a Citizen Complaint Report (CCR) and submitted for investigation to the Office of the Chief Investigator (OCI). In addition, any citizen may lodge a complaint directly with the OCI over the phone.



Series 100 Administration	Effective Date 10/23/2021	Review Date Three Years	Directive Number 102.2
Chapter 102 – Standards of Conduct			
Reviewing Office <i>Office of the Chief of Police</i>			<input type="checkbox"/> New Directive <input checked="" type="checkbox"/> Revised <small>Revisions in <i>italics</i></small>
References			

BIAS-BASED POLICING

102.2 - 1 PURPOSE

The purpose of this directive is to unequivocally state that racial and ethnic profiling in law enforcement is totally unacceptable. This directive reaffirms the Detroit Police Department's commitment to unbiased policing in all its encounters between Department members and citizens, and reinforces procedures that serve to maintain public confidence and trust through the delivery of services in a fair and equitable fashion.

102.2 - 2 POLICY

The Detroit Police Department is committed to protecting the constitutional and civil rights of all citizens. Allegations of bias-based profiling or discriminatory practices, real or perceived, are detrimental to the relationship between the police and the communities the Detroit Police Department protects and serves, because they strike at the foundation of public trust. This trust is essential to effective community-based policing. Bias-based policing is an illegal and ineffective method of law enforcement. Bias-based policing results in increased safety risks to Department members and citizens and the misuse of valuable police resources. While recognizing that the majority of Detroit Police Department members perform their duties in a professional, ethical, and impartial manner, this Department is committed to identifying and eliminating any instances of bias-based policing.

102.2 - 3 Definition

102.2 - 3.1 Bias-Based Policing

The differential treatment of individuals in the context of rendering police service based on a suspect's classification or the member's perception of any such classification, such as appearance, race, ethnic background, gender or *gender-related identity*, sexual orientation, religion, economic status, age, cultural background, *immigration status*, *national origin*, or English language proficiency. Bias-based policing may also be defined as any police-initiated action that relies on any characteristic other than the behavior, conduct, unlawful act or omission of that individual, or information that leads the police to a particular individual.

102.2 Bias-Based Policing

102.2 - 3.2 English Language Proficiency

The ability of someone to speak, read, write or understand the English language at a level that allows such person to interact effectively.

102.2 - 3.3 Gender Identity or Expression

An actual or perceived gender-related identity, appearance, expression, or behavior of an individual, regardless of the designation of gender on one's birth certificate, driver's license, or state or municipal identification.

102.2 - 4 Procedure

102.2 - 4.1 Member Responsibility

1. All investigative detentions, traffic stops, arrests, searches, and seizures of property by Department members will be based upon a standard of reasonable suspicion or probable cause as required by the Fourth Amendment of the United States (U.S.) Constitution and statutory authority. Members must be able to articulate specific facts, circumstances, and conclusions, which support reasonable suspicion or probable cause for an arrest, traffic stop, or investigative detention.
2. Members must be able to articulate specific facts, circumstances, and conclusions that support reasonable suspicion or probable cause for any search or seizure, including but not limited to, traffic stops. All searches and seizures must be based on the standard of reasonable suspicion (investigative detentions) or probable cause (searches) as required by the Fourth Amendment of the U. S. Constitution and statutory authority.
3. Members may consider the reported race, ethnicity, or national origin of a specific suspect or suspects in the same way they would use specific information regarding height, weight, hair color, etc., about specific suspects.
4. Police service will be provided to all persons without regard to race, ethnic background, gender, gender identity, sexual orientation, religion, economic status, age, English language proficiency, or cultural group.
5. During citizen contact, misunderstandings may occur from the member's failure to explain why contact was made. The member should inform individuals of their reason for contact.
6. Nothing in this section shall limit a member's ability to interview witnesses or discourage routine conversations with citizens not suspected of an offense.
7. Any member who has a reasonable opportunity must act to prevent or stop any member from violating this procedure and report it to their supervisor (refer to 102.11 Duty to Intervene).

102.2 - 4.2 Supervisory Responsibility

1. Supervisors should ensure that members assigned under their command are familiar with this policy and comply with its provisions.
2. Supervisors should monitor the activities of members under their command to ensure that bias-based policing is not practiced.

102.2 Bias-Based Policing

102.2 - 4.3 Complaint Process

Supervisors that receive a citizen complaint or allegation of bias-based policing on the part of members under their command, or any other member of this Department, shall forward such information in writing in accordance with this Department's directives regarding citizen complaints and internal investigations.

102.2 - 4.4 Training

All Department members receive initial cultural diversity and awareness training at the basic recruit-training academy. Additionally, training regarding interaction with citizens, policy, ethics, legal requirements, and related topics shall be integrated into the basic recruit-training program for all new members and as part of in-service training programs.

102.2 - 4.5 Compliance Reporting

Planning, Research, and Deployment shall conduct a quarterly audit of self-initiated traffic stops to determine if there are any racial disparities. Any potential racial disparity shall be determined by comparing the demographics of the community living in the precinct with the demographics of the individuals being stopped. A copy of this report shall be forwarded to each relevant Precinct Commander, Deputy Chief, and Assistant Chief. The Board of Police Commissioners shall receive an annual report of the bias-based policing audit.



SPECIAL ORDER

DATE OF ISSUE	EFFECTIVE DATE	NUMBER
03/25/2024	03/25/2024	24-01

SUBJECT
CITIZEN COMPLAINTS POLICY

REVISIONS	RESCINDS	EXPIRATION DATE	DISTRIBUTION
Revisions are italicized	SPECIAL ORDER 22-23, CITIZEN COMPLAINTS	03/25/2025	A

Purpose

To inform all Detroit Police Department (DPD) members of the procedure for accepting, processing and investigating complaints concerning the Department; allegations of employee misconduct; and to list and define the dispositions of complaints.

Policy

The public image of the DPD is determined by a professional response to allegations of misconduct by its employees. All complaints against the DPD and/or employee conduct shall be accepted and investigated fairly and impartially to determine the validity of allegations. Any disciplinary actions that may be justified shall be imposed in a timely and consistent manner. It is the policy of the DPD and the Office of the Chief Investigator (OCI) that:

- a. All complaints against the DPD and/or employee conduct shall be accepted and documented whether the complaint is filed in writing, in person, by mail, by telephone (or TDD), facsimile or electronically, anonymously, or online at the Board of Police Commissioners' website;
- b. All complaints against members of the DPD shall be referred to the OCI for investigation and resolution; however, if the complaint alleges potential criminality or a serious use of force by a member, it shall be investigated by Internal Controls (IC);
- c. IC and OCI shall complete all investigations within ninety (90) days of receiving the complaint;
- d. Upon completion of the investigation by a command other than OCI, the complainant shall be notified of its outcome and, if the complaint is sustained, whether disciplinary or non-disciplinary corrective action has been recommended;
- e. Upon completion of an investigation by OCI, the complainant shall be notified of its outcome and, if the complaint is sustained, its referral to the Chief of Police for appropriate disciplinary or non-disciplinary corrective action; and
- f. All investigations shall be thorough and complete.

Definitions

Citizen Complaint Report (CCR)

This report is utilized to record a complaint regarding the conduct of any department personnel, policy or action. This report is located in the Management Awareness System (MAS). The paper CCR form number is DPD512.

Complaint

An allegation from any source of any misconduct by DPD personnel.

Complainant

Any individual who files a complaint regarding the conduct of any department personnel, policy or action.

Conveyance

Any instance when DPD transports a non-DPD employee for any purpose.

Complaint Control Number

A sequential number used to identify and track citizen complaint investigations. The complaint control number is pre-printed on the (paper) Citizen Complaint Report (DPD512).

Critical Firearm Discharge

Each discharge of a firearm by a DPD officer with the exception of range and training discharges and discharges at animals.

Discipline

A written reprimand, suspension, demotion or dismissal.

External Complaint

A complaint that originates from outside the department.

Internal Complaint

A complaint that originates from within the DPD. Such complaints may be initiated by other DPD employees or from supervisors who observed or were informed by other employees of possible policy violations. An Inter-Office Memorandum (DPD 568) shall be completed and submitted to the commanding officer.

Internal Controls (IC)

The command of the DPD that investigates serious uses of force and allegations of criminal misconduct or severe department misconduct by DPD employees.

Misconduct

Any conduct by a DPD employee that violates DPD policy or the law.

Non-Disciplinary Corrective Action

Counseling, training or other action apart from discipline taken by a DPD supervisor to enable or encourage an officer to modify or improve their performance.

Office of the Chief Investigator (OCI)

The office that has the responsibility of investigating external complaints.

Serious Bodily Injury

An injury that involves a loss of consciousness, extreme physical pain, protracted and obvious disfigurement, protracted loss or impairment of the function of a body part or organ, or a substantial risk of death.

Serious Use of Force

The term "serious use of force" means any action by a DPD officer that involves:

- The use of deadly force, including all critical firearms discharges;
- A use of force in which the person suffers serious bodily injury or requires hospital admission;
- A canine bite; and
- The use of chemical spray against a restrained person.

Supervisor

A sworn DPD employee at the rank of sergeant or above and non-sworn employees with oversight responsibility for DPD employees.

Jurisdiction

General

The investigation of citizen complaints regarding allegations of police misconduct or complaints of DPD service is the primary responsibility of the OCI. The primary responsibility for investigating allegations of criminality on the part of a member shall rest with IC.

Office of the Chief Investigator (OCI)

1. The OCI is the primary investigative arm of the Board of Police Commissioners (BOPC) and investigates complaints on behalf of the Board.
2. In accordance with the Detroit City Charter, the BOPC shall receive any complaint against the DPD or employee or any citizen complaint concerning the operation of the DPD.
3. The Office of the Chief Investigator shall investigate a complaint immediately and complete a report of findings.
4. All complaints received by the OCI regarding allegations of criminality and/or a serious use of force by a DPD employee shall be referred to IC. If the complaint involves possible criminal conduct on the part of any DPD member or city employee, the OCI shall immediately notify Internal Controls during normal business hours.
5. The Chief Investigator, or their designee, shall complete their review of OCI investigations within seven (7) days of completion of the supervisor's review.
6. Immediately upon the Chief Investigator's review, the investigation shall be submitted to the Board of Police Commissioners who shall complete their review of OCI investigations within forty-five (45) days of the completion of the Chief Investigator's review. The OCI shall forward the Citizen Complaint Report (CCR) and the findings of each allegation to the Chief of Police, or their designee, the involved member(s) and the citizen.
7. The Chief of Police, or their designee, shall complete their review of external complaints within seven (7) days of the Board of Police Commissioners' review. The

Chief of Police, or their designee's, review should include, but is not limited to, appropriate disciplinary action and policy review.

