

POLICY AND PROCEDURES

NUMBER: 501

SUBJECT: Release of Public Information

ACA STANDARDS: 4-ALDF-7F-01

DIRECTOR: Herbert Bernsen

EFFECTIVE DATE: 9/92

REVISION DATE: 4/1/96, 9/97, 2/98,
12/99, 1/01, 1/02, 11/12



I. POLICY

The St. Louis County Department of Justice Services shall establish guidelines for the dissemination of confidential information, including arrest records and other information which may affect an individual's right to privacy and will attempt to answer all inquiries promptly, accurately, completely and in compliance with local, state and federal laws governing public information and personal rights of privacy.

II. RESPONSIBILITIES

All St. Louis County Department of Justice Services' staff are responsible for the following procedures.

III. DEFINITIONS

RSMo.: Revised Statutes of Missouri

N.C.I.C.: National Crime Information Center

M.U.L.E.S.: Missouri Uniform Law Enforcement System

REJIS: Regional Justice Information System

IV. PROCEDURES

A. Release of Public Information

- 1.** The Missouri Sunshine Law, Section 610.100 provides that records of arrest shall be made available to the public. However, information may be released to the public only during the period that the arrest record is open. Therefore, the following conditions control the release of information to the public.
 - a.** When a person is arrested and no warrants are issued, information may be released to the public for thirty (30) days after the arrest.
 - b.** When a person is arrested and warrants are issued, arrest records are open and information may be released to the public under, but not limited to the following circumstances:
 - (1) While charges are pending prior to disposition
 - (2) A person is found guilty
 - (3) A person is sentenced to St. Louis County Department of Justice Services or Missouri Department of Corrections
 - (4) A person is issued a Suspended Execution of Sentence and granted Probation.
 - c.** When a person is arrested and warrants are issued, information is not available to the public under the following circumstances:
 - (1) After the case is Nolle Prossed
 - (2) After the case is Dismissed
 - (3) After the defendant is found Not Guilty
 - (4) After the defendant receives a Suspended

shall not provide photographs of an arrestee to the press without authorization from the Court Services Supervisor or the Intake Service Center (ISC) Shift Supervisor. The Court Services Supervisors or ISC Shift Supervisor will release the mug shot for a request from the media in the following manner:

- a. Check the Mug shot System to ensure the mug shot was taken by an ISC staff member
- b. Review the REJIS System to determine the arresting authority
- c. Call the arresting authority for the authorization to release the mug shot
 - (1) The Media Relations Office (615-4282) will be contacted if the arrestee is under investigation by the St. Louis County Police
 - (2) The Municipal Police Department will be contacted if the arrestee is under investigation by a municipality and the Justice Services staff member will speak with a municipal staff member in charge
- d. The Federal authority will be contacted at 539-2212 if the Department of Justice Services are holding the inmate due to federal charges. The Justice Services staff member will speak with a Federal staff member in charge.
- e. Complete an informational report in the JMS which will include the arrestee's name, the arresting authority, the arresting authority's staff member's name that was contacted and if permission was granted

NOTE: The Court Services Supervisor or ISC shift Supervisor will attempt to contact the arresting authority immediately. If the supervisor is unable to contact the arresting authority, the supervisor will inform the media person to call back or return in approximately 30 minutes. The supervisor will continue to try to contact the arresting authority during this time.

- 7. Records of governmental bodies are to be in the care of a custodian:

- a. All written requests for records concerning inmates will be directed to the Intake custodian:

Court Services Supervisor

Department of Justice Services

100 South Central

Clayton, MO 63105

- b. All written requests for records concerning the Department's policies, statements, programming or conditions will be directed to the Administrative custodian:

Assistant Director

Department of Justice Services

100 South Central

Clayton, MO 63105

8. If any doubt arises regarding the collection, review or release of any official information, the Court Services Supervisor or the Assistant Director will be consulted.

B. Fees for Copying

1. Fees for copying public records shall not exceed the actual cost of document search and duplication. For records maintained in the Department of Justice Services, the fees for each copy, not including the actual cost of document search, is 25 (twenty-five) cents per page. The cost of document search shall be the actual cost.
2. Law enforcement agencies and other criminal justice personnel may receive all information contained in the record of arrest at no charge.
3. Documents may be furnished without charge or at a reduced charge, when the Department of Justice Services determines that waiver or reduction of fee is in the public interest because it is

likely to contribute significantly to public understanding of the operations or activities of the Department of Justice Services.

4. Fees for providing access to public records maintained on computer facilities, recording tapes or discs, video tapes or films, pictures, slides, graphic illustrations or similar audio or visual items shall only include the cost of copies and staff time required to make copies.
5. Payment of such copying fees may be requested prior to making of copies.