

DOS Division of Sheriffs

The history of sheriffs in Rhode Island dates as far back as the mid-seventeenth century. The colony's general laws of the period and the 1663 Royal Charter name a sheriff as responsible for the "care and custody" of the Newport jail.

In 2001, the General Assembly enacted legislation creating a Division of Sheriffs within the Department of Administration, which brought under one organization the sheriffs of the state's five counties. The same law also vested the division with the powers and responsibilities previously residing with the State Marshals (P.L.2001, ch. 77, art 29.) In 2008 the Rhode Island General Assembly embarked on a reorganization of state government. That reorganization brought several law enforcement and criminal justice agencies that were located in the Department of Administration under a single, separate organizational structure. This re-structuring created the Department of Public Safety. Among the seven agencies brought under Public Safety was the Rhode Island Division of Sheriffs. (P.L. 2011, ch. 151, art. 9, § 19; P.L. 2012, ch. 324, § 3.)

The division's responsibilities include the provision of security at courtrooms and public areas in courthouses, including at cellblocks in all state courts. The division also ensures the security of judges at state courts. The division's personnel is also responsible for the transportation statewide of prisoners between various judicial and correctional facilities as well as for all security in connection with transportation in the execution of extraditions, including, but not limited to, warrants, IAD (Interstate Agreement on Detainers), arrest affidavits, interstate compact extradition, and criminal detainers. 42-11-21 (the merger

DOS1 Directives, Policies, and Rules

This series includes records that document official statements of policy, operating procedures, and standards issued by headquarters to the division's various posts. It may also include general or special orders, memoranda, rules and regulations, operating instructions, re-affirmations of previously issued policies, special purpose agreements, as well as instructions to guide DOS personnel in day-to-day job functions and operations.

a) Headquarters Copy:

Retention: Permanent

b) Judicial Complex copies:

Retention: Permanent

DOS2 Hospital Detail Records

The division is responsible for transporting prisoners needing medical attention to hospitals. The records in this series document each hospital detail. Included is information about initial contact with prisoners, defendants' criminal history forms, including charges, offender property inventory forms, as well as hospital detail logbooks recording activities and incidents from the beginning of the detail to its completion. Also includes records of supervisors in reverse order of seniority ordered to do hospital detail.

Retention: Retain three (3) years.

DOS3 Extradition Records

As part of its responsibility to transport prisoners charged with crimes, the Division of Sheriffs is the agency designated by law to transport prisoners for extradition. The records in this series document the Division of Sheriff's performance of its extradition-related responsibilities. Included are records of deputies assigned to trips and equipment they received and returned. Forms of authorization which include the deputy's name, related arming of assigned sheriff personnel, the authorization to take custody of a prisoner, flight plans, and documentation attesting to deputy's understanding of extradition rules and policies. Also included are records documenting the pick-up of prisoners. This documentation records prisoner name, deputies assigned to the trip, location of the pick-up and drop-off points; inmate history and photo, the reason for the extradition, and a deputies' task check list. All other extradition records relate to credit card use, vehicle use, cell phones and equipment, trip expenditure reports, and hours of work.

Retention: Retain seven (7) years after extradition fulfilled, cancelled, or expired

DOS 4 Trespass and Eviction (T and E) Reports

When a landlord files a complaint for nonpayment of rent, the court clerk sets a hearing date, which must take place nine working days after the filing of the suit. The hearing date is then set upon written request of the plaintiff (person filing the suit.) After the papers are properly filled out, the clerk gives copies of the complaint, summons and a blank answer form to the plaintiff to mail by first-class mail to the defendant. Sheriffs receive copies of the complaint, the original summons and a copy, and a blank answer form to be served on the defendant. The sheriff serves these papers by handing them to the defendant, or by giving them to a responsible person at the defendant's home or securing them to the defendant's door if no one is home. This series consists of spreadsheets prepared by the Division of Sheriffs. They contain aggregate data of processes served. The spreadsheets are used for quantitative analysis for internal periodic statistical reports to the superintendent, and for annual statistical reports to the governor.

Retention: Retain three (3) years

DOS5 Writ Service Report Records

In Rhode Island law, sheriffs, or their deputies, are authorized to serve all processes (RIGL §9-5-6.) This includes writs of arrest and writs of attachment, writs of habeas corpus, writs of estrepement, and also citations related to mechanics' liens. The records in this series document the serving of processes. The records are reports that document who served the writ, the name and address of the defendant, the date served, and how it was served on the defendant, and the fees involved. The records also include refunds to plaintiffs when writs were unable to be served. The series may also include proofs of service and, when originals are not available, affidavits of service certifying service in the absence of original documentation. Where writs were unable to be served, the records may also document when and how the service was attempted. This series also includes monthly writ reports

showing total writs served, writs returned, the state involved, the amount of money collected, and the number of outstanding writs. In addition, this series includes documentation of writ returns by court district.

Retention: Retain three (3) years.

DOS6 Use of Force Records

This series includes all use of force reports. The files may include taped copies of incidents, use of force forms, and correspondence relating to the incident. Records are organized by building, and then chronologically.

