MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

260 – RECORD RETENTION

GENERAL ORDER: 2013-21 **ISSUED:** October 18, 2013	**EFFECTIVE:** October 18, 2013	**REVIEWED/APPROVED BY:** Captain Regina Howard **DATE:** June 1, 2015
ACTION: Amends General Order 2008-51 (October 28, 2008)		**WILEAG STANDARD(S): NONE**

260.00 PURPOSE

To establish procedures for the retention of official police department records, as mandated by state statute. Retention procedures provide for the keeping of records in an active file for a specified time, for transfer of records to the City Retention Center for an additional period of retention and for the destruction of records after a specified time.

260.05 DEFINITION OF RECORDS

The definition of records shall include, but is not limited to: papers, books, email, photographs, film, microfilm, CD/DVD recordings, sound recordings, maps, blueprints, drawings or any other document or memorandum which has been created or placed in the custody or under the control of or filed with the Milwaukee Police Department. All records for the purpose of this retention procedure shall be grouped on a yearly basis, unless otherwise indicated. No record shall be destroyed or transferred unless such record meets approved retention schedules. Actual retention schedules are distributed by the records liaison officer to district records officers each year. Not withstanding any appropriate record retention schedule, no record shall be destroyed or transferred that is likely to be the subject of litigation.

260.10 RESPONSIBILITIES AND DUTIES

In order to maintain proper control and adherence to established retention schedules, the following procedures have been established:

A. RECORDS LIAISON OFFICER

The commanding officer in charge of Open Records is designated as the records liaison officer for the Milwaukee Police Department. It shall be his/her duty to maintain general supervision and coordination of the entire records retention schedule. The records liaison officer shall work with department personnel, the records and forms control analyst in the Bureau of Budget and Management Analysis and the City Record Center manager in carrying out the functions of the Police Records Management Program. It shall be the record liaison officer's duty to send the City Records Committee an annual report certifying all units of the police department have complied with the approved retention schedules and to ensure all *Certificates of Compliance* (form CRC-5) are filed annually.

B. RECORDS OFFICER

The commanding officer of each district or division is designated as the records officer for their particular command. It shall be the duty of the records officer to maintain supervision of the record retention schedule as it applies to their particular command. All records officers shall perform an ongoing survey of their existing records. Records officers shall submit proposed retention schedules for those records not having established schedules and review existing retention schedules for potential updating. Separate or distinct record retention schedules must be established for the same record kept in separate formats e.g., if there are two records, one in electronic form, the other on paper, two retention schedules must be created.

The records officer shall, by the 25th of February of each year, fill out *Record Transfer List* (form CRC-412) in triplicate and upon completion, the records officer will sign all such forms and arrange for the transfer of records to the Record Retention Center according to the approved retention schedule. The Record Retention Center will then sign the copies as received. The original form CRC-412 will remain at the Record Retention Center, one copy will be sent to Open Records and one copy will remain at the district or division.

260.15 RECORD DESTRUCTION

Wis. Stat. § 19.21(4)(5), requires that the Wisconsin Historical Society (WSHS), be notified prior to the destruction of public records. Once the Milwaukee Police Department's record retention schedule is approved by the Wisconsin Public Records Board, this will serve as the formal 60 day advanced notice, which is required to be given to the WSHS prior to the destruction of records. The Wisconsin Public Records Board may determine that the department maintain certain records for their historic value, or turn them over to the WSHS for permanent retention.

Records to be destroyed should be on a *Department Memorandum* (form PM-9E), listing the title of records to be destroyed and record retention number. Indicate on the list the volume to be destroyed. This list must be returned to Open Records no later than February 25th of each year. Open Records will check this list to ensure it conforms to established record retention schedules. When the list is approved for destruction, it will be returned to the district or division. District personnel will be required to prepare these records prior to destruction.

Preparation for record destruction shall be done in the following manner:

1. Remove photos and negatives from the reports. Place them in a separate container for subsequent conveyance to the recycling area for proper shredding.

2. Remove all paper clips, rubber bands, and binder clips from all reports. Staples need not be removed.

3. Remove all manila folders from all reports. Place them in a separate container for subsequent conveyance to the recycling room for proper shredding.

4. Remove all cardboard stock and dispose of as trash at the respective district or division.

5. Remove the hard covers from bound books and dispose of as trash at the respective district or division.

6. Cut binding on the bound book pages after removing the hard covers, thereby breaking down the page thickness to accommodate the shredder (example: separate book into at least 3 sections).

The prepared records shall then be categorized and boxed as follows:

1. Photos and negatives.

2. Index stock (e.g., 3x5 cards, tab cards, and manila folders).

3. General paper (reports and stripped book pages).

Prior to the conveyance of the records to the recycling room at the Police Administration Building, [redacted] to confirm bin availability and the availability of personnel to accept the items for destruction.

District and division personnel conveying the prepared / boxed records to the recycling room shall be responsible for the placement of said sorted records in the proper recycling bins.

EDWARD A. FLYNN
CHIEF OF POLICE

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