

RESTRICTING RELEASE OF POLICE INFORMATION	Document Number	GO 703
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1. PURPOSE

The purpose of this policy is to establish rules governing the release of police information.

2. PERSONS AFFECTED

All department personnel.

3. POLICY

The effectiveness of a police department is directly related to the integrity of its records system. It is, therefore, the policy of the Hawai'i Police Department that it shall maintain the security, confidentiality, and credibility of police records by establishing rules which govern the release of information.

4. DEFINITIONS

Custodian of Records – The Custodian of Records shall be the Lieutenant in charge of the Records Division or designee.

5. PROCEDURES

5.1. Restriction – Except when authorized by the Police Chief or as provided by General Orders, members shall not give out or release any information regarding any police report or record, investigation, statement, arrest, criminal report, juvenile report or record, photograph, evidence, or any other matter which may or should be in the official files of the Hawai'i Police Department to any person or persons other than the following:

5.1.1. Courts and official hearings.

5.1.2. The Prosecuting Attorney or designees.

5.1.3. Officials of duly constituted public agencies if the requested information pertains to their official business.

5.2. Juvenile Records – The records of the department and of the Juvenile Aid Services relating to any proceedings under Section 571-84, *Hawai'i Revised Statutes*, shall be confidential and shall be open to inspection only by

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persons whose official duties are concerned with the administration of the provisions of Section 571-84, *Hawai'i Revised Statutes*.

5.3. Personal Records

5.3.1. *Criminal history record information* or other personal records, which include, but is not limited to, an individual's educational, financial, medical, or employment history, shall not be disclosed.

5.3.2. Criminal history information pertaining to conviction data and other related public information shall be made available to members of the public through the Hawai'i Criminal Justice Data Center via public access computer terminals at the Hilo and Kona Records Sections.

5.4. Copies of Police Reports

5.4.1. Requests for copies of any police report or record by an individual or duly authorized representative shall be referred to the Records Section.

5.4.2. Members requesting copies of police reports shall fill out a *Request for Reports* form to be routed to the Records Section. Copies of reports will only be given for official business and at the discretion of the Custodian of Records or the immediate supervisor of Records.

5.5. Viewing of Police Information – Police information, to include any information regarding any police report or record, may be viewed by members if the report pertains to their official business only.

5.6. Motor Vehicle Accident Reports

5.6.1. Operators, passengers, injured persons, registered owners of vehicles and others having direct interest; i.e., insurance agents, attorneys, property owners, may be given information contained in the traffic casualty report.

5.6.2. Information which would reveal the identity of a witness in a traffic casualty shall not be disclosed.

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5.6.3. Requests for copies of traffic casualty reports shall be processed by the Records Section only. Outer districts may accept orders and forward same to Records Section for dispersal.

5.7. Access to Files

5.7.1. Access into the Records Section is absolutely prohibited unless permission is granted by the Custodian of Records or the immediate supervisor of Records Section only. The only exception includes any member with the rank of Captain and above.

5.7.2. Access to Records files, including computer files, is prohibited unless authorization is granted by the Custodian of Records or the immediate supervisor of Records.

5.7.3. Persons who are not currently members of the department are prohibited access to the Records Division.

5.7.4. All files and records of the department are closed to persons who are not members of the department.

5.7.5. The Custodian of Records shall furnish an after-hours contact number to operations, in the event that record documents are needed.

5.8. Removal of Records Prohibited – No one shall remove an official report or record from any of the offices or files of the department, or of its bureaus or district stations, without the approval of the Police Chief.

5.9. Temporary Removal of Records By Members

5.9.1. Official, original police reports or records may not be removed from the Records Section except as authorized by the Police Chief, Deputy Chief, or the Assistant Chief of the Administrative Bureau. Such reports shall be returned prior to the end of the business day unless permission has been granted for retention of such reports for a longer period.

5.9.2. Alpha Index cards shall not be removed at any time or for any reason from the file cabinets of the Records Section by any person, with the exception of the members of the Records Section staff.