



LINCOLN POLICE DEPARTMENT GENERAL ORDERS

NUMBER: 1940
TOPIC: RELEASE OF REPORTS AND CRIMINAL HISTORY
ISSUED BY: TERESA EWINS, CHIEF OF POLICE
DATE: 1-1-2023
SUPERSEDES: G.O. 1940, 2022
REFERENCE:

I. POLICY

The Lincoln Police Department will honor requests for the release of information in accordance with applicable laws. Requests for department records, documents, or information will be processed by the Records Unit.

II. DEFINITIONS

- A. Local Criminal History Check: A check of information gathered by the Lincoln Police Department to determine the existence of a criminal record on an individual. The information would include:
1. Notations of the issuance of arrest warrants;
 2. Notations of arrest;
 3. Dispositions relating to arrests.
- B. Public Information: Information gathered by the Lincoln Police Department that is available for release to the general public is defined by State statute. Information of this type would include:
1. Crash Reports;
 2. Incident reports (public version);
 3. Records of dispatches;
 4. Mug shots;
 5. Paper Citations (front side only);
 6. Electronic Citations (court copy only)
 7. Local criminal history check information.
- C. Confidential Information: Information that is gathered by or accessible to the department but is not available for release to the general public. Such information would include:
1. Supplementary reports;
 2. ACI reports;
 3. Investigative notes associated with incident reports;
 4. Coroner reports;
 5. Intelligence reports;
 6. Field contact information;
 7. Interstate Information Index (NCIC/NCIS) Criminal Histories.
- D. Criminal Justice Agencies: Those federal, state, and local governmental agencies whose primary purpose is criminal investigation and/or prosecution, or who have a criminal investigation/prosecution function which is established by law.
1. Federal Agencies
 - a. Bureau of Alcohol, Tobacco, and Firearms
 - b. Bureau of Customs
 - c. Drug Enforcement Administration
 - d. Federal Bureau of Investigation
 - e. Internal Revenue Service

- f. U.S. Postal Service postal inspectors
- g. Secret Service
- h. Central Intelligence Agency
- i. U.S. Probation/Parole
- j. U.S. Attorney
- k. U.S. Marshals' Service
- l. Immigration and Customs Enforcement
- 2. State Agencies
 - a. Attorney General
 - b. Department of Correctional Services
 - c. Fire Marshal
 - d. Game and Parks Commission, Law Enforcement Division
 - e. Liquor Control Commission
 - f. Nebraska State Patrol
 - g. Parole Administration
 - h. Probation Administration
 - i. UNL Police Department
 - j. Department of Social Services, Child Protective Services Unit
- 3. County and Municipal Agencies
 - a. Police departments
 - b. County sheriffs
 - c. County attorneys
 - d. Courts
 - e. Probation officers
 - f. Lancaster County Health Department
- 4. Other Organizations
 - a. Railroad Special Agents
 - b. Other government agencies may be considered criminal justice agencies if they have specific criminal investigative and enforcement powers established by law. The assistant chief of management will make a determination when any question arises in this regard.

III. PROCEDURE (82.1.1, 82.2.4)

A. Release of Public Information Documents

1. Community members and representatives of non-criminal justice agencies seeking public information shall be directed to the Records Unit public counter during business hours, Monday through Friday.
2. A prescribed fee must be paid prior to the release of the document. There is no cost for simply viewing the document.
3. A Records Information Request may be completed with the necessary information.
4. Requests arriving by mail will be processed as long as they contain the necessary information and required fee.
5. A numbered receipt will be completed for each transaction involving fees.
6. Unless the chief of police has authorized a specific exception, no reports or records other than those designated as public information may be released.

B. Local Criminal History Information

1. Local criminal histories include adult arrests that have final dispositions and arrests less than one year old with no disposition.
2. The Lincoln Police Department will not release criminal history information that is maintained by other agencies, such as State or FBI criminal histories, even when the department has access to such information.

C. Release of Information to Criminal Justice Agencies (82.2.4)

1. Department reports, documents, and criminal histories may be released to law enforcement personnel and criminal justice agencies, at any time.
2. Requests for documents shall be processed by the Records Unit.
3. A Criminal Justice Agency Information Request form may be completed prior to the release of reports, documents, or criminal histories. Email from criminal justice agencies and fax requests on agency letterhead are accepted.
4. The assistant chief of management may make specific exceptions to facilitate transfer of records to other criminal justice agencies within Lancaster County when reasonable precautions against improper diversion of the records are in place. This may include electronic transfer or facsimile transmission.

D. Release of information to School Systems, regulations by the Nebraska Department of Education. The department will inform the school system of cases that may involve their employees of a threat or risk, if known.

1. The following public incident reports can be released to the School Systems for a currently enrolled student to promote wellbeing and safety:
 - a. Missing Person Incident Report
 - b. Child Abuse/Child Sexual Assault Incident Report
 - c. Mental Health Report
 - d. Incident Reports documenting events on or in school property
 - e. School Threat Reports
2. No additional investigative reports are approved for release.
3. No confidential or intelligence information may be shared.
4. The chief of police may make specific exceptions for the release of additional records to the School Systems.

E. Documentation and Retention

1. The Records Unit will maintain a record of all criminal history checks.
2. Criminal history requests are automatically logged upon processing and maintained in the records management system.
3. If needed to be retained for evidence, copies of criminal history reports must be tagged into Property and cannot be scanned into the case file.

