



**Las Cruces Police Department**  
**GENERAL ORDERS**  
**ADMINISTRATION VOLUME 1**  
**GO-149 RELEASE OF DEPARTMENTAL INFORMATION (Daily)**  
**Revised 05/13/2005**

**149 RELEASE OF DEPARTMENTAL INFORMATION**

**POLICY**

- A. The disclosure of information concerning the Department or pertaining to Departmental operations is specifically prohibited unless a right to know has been established. Departmental employees are expressly prohibited from disclosing or discussing departmental information, which is:
1. Confidential in nature
  2. Any information which might jeopardize the success of a tactical operation
  3. Investigative facts or information
  4. Information that might violate the right to privacy of any individual.
- B. Unless specifically authorized, no Departmental employee will release information to the public or other entities without having first established the right to know. The dissemination of documents or records should be accomplished by the Records Unit. The release of information to the media should be accomplished by a Public Information Officer (PIO).

**149.01 INTENT OF ORDER**

It is the intent of this order to restrict or eliminate disclosure of information to the public when such disclosure is illegal or counterproductive to the Department's mission and goals. The intent is not to restrict the flow of information within the Department to those having a right to know and a need to know.

**149.02 DEFINITIONS**

**Right to Know** – refers to an individual or a group's legal or procedural right to know or possess certain information.

**Need to Know** – refers to an individual or group's need to know or possess certain information or knowledge.

**National Crime Information Center (NCIC)** – A database managed by the FBI comprised of nineteen files containing Wanted Person, Missing Person, Stolen Property, and Intelligence information.



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**New Mexico Crime Information Center (NMCIC)** – A database managed by the New Mexico Department of Public Safety (NMDPS) containing the state’s Wanted Person(s) File.

**National Law Enforcement Telecommunications Systems (NLETS)** – A Nationwide computer network managed by a non profit organization to provided interstate teletype communications and access to other states Motor Vehicle Division records, weather information, and criminal history information. NLETS also provides access to similar files in Canada.

**New Mexico Law Enforcement Telecommunications System (NMLETS)** A statewide network managed by NMDPS that provides in state teletype communications between New Mexico criminal justice agencies. NMLETS provides access to New Mexico Motor Vehicle Division records, weather information and other files.

**149.03 DISCLOSURE OF INFORMATION TO DEPARTMENTAL EMPLOYEES**

Information exchanged between Departmental employees during the course of day to day operations will be accomplished only on a right to know and need to need basis. Work papers and documents within an office setting or stored on computer files or disks are not for general viewing, and Departmental employees without the right to know and need to know are prohibited from viewing such information without proper authorization. All confidential and sensitive information will be kept secure from those not authorized to view it.

**149.04 DISCLOSURE OF INFORMATION FROM NCIC AND NMCIC**

- A. Information received from NCIC and NMCIC is restricted to law enforcement use only, and disclosure to the public is specifically prohibited.
- B. The following information is not to be disclosed to any person or entity not directly associated with law enforcement and without the need to know:
  - 1. National Crime Information Center (NCIC) information
  - 2. National Law Information Telecommunications System (NLETS) information
  - 3. New Mexico Crime Information Center (NMCIC) information
  - 4. New Mexico Law Information Telecommunications System (NMLETS) information



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5. Any other state or federal agency crime database information.

**WARNING!**

Dissemination of information from NCIC, NLETS, NMCIC, or NMLETS databases to unauthorized sources may result in criminal charges and / or fines.

**149.05 DISCLOSURE OF INFORMATION FROM THE MOTOR VEHICLE DIVISION**

- A. Motor vehicle registration files and drivers license information may be disseminated between law enforcement officers / prosecutors as needed.
- B. A Departmental employee may verbally provide a name, drivers license number, and registration number from the MVD database to a citizen having a right and a need to know, but are prohibited from providing additional information and delivering a paper copy from the MVD database to the citizen. Citizens should be directed to MVD for any additional information.

**149.06 REPORTS CONSIDERED PUBLIC RECORD**

- A. The following reports maintained by the Records Unit of the Las Cruces Police Department are considered public record:
  1. All initial incident reports (some supplemental reports referring to cases still under investigation may not be subject to release)
  2. All traffic crash reports (some supplemental reports referring to cases still under investigation may not be subject to release).
  3. All incident reports ordered open to the public by a court of competent authority.
  4. Incident reports involving the death of a child, and the case is awaiting disposition in the criminal justice system (some supplemental reports referring to cases still under investigation may not be subject to release).
  5. All incident reports involving offenders currently in the criminal justice system awaiting disposition (see H below for exception).



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6. Incident reports where the case has resulted in a positive disposition for the state (see H below for exception).
7. Offense reports that involving a child witness or victim of a crime, and the case is awaiting disposition in the criminal justice system (see H below for exception).
8. Exception to E, F, & G: Cases involving a child victim of neglect and / or abuse, or in need of supervision (CHINS).

**149.07 RECORDS WITH LIMITED PUBLIC ACCESS**

- A. Records maintained by the Records Unit of the Las Cruces Police Department that have limited public access are as follows:
1. Runaway reports. These reports may be released only to the child's parent(s), legal guardian, or their legal representative.
  2. Reports involving a child who is neglected, abused, or in need of supervision (CHINS).
- B. These reports may be released only to the child, the child's legal representative, the parent(s), the child's legal guardian, and the Human Services Department, Social Services Division; the victim(s) and/or the victim's legal representative.

**149.08 RECORDS CLOSED TO PUBLIC ACCESS**

- A. Records maintained by the Records Section of the Las Cruces Police Department that are considered closed to the public are as follows:
1. All offense reports that result in a negative disposition such as not guilty, dismissed, case not prosecuted, etc. This includes multiple offender cases where at least one offender receives a negative disposition.
  2. All children's cases where a child is listed as the subject of neglect, abuse or in need of supervision (CHINS).
  3. All reports or records closed to the public by court order.
  4. All medical, psychiatric, or psychological reports.



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5. Law enforcement records that reveal confidential sources, methods, information, or individuals accused but not charged with a crime.
6. Law enforcement records that include evidence in any form received or compiled in connection with any criminal investigation or prosecution by any law enforcement or prosecuting agency, including inactive/closed cases to the extent that they contain the information listed above.

**149.09 ACCESS TO RECORDS BY OTHER AGENCIES**

Records maintained by the Las Cruces Police Department shall be provided to lawfully authorized agencies or their representatives.

**149.10 RELEASE OF ARREST RECORD INFORMATION**

Arrest record information may be released to employees of federal, state, or local agencies and to the person named in the record. The appropriate Departmental form must be filled out at the time of the request.

**149.11 ARREST INFORMATION VIA TELEPHONE**

No inquiries for arrest information will be released via telephone.