

<b>POLICY TITLE: PRISONER RECORDS, GENERAL</b>		<b>PAGE <u>1</u> OF <u>3</u></b>
<b>POLICY NUMBER: 11.1</b>		
<b>CHAPTER 11: PRISONER RECORDS</b>		
	<b>STATE of MAINE</b> <b>DEPARTMENT OF CORRECTIONS</b>	<b>PROFESSIONAL STANDARDS:</b>  <b>See Section VII</b>
	Approved by: <u><i>Mark Magnuson</i></u> <b>Signature of Commissioner</b>	
<b>EFFECTIVE DATE:</b> <b>February 1, 2002</b>	<b>LATEST REVISION:</b> <b>October 13, 2010</b>	<b>CHECK ONLY IF</b> <b>APA [ ]</b>

#### **I. AUTHORITY**

The Commissioner of Corrections adopts this policy pursuant to the authority contained in 34-A M.R.S.A. Section 1403.

#### **II. APPLICABILITY**

All Departmental Adult Facilities

#### **III. POLICY**

It is the policy of the Maine Department of Corrections that there is accountability for all documentation related to the care and management of prisoners in its adult facilities. Record keeping is an essential administrative function performed by all staff responsible for security, programs, and service delivery.

The Department has established general procedures to guide staff practices and responsibilities concerning prisoner records. The system is designed to ensure that information retained in manual or automated record files is controlled for accuracy, completeness, and appropriateness. Guidelines are established to ensure that prisoner records information is disseminated only when authorized. Each adult facility's record keeping system is designed to comply with all applicable federal and state laws, Departmental policies and procedures and professional standards.

#### **IV. CONTENTS**

Procedure A: Prisoner Records, General Guidelines

#### **V. ATTACHMENTS**

None

#### **VI. PROCEDURES**

**Procedure A: Prisoner Records, General**

1. Each facility shall establish record keeping systems to implement the legal requirements and Department policies and procedures governing the confidentiality of, right of access to, and authority to disseminate information from prisoner records.
2. At each facility, the Chief Administrative Officer shall designate staff to have responsibilities for keeping records regarding prisoners that include, but are not limited to:
  - a. Developing, recording, maintaining, updating, and using accurate data to support decisions;
  - b. Using prescribed record keeping methods to improve the efficiency and effectiveness of programs and services;
  - c. Protecting confidential information;
  - d. Controlling access to and dissemination of information;
  - e. Preparing reports regarding records; and
  - f. Monitoring and evaluating compliance with applicable requirements for record keeping.
3. The Chief Administrative Officer shall be responsible to ensure that post orders are developed to provide instructions to appropriate staff regarding the details for performing all tasks associated with record keeping responsibilities.
4. Staff responsible for the assignment of a prisoner's MDOC number shall verify it is consistent with the information obtained from the Department's automated information system.
5. At least one set of all photographs taken of a prisoner shall be maintained in the prisoner's Administrative Record. Other sets may be maintained, as required by the Chief Administrative Officer or, designee.
6. Records may be kept in electronic form but shall be reproduced in paper form when a prisoner requests to review or have copies of documents in his/her records, in response to a release of information request, when the record will be transferred to another facility or when the record is inactivated.
7. All manual record entries shall be legible and made in black ink. The staff who makes an entry must print or sign his/her name legibly and record the date and time of the entry in twenty-four (24) hour time format. When an entry is made late or out of sequence, it shall be entered in the next available space on the record and shall include a notation that it is late or out of sequence. All corrections must be made as

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
11.1 Prisoner Records, General	11. Prisoner Records	Page 2 of 3 10/13/10R

follows:

- a. Striking through the entry with a single solid line, and signing, dating and timing the strike through,
  - b. Entering the correct information on the next available space on the record.
8. The Classification Officer, or records officer, shall review a sampling of prisoner records annually to ensure that the records are accurate, complete, and up to date and are being kept in compliance with Departmental policies and procedures and post orders, when applicable.
  9. All prisoner records shall be inactivated and secured in an approved storage area following a prisoner's release or death. Designated staff shall be assigned responsibilities for completing closing summaries indicating the reason for the inactivation of the specific record file.
  10. Original prisoner records shall not be removed from the facility except when the prisoner is being transferred to another Departmental facility or the record is being archived.

## VII. PROFESSIONAL STANDARDS

### ACA:

- ACI - 4-4095** Written policy and procedure govern case record management, including at a minimum the following areas: the establishment, use, and content of inmate records; right to privacy; secure placement and preservation of records; and schedule for retiring or destroying inactive records.
- 4-ACRS-7D-08** Procedures govern case record management, including, at a minimum, the following areas: the establishment, maintenance, use, and content of case records; and schedule for retiring or destroying inactive records. The policies and procedures are reviewed annually. All entries in the case record are signed and dated. Appropriate safeguards exist to minimize the possibility of theft, loss, or destruction of records. Records are safeguarded from unauthorized and improper disclosure. When any part of the information system is computerized, security ensures confidentiality. The facility uses a "release of information consent form" that complies with applicable federal and state regulations. Employees, consultants, and contract personnel are informed in writing about the facility's policies and procedures on confidentiality of information and agree in writing to abide by them.

<b>POLICY NUMBER/TITLE</b>	<b>CHAPTER NUMBER/TITLE</b>	<b>PAGE NUMBER</b>
<b>11.1 Prisoner Records, General</b>	<b>11. Prisoner Records</b>	<b>Page 3 of 3</b> 10/13/10R