CITY OF AURORA

RESOLUTION NO. 569

A RESOLUTION ADOPTING AN AURORA POLICE RECORDS LEDS/NCIC VALIDATION PROCEDURE
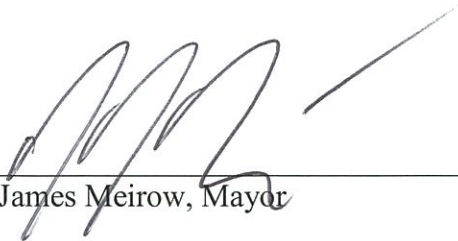
WHEREAS, the City Council of the City of Aurora seeks to encourage and enhance the organization and operation of the City's Police Department in order to protect the health, safety, and welfare of its citizens:

WHEREAS, the Interim Police Chief has obtained and adapted a professionally drafted Aurora Police Records LEDS/NCIC Validation Procedure used in other cities in Oregon; and

WHEREAS, in order for the Aurora Police Department to be in compliance with Oregon Administrative Rules, LEDS/NCIC requirements, and to ensure accuracy of all entries, the procedures contained in the Attached Exhibit A will be used.
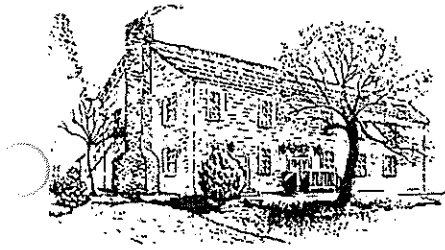
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA THAT:

ADOPTED by the Aurora City Council at its regular scheduled meeting held on Tuesday, March 10, 2009. This resolution is effective March 10, 2009.

_____
James Meirow, Mayor

ATTEST:

_____
Laurie Boyce, City Recorder

Aurora Police Records LEDS/NCIC Validation Procedure
Resolution Number 569
March 10, 2009

16.06.00
AURORA POLICE RECORDS LEDS/NCIC VALIDATION PROCEDURE

Record validation is a responsibility assumed by the entering agency as a condition of use of the LEDS/NCIC system.

In order for the Department to be in compliance with Oregon Administrative Rules, LEDS/NCIC requirements, and to ensure accuracy of all entries, the procedures contained in this chapter will be used.

RELATED LAWS/REFERENCES

OAR 107-50-025; LEDS Manual; and NCIC Operation Manual; Aurora Police Records Validation Procedure.

RULE

1. NCIC and LEDS validations must be returned to LEDS within thirty days from the date of mailing by LEDS to the station.

2. In anticipation of LEDS/NCIC validation requirements ALL REPORTS with <u>active</u> LEDS/NCIC entries will be retained in each office's files until the active entry is cleared or cancelled.

PROCEDURE

1. Upon receipt of the validation printout, the station LEDS representative (station commander or his/her designee) will ensure the validation is completed within the specified period. If a validation deadline cannot be met due to extreme circumstances, it is the LEDS representative's responsibility to contact LEDS and advise them of the difficulty. Upon completion of the validation, the "Validation Face Sheet" provided by LEDS will be signed by the LEDS representative and returned directly to LEDS. Delays and/or unsigned face sheets will result in the record being purged by LEDS.

2. All reports with a LEDS/NCIC entry will be clearly marked or flagged to indicate a current entry and prevent accidental purging of these files. Prior to purging a report that has a LEDS/NCIC entry, a LEDS/NCIC inquiry must be made to verify there is no active entry in the system.

   A. If a report is not retained by an office, as required, a copy may be requested from General Headquarters. General Headquarters will provide only the victim, property and any subrogation information available. Any cases requested from General Headquarters will be retained in the office files until the entries are ultimately cleared or cancelled.

3. Active validation is a determination that the LEDS/NCIC entry is current, accurate and there is good reason to continue the entry in the system.

   A. Active validation includes, but is not limited to:
      1. Contact with the victim, either in person, by telephone or in writing;
      2. A determination that the property has been returned or found; or
      3. Contact with the District Attorney to determine if he/she will prosecute.

   B. Validation of warrants includes:

1. Checks of driver license and vehicle registration should be made for status changes, new addresses, etc.
2. Contact with District Attorney to determine extent of extradition limits.

C. To validate missing persons, contact the reporting party and determine if the person is still missing.
   1. All records for juvenile, runaways, or missing persons that cannot be validated will be retained in the system.