Retention: Retain ten (10) years.

DOS7 Death in Custody Report Records

Deaths in custody incident reports are prepared monthly. Deaths are reported for all individuals in the custody of Division of Sheriffs personnel, or at the scene of an arrest or crime or medical facility before booking, or while in transit from a crime/arrest scene, or while confined in cells. Reports are made whether or not deaths have occurred. When deaths have occurred, documentation describing the incident and other supporting documentation accompany the reports

a) Reports – No Incidents

Retention: Retain three (3) years.

b) Reports of death in custody

Retention: Permanent

DOS8 Division of Sheriffs Personnel Training Records

The Division of Sheriffs administers a program of training for its personnel. The periodicity of the training depends on the courses. These programs include seminars and sessions, which may cover different aspects of criminal law, hate crimes, and civil rights, and departmental policies and procedures (e.g. transportation, extradition, and courtroom security, and emergency operations). Training may also cover to certifications in first aid, CPR, AED (Automated External Defibrillator) defibrillation, NARCAN, and the use and knowledge of certain law enforcement tools and technologies (for example, handcuffs, pepper spray and firearms.) Finally, as required by state law (R.I. General Laws §11-47-15.1 § 11-47-15.3 and R.I. General Laws §11-47-17), the Division of Sheriffs (and all state law officers) division personnel must qualify annually to carry firearms. Employees maintain the same assigned firearm, unless it is determined to be unserviceable, or they are issued new firearms, or the employee terminates their employment. A new employee may be issued the firearm, of a former employee or the Division purchases a new one, for said new hire.

The records include manuals, lesson plans, and training and presentation materials. The records may also include course attendance sheets, a record of who obtained certifications, and related correspondence.

a) Training materials and curricula

Retention: Retain three years (3) or until updated or superseded, whichever is later.

b) Attendance records and certification documentation

Retention: Retain three years (3) or until updated or superseded, whichever is later.

c) Annual Firearms Qualification Records

Retention: Retain five (5) years

d) Firearms Assignment Lists

Retention: Retain for three (3) years after superseded.

Note: Department of Public Safety Headquarters personnel office retains record copies of these records

DOS9 Division Academy Records

The Sheriff's Academy provides training for all successful applicants for admission to the academy.

DOS 9.1 Recruitment Files

Admission to the Sheriff's Academy depends on candidates' successful fulfillment of certain requirements. An applicant must have reached the age of eighteen (18) years in order to be admitted as a candidate to the Training Academy. There is no maximum age of admission to the Training Academy. The records in this series consist of files pertaining to individual recruits. Included in the files are application forms, background criminal checks, medical history, physical agility test records as well as physical fitness (eyesight hearing,) academy examination results, acceptance or decline of offer forms, and related correspondence.

a) Successful Applicant Files

Retention: Retain forty (40) years.

b) Unsuccessful Applicants

Retention: Retain seventeen (17) years.

DOS9.2 Curriculum Materials and Lessons Plans

This series consists of the curriculum materials, training and testing materials, and lesson plans developed by personnel involved in the division's training of new recruits.

Retention: Retain three (3) years, or after materials revised or replaced, whichever is longer

DOS9.3 Recruit Attendance Records

The records in this series document recruit attendance at the Academy. The records include attendee sign-in sheets and late slips.

Retention: Retain three (3) years.

DOS 10 Juvenile Justice and Delinquency Prevention Act Compliance Records

The federal Juvenile Justice and Delinquency Prevention Act requires inspections of the conditions of juvenile detention facilities for compliance with the act. This series includes correspondence with federal compliance personnel relating to juvenile compliance visits as well as copies of inspectors' reports to the federal authorities.

Retention: Retain five (5) years after audit.

DOS 11 Post Orders

Post orders detail the responsibilities and tasks for each post and position included in jail staffing plans. Post orders detail what specific tasks are to be done, when they are to be done, and who will do them. Post Orders include daily checklists of supervisory duties, activities with respect to specific courthouses and other buildings, and hospital duty officer requirements.

Retention: Retain three (3) years.

DOS 12 Comprehensive Monthly Reports

The Administrative Captain prepares comprehensive monthly reports for the Chief Sheriff. These reports are compiled from data received each month from each building or unit judicial complex (See **DOS16 (d)**.) The reports include statistical information about the total number of prisoners transported from each building, the number of police department lock-ups, the number of individuals not making an appearance before courts, amount of food ordered, incidents for the month, use of force, and the number of hospital details from within cellblocks. These reports may also contain monthly mileage reports, number of extraditions, and number of writs served.

Retention: Retain three (3) years.

DOS13 Inmate Custody, Control, and Transportation Records

This series includes records that document the transportation of all prisoners to or from the various courthouses. The records consist of daily lists of inmates designated for transportation to various courts, photographs of inmates, as well as personal information, including name, date of birth, prison building, prison id aliases, and length of sentence. This information is printed out from the Department of Correction's INFACETS system.

