



# LAKE COUNTY SHERIFF'S OFFICE

## Records Retention Schedule

CUSTODIAN	RECORDS TITLE OR DESCRIPTION	RETENTION PERIOD	MISCELLANEOUS REQUIREMENTS	STATUTORY REFERENCE
Records	Reports involving felony arrests for: <ul style="list-style-type: none"> <li>* offenses punishable by death</li> <li>* offenses punishable by life imprisonment</li> <li>* embezzlement of public funds</li> </ul>	Indefinitely		799 PC
Records	Reports involving arrests for all other felonies	7 years from end of calendar year in which report was written	Provided case does not relate to unserved warrants, identifiable items have all been recovered, and there is no pending litigation. Any report falling under 799 PC (no limit for commencement) or 800 PC (crime punishable by 8 years or more in prison) may <u>not</u> be destroyed.	799 PC 800 PC 26202 GC
Records	Reports involving arrests for misdemeanors	5 years from end of calendar year in which report was written	If there <i>is</i> an active warrant associated with this case, DA needs to be advised. Dismissal of case from DA, dismissal of warrant needs to be complete. Any unrecovered property needs to be removed from CLETS, any evidence needs to be disposed of.	
Records	Reports involving Homicide Suicide	Indefinitely 7 Years		
Records	Reports of lost and found property	2 years	Provided such items are lawfully disposed of.	34090 GC
	<b>SEALED RECORDS</b>			
Records	Factually innocent reports	3 years from arrest date	Upon determination by Sheriff's Office or judicial determination of factual innocence; records sealed for period of 3 years from date of arrest and thereafter destroy its arrest records and the petition.	851.8 PC



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Records	Sealed juvenile records	Pursuant to court order	Determined by court order pursuant to statutory authority.	851.6 PC 851.7 PC 851.8 PC 1203.45 W&I 781 W&I
Records	Monthly arrest and citation registers	7 years		
Records	Monthly/End of year statistical reports	7 years		
Records/Dispatch/ Civil	Temporary restraining order	2 years (date of expiration listed on document).		
	<b>CONCEALED WEAPONS</b>			
Coroners Assistant	Expired permits (from date of expiration)	2 years (D.D.)		26205 GC
	Applications that have been denied a permit	2 years (D.D.)		26205 GC
Records	Subpoena log	2 years (D.D.)		26205 GC
	<b>REGISTRANTS</b>			
Records	Registrant files	2 years minimum		26205 GC
Records	Sex Registrants - Adults	Life of registrant		290 PC 26205 GC
Records	Sex Registrants - Juveniles	Life of registrant or until record sealed pursuant to 781 W&I, whichever occurs first.		290 PC 26205 GC
Records	Arson Registrants - Adults	7 years from date of release from prison/jail or termination of probation/ parole.	Registration is required indefinitely or until a certificate of rehab is obtained per Section 4832.01.	451.1 PC 26205 GC
Records	Arson Registrants - Juveniles	Until offender attains 25 years of age or has record sealed pursuant to 781 W&I, whichever occurs first.		451.1 PC 26205 GC
Records	Narcotic Registrants	7 years from date of release from prison/jail or termination of probation/ parole.	Section 11590 H&S does not have a limit to registration requirement	11590 H&S



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Records	Adult Marijuana Misdemeanors	2 years from date of conviction or 2 years from date of arrest if no conviction	If no subsequent conviction- "Shall" destroy	11361.5 H&S
Records	Juvenile Marijuana Misdemeanors	2 years from date of conviction or 2 years from date of arrest if no conviction or once juvenile turns 18	"Shall" destroy after 2 years	68152(c)(8) GC
Records/FI Cards	Local Criminal History - Index Cards	7 years after last date of contact (D.D.)	If subject has not had activity within last 7 years.	799 PC 800 PC 26205 GC
Evidence	Cassette tapes/tape recordings of interviews	Same retention as case file to which it relates. Misdemeanor vs. Felony.	If there is an active warrant associated with this case, DA needs to be advised. Dismissal of case and warrant needs to be completed. Any evidence needs to be lawfully disposed of.	799 PC 800 PC 26205 GC
Records	In Car Video Recordings (other than those used as evidence or related to litigation)	1 year		26202.6 GC 34090.6 GC
Records	Mobile Audio Recordings (other than those used as evidence or related to litigation)	100 days		26202.6 GC 34090.6 GC
Records	Pawn slips/pawn broker receipts	2 years		34090 GC 26205 GC
Evidence	Dealer record of sales - firearms (DROS)	Handguns 2 Years Long guns mandated to destroy after 5 days of receipt and not compile any information.	DOJ maintains all records on micro fiche	12076(b)2 26205 GC
Operations	Watch roster/shift assignment logs	2 years from date of assignment		26205 GC
	<b>TRAINING</b>			
Training Sergeant	Field training evaluation files	7 years following date of employee termination.		26205 GC