D. All cases received on "validation printouts" will be validated within 30 days.
   1. Reasonable efforts must be made to contact the victim by phone, in person, or if by mail within seven (7) days of receiving the validation printout.
      a. Check DMV records, phone book, etc. to ensure address or telephone numbers are current.
      b. A letter may be sent to the most recent address. (See the attached form letters for an example). Letters will be sent out on a station's letterhead with a 15 day return time.
      c. If the victim is contacted and the property has been recovered, "clear" the entry from LEDS/NCIC.
      d. If all efforts to contact the victim have failed and the entry cannot be validated, the complexity of the case must be evaluated before the entries are cancelled. If there are questions, contact with District Attorney could be made to determine if he/she would prosecute. In other instances, the station commander or his/her designee will make the decision to cancel or retain the entries.

E. Upon completion of the validation process:
   1. If the entry is valid and retained or re-entered in LEDS/NCIC, the validation letter or current information on the victim will be placed with the case file and retained at the station.
   2. If the entry is removed from LEDS/NCIC, forward copies of the clearance teletype, along with an explanation of the reason for canceling the entry, to General Headquarters Criminal Division for filing with the permanent record. The station's file copy will be retained for one (1) year. At the end of the one (1) year period, all correspondence/documentation relating to validation will be forwarded to General Headquarters Criminal Division for retention with the permanent record. The station file may be destroyed if no other pertinent reasons for maintaining the file at station level exist.

(SAMPLE OF VALIDATION LETTER FOR PROPERTY)

DATE

(Enter name and address of victim)

Refer to Case # (Enter case number)

On (enter date of incident), you filed a (enter type of report i.e., Theft, Burglary, etc) report with the Aurora Police Department. At that time, you reported that the following property stolen:

    (Enter list of property, description and serial numbers)

In order to comply with retention requirements of the National Crime Information Center and the Oregon Law Enforcement Data System, current status of individuals and property entered into these computers must be verified on a routine basis. Entries which cannot be verified must be removed form these computer systems by the agency holding the records.

A requirement of the verification process is that we have current information in the files regarding the status of the individual property concerned in this report.

For your convenience, we have enclosed a self-addressed, stamped postal card which asks you some questions about the property. Please check the appropriate boxes and return the card immediately.

If we do not receive the return card within 15 days from the date of this letter, the property will be removed from the state and national computer systems. The removal of entries from these computer files will greatly decrease the possibility of the return to you of any recovered property.

Please take a few minutes to check the requested information and return the card to us.

Sincerely,

(enter name of person signing report)

(initials)
Enclosure: Return Postal Card

SAMPLE OF VALIDATION LETTER FOR AN INSURANCE COMPANY)

DATE

(Enter name and address of insurance company)

Refer to Case # (enter case number)
    Your Policy # (enter policy number)

On (enter date of incident), (enter name of original victim) filed a (enter type of report i.e., Theft, Burglary, etc)
report with the Aurora Police Department. At that time, they reported the following property stolen:

    (enter list of property, description and serial numbers)

In order to comply with retention requirements of the National Crime Information Center and the Oregon Law
Enforcement Data System, current status of individuals and property entered into these computers must be
verified on a routine basis. Entries which cannot be verified must be removed from these computer systems by
the agency holding the records.

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the possibility of the return to you of any recovered property.

Please take a few minutes to check the requested information and return the card to us.

Sincerely,

(enter name of person signing report)

(initials)
Enclosure: Return Postal Card

RESOLUTION NO. 569-B

A RESOLUTION CHANGING BANK ACCOUNT SIGNERS FOR THE CITY OF AURORA, WEST COAST BANK BUSINESS ACCOUNTS AND REPEALING RESOLUTION NO. 568.

WHEREAS, the City Council of the City of Aurora finds it necessary to designate new authorized account signatures due to the resignation of Laurie Boyce, City Recorder for City of Aurora.

WHEREAS, the Aurora City Council has determined that each check signed for the General Fund and Bail Fund checking accounts, shall contain the signature of one Council member and one City employee each,

WHEREAS, the City of Aurora also maintains a safety deposit box #118 and has determined that the access shall be granted to said authorized account signers. Access shall be granted individually and not as stipulated above.

WHEREAS, the West Coast Bank account numbers involved are 0320005176 and 10320005184 respectively; now therefore,

BE IT RESOLVED, that the City of Aurora designates the following as authorized account signers effective December 08, 2009:
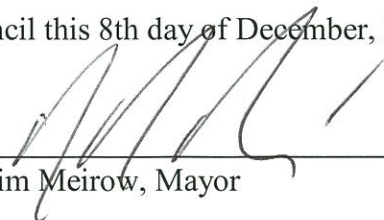
City of Aurora Council Members

Jim Meirow
William Sahlin

City of Aurora Employees

Kelly Richardson
Robert Southard

APPROVED by the Aurora City Council this 8th day of December, 2009.

_____
Jim Meirow, Mayor

ATTEST:

_____
Kelly Richardson – Administrative Assit.