

103 CMR 918: DEPARTMENT OF CORRECTION

103 CMR 918.00: COUNTY CORRECTIONAL FACILITIES -- INMATE RECORDS

Section

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918.01: Case Record Management

(1) Written policy and procedure shall be developed governing case record management for inmate records which shall include, but not be limited to, the following:

- (a) establishment;
- (b) utilization;
- (c) content;
- (d) security and safety of all inmate case records;
- (e) privacy and security of legally privileged or confidential information; and
- (f) a schedule for the preservation, retirement or destruction of inactive case records.

(2) All inmate records shall be handled strictly in accordance with the relevant requirements imposed by the regulations of the Department of Criminal Justice Information Services (DCJIS) Criminal History Systems Board. (M.G.L. c. 6, §§ 167 through 178; 803 CMR 2.00: *General Information*.)

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918.02: Access to Records

Written policy and procedure shall identify those persons within the county correctional facility, and other authorized persons, who shall have direct access to inmate records.

918.03: Format and Contents of Inmate Case Records

(1) Written policy and procedure shall provide that the county correctional facility shall maintain an individual facility case record on all inmates committed, assigned or incarcerated in the facility.

(2) The format of inmate case records shall be determined by the Sheriff/facility administrator, and the contents shall include, as applicable and appropriate, the following information:

- (a) Legal Data - the information to be included shall be related to the intake record, all data related to courts, administrative chronology, sentence and identification;
- (b) Classification Data - including all information on the classification and progress of the inmate;
- (c) Facility Programming Data - material related to the facility adjustment and program participation including disciplinary reports, disciplinary chronology, facility work assignments, grievances, *etc.*
- (d) Community Programming Data - materials related to participation on furloughs, hospital programs, and community work crews;
- (e) Parole Data - any appropriate information on parole consideration, pre-parole reports, violation reports, or progress reports.

918.04: Booking and Intake Information

(1) Written policy and procedure shall provide that intake booking information is recorded for every person admitted to the facility and includes the following data:

- (a) photograph;
- (b) booking number;
- (c) name and aliases of person;
- (d) current address (or last known address);

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- (e) date, duration of confinement;
- (f) copy of the court order or other legal basis for commitment and sentence or bail status;
- (g) name, title and signature of delivering officer(s) and receiving officer(s);
- (h) specific charge(s), with statutory authorization;
- (i) s e x ;
- (j) a g e ;
- (k) date of birth;
- (l) place of birth;
- (m) r a c e ;
- (n) fingerprints;
- (o) present or last place of employment;
- (p) health status, including any current medical or mental health needs;
- (q) emergency contact (name, relation, address and phone numbers);
- (r) driver's license and social security number(s);
- (s) notation of cash and all property;
- (t) general description, including height, weight, physical build, hair and eye color, and complexion; and
- (u) additional information concerning special custody requirements, service needs or other identifying information such as birthmark or tattoos.

(2) In the case of an inmate held solely in pre-arraignment custody, the intake record may omit 103 CMR 918.04(1)(a), (f), and (n), and shall indicate pre-arraignment status. In the case of an inmate held in pre-trial custody, the intake record may omit 103 CMR 918.04(1)(n).

(3) The photograph and other identifying matter contained in the intake record of sentenced inmates shall be transmitted forthwith to the Colonel of the State Police.

(4) The complete intake record shall be maintained in the inmate's individual case record and a copy shall accompany the inmate upon transfer to another facility. The transferring county correctional facility shall provide, in writing, known medical and mental health information about the inmate to the receiving facility. The content of this written form shall include, but not be limited to, the following:

- (a) Mental health history/concerns;
- (b) History of suicide attempts;
- (c) Acute medical concerns;
- (d) Name(s) and dosage(s) of current medications;
- (e) Substance abuse history; and
- (f) Allergies/dietary restrictions.

In circumstances where an emergency transfer is required, such records may be forwarded within 24 hours of transfer.

918.05: Mittimus File

The county correctional facility shall maintain a file of attested copies of all warrants, mittimuses, processes and other official papers by which an inmate is committed or released. Each such document shall be properly secured, preserved and protected with respect to privacy rights.

91 8.06: Release of Information

Prior to the release of inmate information, other than that required or permitted by law, the inmate shall sign a "Release of Information Consent Form" (which complies with CORI Regulations). A copy of this form shall be maintained in the inmate's record.

REGULATORY AUTHORITY

103 CMR 918-00: M.G.L. c. 124, § (1), (c), (d) and (q); c. 127, §§ 1A and 1B.