8. If the Office of the Chief Investigator identifies members, precincts, platoons, and operations that may reflect patterns and trends of police misconduct or risk-related events, they shall immediately notify the Department's Risk Management Unit, Civil Rights Unit, and Professional Standards Bureau in order that a prompt investigation can occur. Additionally, the Office of the Chief Investigator shall hold quarterly meetings with the Board of Police Commissioners and the Department's Risk Management and Civil Rights Units and Professional Standard Bureau to ensure the necessary communication between the entities reviewing alleged officer misconduct.

Internal Controls (IC)

Internal Controls is responsible for investigating and recommending the prosecution of criminal misconduct on the part of DPD members and the following:

- a. Compiling comprehensive reports delineating departmental misconduct arising out of criminal misconduct investigations;
- b. Preparing suggested revisions of DPD procedures where existing deficiencies have been a contributing factor in misconduct;
- c. Gathering evidence and recommending the prosecution of cases in which criminals have attempted to bribe members and/or other public officials;
- d. Recommending prosecution of those who falsely report that a member has committed a crime;
- e. Determining responsibility for criminal misconduct investigations; and
- f. Maintaining Internal Controls Alert Teams twenty-four (24) hours a day to respond immediately and take charge of the initial investigation in those situations where criminal misconduct or category one (1) uses of force has been committed by a member of the DPD (the Homicide Section retains original jurisdiction in all homicides).

Responsibilities

General

The DPD encourages citizens to bring forward legitimate complaints regarding possible misconduct by members. All officers while on patrol shall carry informational brochures and citizen contact forms in their vehicle, at all times, while on duty.

Members

1. All members must courteously inform an individual of their right to make a complaint, if an individual objects to a member's conduct. This includes the complaints from an individual that is in DPD custody and/or at the Detroit Detention Center (DDC).
2. Members have a duty to assist any person who wishes to file a citizen's complaint by providing them with an informational brochure and a citizen contact form or promptly putting the complainant in contact with a supervisor who can assist them with filing their complaint.
3. No member shall refuse to assist, discourage, interfere with, hinder, delay, or obstruct any person who wishes to file a citizen complaint.

4. Members who withhold information, fail to cooperate with departmental investigations, or fail to report the misconduct of members to a supervisor, shall be subject to disciplinary action.

Supervisors

1. Citizen complaints shall be accepted by any supervisor of the DPD who is approached for such assistance. No supervisor shall refuse to take a citizen complaint or discourage, interfere with, hinder, delay or obstruct a person from making a citizen complaint.
2. Complaints made by individuals that are in DPD custody and/or at the Detroit Detention Center shall be accepted by the supervisor that becomes aware of the complaint and investigated in accordance with the policies contained in this directive.
3. The primary responsibility for maintaining and reinforcing officer conformance with the standards of conduct shall be with the first-line supervisors.
4. Supervisors shall familiarize themselves with the officers under their command and closely observe their general conduct and appearance on a daily basis.
5. Supervisors should remain alert for indications of behavioral problems or changes that may affect an officer's job performance.
6. A supervisor may recommend non-disciplinary corrective action (e.g. additional training) to reinforce and/or refresh the officer's skills.
7. Supervisors shall take corrective action, within the scope of their authority, when they witness or become aware of minor, infrequent rule violations (e.g. tardiness, uniform violations, etc.), and shall discuss the substance and importance of the rules with officers under their command.
8. Supervisors should document all instances of counseling (Administrative Counseling Register) or additional training (e.g., training records) used to modify an officer's behavior.

Acceptance/Filing of Complaints

General

1. Citizen complaints shall be accepted at any DPD command, the OCI, the Board of Police Commissioners' Office, or the Board of Police Commissioners' weekly public meeting, or on-line via the DPD's Intranet and the Board of Police Commissioners websites. The DPD will accept complaints from any source, including witnesses or other third parties, outside agencies and anonymous sources.
2. Every complaint against the DPD or any member of the DPD shall be accepted by a supervisor in the command where the complaint is made, regardless of where the alleged incident occurred, or where the member(s) involved is assigned.
3. If a complaint is received beyond one (1) year of the occurrence of an incident, the Chief Investigator shall review the complaint and determine if a reasonable basis exists upon which to proceed with the investigation.
4. OCI training materials provided by the Board of Police Commissioners, which have been approved by the DPD Training Center and the Chief of Police, shall be made available to department members to ensure proper citizen complaint intake.

Complaint Intake Procedure

1. All members of the DPD shall provide assistance to those who express the desire to lodge complaints against any member(s) of the DPD as follows:

- a. Any member who is approached by a citizen(s) wishing to make a complaint while inside a police facility (bureau, precinct, or any other command) shall promptly put that citizen(s) in contact with a supervisor who will document their complaint;
 - b. Any member who is approached by a citizen(s) wishing to make a complaint while the member is deployed in the field (patrol, investigative or commands) shall inquire as to whether the citizen(s) would prefer to file the complaint over the phone, through the mail, on line or have a police supervisor respond to the scene to take their complaint;
 - c. Depending on the citizen's preference, the officer shall either provide the citizen with an informational brochure and a citizen contact form, or request a supervisor through the zone dispatcher who shall respond immediately to the scene to document the complaint. In the event that no supervisor is available to respond immediately, the member shall courteously inform the citizen of this fact and provide the citizen with an informational brochure and a citizen contact form;
 - d. Any officer who provides a citizen with an informational brochure and a citizen contact form shall document that fact on their Activity Log (DPD 250). The officer shall complete a Contact Information Supplement Card, including the contact form number provided to the citizen, and the officer's name and badge number. The officer shall give their supervisor any completed Contact Information Supplement Cards by the end of the shift in which it was distributed; and
 - e. Every effort shall be made by all members to facilitate the convenient, courteous, and prompt receipt and processing of citizen complaints. Any member who interferes with, discourages, hinders, or delays the making of complaints shall be subject to disciplinary action.
 - f. Supervisors shall take corrective action, within the scope of their authority, whenever they observe a failure to accurately complete a citizen complaint report. Any supervisor who fails to take corrective action when necessary to ensure the proper procedures regarding citizen complaints – including the supervisory responsibility to review and approve citizen complaints– shall be subject to appropriate disciplinary action.
2. If the complaint involves possible criminal conduct or a serious use of force on the part of any DPD member or city employee, the supervisor shall immediately notify the IC Alert Team. During normal business hours, the supervisor may contact IC directly. If other than normal business hours, the IC Alert Team shall be contacted through Communications Operations. The supervisor who contacted the IC Alert Team shall log their name and badge number, the name of the person notified at IC (or Communications Operations) and the complainant's name (if available), in the precinct or command Citizen Complaint Referral Logbook.
 3. If the IC Alert Team concurs with the intake supervisor's assessment that the complaint involves potential criminal conduct, the IC Alert Team will respond to the complainant's location. Depending on the nature of the complaint, the IC Alert Team may direct the intake supervisor to have an incident report prepared on the incident and forward same to IC. If IC takes jurisdiction of the complaint, upon receipt, they will provide the complainant with the IC case number.
 4. If the complaint is non-criminal in nature, the intake supervisor shall enter a CCR in MAS.

5. The intake supervisor shall document the complaint number and complaint information in the electronic desk blotter, under "Customer Service." Once the CCR is completed, the supervisor shall make a blotter entry indicating the CCR was forwarded.
6. No member involved in a situation that results in a citizen complaint being filed, shall be present during any interview with the complainant(s) or witness(es).
7. All commands are responsible for maintaining an adequate supply of the DPD512, to be utilized in the event that MAS becomes non-operational. Requests for a supply of the reports shall be made to OCI during normal business hours, Monday through Friday, 8:00 a.m. – 4:00 p.m.
8. In the event that a Citizen Complaint Report (DPD512) is completed due to MAS being non-operational, the intake command shall forward the report to OCI within forty-eight (48) hours with the exception of weekends and holidays.
9. OCI shall enter the CCR information into MAS upon receipt of the DPD512.

Citizen Complaint Report Referral Logbook

1. Each command shall maintain a Citizen Complaint Report Referral Logbook to account for each CCR prepared by the command.
2. The Citizen Complaint Referral Logbook entry shall include the MAS CCR form number (or DPD512 control number, if applicable), the complainant's name, address, telephone number, the date, time, and nature of the complaint; the method of complaint (e.g., walk-in, telephone, etc.); and if resolved, how this was accomplished (e.g., provided information, explained procedure, etc.).
3. If, for any reason, a DPD512 is rendered unusable (e.g., torn, soiled), the report shall be marked "void" and forwarded to the OCI. A DPD512 shall not, for any reason, be discarded. The word "void," the date, and the name and badge number of the supervisor voiding the form, shall be entered on the same line as the number of the voided form in the logbook. Personnel of the OCI shall void the unusable report in the OCI CCR logbook when the report is received.
4. The Citizen Complaint Referral Logbook is a permanent record and shall be maintained at every command's desk.

Complaints of a Sensitive Nature

1. If a complaint is of a sensitive nature (e.g. involves a public official), the supervisor shall notify their commanding officer and the OCI immediately.
2. If the complaint involves an incident or situation in which immediate action is necessary to confirm, refute, or preserve evidence of a fragile or temporary nature, the commanding officer or officer-in-charge (OIC) of the desk shall immediately take appropriate action to prevent the loss of evidence. If assistance is needed to determine if there is a need for immediate action, the OCI can be contacted Monday through Friday, 8:00 a.m. to 4:00 p.m. At all other times, personnel assigned to the OCI can be contacted through Communications Operations.

Complaints Arising out of DDC

1. The commanding officer of the DDC shall ensure that the DDC accepts and processes all external complaints regarding incidents occurring at the DDC consistent with this directive.

2. The commanding officer shall ensure that all external complaints received, regarding incidents occurring at the DDC are referred to OCI or IC for investigation and review or are informally resolved consistent with this directive.

