



HUMBOLDT COUNTY SHERIFF'S OFFICE RECORDS RETENTION AND DISPOSAL POLICY

Dated November 16, 2021

Purpose - The purpose of this policy is to establish guidelines for retention and disposal of Humboldt County Sheriff's Office (HCSO) records.

General Policy - If not particularly addressed in the Board-approved schedule, regulation, or statute, the general retention period for HCSO records is a minimum of two years pursuant to California Government Code (GC) 26202, and GC 26205.1. Refer to the schedule below for more specific retention/disposal periods. The schedule will not specifically address every type of record processed by the Sheriff's Office. In all instances, and for all records, personnel should follow applicable statutes, regulations, and policies. Prior to destruction of documents, HCSO should contact the Office of County Counsel and/or Risk Management to determine whether documents need to be retained for existing or potential litigation prior to destruction of documents.

Duplicate Records - Any duplicate record may be disposed of at any time pursuant to GC 26201.

Commencement of Retention Period - Whenever applicable under the circumstances, the retention period begins upon completion of the issue addressed in the document. For example, if the document consists of a claim or a complaint, the retention period begins when the claim is closed, or investigation of the complaint is complete. If the document consists of a contract, the retention period begins at the end of the term of the contract.

Method of Destruction - When allowed or demanded by law and/or policy, the Sheriff's Office will generally dispose of paper records by shredding. Electronic records will be demagnetized, erased, reformatted, or reused; whichever method applies. In the case of files on a document imaging system, the index pointer should be deleted.

Pursuant to practical realities related to space, system performance, administrative capacity, and diminishing operational, legal, and fiscal value, the Humboldt County Board of Supervisors, and County Counsel, has approved the schedule below pursuant to GC 26202.

HCSO Records Retention and Disposal Schedule		
Record Class	Retention (Years)	Authority Section
Animal Control Records	5	Agency preference
Audio/Video Recordings	30 months	Agency preference
Audits (i.e. DOJ & FBI)	5	Agency preference
Autopsy Records	Permanent	Agency preference
Cases – Capital Crimes, Life/LWOP, Embezzle Public Money, Specified Sex Crimes, Death (including IC) Investigations	Permanent	PC 799
Cases – other criminal	25	PC 800-803 + Agency preference

Cases (Marijuana)	2 years from date of conviction (or arrest w/out conviction) for HS 11357/11360(b) (or, for juveniles, any section of Article 2). See HS 11361.5 for exceptions.	HS 11361.5
Child Abuse Central Index Records	Dispose at: 1. 100 th birthday of registrant, or 2. Ten-year mark for registrants added as juveniles who have no subsequent listings, or 3. Upon registrant's removal from index per hearing	PC 11169
Civil Process Excluding Transfer of Property by Sheriff's Sale	2 years	GC26202, GC26205.1
Civil Processes Served All records related to the civil processes' services including receipts, canceled checks, and statements.	2 years	GC26202
Real Property Levies Files related to a real property levy	Indefinitely	Department Policy
Claims	5	Agency preference
CLETS Message Log	3	GC 15152/CLETS Policies, Procedures, and Practice Manual section 1.7.1
Contracts	3	Agency preference
Coroner Reports	Permanent	Agency preference
Crime Lab Results	10 (permanent for death investigations)	Agency preference
Facility/Equipment Inspections	5	19 CCR 904.1(b), 15 CCR 1032
Grant Records	5 (unless specified by the grant)	Agency preference
Hazardous Waste Records	3	22 CCR 66262.40, 40 CFR 262.40
Informant Files- Capital Crimes, Life/LWOP, Embezzle Public Money, Specified Sex Crimes, Death (including IC) Investigations	Permanent	Agency preference
Informant Files- all others	10	Agency preference
Jail Classification Files	7	HCCF Policy A-008
Jail Inmate Welfare Fund Records	7	Agency preference
Jail Management System Files	15	Agency preference

Jail Medical Records	7	22 CCR 79807(c)
Jail Records to Include: <ul style="list-style-type: none"> • Agreement to Appear • Daily Release • Detention Certificates • Head Counts • Observation Logs • Supervised Release Program 	2	HCCF Policy A-008
Juvenile Factually Innocent Sealing Records	3	W&I 781.5
Juvenile Sealed Records	5	W&I 781
Payroll Records	5	California Labor Code 226 and 1174, 26 CFR 31.6001-1, agency-preference
Personnel Complaints and Investigations	5 if no sustained finding; 15 if sustained finding of misconduct (see PC 832.5(b))	PC 832.5, Agency preference
Personnel Records (non-disciplinary)	5	Labor Code 1198.5 + Agency preference
Polygraph Records	3	29 CFR 801.30
Public Administrator Records	5	Agency preference
Real Property Levies	Permanent	Agency preference
Sealed Criminal Records	3 (unless otherwise ordered)	PC 851.8
Sex Registrant Records	75	Agency preference
UCR/NIBRS Reports	5	Agency preference
Use of Force, Collison, and Pursuit Memorandum	5	Agency preference
Worker's Compensation Files	5	8 CCR 15400.2