



# WYOMING DEPARTMENT OF CORRECTIONS

## Policy and Procedure #1.502

### Case Records

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<b>Authority:</b> Wyoming Statute(s): 25-1-104; 25-1-105  ACA Standard(s): 4-4095-R; 4-4096; 4-4097; 4-4098; 4-4099. 2-CO-1E-01-R 2-CO-1E-02 2-CO-1E-03 2-CO-1E-04 2-CO-1E-05 2-CO-1E-06 2-CO-1E-07 2-CO-1E-08 2-CO-1E-09	<b>Effective Date:</b> April 30, 2016 <b>Revision/Review History:</b> 07/15/15 04/06/15 04/01/14 05/15/13 06/10/12 <b>Summary of Revision/Review:</b> Updates existing policy pursuant to annual review.	
<b>Cross Reference of Policy:</b> P&P #1.009 <i>Release of Information</i> ; P&P #1.500 <i>Inmate Good Time</i>	<b>Supersedes Existing Policy :</b>	
<b>Approved:</b>  R.O. Lampert Robert O. Lampert, Director		4-18-16 Date

**APPROVED FOR INMATE DISTRIBUTION**

#### REFERENCE

1. ATTACHMENTS
  - A. WDOC Form #150, *Consent for the Release of Confidential Information*
  - B. WDOC Form #178, *Base File Setup Form*
  - C. WDOC Form #179, *Inmate Custody Transfer Receipt*
2. OTHER – None Noted



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## I. PURPOSE

- A. **Case Records.** The purpose of this policy and procedure is to establish an accurate, efficient and secure system for the recording, management and maintenance of inmate base files, including use and content of inmate base files, right to privacy, secure placement and preservation of records and the process for retiring records.
- B. Written agency policy, procedure, and practice governing case record management includes, but is not limited to, the establishment, use, content, privacy, security, preservation, and destruction of case records. (ACA 2-CO-1E-01 Revised)

## II. POLICY

- A. **General Policy.** It is the policy of the Wyoming Department of Corrections (WDOC) that case record management is governed to include at a minimum, the following areas: the establishment, use and content of inmate base files; the right to privacy; secure placement and preservation of records; and a schedule for retiring inactive records. The policies and procedures are reviewed annually. (ACA 4-4095 Revised)
1. Retention schedules shall indicate inmate base files are a permanent record.
  2. The files will be maintained at the facility for five (5) years. In the event the inmate does not return within five (5) years, the file will be transferred to Wyoming State Archives.
    - i. Should the inmate return within the five (5) year period, the file will be maintained by the facility for reference usage.
- B. It is the policy of WDOC that inmate base files will be handled in a consistent manner, in accordance with this policy. A case record is maintained within the agency for all persons committed to its care in which all major decisions, pertinent background, and events are recorded (ACA 2-CO-1E-02)
1. Each inmate assigned to a WDOC facility shall have an accumulative record file maintained in the records area of the facility.
  2. Information maintained in the inmate base file shall be defined by WDOC regulations.
  3. No inmates shall have access to this location except for possible cleaning and then only under strict direct supervision.



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### III. DEFINITIONS

- A. **Custodial Records Office:** *(For this policy only.)* The WDOC records office assigned as the primary custodian designated to determine an inmate's eligibility for release. Currently the Wyoming State Penitentiary and the Wyoming Women's Center act in this capacity.
- B. **Facility Records Analyst:** *(For this policy only.)* The WDOC records office at the facility for which an inmate is housed.
- C. **Inmate Base File:** A file that is considered the official record for the facility of the inmate's incarceration, classification, housing and sentence information, *etc.*
- D. **Wyoming Criminal Information System (WCIS):** The electronic database used to track inmate base files.

### IV. PROCEDURE

- A. **Security of Base Files.** Close security of inmate base files is to be maintained at all times, and appropriate safeguards should exist to minimize the possibility of theft, loss, or destruction of records. Only authorized staff including caseworkers, unit managers, shift supervisor/commanders, or other staff designated by written local procedures may be granted access to files.
  - 1. Written agency policy, procedure, and practice provide that case records are safeguarded from unauthorized and improper disclosure. (ACA 2-CO-1E-08)
  - 2. Records should be safeguarded from unauthorized and improper disclosure. Computerized records should be secured so as to ensure confidentiality.
    - i. Inmate base files will be stored in a systematic manner such as alphabetical or by inmate number. Facility records managers shall maintain a log of the active inmate base files to track the number of files on hand; facility operational procedures will outline the protocol for accounting of these files.
      - a. The Warden shall be notified immediately of any discrepancies in the count and a plan to locate missing files.