Allegation of Use of Force Complaints

In all instances where a citizen alleges that force was used, the supervisor receiving the complaint shall document the incident on a Use of Force and/or Detainee Injury Report (UF-002), and complete a CCR in MAS (Refer to Directive 201.11 – Use of Force Reporting and Investigation for supervisor's responsibilities, notifications, investigations, and distribution of reports).

Citizen Claims of Property Damage (Police Action)

1. If a citizen states a desire to make a complaint against the Department or any of its officers in conjunction with a claim of property damage resulting from police action, the matter shall be handled in accordance with citizen complaint procedures, including the preparation of a Citizen Complaint Report.
2. Pursuant to Detroit City Code 2-4-18, if a citizen states a desire to only seek remuneration for a claim of property damage, the citizen shall be directed that any such claims must be filed in writing to the city of Detroit, Law Department, Claims Section, or by telephone at (313) 224.4550. If the OCI is investigating a citizen complaint arising from the same incident, the Law Department, Claims Section, will defer processing any related claim until such time as a final disposition has been made concerning the citizen complaint.
3. Upon receipt of a claim for money or damages against the DPD or its officers, the Law Department, Claims Section, will review the circumstances, prepare an official claims report, and (if necessary) designate the appropriate command to investigate the incident.
4. The designated command will receive an Inter-Office Memorandum (DPD 568) from the Law Department, Claims Section, with information regarding the names of any DPD member(s) associated with the claim, the date of the incident which precipitated the claim, the claimant's name and a brief description of the claim.
5. The investigating command shall submit an investigation and report on an Inter-Office Memorandum (DPD568) which shall be endorsed by the commanding officer of the precinct or command. The report shall include results of the investigation and recommendations concerning whether or not the claim should be honored.
6. The completed report and supporting documentation shall be forwarded directly to the Law Department, Claims Section, within twenty (20) days from receipt of the Law Department's memorandum.
7. A Citizen Claim for Property Damage and/or Personal Injury (DPD 646) shall be attached as a coversheet to the investigation and report.

Preparation of the Citizen Complaint Report in the Management Awareness System (MAS)

Guidelines

The following guidelines are outlined to complete a Citizen Complaint Report in the MAS:

1. **Member Preparing Report** - The supervisor completing the report shall log into MAS and select "new document" under their dashboard. The supervisor shall click the "fill form" button under "OCI Citizen Complaint." The system will auto-fill the name of the logged in supervisor, along with the date and time;
2. **Mode of Complaint** - From the drop down list, select the method used to make the complaint (electronic mail, in custody, letter, online, outside agency, etc.);
3. **Command Receiving Complaint** - Begin typing the name of the command where the complaint is received, then select the appropriate command from the drop down list;
4. **Incident Date and Time** - The date shall be entered using the MM/DD/YYYY format; the incident time shall be entered in military time (HH:MM - the colon must be used);
5. **Complaint Entered Elsewhere** - Ask the person reporting the complaint whether the incident or matter of complaint has been filed at another police facility or non-police agency, e.g., Michigan Department of Civil Rights, Ombudsman, Mayor's Office, NAACP, etc. If so, click on the box provided in the section and enter the location, mode and date of the complaint;
6. **Complainant** - If complainant has made a prior complaint(s), begin typing the last name and select the name from the drop down list. The related identifying information will auto populate. Changes can be made, if necessary. If this is the complainant's first complaint, complete all applicable fields. If a particular field is not applicable, enter "N/A";
7. **Adding a Witness or Agent** - In the "Witness/Agent" field, select the "Citizen Type" from the drop down list. Enter the required information (*). Selecting the "+" button in the "Add Witness/Agent" field will allow for multiple witnesses or agents to be added;
8. **Location of Incident** - Enter the street number, name, direction, and street type (from the drop down); city/state/zip code; and intersection, if applicable;
9. **Involved Member(s)** - Begin typing the last name of the involved member, then select the name from the drop down list. Click the "Add" button to include the member's name on the report. Multiple members can be added to the report by repeating the above step. Enter "UNKNOWN" in this field if the involved member(s) is unknown (**Only type the member's name if it is certain that the member mentioned was in fact involved; if there is any uncertainty, attempt to get a full description of the member being accused**),
10. **Number of Witnesses** - Enter the number of witnesses who observed the incident;
11. **Area of Concern** - For each member involved in the complaint, select from the following list of area(s) of concern. Select the area that best categorizes the allegation(s) of the complaint as follows:
 - **Arrest:** Complaint that the restraint of a person's liberty was improper or unjustified.
 - **Demeanor:** Complaint regarding a DPD member's bearing, gesture, language, or other action, which is offensive or of doubtful social propriety, or gives the appearance of conflict of interest, misuse of influence, or lack of jurisdiction or authority.
 - **Entry:** Complaint that entry into a building or onto property was improper and/or that excessive force was used against property to gain entry.
 - **Force:** Complaint regarding the use or threatened use of force against a person.
 - **Harassment:** Complaint that the method of police action was predicated upon factors irrelevant under the circumstances to good law enforcement

decision-making (e.g., race, attire, sex, age) or complaint of improperly selective law enforcement on the basis of factors just listed.

- **Procedure:** Complaint regarding other actions in violation of DPD rules, regulations, procedures or policies, or the Law Enforcement Code of Ethics.
 - **Property:** Complaint regarding property lost or damaged while in police custody or confiscated through police action.
 - **Search:** Complaint that the search of a person or their property was improper, or in violation of established police procedure, or unjustified.
 - **Service:** Complaint regarding the lack, tardiness or inadequacy of police service.
12. **Resolution** – Select the resolution type from the drop down box – “Informally Resolved” or “Further Investigation”. If “Informally Resolved” is selected, the supervisor shall select “inadequate service or innocence of a crime” (only allegations of inadequate service or innocence of a charge may be informally resolved);
 13. The supervisor shall enter in the “Resolution” box, the steps/actions taken to informally resolve the complaint;
 14. **Details of Incident/Circumstances** – Document a precise description and facts of the incident or matter of complaint in this section. Details of specific allegation(s) against each member should be given. If the person reporting the complaint is not the complainant, record the person’s involvement in the incident or the source of the person’s knowledge of the incident. Record all significant circumstances concerning the person making the complaint and the manner of making the complaint. For example, if the complainant alleges physical abuse, look for and ask about signs of impairment or injury. If the complainant or a witness appears intoxicated, overwrought or agitated, record that fact. Do not include any personal conclusions or assumptions concerning the complainant’s mental capacity or veracity
 15. **Accepting/Refusing the Complaint** – Read the circumstances back to complainant as written. Ask the complainant if the nature of the complaint was accurately captured. Select the appropriate response;
 16. **Route To** - Once the CCR is completed in MAS and has been accepted by the complainant/agent, the supervisor shall route submit the report that will go to OCI to the applicable on-duty inspector or commander for approval. Routing will depend on chain of command for the reporting entity.

Once the CCR has been accepted by the complainant/agent, the reporting supervisor shall print one (1) copy of the report and give it to the complainant/agent. No member(s) or witness(es) shall receive a copy of the CCR.

Review by the Commanding Officer

1. The commanding officer shall review the CCR and ensure that it is accurate and complete. After reviewing the CCR, the commanding officer shall check the “Approve/Authorize” box and submit the report to be routed to the OCI.
2. CCRs shall be reviewed and electronically routed to the OCI within forty-eight (48) hours of the complaint being taken.
3. If the CCR is prepared as the result of a letter or a telephone complaint, the letter and/or notes shall be cross-referenced with the CCR form number, and forwarded to the commanding officer of the supervisor taking the complaint.

4. All notes and documentation relevant to the complaint shall be hand-delivered to the OCI for processing and investigation.

Release of Medical Records

1. If the citizen making the complaint has received or intends to seek medical treatment for injuries sustained as a result of the alleged incident, the member shall request that a medical record release authorization form for the respective hospital is completed.
2. The signature of the complainant is needed on a medical record release authorization form for each treating facility. If the complainant is seventeen (17) years of age or under, a parent or legal guardian must co-sign the medical record release authorization form unless the complainant can show that they are a legally emancipated juvenile.
3. The medical record release authorization form (if applicable) shall be cross-referenced with the CCR form number, and forwarded to the commanding officer of the supervisor taking the complaint.

Investigations of Citizen Complaints

General

1. All investigations shall to the extent reasonably possible, determine whether the officer's conduct was justified. No investigation being conducted by either the OCI or IC shall be closed simply because a subject or complainant is unavailable, unwilling or unable to cooperate, including a refusal to provide medical records or proof of injury.
2. All command level citizen complaint investigations shall be conducted by a supervisor who did not authorize, witness or participate in the incident, and all investigations shall contain:
 - a. Documentation of the name and badge number of all officers involved in and/or on the scene during the incident;
 - b. A canvass of the scene to identify civilian witnesses;
 - c. Thorough and complete interviews of all witnesses, subject to the DPD's Garrity Protocol (refer to Training Directive 04-4);
 - d. An effort to resolve material inconsistencies between witness statements;
 - e. Photographs of injuries or alleged injuries (subject and/or officer); and
 - f. Documentation of any medical care provided.

Interviews

1. All investigatory interviews shall require:
 - a. Officers who witness or are involved in an incident to provide a timely statement regarding the incident subject to the DPD's Garrity Protocol (refer to Training Directive 04-4);
 - b. Whenever practicable and appropriate, interviews of complainants and witnesses shall be conducted at sites and times convenient for them, including at their residences or places of business;
 - c. All IC, OCI, and critical firearm discharge investigations shall also include in-person video or audio tape recorded interviews of all complainants, witnesses, and involved DPD officers. Group interviews are prohibited; and
 - d. In cases where complainants/witnesses refuse in-person video or audio tape recorded interviews, written statements shall be taken and signed by the complainant/witness along with a statement signed by the complainant/witness refusing an in-person video or audio tape recorded interview.

2. All investigatory interviews prohibit:
 - a. The use of leading questions that improperly suggest legal justifications for the officer's actions, when such questions are contrary to appropriate law enforcement techniques; and
 - b. The use of interviews via written questions when it is contrary to appropriate law enforcement techniques.

