

Adams County Department of Emergency Services Policy for Retention and Provision of Emergency Response Information

The following outlines the Adams County Department of Emergency Services policy allowing emergency service providers and law enforcement personnel to listen to or receive copies of recorded information, including radio frequency transmissions and receptions, as well as telephone calls made by the public. This policy also outlines the method by which emergency providers, law enforcement, or the public may obtain access to such information. This policy is subject to review.

A. Definitions

1. **ACDES.** Adams County Department of Emergency Services.
2. **Call Information.** Recording or transcript of emergency telephone calls and related radio communications entering into and emanating from ACDES, as recorded by ACDES.
3. **Caller Information.** Name, telephone number, address, and other personal information of a person who reports an emergency to ACDES by telephone, as recorded by ACDES.
4. **Computer-aided-dispatch (CAD) Data.** Emergency response dispatch information distributed by automatic electronic means, including but not limited to the Internet, fax, and text messaging.
5. **Emergency Response Information.** One or more of Call Information, Caller Information, CAD Data, Incident Records, and Radio Traffic.
6. **Incident Record.** Electronic record of CAD Data, providing a synopsis of an emergency response, including Caller Information.
7. **Internal Investigation.** An investigation concerning the units of a fire chief or ambulance captain in order to review emergency techniques and procedures.
8. **Law Enforcement Investigation.** An active investigation undertaken pursuant to law enforcement duties.

9. **Official Investigation.** An investigation undertaken by local, county, or Commonwealth law enforcement officers or other investigators acting under specific statutory or regulatory authority, and examining events leading to a police or emergency service call or request, the response made to that request, and the response's effectiveness and timeliness.
10. **Radio Traffic.** Recording or transcript of radio communications associated with an emergency response.

B. Law Enforcement and Coroner

1. Members of law enforcement agencies and the County Coroner or Deputy Coroner may obtain Call Information, Caller Information, Radio Traffic, or Incident Records from ACDES by live recording playback, verbal communication, or by audio or written record provided that the requesting individual demonstrates he or she is engaged in an active Law Enforcement Investigation, Internal Investigation, or Official Investigation related to the requested information as a part of regular job duties.

C. Fire Marshals

1. Fire Marshals may obtain Radio Traffic from ACDES by live recording playback or by audio or written record provided that the requesting individual demonstrates that he or she is engaged in an active Official Investigation.

D: Other Emergency Response Officials

1. Fire Chiefs, Deputy Fire Chiefs, and Ambulance Captains may obtain Radio Traffic from ACDES by live recording playback or by audio or written record provided that the requesting individual demonstrates that he or she is engaged in an active Internal Investigation or Official Investigation related to the requested information as a part of his or her regular job duties.

E. CAD Data

1. Any emergency responder may receive CAD Data as provided by ACDES and as required for emergency response job duties, provided that Caller Information is redacted from all CAD Data by ACDES before it is provided to fire and EMS emergency responders. Provision of CAD Data shall be at the discretion of ACDES. CAD Data is not available to be separately obtained outside of an emergency response situation and outside of the provision of Emergency Response Information provided for in this policy.

F. Other Requests

1. Live recording playback of Call Information may be provided in situations that require immediate action to safeguard life and property but outside the scope of this policy. The ACDES employee who provides this information must complete an incident form specifying the supporting justification and the person(s) involved in its use or request. This form can be obtained from the 9-1-1 Coordinator. Copies will be kept in the ECC files.
2. All other requests for Emergency Response Information, including but not limited to requests by the public, media, or the aforementioned emergency responders outside the scope provided in this policy, must be supported by a subpoena, court order, or search warrant. Subpoenas, court orders, and search warrants are subject to legal review and must be presented at least five (5) working days prior to the date when the information is desired. All requests must provide sufficient specificity to enable ACDES to locate the information sought and failure to do so may be a basis for rejecting a request.
 - i. Public citizens will not be provided the opportunity to view any Emergency Response Information within the confines of the 9-1-1 call center.

ii. Requests made pursuant to the Right To Know Law, 65 P.S. § 67.101 *et seq.*, shall be forwarded to the County Open Records Officer.

3. All requests for Emergency Response Information falling outside the scope of this policy shall be forwarded to the 9-1-1 Coordinator and ACDES Director to be reviewed on a case-by-case basis, including obtaining legal review if necessary.

G. Request Procedures

1. Requests for Emergency Response Information should be made to the 9-1-1 Coordinator or the Director or Deputy Director of ACDES.
2. In order to receive an audio or written record of Emergency Response Information, a requesting individual must indicate the nature of the investigation supporting the request, and acknowledge in writing that any information received is sensitive and for internal law enforcement purposes only and may not be disclosed publically without express written consent of the Director or Deputy Director of ACDES.
3. Requests made pursuant to an Official Investigation are subject to review of the legal or statutory basis for the request and the provision of records may be limited, or the request denied, as a result of this review.
4. Any request for Emergency Response Information shall be made on forms provided by ACDES, and such request shall identify and specify the information requested and the date and time of the subject occurrence.
5. All distribution of Emergency Response Information is at the sole discretion of ACDES.

H. Data Retention

1. Call Information and Incident Records are created and retained by ACDES for a limited period of time. The current retention period is three (3) years. This retention period is subject to review and change.

I. Emergency Response Information Employee Policy

1. With the exception of administrative staff, no person (including a 9-1-1 Telecommunicator) is permitted to copy or remove information from Incident Records or any other documents necessary for ACDES functioning, and in ACDES custody without a court order, subpoena or search warrant. Violation of this policy may subject employees to discipline, up to and including termination.
2. Under no circumstances may a 9-1-1 Telecommunicator take action on his or her own volition to depart from this policy. Any request outside the provisions of this policy must be forwarded to the 9-1-1 Coordinator and the ACDES Director or Deputy Director.

Signature: John C. Elkin

Date: 3-21-16

Revised 01/2013
Revised 03/21/2016

