AN ACT

RELATING TO STATE AFFAIRS AND GOVERNMENT - STATEWIDE PUBLIC SAFETY COMPUTER AIDED DISPATCH RECORDS MANAGEMENT SYSTEM

Introduced By: Senators Ruggerio, McCaffrey, Goodwin, Lynch Prata, and Metts
Date Introduced: January 21, 2020
Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND GOVERNMENT" is hereby amended by adding thereto the following chapter:

CHAPTER 28.10

STATEWIDE PUBLIC SAFETY COMPUTER AIDED DISPATCH RECORDS MANAGEMENT SYSTEM

42-28.10-1. Statewide records management system.

(a) The division of state police is hereby authorized and empowered to provide for the installation, operation, and maintenance of a statewide records management system (RMS). The statewide records management system shall provide for the storage, exchange, retrieval, retention, manipulation, archiving, and viewing of information, records, documents, or files pertaining to law enforcement operations. Such records may include, but not be limited to, incident and accident reports, arrests, citations, warrants, case management, field contacts, and other operations-oriented records.

(b) The RMS is to be installed by the superintendent of the state police in his capacity as the director of department of public safety and shall be maintained and controlled by the records management system board of directors established pursuant to § 42-28.10-2.

(c) State and local sworn law enforcement agencies are authorized to interface, at their own expense, with the RMS for the exchange of information provided by the system.

(a) There is hereby established a board of directors for the Rhode Island records management system, sometimes referred to as the "board", which shall be empowered to maintain the records system and shall have oversight over the collection and maintenance of user fees collected from state agencies and/or cities and towns for the administration of the records system.

(b) The board in consultation with the superintendent of the state police shall make rules and regulations necessary to implement the provisions of this chapter.


(a) The records management system board of directors shall consist of nine (9) members as follows: One member who shall be a representative of the Rhode Island Association of Fire Chiefs or designee; one member who shall be the Rhode Island attorney general or designee; one member who shall be the chief of the Providence police department or designee; one member of a law enforcement agency from a city or town with fewer than twenty-five thousand (25,000) residents to be appointed by the Rhode Island Police Chiefs Association; one member of a law enforcement agency from a city or town with twenty-five thousand (25,000) residents or more, to be appointed by the Rhode Island Police Chiefs Association; one member who shall be the President of the Rhode Island Police Chiefs Association or designee; one member who shall be the director of the Rhode Island department of transportation's office on highway safety or designee; one member who shall be the superintendent of the state police or designee; and one member from a sworn law enforcement agency within the department of public safety other than the state police appointed by the director of the department of public safety.

(b) A majority of the board shall elect the chair of the board on an annual basis from among the nine (9) board members pursuant to rules and regulations adopted by the board.


There is hereby established a records management advisory board consisting of at least thirteen (13) members who shall be representatives of Rhode Island agencies having an interest in law enforcement records management and who shall be appointed by the records management system board of directors. The advisory board's purpose shall be to assist the board of directors in the administration of this chapter.


(a) The RMS shall be responsible for safeguarding all collected information and shall comply with all state and federal privacy laws in order to protect privacy rights, civil rights, and civil liberties in the collection, use, analysis, retention, destruction, sharing, and disclosure of information. Information gathered and retained by the RMS may only be disseminated for the
specific purpose of administering the provisions of this chapter and shall only be accessed by sworn law enforcement personnel authorized by law to have such access and only for those uses or purposes specified by law.

(b) The RMS shall not retain personal information for a period longer than is reasonably required to carry out the purposes of this chapter.

c) The records management systems board of directors is hereby directed to develop and maintain a privacy policy which shall ensure safeguards are in place to protect personal information from unlawful access, sharing and/or second party dissemination.

d) Any request made pursuant to the Access to Public Records Act of § 38-2-1 et seq. must be made to the agency that created the record.


Any participating law enforcement agency shall be required to pay a user fee to be determined by the board. Fees paid pursuant to this section shall be maintained in a restricted receipt account pursuant to this chapter for the exclusive purpose of implementing the provisions of this chapter.


There is hereby created a restricted receipt account within the general fund of the state to be known as the statewide records management system account. Fees collected pursuant to § 42-28.10-6 shall be deposited into this account and be used for costs associated with the system. The restricted receipt account shall be included in the budget of the division of the state police. All expenditures from the account shall be subject to appropriation by the general assembly. Any other available grants or funds from a public or private source may be deposited in the account and used for associated costs.


The chairperson of the records management system board of directors shall annually provide a report to the speaker of the house and the president of the senate. The report shall include and document the systems annual activity including, but not limited to, the data reported and the number of reports entered into the system.

SECTION 2. This act shall take effect upon passage.

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EXPLANATION

BY THE LEGISLATIVE COUNCIL.

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RELATING TO STATE AFFAIRS AND GOVERNMENT - STATEWIDE PUBLIC SAFETY COMPUTER AIDED DISPATCH RECORDS MANAGEMENT SYSTEM

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1 This act would establish a statewide public safety computer aided dispatch records management system.

2 This act would take effect upon passage.

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