Reports

1. All investigatory reports and evaluations shall require:
 - a. A precise description of the facts and circumstances of the incident, including a detailed account of the subject's or complainant's, and officer's actions, and an evaluation of the initial stop or seizure;
 - b. A review of all relevant evidence, including circumstantial, direct, and physical evidence;
 - c. That the fact that a subject or complainant pled guilty or was found guilty of an offense shall not be considered as evidence of whether a DPD officer engaged in misconduct, nor shall it justify discontinuing the investigation;
 - d. Reasonable credibility determinations with no automatic preference given to an officer's statement over a non-officer's statement or discounting of a witness's statement merely because the witness has some connection to the subject or complainant;
 - e. An evaluation of whether an officer complied with DPD policy;
 - f. An evaluation of all uses of force, including the officer's tactics, and any allegations or evidence of misconduct uncovered during the course of the investigation;
 - g. All administrative investigations shall be evaluated based on a preponderance of the evidence standard;
 - h. Written documentation of the basis for extending the deadline of a report and evaluation and provide that the circumstances justifying an extension do not include an investigator's vacation or furlough. The investigator's vacation or workload shall result in the investigation and report being reassigned; and
 - i. Any recommended non-disciplinary corrective action or disciplinary action shall be documented in writing up to the rank of commander.

Review

1. All investigations shall adhere to the following:
 - a. Investigations shall be reviewed by the chain of command above the investigating supervisor;
 - b. The reviewing supervisor(s) shall identify any deficiencies in the investigations and require the investigator to correct any deficiencies within seven (7) days of the initial submission of the report and evaluation to the reviewing supervisor;
 - c. The reviewing supervisor shall make the appropriate recommendation, and the final reviewing authority shall refer any incident with training, policy, or procedural implications to the appropriate DPD entity;
 - d. The appropriate non-disciplinary corrective action (verbal counseling, additional training, etc.), and/or disciplinary action shall be recommended by any member of the reviewing chain of command when an investigator and/or reviewing supervisor fails to comply with this directive or DPD policies or procedures; and

- e. A written explanation shall be prepared by any supervisor, including the Chief of Police, who disagrees with a finding or departs from a recommended non-disciplinary corrective action or disciplinary action, including the basis for the departure.

Criminal Investigations

1. If any complaint involves potentially criminal conduct on the part of any DPD member or city employee, the Intake supervisor shall immediately notify the Internal Controls Alert Team. (Refer to Complaint Intake Procedure [Section 6.2 of this directive]). During normal business hours, the supervisor may contact IC directly. If other than normal business hours, the Alert Team shall be contacted through Communications Operations.
2. Criminal investigations focus upon alleged or suspected criminal activity by a member. If the criminal prosecution of a member is a possibility, IC shall assume responsibility for conducting the investigation.
3. Acquittal on a criminal charge does not prevent the DPD from taking appropriate administrative action against a member.

Administrative Investigations

1. Administrative investigations are non-criminal investigations. Criminal investigations regarding alleged or suspected criminal activity by a member shall always take precedence over administrative investigations.
2. The OCI shall be responsible for investigation of complaints when a citizen makes an allegation of non-criminal misconduct or non-performance of duty. Examples of this type of investigation would include allegations related to the quality of service, professionalism or demeanor.

Special Examinations

1. In the course of an administrative investigation, in accordance with state/federal law, and the respective collective bargaining agreement, an officer may be compelled to:
 - a. Participate in a lineup;
 - b. Undergo a medical or laboratory examination;
 - c. Be photographed;
 - d. Submit a financial disclosure statement; or
 - e. Submit to a breathalyzer test.
2. If an administrative investigation becomes a criminal investigation, these tests or conditions may be utilized in accordance with departmental investigative procedures and the law, as in any other criminal investigation.
3. Pursuant to State of Michigan law, an employee may not be required to submit to a polygraph test.

Request for Information

1. If during the course of an investigation, it is determined that a member witnessed or may have knowledge of an incident, which is the subject of a citizen complaint, that member shall provide any information known to them. These requests for information may be done in oral or written form.
2. Whenever a member is required to submit a statement, it shall be done in a manner consistent with the law and all DPD policies and procedures.

Member's Rights

1. Members accused of violating criminal codes or ordinances shall be entitled to their full rights under the federal and state constitution.
2. Citizen complaint investigations shall be conducted in a manner consistent with the law and all DPD policies and procedures.

Adjudication of Complaints

Categorization of Findings

The disposition of completed citizen complaint investigations shall be classified as:

1. **Unfounded** - The investigation revealed no facts to support that the incident complained of actually occurred;
2. **Sustained** - A preponderance of the evidence shows that the alleged conduct did occur and the actions of the officer violated DPD policies, procedures, or training;
3. **Not Sustained** - There are insufficient facts to decide whether the alleged misconduct occurred; or
4. **Exonerated** - A preponderance of the evidence shows that the alleged conduct did occur but did not violate DPD policies, procedures or training.

Disposition

1. Upon completion of either an IC or OCI investigation, the complainant shall be notified by IC or OCI of the disposition of their complaint within fifteen (15) business days, including an appropriate statement regarding the findings (sustained, unfounded, etc.), whether any non-disciplinary corrective action or disciplinary action was taken.
2. In the event that non-disciplinary corrective action or disciplinary action was taken subsequent to the complainant's initial notification of the disposition of their complaint, IC or OCI shall later provide the complainant with an appropriate statement regarding the new findings.
3. All OCI case findings shall be submitted to the Board of Police Commissioners' Citizen Complaints Subcommittee. After the findings are approved by the BOPC Subcommittee, all complaints will be forwarded to the Chief of Police for appropriate disciplinary action, and if applicable, review for other issues, e.g., policy, risk, training, etc. In no case shall a finding of sustained be overruled by any deputy chief or commanding officer of any precinct or command. The Chief of Police, or their designee, shall complete their review of all external complaints and findings within seven (7) days of completion of the BOPC's review.
4. If the Chief of Police disagrees with the findings of the Board of Police Commissioners' Citizen Complaints Subcommittee, the Chief of Police shall notify the Chief Investigator within seven (7) days, in writing of the reason for the disagreement. A meeting between the Chief of Police, or their designee, and the Chief Investigator shall be held within seven (7) days of notification of disagreement for the purpose of resolving the difference. If the issue is not resolved, the Board of Police Commissioners' Citizen Complaint Subcommittee will make a final review and decision.
5. Absent a request for a review by the Chief of Police with the Citizen Complaint Subcommittee or the Chief Investigator, the original decision shall be final, pending

an appellate review by the full Board of Police Commissioners. (See Detroit City Code, Chapter 7.1103).

6. All IC cases that involve a critical firearm discharge, serious use of force, suicide, or attempted suicide are forwarded to the Chief of Police for review and forwarded to Disciplinary Administration, if applicable, or for forwarding to the appropriate command to address other issues (e.g., training, risk, policy, etc.).
7. The Chief of Police shall forward all sustained complaints to Disciplinary Administration for disciplinary processing (e.g., scheduling trial boards or referring to commands for Commander's Hearings).

Confidentiality of Files

1. All reports relating to internal investigations are considered confidential and are to be used for internal department purposes. IC is responsible for maintaining all internal investigation files conducted by entities under their command. The OCI is responsible for maintaining files on all Citizen Complaint Reports and subsequent investigations.
2. Files or any part of a file maintained by IC or OCI shall not be released except in accordance with applicable state or federal law, or in response to a lawful subpoena from a court of competent jurisdiction. Offices shall be locked after working hours.
3. No copies of any IC file shall be made without the written permission of the Chief of Police. Review of IC files shall be authorized by the commanding officer of IC and is limited to persons who have a specific need to become familiar with a particular completed investigation.
4. The confidentiality of OCI files is the responsibility of the Board of Police Commissioners through the Chief Investigator who shall ensure that only authorized persons have access to those files.
5. Documents or copies of documents from citizen complaint files may be removed from the OCI by supervisory departmental members when necessary for the efficient conduct of investigations or disciplinary proceedings, but the confidentiality of such documents must be maintained. This request must be made in writing to the Chief Investigator.
6. The following persons shall have access to citizen complaint files without specific written authorization:
 - a. The BOPC's secretary to the board, attorney, chief investigator, supervising investigator, or any member of the investigative staff of the BOPC.
 - b. The Chief of Police or any member whose name appears on an authorization list maintained by the OCI.
7. The following persons shall have access to citizen complaint files or documents contained in those files only with appropriate written authorization identifying the file document to be examined, and stating the purpose for the examination:
 - a. An assistant corporation counsel who is authorized by the corporation counsel to examine specified files or documents for legal purposes;
 - b. Attorneys representing members in disciplinary matters; and
 - c. A person authorized to examine specified files or documents by a court of competent jurisdiction.

Statistical Summaries

Monthly Summary

A monthly Summary of Citizen Complaints shall be prepared on an Inter-Office Memorandum (DPD568) by every command listing the total number of citizen complaints received; the number of citizen complaints resolved to the satisfaction of the citizen; and the number referred to IC and the OCl. The Summary of Citizen Complaints shall be forwarded to both IC and the OCl.

Annual Summary

The OCl compiles an annual summary of its investigations. These summaries are distributed throughout the department and are available for release to citizens.

Updates to the Department Manual are forthcoming.

JAMES E. WHITE
Chief of Police



DETROIT POLICE DEPARTMENT MANUAL

Series 100 Administration	Effective Date 08/16/2019	Review Date Annually	Directive Number 101.11
Chapter 101 - Organization and Management			
Reviewing Office <i>Planning, Research, and Deployment</i>			<input type="checkbox"/> New Directive <input checked="" type="checkbox"/> Revised <small>Revisions in <i>italics</i></small>
References			

RECORD RETENTION SCHEDULE

101.11 - 1 PURPOSE

The purpose of this policy is to provide procedures for the Detroit Police Department's (DPD) record retention system.

101.11 - 2 POLICY

Public records are the property of the people of the State of Michigan. As a result, government agencies are responsible for ensuring that the public records they create and receive while conducting public business are retained and destroyed in accordance with Michigan law. The Detroit Police Department has adopted the State of Michigan's General Schedule #11 Retention and Disposal schedule for local law enforcement agencies.

101.11 - 3 Definitions

Auditable Form or Log

The term "auditable form" or "auditable log" means a discrete record of the relevant information maintained separate and independent of blotters and other forms maintained by the Department.

Public Records

The Michigan Freedom of Information Act (FOIA) (Public Act 442 of 1976, as amended) defines public records as recorded information "prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created."

101.11 - 4 Procedures

Abandoned Vehicle Notice - 2 years

These records document vehicles that are abandoned and/or impounded. They may include photographs, data describing the vehicle, TR-52 "Notice of Abandoned Vehicle" forms, and requests from wrecker companies.