3. When files are removed from the Records Office, they must be signed out, to include, but not limited to, person removing the file, time, and date taken. When file is returned it is to be signed back in.
  - i. Staff will ensure the integrity of the file and will not allow it to be left unsecured for any reason.
  - ii. No inmate may be allowed access to review their file.
  - iii. Removal of inmate base files from the records area is discouraged and may be limited by the facility Warden. The Warden may restrict base files from leaving the records area.
4. Files will not be taken from the facility unless authorized by the facility Warden or records supervisor.
5. Inmate base files shall be returned to the records office after their use.
  - i. All inmate base files will be returned to the records office during working hours. After hours is generally considered before 0800 (8:00 am) or after 1700 (5:00 pm) hours Monday through Friday and on holidays.
    - a. After hours special events, *i.e.*, Parole Board hearings, Multi-Disciplinary Team meetings, audits, or other proceedings which occur may result in an extension being granted to the 1700 (5:00 pm) hour deadline by records manager/analyst. Files will be returned once the event is completed however. Facilities may restrict these hours further as necessary.
6. All offices where inmate base files and/or confidential information are retained will be secured when records staff is not in the office.
7. In the event designated security personnel or casework staff is required to enter the records office after hours, an entry must be made on the control room log.
  - i. The on duty security supervisor must give authorization for entry into the records office after hours.
  - ii. The approved staff member's name along with the supervisor approving the entry, time the keys were issued and the reason for entering the records office will be logged.



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- iii. The records office will be considered a restricted area after hours and when records staff are not present.
  - iv. No files may be removed from the records area after hours without approval of the Duty officer.
- B. Inmate Access to Records.** Written policy and procedure govern inmate access to information in their case records. (4-4098) (ACA 2-CO-1E-06)
- 1. Limited access to copies of information may be permitted if the inmate submits a request in writing to records office.
    - i. Medical records shall be requested through the facility medical department and must include specific information desired.
  - 2. Inmates will be charged copy fees in accordance with WDOC Policy and Procedure #1.009, *Release of Information*.
  - 3. Most items maintained in the base file are considered confidential and will not be released without authorization in accordance with this policy or from the Warden/Records Supervisor.
    - i. Inmates will only receive copies of documents that are approved for release and designated on WDOC Form #178, *Base-File Setup Form*.
    - ii. Staff will comply with all court orders for request of information.
- C. Release of Information.** The confidentiality of information filed in the inmate's record will be maintained by the facility in accordance with applicable federal and state regulations.
- 1. File information will be released only through the use of WDOC Form #150, *Consent for the Release of Confidential Information*, which complies with applicable Federal and State regulations. Unless the release of information is required by statute, the inmate/resident information release form is signed by the inmate prior to the release of information. A copy of the completed form will be maintained in the inmate's case record. (ACA 4-4099) (ACA 2-CO-1E-07)
  - 2. The inmate must authorize release of his/her information on Form #150 unless being given to law enforcement personnel or court order. This form is not necessary for the inmate themselves to request information, however.