Retention: Retain three (3) years

DOS14 Performance Measure Reports

Performance measure reports contain data relating to the totals for inmate processing, transportation, and the number of writs for the month as well as extradition data. Copies of these reports are sent to the Central Management Office of the Department of Public Security.

Retention: Retain three (3) years

DOS15 Bonds of Office Records

Every deputy must give bond with sufficient surety or sureties to the sheriff appointing him or her director of the department of public safety, in a sum satisfactory to the sheriff director, not less than five thousand dollars, for the faithful execution of his or her office according to law. (RIGL 42 – 29 – 11.)

Retention: Retain until the deputy is no longer employed by the division.

DOS 16 Judicial Complex/Cell Block Records¹

Division of Sheriffs personnel is assigned to maintain order in cellblocks and courtroom security in each of Rhode Island's judicial complexes. The records in this series document the administration and activities conducted at each location, including each deputy's assignment (s) for the day. The daily assignments for each location are based on information drawn from various sources, including the Rhode Island Law Enforcement Telecommunications System.

a) Roll Call (Daily Assignment Sheets)

Retention: Retain three (3) years.

Note: Originals are retained at each location. No copies sent out.

b) Rhode Island Law Enforcement Telecommunications System (RILETS) query log/sheet

Retention: Retain three (3) years.

Note: Originals kept at each location (RITT, each cellblock).

c) Daily Activity Sheets

Retention: See **DOS 13**.

Note: Original activity sheets are kept at each cellblock location or office if applicable. This is a package that contains the documents, which are derived from the RI Department of Corrections INFACIS System, faxes

¹ Currently includes the Garrahy Judicial Complex, Licht Judicial Complex, McGrath Judicial Complex, Murray Judicial Complex, Noel Judicial Complex and RITT Building.)

from police, shipment forms, and holding room copies of prisoner activity sheets. These documents provide the data for each complex's monthly report.

d) Monthly Reports

Retention: Retain until transmitted to division headquarters.

*Note: Copy retained at each location, electronic copy forwarded to Administrative Captain, who forwards completed comprehensive report, which is a compilation of all monthly reports, to the Chief Sheriff. A hard copy is kept with the Administrative Captain. (See **DOS 12**)*

e) Attorney sign in sheets/logs

Retention: Retain three (3) years.

Note: Originals kept at each cellblock.

f) Transfer of custody forms

Retention: Retain three (3) years.

Note: Originals kept at each cellblock.

g) Emergency Contact Information Books

These records concern DOS personnel. Original with Security Operations Manager and a copy at each DOS Location, Chief Sheriff, DPS Liaison and the Administrative Captain.

Retention: Retain until superseded.

h) DOS Directives; DOS Policy/Rules and Regulations Book

Retention: Permanent

i) DOS Emergency Operations Book

Retention: Retain three (3) years or until superseded, whichever is later.

Note: Hard copy at each location, Chief Sheriff, Administrative Captain, DPS (Electronic copy).

j) NARCAN (Naxolone) Deployment Log- Original at each facility.

Retention: Retain record of deployment for three (3) years.

k) Meal Bar Inventory

Retention: Retain one (1) year after audit.

Note: Original retained at each facility, and by Security Operations manager

DOS 17 Use of Force Report Files

Officers are required to submit reports when they discharge their firearms, or when they use non-lethal force. Reports may include, but are not limited to, data and place of weapon discharge, the nature of the incident, and specific shooting data.

Retention: Retain ten (10) years or seven (7) years after all litigation is resolved, whichever is later.

DOS 18 Vehicle and Equipment Allocation Files

The Division of Sheriffs' Office of Operation and Security has responsibility for managing information documenting its purchase and control of division personnel vehicles and equipment. It is also responsible for managing their allocation to individual personnel, division units, and courthouses, and other locations. The office is also responsible for the management and provision of other equipment, including restraint equipment, communications equipment, weapons, uniforms, and courthouse pass cards (which are issued by the courts and provided to the division for distribution to its personnel.)

In addition to issuing equipment, the office is also responsible for maintaining a registry and files of the division's personnel, which includes biographical information and photographs, and issuing identification (ID) cards.

The records in this series consist of lists and spreadsheets that document the issuance of equipment to specific personnel, units, and locations. Included is (spreadsheet) information about the identity of officers who have been issued specific radios specifying to whom each radio have been assigned, which may change daily.

a) Vehicle purchase, allocation and maintenance information

Retention: Retain twenty (20) years.

b) Equipment Issuance Records

Retention: Retain until superseded or equipment transferred to the Division of Office of Surplus Inventory

c) Divisional Personnel Records

Retention: Retain until no longer required for reference purposes.

Note: These files do not include disciplines and promotions

d) Radio ID spreadsheet information

Retention: Retain three (3) years.

Note: The division's official records of personnel as well as purchases of division vehicles and other equipment, payments, and surplus equipment resides with the Department of Public Safety's financial management office.

DOS 19 Certificates of Records Destruction

Certification of Records Destruction forms (PRA 003) signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. RIGL §38-1-10, 38-3-6(j), 42-8.1-10.

Retention: Permanent.