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Accident Reports - 3 years

These records document accidents reported to the Michigan State Police on the UD-10 "Uniform Traffic Crash Report" form. The retention is Pursuant to MCL 257.622.

Accounts Receivable Records – 6 years

These records document money received for restitution payments and may include transactions and daily balances.

Activity Logs - 3 years

These are daily activity logs of members deployed to the field or who are required to complete a DPD Activity Log.

Administrative Subject Files – 5 years after close of topic

These records document various topics, issues, projects or activities that an agency/member is involved in. They may include, but may not be limited to, topical reference files about issues, strategic planning files for the agency, or specific initiatives, and special projects files. Document types may include correspondence, memoranda, reports, research, articles, meeting notes, and related background materials. Subject files do NOT include case files, human resource files, accounting records and other specific function-based records.

Administrative Training Schedule - 5 years

This record documents in-house and external training. It lists the date, course title, and training hours received.

Alarm Billings - 2 years

These records document the billing for alarms and false alarms that *members* respond to. They may include billings, statements, and/or receipts.

American Disability Act (A.D.A.) Files – 3 years after employment ends

These records document compliance with the Americans with Disabilities Act. They may include, but may not be limited to, member's medical records, criminal history checks, background checks, driving record, workers compensation information, disability information, and credit report.

Animal Control - 7 years

These records document activity associated with animal control. They may include complaints and the Destruction of Animal Report (DOA) (DPD 669).

Animal Control – Citations - 3 years

These records document the issuance of animal control citations. If the citation is not paid, these records are passed onto the district court so a warrant or fine can be issued.

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Annual Reports - PERMANENT

This is the agency's copy of the annual report, submitted each year to document what activities and events have taken place.

Arrest/Detention Log Data - 5 years

These records *identify people who were arrested. They may include, but may not be limited to, names, dates, charges, and disposition.*

Assigned Vehicle Maintenance (DPD251) - 1 year

Assumption of Risk (See Ride along Waiver)

Bank Statements - 6 years

These statements are used to document money that is received and then deposited for preliminary breath tests, vehicle fines, bonds, etc.

Blood Alcohol Content (BAC) Logs - 3 years

These records document the evidentiary breath test administered to a suspect, and includes the Evidential Breath Test Log (OD-33) and BAC Data master Simulator Logs.

Bicycle Registrations - 5 years

These records are used to recover stolen bicycles. They may include the owner's name, contact information, bicycle description, serial number, and license tag number.

Bond Receipts - 1 year

These receipts document the payment of bail bonds. The form is a three (3) part document. One (1) copy is issued to the bonder, one (1) copy is forwarded to the courts, and the agency retains one (1) copy. The form identifies the person's name, case number, charges, date, appearance information and the amount of bail.

Budget Information - 6 years

These records are used to develop annual budgets. They identify the amount that was requested and eventually approved. The documents may include proposals, salary information, projected overtime reports, and vehicle and equipment needs/assessments.

Building Plans - PERMANENT

These documents are used to construct and maintain buildings and other infrastructure. They may include building plans, blueprints, key charts, drawing plans and diagrams of the office/jail, *security system information, and emergency plans. Buildings include buildings owned by the law enforcement agency and buildings the law enforcement agency provides security for.*

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Calendars – 2 years

These records document members' work schedules, activities, and tasks. They may include, but may not be limited to, automated or manual planners and calendars.

Committee Records - 2 years

These documents are from the various internal committees associated with the office, such as the Awards Committee. They may include membership lists, agendas, supporting documentation, minutes, reports, etc.

Complaints – Citizens - 2 years

These records document any complaints filed by citizens against a *member*. They document what action, if any, was taken.

Computer Aided Dispatch (CAD) Log - 2 years

These computer log reports are printed from the CAD system by Communications Operations. They document all calls that a *member* was dispatched to. The report summarizes the type of call, who responded, incident number generated, date, and time. They are used to support incident reports and various activities.

Contracts – EXP + 6 years (EXP = date contract expires)

These contracts document an agreement between the agency and anyone else. They may be used for services such as jail housing, medical examiners, jail doctors, medical personnel, police services, students, union labor, training and vendors.

Correspondence – Departmental - 2 years

This is general correspondence from various staff members within the Department. This correspondence is arranged chronologically or by correspondent name.

Correspondence - Various Groups/Organizations - 2 years

These records consist of various correspondence received from, and associated with, outside groups and/or organizations.

Court (Investigator) Case Files - 25 years

These records identify people who were arrested, and the charges that were filed against them. They may or may not contain copies of witness statements, subpoenas, photos, negatives, mug shots, incident reports, tickets, narratives, correspondence, statements, line up documentation, elimination prints, warrants, etc.

Daily Detail Sheet - 5 years

These records document who is on duty each day when roll call is taken.

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Destruction of Records, Interoffice Memorandum (DPD568) – PERMANENT

Detainee Forms (See Holding Cell Forms or Logs)

Disciplinary Case Files – PERMANENT

Dispatch/911 Recordings – 90 days

Communications Operations shall be responsible for all recordings for the 90-day retention period. Any command that requests audio records shall be responsible for ensuring it is retained using the same retention policy as paper records and are part of the physical files.

Disposition of Department Property/Equipment – ACT + 5 years (ACT = until item is disposed)

These documents detail equipment/property donated or disposed of with a value over \$500.00.

Discovery Orders - 1 year

These are copies of discovery orders submitted by attorneys for information related to cases.

Drug Forfeiture Records - 7 years

These records document the seizure of property related to drug traffic/offenses, pursuant to MCL 333.7524. The records may contain descriptions of what was seized (titles, deeds, etc.) and the disposition of the item(s).

Drug Screen Notification – 1 year

Equipment Maintenance Records – Until equipment is no longer in use

These records document the maintenance of equipment used by law enforcement agencies. They may include, but may not be limited to, manuals, calibration documentation, repair documentation, information about replacement parts and supplies, and supporting documentation.

Equitable Sharing Program Information – 5 years

These documents include, but are not limited to, receipts and procurement documentation for all expenditures of shared funds, bank statements, Forms DAAG-71, TD-F, ESACs, accounting and bookkeeping documents, logs and records, bank records and statements, and audit reports (Guide to Equitable Sharing for State, Local, and Tribal Law Enforcement, July 2018).

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Evidence Property Records - Retain until related incident report is destroyed
These records document what property has been logged in and out of the evidence storage area. They may include, *but may not be limited to, the receipt number, case number, and complaint number.*

Expunged Records Information - 3 years
These records document what records have been expunged. They may contain the name, charge, date and related correspondence.

Event/Meeting Summary Form – 1 year

Facility Access Data – 2 years
These records document employees who used a badge or key card to access a building or other type of facility. Data may include, but may not be limited to, location that was accessed, employee information, and date/time of access.

Field Training Observations (FTO) – EVT + 2 years (EVT = when the probation period ends)
These records are completed during a new member's training period. They document their performance, and areas needing improvement during their probation period. They may include copies of daily observations, weekly summaries, activity logs, tickets, UD-10's, case reports, warrants, property receipts, etc.

Fingerprint Cards - ACT + Five (5) Years (ACT = Can be disposed of when they are no longer needed for reference purposes)
These records document fingerprints that are collected. They may include, but may not be limited to, Arrest/Fingerprint Cards (RI-07) that are used to submit fingerprints to the Michigan State Police pursuant to P.A. 289 of 1925, and other laws. Note: Michigan State Police (MSP) is the official record keeper for fingerprints. The fingerprints retained by local law enforcement agencies (i.e. DPD) should be convenience copies, and they can be destroyed in compliance with General Schedule #1.

Freedom of Information Act (FOIA) Requests - 1 year
This file will document any requests for information or public records. They may include requests for information, correspondence, a copy of the information released, and billing information.

Gem Dealer Information – 1 year (If there are no investigations)
P.A. 95 of 1981 requires dealers of precious metal or gems to register with local law enforcement and to supply transaction information regarding sales to police agencies. MCL 445.484 authorizes destruction of the transaction records after 1 year, if there is no investigation on the precious items involved in the transaction.

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General Orders and Policies - PERMANENT

These records document internal policies, general orders, and Department orders issued by the Chief. They may contain official bulletins that are used to convey information to *Department members*.

Grant Records Received – ACT + 7 years (ACT = until grant is closed by the grantor)

These records may contain the application, financial reports, progress reports, and final reports for grants received. The grants may include, but are not limited to UHPCOPS, DARE Program, Training Grants, Equipment Grants, Federal Grants, Matching Grants, etc.

Grants Denied – 1 year

These records document grants the law enforcement agency applied for, but were denied. They may include, but may not be limited to, applications and supporting documentation.

Grievance Files - 7 years

These are copies of grievances filed against union contracts.

Holding Cell Forms or Logs - 7 years

Incident (Case) Reports - Non-Criminal - 3 years

These reports document non-criminal incidents. These records may include copies of UD-10's "Uniform Traffic Crash Report," computer printouts, written reports, statements, photos, negatives, crime lab reports, copies of warrants, affidavit of warrant, DI-177 "Breath, Blood, Urine Test Report," DI-93 "Refusal to be Tested," LEIN breath entry, Blood Alcohol Content report, Blood Alcohol Content Data Master, supplemental reports, court disposition, receipts, OWI cost recovery, case logs, discovery request, attorney request, affidavit for search warrants, homicide reports, liquor inspection reports, driver re-exam request, diagrams, *and interrogation video recordings. Classification is assigned according to what the person was charged with doing, not what they pled to.*

Incident (Case) Reports – Misdemeanor - 7 years

These reports document misdemeanor incidents. These records may include copies of UD-10's "Uniform Traffic Crash Report," computer printouts, written reports, statements, photos, negatives, crime lab reports, copies of warrants, affidavit of warrant, DI-177 "Breath, Blood, Urine Test Report," DI-93 "Refusal to be Tested," LEIN breath entry, Blood Alcohol Content report, Blood Alcohol Content Data Master, supplemental reports, court disposition, receipts, OWI cost recovery, case logs, discovery request, attorney request, affidavit for search warrants, homicide reports, liquor inspection reports, driver re-exam request, diagrams, *and interrogation video recordings. All units must ensure when storing case records that all felonies and*