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3. No inmate, under any circumstances, will be given access to another inmate's file.
  4. All requests and release of information must conform to WDOC Policy and Procedure #1.009, *Release of Information*.
- D. Transfer of File.** An updated base file for any inmate transferred from one institution to another should be transferred simultaneously or, at the latest, within seventy-two (72) hours. (ACA 4-4096)
1. Written agency policy provides that an updated case file or summary for any inmate/juvenile/resident transferred from one institution to another is transferred simultaneously. Summaries, originals, or copies of the health record accompany the inmate to the facility to which he or she is transferred. All case files are transferred within three working days. (ACA 2-CO-1E-04)
    - i. Upon notice of an inmate's transfer, the records manager is to ensure that the inmate's base file is sent with security supervision at the time the inmate is departing.
    - ii. Medical files, along with base files, will be transported along with the inmate at the time of the move, but in no circumstances be delayed longer than three (3) working days
      - a. If a delay must occur, a summary of the recent and pertinent information shall be forwarded to the receiving facility, at the time of the transfer.
  2. Inmate files may be mailed using a nationally recognized courier so long as they are insured and properly tracked using certified delivery.
  3. The contents of inmate base files will be maintained in accordance with WDOC policy. No inmate base file, nor any part thereof, shall be transferred to any other office or person outside of the records office unless under subpoena or at the order of the warden or his duly authorized designee.
- E. Maintenance of Inmate Base Files.** The records manager/analyst is to ensure the inmate base file folders are kept in the best possible physical condition. Written agency policy, procedure, and practice require that the contents of case records are identified and separated according to an established format. (ACA 2-CO-1E-03)
1. The agency has written policy, procedure and practice that provides for



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case record review to ensure that it is current and accurate. (ACA 2-CO-1E-09)

i. All facilities will ensure that case records are inspected at least annually to ensure they are up to date and it contains all required information.

2. When needed, repair to a record folder will be completed.

3. The file folder should be neat and orderly in appearance.

4. All inmate base files will be maintained in the Department approved format and setup as noted in WDOC Form #178, *Base File Setup Form*.

5. Inmate grievances will be maintained in electronic format in accordance with designated procedures.

6. The WDOC Form #500, *Inmate Declaration/Change of Faith Group Affiliation* shall be maintained within the permanent base inmate file.

7. Each facility shall develop a plan to relocate inmate base files along with medical files in the event of an actual emergency where the files may be threatened.

i. Staff must use caution so as not to place themselves in jeopardy to save inmate base files.

**F. Computation of Time Served.** Written policy, procedure, and practice provide that inmate time is accurately computed and recorded in conformance with applicable statutes and regulations. (ACA 4-4097) (ACA 2-CO-1E-05)

1. Records staff will be responsible for accurately computing and recording each inmate's time calculations in accordance with applicable statutes and regulations.

2. Records staff shall process inmate good time in accordance with WDOC Policy and Procedure #1.500, *Inmate Good Time*. Quarterly good time sheets will be generated by the custodial records office and sent to the inmate.

3. Staff will ensure time calculations are cross checked at intake to ensure accuracy.

4. Records staff will be directly responsible for processing of inmate sentence information and release calculation.



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i. Staff must be thoroughly trained in time calculation before being allowed to process inmate sentence calculations.

5. The WCIS may be consulted in this process though the information must be confirmed.

6. The custodial records office is responsible to complete the discharge checklist in a timely manner prior to an inmate's release.

7. In the event court ordered modifications to a sentence are received, records staff shall compute the new sentence information.

i. The inmate shall then be notified.

ii. A certified copy of the court order is required

#### G. Detainers/Warrants

1. When a detainer is received, the records office shall ensure proper holds are placed on the inmate.

2. Staff shall ensure the inmate is notified of the detainer including information about which agency filed it.

3. Records staff will coordinate with other jurisdictions and transport on all inmate transfers to detainer.

i. Staff will ensure the necessary documents are present before release of custody of the inmate. The receiving agency must sign in order to accept custody of the inmate prior to being released to their supervision using WDOC Form #179, *Inmate Custody Transfer Receipt*.

ii. The Warden shall be advised when an inmate is to be transferred to another jurisdiction under a detainer.

iii. The Inmate Base File shall remain in WDOC custody until released to archives.

#### H. Disposition of Records

1. When an inmate has been transferred to another WDOC facility all inmate base files, including medical, will be released to the receiving facility.



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2. When an inmate is discharged from custody the inmate base file will be returned to the WDOC custodial records office. The Wyoming State Penitentiary and the Wyoming Women’s Center are currently designated as custodial records offices.
3. In accordance with applicable retention schedule, files will be transferred to the State of Wyoming Archives as they are considered permanent records.

**V. TRAINING POINTS**

- A. How often should active inmate base files be counted?
- B. What is the protocol for removing a file from the Records Office, and when may they be checked out?
- C. What is the time frame for transferring an updated base file for any inmate transferred from one institution to another?