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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

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

Introduced By: Representatives Mattiello, Marszalkowski, Barros, Johnston, and Alzate

Date Introduced: January 15, 2020

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

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

3 CHAPTER 28.10

4 STATEWIDE PUBLIC SAFETY COMPUTER AIDED DISPATCH RECORDS

5 MANAGEMENT SYSTEM

6 **42-28.10-1. Statewide records management system.**

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

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

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

1 **42-28.10-2. Record management system board of directors - Established.**

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

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

8 **42-28.10-3. Records management system board of directors - Appointment.**

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

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

24 **42-28.10-4. Advisory board.**

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

30 **42-28.10-5. Privacy policy and protections.**

31 (a) The RMS shall be responsible for safeguarding all collected information and shall
32 comply with all state and federal privacy laws in order to protect privacy rights, civil rights, and
33 civil liberties in the collection, use, analysis, retention, destruction, sharing, and disclosure of
34 information. Information gathered and retained by the RMS may only be disseminated for the

1 specific purpose of administering the provisions of this chapter and shall only be accessed by
2 sworn law enforcement personnel authorized by law to have such access and only for those uses
3 or purposes specified by law.

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

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

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

11 **42-28.10-6. Collection of fees.**

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

16 **42-28.10-7. Restricted receipt account.**

17 There is hereby created a restricted receipt account within the general fund of the state to
18 be known as the statewide records management system account. Fees collected pursuant to § 42-
19 28.10-6 shall be deposited into this account and be used for costs associated with the system. The
20 restricted receipt account shall be included in the budget of the division of the state police. All
21 expenditures from the account shall be subject to appropriation by the general assembly. Any
22 other available grants or funds from a public or private source may be deposited in the account
23 and used for associated costs.

24 **42-28.10-8. Annual reporting.**

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

29 SECTION 2. This act shall take effect upon passage.
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

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

- 1 This act would establish a statewide public safety computer aided dispatch records
- 2 management system.
- 3 This act would take effect upon passage.

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