101.11 Record Retention Schedule

misdemeanors are filed separately. *Classification is assigned according to what the person was charged with doing, not what they pled to.*

Incident (Case) Reports – Felony - 20 years

These reports document felony incidents. These records may include arrest records, copies of UD- 10's "Uniform Traffic Crash Report," computer printouts, written reports, statements, photos, negatives, crime lab reports, copies of warrants, affidavit of warrant, DI-177 "Breath, Blood, Urine Test Report," DI-93 "Refusal to be Tested," LEIN breath entry, Blood Alcohol Content report, Blood Alcohol Content Data Master, supplemental reports, court disposition, receipts, OWI cost recovery, case logs, discovery request, attorney request, affidavit for search warrants, liquor inspection reports, driver re-exam request, diagrams, *and interrogation video recordings*. All units must ensure when storing case records that all felonies and misdemeanors are filed separately. *Classification is assigned according to what the person was charged with doing, not what they pled to.*

Incident (Case) Reports – Homicide/Felony CSC - PERMANENT

These reports document homicide incidents *and criminal sexual conduct incidents*. They may include, *but may not be limited to*, arrest records, copies of UD-10's "Uniform Traffic Crash Report," computer printouts, written reports, statements, photos, negatives, crime lab reports, copies of warrants, affidavit of warrant, DI-177 "Breath, Blood, Urine Test Report," DI-93 "Refusal to be Tested," LEIN breath entry, Blood Alcohol Content report, Blood Alcohol Content Data Master, supplemental reports, court disposition, receipts, OWI cost recovery, case logs, discovery request, attorney request, affidavit for search warrants, liquor inspection reports, driver re-exam request, written reports, statements, photos, negatives, crime lab reports, copies of warrants, diagrams, *and interrogation video recordings*. All units must ensure when storing case records that all felonies and misdemeanors are filed separately. *Classification is assigned according to what the person was charged with doing, not what they pled to*. Specialized units who receive a special assignment regarding a homicide case or criminal sexual conduct case shall ensure all records are kept permanently.

Intake/Release Property Card/Form - 1 year

These records identify which personal property items were removed from an individual who is held by a city/township/village police agency prior to transfer to a county facility or release. They may include personal history information.

Internal Investigations - 5 years

Command internal administrative investigations (I&R's) not specifically listed in this directive.

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Inventory (Current) - ACTIVE

Inventory Disposed - 3 years

Invoices – Original - 6 years

Invoices generated by the Department that document false alarms, police contract services, overtime, and licenses.

Job Applications-Not Interviewed/Not Hired - 1 year

These files, from individual applicants who were not interviewed, may include resumes, applications, and supporting documents.

Job Descriptions - SUP = until job description is superseded

These records document job classification systems and positions. They may include research, surveys, or reviews done to create job descriptions, as well as job classifications and selection criteria. Job descriptions may include a summary of responsibilities, functions, applicant requirements, and salary and benefit classifications.

Juvenile Arrest Records & Fingerprint Cards – ACT = until the juvenile's 17th birthday

These records are used to aid the tracking of juveniles. They may include a physical description of the youth, name, date of birth, date of emancipation, charge, disposition, photographs, fingerprints, court records, witness reports, incident reports, etc.

Letters of Clearance - 1 year

Letters are issued by an agency to a private citizen to show no criminal activity within the community.

License Plate Reader (LPR) Information – 1 year

These records document license plate information (images and metadata) that are collected by LPR devices to support investigations. They may include, but may not be limited to, plate information, location and GPS coordinates, time and date of image capture, and camera identification.

Litigation Files – ACT + 10 years (ACT = until case is closed)

These files document any litigation to which the Department or a *Department member* is a party. They may include depositions, transcripts, decisions, correspondence, data, exhibits, research materials, reports, press releases, media clippings, etc.

Liquor Inspection Records - 3 years

These records document establishments that sell or serve liquor. They contain quarterly inspection reports completed by *members* pertaining to the named

101.11 Record Retention Schedule

establishment (e.g. Daily Activity Report on Liquor, Vice and Gambling (D.P.D. 63), Monthly Summary of Liquor, Gambling and Vice Activity (DPD 419)).

Liquor License Establishment Records - ACT = While the establishment is in business

These files are used to monitor licenses issued to liquor establishments. They may include a copy of the actual liquor license that is issued by the Michigan Liquor Control Commission, drawings, background information, tax information, bank statements, birth certificates, LEIN printouts, etc.

LiveScan - Identification Database/Image System - 55 years

This is an automated system used for capturing the fingerprints of individuals. Pictures may be produced from the system and affixed to folders or various paper work as needed. Retention reflects the need to migrate data from one system to the next.

MCOLES Certified Employee Separation Records – 50 years

These records document the reason for, and circumstances surrounding, a separation of service for members who are Michigan Commission on Law Enforcement Standards (MCOLES) certified. (MCL 28.563)

Meeting Records (Public Bodies) – PERMANENT

These records document the official activities of public bodies that are subject to the provisions of the Open Meetings Act, such as governing boards, community advisory bodies, etc. They include, but may not be limited to, meeting minutes, agendas, recordings, and documentation reviewed and considered for decision making during the meeting. Note: Recordings may be destroyed after the meeting minutes are approved.

Miscellaneous Business Licenses - ACT + 1 year = While the establishment is in business

These records document businesses within a community that may be required by local ordinances to register with the agency. Examples include arcades, auction firms, massage facilities, spas, pawn shops, car shops, etc.

Monthly Assignment Sheet - 3 years

Monthly Equipment Inspection Sheet (DPD709) - 1 year

Monthly Worksheet - 2 years

This is a *monthly* summary of *patrol-related* activity completed by each member *individually* (e.g. Monthly Work Sheet - Patrol Officer (DPD194), Activity Summary - Patrol Vehicle (DPD279)).

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Mutual Aid Agreements – ACT + 10 years (ACT = While the agreement is in place)

These are agreements executed between the Department and other agencies to provide mutual support as needed during a crisis or emergency.

Outside Employment (DPD525) - ACT = While employed by the Department

This form is completed by *members* who have a second job. It is authorized by the agency and used to identify any conflicts of interest.

Overtime Records - 2 years

These records document overtime used/submitted by *members* and are used to resolve any immediate issues with pay.

Pawn shop Slips - 3 years

These reports are completed by pawn shops and are submitted to the Department pursuant to P.A. 231 of 1945. They are used to aid in recovering stolen material.

Payroll Timesheets - 5 years

These are copies of timesheets that are completed and forwarded to the payroll office.

Personnel Information Records - ACT = While employed by the Department

These records are used as a reference tool for identifying a *member's* badge number, MITN number, phone number, address, seniority *date*, hire date, termination date, birthdays, etc.

Personnel Files – ACT + 7 years (ACT = While employed by the Department).

These files are maintained for each *member* and contain records that document all human resource related transactions that occurred during the *member's* period of active employment. They are used to record *member* performance (e.g. ratings, awards, training, outside employment application, personnel change forms, sick/vacation time, etc.).

Personal Protection Orders (PPO) - Until the expiration date on the PPO

These records are copies of personal protection orders issued by the court.

Photographs - Non-Criminal - 3 years

These are photographs of incidents, including crime scenes, accidents, evidence, mug shots, etc.

Photographs – Misdemeanor - 7 years

These are photographs of incidents, including crime scenes, accidents, evidence, mug shots, etc.

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Photographs – Felony - 20 years

These are photographs of incidents, including crime scenes, accidents, evidence, mug shots, etc.

Pistol Purchase Permits/Registrations - 6 years

1. These records document individuals who apply for a Pistol Purchase Permit and individuals who have applied/passed and purchased a pistol. The records would include copies of the RI-10 "Purchase Permit" and the RI-11 "Safety Inspection Forms" that are forwarded to Michigan State Police (MSP) for registration and permanent retention. MCL 28.429 states that the RI-11 that is forwarded to the MSP is the permanent official record, and that the local agency shall retain a copy. MCL 28.422 requires that the RI-10 be kept for a period of 6 years by the local agency as the official record.
2. These records may also include the RI-9 "Dealer Application & License to Purchase." These are not CPL "Concealed Pistol License" records. CPL records are maintained by the County Clerk. The pistol test form should not be retained. Local agencies should never have any RI-60 "Pistol Sales Record" on file.

Position Interview Questions - SUP = Until questions are superseded

These documents contain a list of questions associated with the job descriptions. They are updated as the job descriptions are updated. The questions are used in the interview process to assure the same questions are asked to all candidates.

Prescription Drug Destruction Records – 3 years

These records document the weight of drugs received for destruction. They may include, but may not be limited to, the location, weight, activity dates, and people involved.

Promotional Results - ACT = While tests are active

These records contain information associated with test scores, test sheets, order of ranking, results of offsite testing, etc.

Radar Logs - 7 years

Receipt Books - 6 years

These books are used to document money received for preliminary breath tests, vehicle fines, bonds, etc.

Recordings (Audio and Video)

1. *Audio and/or video that is recorded using any type of device of routine surveillance/security, training, patrols, incidents, activities, red light violations, public space or crowd monitoring (i.e. individual holding cells, precinct video from parking lots/hallways/garage, etc.) shall be retained for thirty (30) days.*

101.11 Record Retention Schedule

Recordings that contain evidence of incidents are retained until the case is solved, closed, and litigation ends (MCL 780.316).

2. *In-car audio and video recordings, body-worn camera recordings, cellblock processing areas, hallways, and front lobbies shall be retained for ninety (90) days.*
3. *Body Worn Camera (Formal Complaints) shall be retained for three (3) years. If the body worn camera recording is relevant to a formal complaint against a law enforcement agency, the recording shall be kept for three (3) years (MCL 780.316). This retention period is in addition to the timeframe referenced in all other audio and video recordings (30 days).*
4. *If any of the above recordings are involved in litigations, retention shall be guided by the City of Detroit Law Department.*
5. *If any of the above recordings are involved in an internal investigation, retention shall be ten (10) years with Internal Affairs.*

Records Management Database System - 25 years

These systems are often used to track information associated with case processing, accident processing, dispatch case disposition, location, vehicle records, evidence logs, abandoned vehicles, administrative records, miscellaneous registrations, and permits. These systems may be linked to other systems, such as the Law Enforcement Information Network (L.E.I.N.) or M.I.C.R. systems. Retention reflects the need to migrate data from one system to the next.

