	DEPARTMENT OF CORRECTIONS AND REHABILITATION DEPARTMENT ADMINISTRATION POLICY AND PROCEDURES	EFFECTIVE DATE: January 01, 2024	POLICY NO.: ADM.05.01
		SUPERSEDES (Policy No. & Date): ADM.05.01 of July 20, 2008	
	SUBJECT: ACCESS CONTROL TO DEPARTMENT CONFIDENTIAL INFORMATION		Page 1 of 4

1.0 PURPOSE

To establish guidelines for controlling public and employee access to privacy and confidential Department information

2.0 SCOPE

This policy applies to all employees within the Department.

3.0 REFERENCES, DEFINITIONS & FORMS

.1 References

- a. Hawaii Revised Statutes (HRS), §92F-13, §92F-14, §846-1.
- b. DCR Policy ADM.05.02, Public Access to Department Information

.2 Definitions

- a. Confidential Information: Records which contain information the disclosure of which jeopardize the security, management, and control of offenders under the custody of the Department, compromise or frustrate operations of the Department (Reference Attachment A for examples). This category includes information that is restricted or closed by law to the public.
- b. Privacy Information: Records which contain information that would constitute a clearly unwarranted invasion of an individual's privacy. Examples are an individual's educational, financial, medical or employment history, or records that contain or make reference to an individual's name, identifying number, or any identifying particulars assigned to an individual, etc. (Reference Attachment for further details.)
- c. File: A collection of records on a particular subject or individual kept together in a single folder, group of folders, or some other type of container.
- d. Record: Any paper, photograph, map, drawing, chart, card, disk, computer print out, etc., or any copy thereof.

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4.0 POLICY

- .1 In compliance with the provisions of the Uniform Information Practices Act, all administrative and supervising personnel whose operations require the maintenance of Department records shall identify those records which are considered privacy or confidential and establish a system under the provisions of this policy which will endure their safeguard.
- .2 Should these guidelines conflict with statute, or administrative rules, the latter shall take precedence.

5.0 PROCEDURES

- .1 Identification of Privacy Information:
 - a. Records containing privacy information shall be marked or stamped "Confidential-Privacy" on top right-hand corner of each record.
 - b. If a file contains one or more records which are classified as confidential- privacy, the outside of the file shall also be clearly marked or stamped "Confidential-Privacy".
- .2 Identification of Confidential Information:
 - a. Records containing confidential information shall be marked or stamped "Confidential" on top right-hand corner of each record.
 - b. If a file contains one or more records which are classified as confidential, the outside of the file shall also be clearly marked or stamped "Confidential".
- .3 Controls for the Safeguarding of Privacy and Confidential Information:
 - a. Access shall be restricted to the public as required by statute (Reference HRS, §92F-13, §92F-14, and §846-1.)
 - b. Access by Department employees or other government agencies shall be in accordance with existing statute on a strict need-to-know basis, or when necessary in the performance of an employees' official duties.

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- c. Storage areas for privacy and confidential information shall be controlled at all times and locked when not under the control of a designated custodian. An access list of authorized personnel and an access log shall be maintained. The access log shall record who checked the material out, date, what information was removed, and when the material was returned.

Strict accountability of information shall be maintained and persons controlling access shall be held accountable for protecting the information

- d. Privacy and confidential information shall be covered when being mailed or routed or when being processed where unauthorized disclosure or viewing is possible. Mail should be protected from tampering and may require receipting.
- e. Privacy and confidential information shall be filed separately from public information where possible. If this is not feasible, then the storage area being used must be given the proper protection or security as required for privacy and confidential information. All copies shall be accounted for, especially highly sensitive information on records.

.4 Disclosure of Privacy Information

- a. Upon request, an individual shall be permitted to review privacy information maintained on them by the Department.
- b. The individual's permission must be obtained in writing before the disclosure or releasing of any personal information on the individual, unless permitted by-law.
- c. For guidelines in determining whether information is protected from disclosure under the privacy exception of the Uniform Information Practices Act, and how to segregate or remove this information before public disclosure, consult Attachment B.

.5 Approval for Release of Privacy and Confidential Information

The Director's prior approval in writing is required before privacy or confidential information is released to agencies or individuals outside the Department.

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APPROVAL RECOMMENDED:




Deputy Director for Administration JAN 0 1 2024
Date

APPROVAL RECOMMENDED:



Deputy Director for Corrections JAN 0 1 2024
Date

APPROVED:



DIRECTOR JAN 0 1 2024
Date

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