



CLEVELAND DIVISION OF POLICE

GENERAL POLICE ORDER



EFFECTIVE DATE: MAY 13, 2020	CHAPTER: 7 - Communications	PAGE: 1 of 2	NUMBER: 7.03.02
SUBJECT: DISCLOSURE OF INFORMATION			
CHIEF: <i>Calvin D. Williams, Chief</i>			

Substantive changes are italicized

PURPOSE: To establish guidelines for the release of information to the public.

POLICY: It is the policy of the Cleveland Division of Police to follow the provisions set forth by the City of Cleveland and the State of Ohio when releasing information. Unless required by law, members shall not reveal the name of the complainant to the subject of the complaint while investigating a police matter.

PROCEDURES:

- I. Release of Arrest History
 - A. The Division shall release an arrest history through the Record Section in accordance with the public record statute.
 - B. Only members assigned to the Record Section shall release an arrest history.

- II. Information in Criminal Proceedings
 - A. Members are prohibited from disclosing information that relates to grand jury investigations. This is not public information.
 - B. Defense subpoenas and Ohio Criminal Rules, Procedure Rule 16, deal with discovery of evidence during criminal proceedings.
 - 1. Members shall report requests for disclosure, information, and evidence pursuant to subpoenas and Rule 16 Discovery Motions, to the prosecuting attorney before replying and/or releasing any information, including to a defense attorneys, without prior permission of the prosecuting attorney.

- III. Computerized Information
 - A. Computerized National Crime Information Center (NCIC), Law Enforcement Automated Data System (LEADS), National Law Enforcement Telecommunications System (NLETS), Ohio Law Enforcement Gateway (OHLEG), and any other law enforcement restricted computerized information is provided for the exclusive and official use of criminal justice agencies. The Division shall maintain the security, privacy and confidentiality of computerized information. Access and use of computerized information is restricted for criminal justice and law enforcement purposes. This information shall not be furnished to anyone for whom it is not intended.

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- B. Criminal records under the control of the Ohio Bureau of Criminal Investigation (BCI) are not public records and shall not be made available to anyone not authorized to receive it.
- C. Telephone requests for computerized criminal history (CCH) information are limited to Division members only. Phone requests for CCH information shall only be fulfilled by a return call to a Division extension.
- D. Members may obtain a CCH check from a BCI certified district or unit detective or by contacting a BCI certified member of the Bureau of Special Investigations.
- E. When CCH record information is provided to any *third party* criminal justice agency or person within the criminal justice system, the authorized operator shall enter the name of the requester in the computer check logbook and sign the dissemination log.
- F. A Division supervisor shall approve the release of criminal history information by signing the computer check logbook. Before approval, supervisors shall determine if the circumstances surrounding the request are proper and the requester is authorized to receive the information.
- G. The Division shall retain computer check logbooks for the remainder of the year plus an additional six years. Logbook shall be made available upon request to the Bureau of Compliance, BCI, Ohio State Highway Patrol (OSHP), LEADS, LEADS Terminal Agency Coordinator (TAC), and Federal Bureau of Investigation (FBI).
- H. When a computer printout is provided to an authorized individual or criminal justice agency, the issuing member shall indicate on the printout to whom it was given along with the date and time. This information can be stamped, handwritten or printed. LEADS printouts must be rendered unreadable when no longer needed.
- I. All terminal and quadrant messages transmitted via LEADS are limited to official law enforcement business. All transactions are permanently logged with the user identification. Operators shall log off when they leave the terminal.
- J. Telephone requests for computerized information from criminal justice agencies will be honored only after the caller is identified and verified.

THIS ORDER SUPERSEDES ANY PREVIOUSLY ISSUED DIRECTIVE OR POLICY FOR THIS SUBJECT AND WILL REMAIN EFFECTIVE UNTIL RESCINDED OR SUPERSEDED.

CDW/pmc
LEADS TAC
Policy Unit