Reprimand (DPD22 and DPD22b) – 2 years

Ride Along Waiver - 1 year

This is a waiver of liability signed by a citizen who rides with *Department members*. It is used to document the date and name of the person who participated.

Roll Call Training - 2 years

These documents contain miscellaneous information that is distributed to *members* at the beginning of each shift.

Salvaged Vehicle Report - 2 years

These records are generated by citizens who have applied for a Salvaged Vehicle Title.

Sex Offender Address Verification - SUP = Most recent Registration.

These are copies of the Michigan Sex Offender Registration form (DD-4) that is required by P.A. 295 of 1994 to register sex offenders. Information is entered into the Law Enforcement Information Network (L.E.I.N.) and used to track the location of these offenders.

101.11 Record Retention Schedule

Special Orders - 2 years

These are internal bulletins that are used to distribute information. Departments receiving the bulletins must sign to acknowledge receipt. These are reviewed annually to determine if they should become a Department Order or Policy.

Tamper Evident Envelope (TEE) - 1 year

These records document personal property removed from an individual being held in a holding facility or released, and may include personal history information.

Taxicab Permits – While Active

These are applications for taxicab driver permits. They identify the permits approved. Files may include the application, computer printouts, background checks, etc.

Temporary Details Report (DPD472) - 1 year

Tickets/Citations - 3 years

These are the *member's* copy of traffic citations that are issued. They are filed *by year* by the issuing *member*. They are used by the *members* when reporting to court and responding to the citation that was issued.

Ticket/Citation Book Receipts - 3 years

These records contain the ticket/citation numbers for the book, and the name of the officer that it was assigned to.

Ticket/Citation Logs - 3 years

These are registration logs of tickets issued. A copy is forwarded to the courts.

Traffic Crash Release Acknowledgement Forms – 2 years

These records document when someone obtains a traffic crash report within 30 days of a crash.

Training Bulletins - 2 years

These are internal bulletins that are used to notify *an entity within the Department or individual members* that they are scheduled for upcoming training.

Training Files – ACT + 7 years (ACT = While employed by the Department)

These records are used to document any training *members* have received. They may contain training schedules, certificates, course descriptions, and receipts.

Training Fund - 5 years

These records document money available and spent from the training fund.

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Unclaimed Monies - 6 years

These records document unclaimed money that is transferred to the treasury. It is deposited into the general fund.

Uniform Crime Reports - 6 years

These are reports generated from the Michigan State Police that contain crime statistics and other information.

Use of Force Auditable Forms and Detainee Incidents within a Cellblock – 10 years

- Review of Arrest Exception (UF-001);
- Use of Force (UF-002);
- SIR (UF-002a);
- Stop and Frisk (UF-003);
- Warrant Tracking (UF-004);
- Exceptions to Interview, Interrogations and Conveyances (UF-005);
- Detention of a Material Witness (UF-006);
- Holds Exceptions (UF-007); and
- Detainee Telephone and/or Visitor Exception Form (UF-008).

Vehicle Pursuit Forms (DPD665) – 7 years

Vehicle Tow by Private Tow (DPD73) or Impound or Release Form – 2 years

These forms are used to release vehicles that have been impounded. They document the complaint number, vehicle, wrecker agent, and release information.

Video Review Logs (DPD713 and 713a) – 2 years.

Visitor Logs – 2 years

These records document individuals who visited the facility who are not employees. They may include, but may not be limited to, sign-in/out sheets or other records that contain the visitor's name and date/time of arrival and departure.

Warrants - ACT = While warrant is active and still in L.E.I.N.

Warrants are issued by the court/prosecutor and may include orders for release, protective conditions, case sheets, L.E.I.N. printouts, and Warrant/Vehicle Worksheets. Warrants are active until the suspect is arrested or the warrant is recalled by a court. Warrants are used to verify LEIN entries when audited. After the individual is arrested, they are turned over to the arresting authority or prosecutor.

Warrant Verification Log (DPD711) – 7 years

Witness Conveyance Form (DPD668) – 10 years

101.11 Record Retention Schedule

101.11 - 5 Retention and Destruction of Records

101.11 - 5.1 General

All commands shall be responsible for the accurate labeling and storage of its records during the retention period. The mass storage of records shall be by type and all information is to be clearly and legibly written on the file storage boxes. The following information shall be listed on the storage box:

- Contents;
- Start date of records;
- End date of records;
- Number of boxes (e.g., 1 of 3); and
- Destroy date.

101.11 - 5.2 Destruction of Records

The schedule for the destruction of Department records shall be instituted by the *Records Management* and implemented by Resource Management for a Department wide collection of expired records.

101.11 - 5.3 Command Responsibilities - Documentation of Records

Each command shall designate a member to assemble all available records from the command, which are eligible for destruction. The member shall prepare an Inter-Office Memorandum (DPD568) indicating each box with its contents and destruction date. The DPD568 shall be approved by the commanding officer before any records are removed for destruction. The command shall keep the original and forward a copy to the *Records Management*. The retention period for this memorandum shall be a permanent record at the command.



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Chapter 101 – Organization and Management			
Reviewing Office Planning and Deployment			<input checked="" type="checkbox"/> New Directive <input type="checkbox"/> Reviewed
References			

DATA SHARING, RETENTION AND DISSEMINATION

101.12 PURPOSE

The purpose of this directive is to establish the guidelines and procedures for acquiring, accessing disseminating and retaining data stored in the Detroit Police Department’s (DPD) computerized information systems, in addition to the following:

1. Delineates responsibilities for Department members when acquiring, entering, accessing disseminating and purging data;
2. Continues and expands established guidelines for the collection, storage, access dissemination and retention of computerized information;
3. Establishes policy and procedures for sharing computerized information with outside law enforcement and non-law enforcement agencies; and
4. Establishes mandates for compliance with title 28 Code of Federal regulations Part 23 (28 CFR Part 23) as it applies to Criminal Intelligence shared information by the Department with outside law enforcement agencies.

101.12-1 POLICY

The Detroit Police Department (DPD/Department) is committed to providing the public with professional and efficient service, in general – specifically, in addressing and investigating crime. To that end, the DPD employs various methods. Several of those methods result in capturing information and data deemed sensitive in nature and based on the content, is protected by established federal, state and local laws.

The DPD will also adhere to the following regarding its acquisition, retention and dissemination of ALL data:

- Entry of data into the Department’s computerized systems will be restricted to authorized members;
- Department members will not purge any information stored in the Department’s computerized information systems, unless explicitly authorized;

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- Incidental sharing of data and information by an outside law enforcement agency will conform to the policies and procedures outlined in this Directive and will comply with 28 CFR 23.

101.12-2 COLLECTION AND ENTRY OF DATA AND INFORMATION

It is imperative that information and data gathered which is deemed as investigative and/or confidential in nature, and that is specifically intended to be entered into any Department computerized system by an authorized member, complies with the following criteria:

1. Department members will collect information in a lawful manner and in compliance with Department directives and applicable federal, state and local laws and policies.
2. Prior to submission for entry into the Department's computerized information systems, Department members making a submission will verify the information contained in the entry.
3. Members assigned to enter data will be responsible for accurately entering the data according to the prescribed guidelines.
4. Data entered into the Department's computer information systems is subject to the same level of supervisory review as is currently in place for reports submitted on formsets. Information will be attributed to the submitting officer(s).

Department members will not retain information about any individual or organization gathered solely on the basis of religious, political, or social views or activities; participation in a particular noncriminal organization or lawful event; or race, ethnicity, citizenship, place of origin, age, disability, gender, or sexual orientation. Furthermore, under no circumstances is any member authorized to engage in any activity that is illegal under local, state, federal, or international law utilizing Department owned resources.

101.12-2.1 Access to Computerized Information

A. Use by Department Members

- Access to information or files maintained in the Department's computerized information system is granted only when authorized; and
- Any member who accesses information through the Department's computerized information systems is accountable for the appropriate use and disposal of the information. Access to information is restricted to official police business.

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- Additionally, the following system and network activities is strictly prohibited, with no exceptions:
 1. Unauthorized access, copying, or dissemination of classified or sensitive information (Criminal Justice Information, or CJI).
 2. Installation of any copyrighted software for which the Department or end user does not have an active license is strictly prohibited.
 3. Installation of any software, without preapproval and virus scan, is strictly prohibited.
 4. Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, logic bombs, etc.).
 5. Revealing your account password to others or allowing use of your account by others.
 6. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to:
 - a. accessing data of which the employee is not an intended recipient or logging into a server that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties.

For the purpose of this policy, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.

7. Port scanning or security scanning is expressly prohibited unless prior notification has been given to the Department.
8. Executing any form of network monitoring that will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.
9. Circumventing user authentication or security of any host, network, or account.
10. Interfering with or denying service to any user other than the employee's host.
11. Using any program/script/command or sending messages of any kind, with the intent to interfere with or disable a user's terminal session, via any means, locally or via the Internet/Intranet/Extranet.
12. Providing information about LEIN/NCIC or list of Department employees to parties outside the Department.

B. User Account – Access Validation

1. All user accounts shall be reviewed annually by the System Administrator or his/her designee to ensure that access and account privileges commensurate with job functions, need-to-know, and employment status on systems that contain Criminal Justice Information.
 - a. The System Administrator or his/her designee may also conduct periodic reviews.

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2. All guest accounts (for those who are not official employees of the CJA) with access to the criminal justice network shall contain an expiration date of one (1) year or the work completion date, whichever occurs first.
 - a. All guest accounts (for private contractor personnel) must be sponsored by the appropriate authorized member of the administrative entity managing the resource.
3. The System Administrator or his/her designee should disable all new accounts that have not been accessed within 30 days of creation.
 - a. Accounts of individuals on extended leave (more than 30 days) should be disabled. (Note: Exceptions can be made in cases where uninterrupted access to information technology resources is required. In those instances, the individual going on extended leave should have a manager-approved request from the designated account administrator or assistant.)
4. The System Administrator or his/her designee must be notified if a user's information system usage or need-to-know changes (i.e., the employee is terminated, transferred, etc.).
 - a. If an individual is assigned to another office for an extended period (more than 90 days), the System Administrator or his/her designee will transfer the individual's account(s) to the new office (CJA).
 - b. The System Administrator or his/her designee will remove or disable all access accounts for separated or terminated employees immediately following separation from the agency.
 - i. Primary responsibility for account management belongs to the System Administrator or his/her designee.
5. The System Administrator or his/her designee shall:
 - a. Modify user accounts in response to events like name changes, accounting changes, permission changes, office transfers, etc.,
 - b. Periodically review existing accounts for validity, and Cooperate fully with an authorized security team that is investigating a security incident or performing an audit review.

