

	LOWER MERION TOWNSHIP POLICE DEPARTMENT Ardmore, Pennsylvania	
	Policy 3.17.3	
Subject:		Distribution:
Expungement Orders		All Sworn Personnel
Date of Issue:	Expiration Date:	Rescinds:
06-01-2014	Until Amended or Rescinded	Directive: 06-45
References:		
CALEA: N/A; PLEAC: N/A		
By Authority of:		
		Superintendent of Police

PURPOSE

To ensure that department records are properly expunged based upon a valid Court Order.

PROCEDURE

Court Orders are received by the Auxiliary Services Unit Commander directing the expungement of all records relating to an individual's involvement in a specific incident. This information pertains only to the individual identified and the particular incident cited. The expungement process is governed by 18 PA C. S. 9122(d).

- A.** When a court ordered expungement is received, the Auxiliary Services Unit Commander, will assign the expungement to the Identification Officer. The Identification Officer will:
1. Verify that there is a raised seal and that the Order does in fact pertain to an incident related to this Department.
 2. Retrieve all files pertaining to the Court Order, which include: scanned images in the Alert reporting system, records section archive files, juvenile files (if applicable), lab submission forms, fingerprint cards, arrest index cards, mug shot photographs, evidence and evidence tags, prisoner logs and arrest (SIR) reports.
 3. Review the retrieved files and redact all information referenced in the Court Order. The redacted items are to then be scanned back into the related incident once the original image has been deleted.
 4. Destroy the evidence, fingerprint card and mug shot photograph.

5. Notify the Information Technology Specialist to have the arrestee's information deleted from the electronic records.
 6. Prepare a letter to the filing attorney or requesting party (only if a stamped self addressed envelope from the Petitioner or requesting attorney is included with the Order and the appropriate fee for the letter has been paid) indicating that the Court Order has been complied with. This must be completed within thirty (30) business days of receiving the Order. The Identification Officer will generate an Alert report under 4518 that lists that Court Order number and the name of the requesting party or attorney. The report along with the letter is to be forwarded to the Auxiliary Service Unit Commander for approval and signature.
 7. When the report has been returned from the Auxiliary Service Unit Commander, the letter is to be mailed to the requesting attorney or petitioner. A redacted copy of the Order is to be scanned into the Alert report generated under 4518.
- B.** The Auxiliary Services Unit Commander will ensure the expungement is followed in accordance with the terms of the Court Order and that all appropriate records and information are destroyed. The Auxiliary Services Commander will review the Order, reference the relative incident and sign the attorney's notification letter.
- C.** If the petitioner is the only person involved in the incident for which a file has been initiated; the entire file can be redacted. In those instances where the incident involves more individuals for which files have been established, only the petitioner's name and the cross-reference to the incident will be redacted.
- D.** If an attorney representing the petitioner submits a request for any additional documentation or expungement not included in the official Court Order, this request will be reviewed and evaluated by the Auxiliary Services Unit and Staff Services Division Commanders for possible expungement.
- E.** The State Agency responsible for the expungement of State records and Federal notification of the expungement is:

Pennsylvania State Police
Central Repository (PSPCR)
Records and Identification Division
1800 Elmerton Avenue
Harrisburg, PA 17110-9758
717-783-5499

RESPONSIBILITY

It is the responsibility of all supervisory personnel to ensure that all personnel under their immediate supervision comply with this policy.