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Training Sergeant	Trainee evaluations of FTO	2 years (D.D.)		26205 GC
Training Sergeant	Training approval report form	End of fiscal year in which training occurred.		26205 GC
	<b>CORRESPONDENCE FILES</b>			
Office of the Sheriff	Correspondence which does NOT relate to a specific public record/report.	2 years		34090 GC 26205 GC
Office of the Sheriff	Correspondence which relates to a specific public record/case.	Same retention as record to which it relates.	Correspondence relating to a specific record should become part of that case file.	26205 GC
	<b>POLICY AND PROCEDURE</b>			
Office of the Sheriff	General Order Manuals	1 copy - indefinitely		26205 GC
Office of the Sheriff	Memos, directives, and correspondence regarding policy/procedures.	Indefinitely		26205 GC
Office of the Sheriff	Administrative files	7 years from date (D.D.)		26205 GC
Office of the Sheriff	Personal history investigation files - persons NOT hired	3 years from date eligibility expires		26205 GC
Office of the Sheriff	Personal history investigation files - departmental employee	7 years from date employment terminated		26205 GC
	<b>VOLUNTEERS, RESERVES, SAR, DART</b>			
Office of the Sheriff	Application for volunteer program	2 years after date of internship		26205 GC
Office of the Sheriff	Personal history investigation file (if applicable)	Same as above		26205 GC
Office of the Sheriff	Citizen complaint investigations	5 years from date of final disposition	As determined by case law	832.5 PC 26205 GC
	<b>CORRESPONDENCE FILES</b>			
Office of the Sheriff	Bids	2 years after the end of fiscal year to which it pertains		26205 GC



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Administration	Shift exchange request form	2 years (D.D.)		26205 GC
Administration	Schedules	2 years		26205 GC
Dispatch	Radio and telephone recordings	3 years		26202.6 GC 34090.6 GC
Office of Emergency Services (OES)	EMPG and DHS Homeland Security Grant Program (HSGP) records, including applications, financial records, equipment inventories, program income, and final reports	3 years from final FFR submission or administrative closeout; longer if required by audit or specific grant terms	Retain longer if litigation, audit, or claim is ongoing. Real property/equipment records must be retained 3 years after final disposition. Check each NOFO for grant-specific requirements.	2 C.F.R. §§ 200.334–200.337; applicable grant NOFOs  2 C.F.R. § 200.313(e) for disposition rules
Finance/Administration	Accounts payable and accounts receivable Timecards and daily time reports Budget Folders and manuals Contract Documents Receipt Books	7 years after the end of the fiscal year to which it pertains		26202 GC 26205 GC
	<b>JAIL</b>			
Jail	Booking Records-Misdemeanor and Felony charges	5 years (D.D.)		
Jail	Visiting logs Yearly fire inspection logs Cell check logs Inmate request slips Inmate grievances	5 years (D.D.)		
Jail	All monthly logs Work programs/AWP/Home Detention	2 years (D.D.)		
Jail	Fingerprint cards	20 years (D.D.)		
Jail	Booking Records-Certain Felony Charges	Indefinitely	PC 187 thru 190.9 PC 207 thru 321.3 PC 451 thru 453 PC 647.6 (A) PC 647.6 (C)(2)	26202 GC



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Jail	Medical records for inmates with communicable diseases such as TB OR female inmates who were pregnant and or gave birth while in custody	Indefinitely		26202 GC
Jail	Security camera video (other than those used as evidence or related to litigation)	1 year	In the event that the recordings are evidence in any claim filed or any pending litigation, they shall be preserved until pending litigation is resolved.	26202.6 GC
Jail	Livescan requests	1 year		26202.6 GC

**\*\*26202 GC** The board may authorize the destruction or disposition of any record, paper, or document which is more than two years old and which was prepared or received in any manner other than pursuant to a state statute or county charter. The board may authorize the destruction or disposition of any record, paper or document which is more than two years old, which was prepared or received pursuant to state statute or county charter, and which is not expressly required by law to be filed and preserved if the board determines by four-fifths (4/5) vote that the retention of any such record, paper or document is no longer necessary or required for county purposes. Such records, papers or documents need not be photographed, reproduced or microfilmed prior to destruction and no copy thereof need be retained.

**\*\*26205 GC** At the request of the county officer concerned, the board of supervisors of any county may authorize the destruction of any record, paper, or document that is not expressly required by law to be filed and preserved if all of the following conditions are complied with:

- (a)** The record, paper, or document is photographed, microphotographed, reproduced by electronically recorded video images on magnetic surfaces, recorded in the electronic data processing system, recorded on optical disk, or reproduced on film or any other medium that is a trusted system and that does not permit additions, deletions, or changes to the original document and is produced in compliance with Section 12168.7 for recording of permanent records or nonpermanent records.
- (b)** The device used to reproduce the record, paper, or document on film, optical disk, or any other medium is one that accurately reproduces the original thereof in all details and which does not permit additions, deletions, or changes to the original document images.
- (c)** The photographs, microphotographs, electronically recorded video images on magnetic surfaces, records in the electronic data processing system, records recorded on optical disk, or other reproductions on film or any other medium are placed in conveniently accessible files and provision is made for preserving, examining, and using the files.

Notwithstanding any other provision of this section, destruction of the original records, papers, or documents is not authorized when the method of reproduction pursuant to this section is reproduction of electronically recorded video images on magnetic surfaces unless a duplicate videotape of the images is separately maintained. A duplicate copy of a



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record contained in the electronic data processing system, on optical disk, or on any other medium that does not permit additions, deletions, or changes to the original document images shall also be separately maintained.

**1 D.D.** Departmental Discretion i.e. may be longer than 2 years if determined appropriate by department.

**D.D.** represents 2 years minimum in all cases, however.