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C. Remote Access by Outside Agency

The DPD may enter into agreements with outside agencies to provide limited remote access to its computerized information systems. Remote access to the Department's computerized information systems will only be permitted after compliance with the following:

- Must meet DoIT (Dept. of Innovation and Technology) requirements.

101.12-3 DISSEMINATION OF INFORMATION

Records, files or reports may be printed from computerized information systems and/or duplicated by Department personnel for Department use only, except as provided in this section.

A. The contents of any record, file or report will not be exhibited or divulged to any non-Departmental person or entity except in the performance of official duties and in accordance with Department policy, and applicable federal, state and local laws.

B. Public Release

1. Any information provided to the public will be released in accordance with Department directives and in compliance with federal, state and local laws.
2. Command staff members may release relevant information to community groups or private citizens, in compliance with Department directives and all federal, state and local laws (e.g. Clery Act, LEIN crash data, etc.)
3. For purposes of request(s) submitted under the Michigan Freedom of Information Act (the Act or FOIA), it should be noted that the data is "public record" within the meaning of the Act.
 - a. Therefore, the data is public record and subject to disclosure, unless otherwise exempt from disclosure under the Act or other applicable statute.
 - b. No data shall be disclosed or released to any third-party without the following:
 - A review by the DPD to verify that the data is the correct data requested; and
 - A review by the Law Department to make the necessary legal determination in cases where DPD requests data or attributes of data to be exempt from disclosure.

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- c. **Labor Time and Costs under the Michigan Freedom of Information Act.**
 - Because locating and verifying the correct data can be time-consuming, and because the Act permits the City to request and to collect limited costs incurred by the City under certain circumstances, the DPD personnel who searches, retrieves, and review the data to verify the correctness shall keep track of his/her time spent in such actions and report the time spent to the Law Department when a copy of the recording is being delivered to the Law Department.
 - The costs for the duplication of the data may only be charged by the Law Department in accordance with the Act.

NOTE: Department members may consult with the Office of Legal Affairs prior to dissemination of information to the public to determine if any prohibition on the release exists.

C. Incidental Sharing of Information with Outside Agencies

The Department recognizes that some criminal activity may affect multiple jurisdictions. Whenever possible, the Department will provide outside law enforcement agencies engaged in an active investigation access to information which is relevant to that investigation.

1. Department members receiving a request for information from an outside agency, whether in person, by phone or by fax, shall inform his/her immediate supervisor of the request.
2. Authorization shall be limited to the Chief of Police or a designee holding the rank of Captain or above.
3. The requesting agency and Chief of Police of the granting agency may enter into an interagency agreement, which will contain the following provisions:
 - a. Execution of the agreement by the Chief of Police
 - b. Complies with all applicable local, state and federal laws.
 - c. These agreements shall expire on an annual basis.

101.12-4 SELF-CONTAINED INFORMATION SYSTEMS

Any unit that maintains investigative records or criminal intelligence information on a system that is self-contained is expressly prohibited from sharing any information contained on that system with any outside agency.

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101.12-5 ACQUIRING AND RECEIVING INFORMATION

Information gathering and investigative techniques used by the DPD and information-originating agencies shall be in compliance and shall adhere to applicable regulations and guidelines, including, but not limited to:

- 28 CFR Part 23 regarding criminal intelligence information;
 - Organization for Economic Co-operation and Development (OECD) Fair Information Practices;
 - Applicable criminal intelligence information guidelines established under the U.S. Department of Justice's (DOJ) National Criminal Intelligence Sharing Plan; and
 - Applicable constitutional provisions and the applicable administrative rules as well as any other regulations that apply to multi-jurisdictional criminal intelligence information databases.
1. External agencies that access and share data and information with DPD shall be governed by the laws and rules governing those individual agencies, as well as by applicable local, state and federal laws; and
 2. DPD shall contract only with commercial database entities that provide an assurance that information gathering methods comply with applicable local, state and federal laws, as well as statutes and regulations.

101.12-6 RETENTION

Information in the Department's computerized information systems will adhere to the Department's Record Retention Schedule as delineated in the DPD manual, Directive 101.11, *Record Retention*, as well as all applicable federal, state and local laws.

101.12-6.1 Storage and Security

Members shall ensure the protection of the Criminal Justice Information (CJI) until such time as the information is either released to the public via authorized dissemination (e.g. within a court system or when presented in crime reports data), or is purged or destroyed in accordance with applicable record retention rules.

Controls shall be in place to protect electronic and physical media containing CJI while at rest, stored, or actively being accessed. "Electronic media" includes memory devices in laptops and computers (hard drives) and any removable, transportable digital memory media, such as magnetic tape or disk, backup medium, optical disk, flash drives, external hard drives, or digital memory card. "Physical media" includes printed documents and imagery that contain CJI. All necessary steps should be taken to prevent unauthorized access to this information.

101.12 Data Sharing, Retention and Dissemination**101.12-6.2 Electronic Sanitization and Disposal**

The Detroit Police Department (DPD) shall follow the following procedures when disposing of electronic data:

- a. Sanitize, that is, overwrite at least (3) three times or degauss electronic media prior to disposal or release for reuse by unauthorized individuals;
- b. Inoperable electronic media shall be destroyed (cut up, shredded, etc.). The agency shall maintain written documentation of the steps taken to sanitize or destroy electronic media; and
- c. DPD shall ensure the sanitization or destruction is witnessed or carried out by authorized personnel. Physical media shall be securely disposed of when no longer required, using formal procedures.

101.12-6.3 Breach Notification and Incident Reporting

DPD shall promptly report incident information to appropriate authorities. Information security events and weaknesses associated with information systems shall be communicated in a manner allowing timely corrective action to be taken. Incident-related information can be obtained from a variety of sources including, but not limited to, audit monitoring, network monitoring, physical access monitoring, and user/administrator reports.

101.12-6.4 Improperly Disclosed, Lost or Reported CJI Information

A. The following procedures must be followed:

1. The involved Department member shall notify his/her supervisor and an incident report must be completed and submitted within 24 hours of discovery of the incident. The submitted report is to contain a detailed account of the incident, events leading to the incident, and steps taken/to be taken in response to the incident. (Agency Discretion)
2. The supervisor will communicate the situation to the Officer-in-Charge (OIC) of the Crime Intelligence Unit to notify of the loss or disclosure of CJI records.
3. The OIC will ensure the CSA ISO (CJIS System Agency Information Security Officer) is promptly informed of security incidents.
4. The CSA ISO will:
 - a. Establish a security incident response and reporting procedure to discover, investigate, document, and report to the CSA, the affected criminal justice agency, and the FBI CJIS Division ISO major incidents that significantly endanger the security or integrity of CJI.

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- b. Collect and disseminate all incident-related information received from the Department of Justice (DOJ), FBI CJIS Division, and other entities to the appropriate local law enforcement POCs within their area.
- c. Act as a single POC for their jurisdictional area for requesting incident response assistance.

101.12-7 VIOLATIONS OF POLICY

Violations of this policy include, but are not limited to:

- Accessing data to which the individual has no legitimate right;
- Enabling unauthorized individuals to access data;
- Disclosing data in a way that violates applicable policy, procedures, or relevant regulations or law;
- Inappropriately modifying or destroying data; and
- Inadequately protecting restricted data.

Any violation of this policy may result in network removal, access revocation, corrective or disciplinary action, civil or criminal prosecution or termination of employment.

101.12-8 LICENSE PLATE READERS

Automatic License Plate Recognition (ALPR) also refers to License Plate Reader (LPR) technology.

LPR provides automated detection of license plates. The LPR system consists of a high-speed camera, mounted either at a fixed location or on a mobile patrol vehicle, and a computer to convert data from electronic images of vehicle license plates into a readable format. The system then compares the information against specified databases of license plates. The system attaches camera identification, date, time, and location information, or GPS coordinates, to the digital image. The information is maintained electronically in a central location.

The digital image can include additional information such as:

- The vehicle's make and model;
- The vehicle's driver and passengers;
- Distinguishing features (e.g., bumper stickers, damage);
- State of registration

If a given plate is listed in the database, the system is capable of providing the vehicle's location, direction of travel, and the type of infraction related to the notification.

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101.12-8.1 USES OF LPR DATA

Identifying the intended uses of LPR data is critical in assessing any privacy and/or civil liberties implications due to the networking within LPR data collected by participating law enforcement agencies.

The Real Time Crime Center (RTCC) has, as one of its core missions, the sharing of information, thereby assisting law enforcement agencies in the fulfillment of their duties. LPR data may be used for, but is not limited to, the following purposes:

- Crime analysis;
- To alert law enforcement officials that a license plate number is on a list of targeted license plate numbers (Hot List) or is related to a criminal investigation and is found in the LPR database;
- To alert law enforcement officials that a license plate number on a hot list has been recorded by a fixed versus mobile camera, possibly requiring notification to law enforcement agencies in proximity or travel route of the identified vehicle; and
- To identify the movement of vehicles operated by individuals currently under an open criminal investigation.

101.12-8.2 PROCEDURES

LPR informational data files are periodically updated with different data sources being refreshed at different intervals. Therefore, it is important that LPR users take into account the potential for lag time between last update and an alert provided by the LPR system on a vehicle of interest or wanted vehicle. Any alert provided by an LPR system is to be considered informational and advisory in nature and requires further verification before action.

When alerted that a vehicle is wanted, stolen, or of interest to law enforcement, the mobile operator should, to the fullest extent possible, take the following steps:

1. Ensure the plate was read properly and that the state of origin is consistent with the alert.
2. Confirm the alert status by either manually entering the plate via the Mobile Data Computer (MDC) or requesting the check through dispatch.
3. Review the alert information to determine the nature of the advisory.

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4. In the event that compelling circumstances are present or situational officer safety issues make it unsafe to confirm the status of the alert information prior to taking action, the operator must confirm the status of the alert information as soon as possible.
5. When action is taken on an alert vehicle, it is the responsibility of the person taking action to provide the appropriate disposition information so the system may be updated as necessary.
6. Only sworn law enforcement officers should engage in contacting occupants of stolen or wanted vehicles.