



## **SEALED RECORDS**

### **POLICY.**

It is the policy of the Deschutes County Sheriff's Office to comply with court orders to seal certain records of individuals who have been booked into a facility of the Corrections Division, including the Adult Jail (DCAJ) or the Work Center (WC).

### **PURPOSE.**

The purpose of this policy is to establish guidelines and procedures for the sealing of records as ordered by a court of law.

### **OREGON JAIL STANDARDS:**

- A-202 Duty to Classify Public Records
- A-203 Access to Public Records

### **DEFINITIONS.**

**Sealed Records:** Records that have been ordered to be sealed and made inaccessible. Only a court order may "unseal" a sealed record.

### **PROCEDURES.**

#### ***SECTION A: GENERAL GUIDELINES***

- A-1.** The Sheriff's Office periodically receives lawful court orders for records to be sealed. These are normally records that have been expunged in a court of law as described in Oregon Revised Statute 137.225.
- A-2.** The orders to the Corrections Division are typically through the Civil Unit of the Deschutes County Sheriff's Office. All orders received directly from the Court shall be forwarded to the Civil Unit.
- A-2.** Requests for sealed records will be forwarded to corrections staff, beginning with the Corrections Administrative Lieutenant.
- A-3.** Once staff seals a record, that information is no longer accessible.

**SECTION B: PROCEDURES**

- B-1.** Inmate identification files from the DCAJ or WC will be provided to the Civil Unit for the purpose of sealing the record.
- B-2.** In the event a request for a sealed record is only a portion of the particular booking, only that specific portion of the record shall be sealed (or removed). For example, if a defendant is arrested on two charges and only one was expunged or ordered to be sealed; only the applicable charge (and that specific case number) will be sealed.
- B-3.** In the event a request for a sealed record includes the entire booking incident (all charges from that booking/lodging) the identification file and any other files that pertain to the specific booking/lodging will be forwarded to the Civil Unit. These additional files may include:
- a. Disciplinary reports
  - b. Supervisor's Incident Reports
  - c. Use of Force Reports
  - d. Incident Reports
  - e. Medical Billing Records
  - f. Arrest Report (if applicable-see item B-4 below) If the charge, case number or other identification information is on medical information, that portion of the record should be sealed.
  - g. Criminal/Informational Reports
  - h. Commissary Records
  - i. Inmate Grievances
  - j. Inmate Appeals (classification, disciplinary or confiscated mail)
  - k. Volunteer Accident Reports (if the inmate was an inmate worker)
  - l. Work Release or Electronic Monitoring Records
  - m. Scanned electronic records
- B-4.** In the case of a warrant arrest by corrections staff, the arrest report will be forwarded to the Civil Unit along with the identification file. No copies will be allowed to remain, including any possessed by the arresting corrections deputy.
- B-5.** The Corrections Administrative Lieutenant will assign appropriate corrections staff to make the inquiry and gather the information required to seal a particular record. Assigned staff will complete the Sealed Record Request Worksheet Form No. 145. A copy of the worksheet will be retained by the Corrections Division.
- B-6.** Deschutes County and/or Deschutes County Sheriff's Office Information Technology (I.T.) staff will be responsible for safeguarding computerized information when a record is sealed. They will be informed of what reports exist, and any other available information that assists them in deleting or sealing those computerized records. I.T. staff will complete Computerized Sealed Record Request Worksheet Form No. 146 and route a copy to a corrections supervisor.

- B-7.** For purposes of preserving the integrity of Corrections Division Statistics, the sealed computerized record will not contain personal identification information or case numbers. Only the following information shall remain for tracking statistics:
- a. Date and Time of Arrest
  - b. Arresting Agency
  - c. Charges (Without Case Numbers)
  - d. Male or Female Defendant
  - e. Date and Time of Release
- B-8.** Corrections staff and I.T. will complete the procedure for sealing records within 21 days of receiving the court order.