

BERKELEY POLICE DEPARTMENT

DATE ISSUED: September 1, 1988

GENERAL ORDER R-10

SUBJECT: EXHIBITION OF INDIVIDUAL ARREST RECORDS

PURPOSE

- 1 - The purpose of this Order is to establish procedures which will permit persons to inspect their individual arrest records on file in the Berkeley Police Department as adopted by the Berkeley City Council, Resolution No. 45,653 N.S.

POLICY

- 2 - It shall be the policy of the Berkeley Police Department that upon presentation of valid identification, a person shall have the right to inspect the contents of his or her arrest record on file in the Berkeley Police Department.

ARREST RECORD

- 3 - **As used in this Order**, "arrest record" shall mean only the Berkeley Police Department criminal arrest record, "criminal record sheet," or "rap sheet." **See General Order R-19 concerning CORPUS records, etc.**

VALID IDENTIFICATION

- 4 - "Valid identification," as used in this Order, shall mean the individual identification of the person making application to inspect his/her arrest record, and it shall be accomplished by the taking of one or more of the applicant's fingerprints for comparison with those on file in the arrest record to be inspected.

PROCEDURE

- 5 - All applications to inspect arrest records shall be made in person at the Berkeley Police Department.
- 6 - Responsibility and authority for processing applications under this Order is assigned to Service Division Commanding Officers and Sergeants to whom all such applicants shall be referred.
- 7 - In the event a Service Division Commanding Officer or Sergeant is not available to process an application made under this Order, the employee who receives the application shall ascertain when a Commanding Officer or Sergeant will first be available and so advise the applicant. Delays and similar inconveniences to applicants shall be avoided whenever possible.
- 8 - Commanding Officers and Sergeants processing applications under this Order shall, upon presentation of valid identification by an applicant, check appropriate Department files to confirm that the applicant has an arrest record in possession of the Berkeley Police Department. If it is determined that the applicant has no record, the applicant shall be so informed.

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