



AGENDA SUMMARY EUREKA CITY COUNCIL

TITLE: Destruction of Records

DEPARTMENT: Police

PREPARED BY: Katie Hill

PRESENTED FOR: Action Information only Discussion

RECOMMENDATION

Approve the attached resolution requesting destruction of records pursuant to Government Code and City policy.

FISCAL IMPACT

No Fiscal Impact Included in Budget Additional Appropriation

COUNCIL GOALS/STRATEGIC VISION

Not applicable

DISCUSSION

Pursuant to Penal Code 832.5(b) which requires that internal affairs files, citizen complaints and findings be maintained for at least five years where there was no sustained finding of misconduct and maintained for at least fifteen years where there was a sustained finding of misconduct. Per Council adoption of a records retention policy providing for destruction of unneeded or outdated City records in accordance with Government Code 34090, we have reviewed our files and wish to destroy all citizen complaint files that are over five years old where there was no sustained finding of misconduct. Please note that these citizen complaint investigations and reports have been completed and closed out in their entirety over the five-year requirement.

The following are the citizen complaints we request to purge and destroy:

Citizen Complaint Files: 17-001 through 17-003 inclusive and 17-005 through 17-009 inclusive.

The following are the (4) internal affair files we request to purge and destroy:

Internal Affair files:

2016-0005
2016-0007
2016-0009
2016-0011

Section 34090 of the California Government Code permits a public agency to destroy certain out-of-date and no longer useful public records. City of Eureka Resolution No. 2004-26 adopted the City Records and Retention Policy and Procedure 1.10 which sets forth the retention periods for City Records. Per Policy and Procedure 1.10, the Eureka Police Department Records Section has compiled the attached list of records for destruction.

Police Records to be destroyed in accordance with City and Department Record Retention Policy:

Number of Boxes	Time Covered	Item
2	2019-2020	Adjudicated Parking Records
1	2014	Uncollectable Parking Records Sent to Collections
1	2017	CLETS Entry/Clearance Records of Served Warrants and associated paperwork
1/3	2016	Billing Paperwork for Civil Subpoenas for Officer Appearance
1/2	2016	Subpoena for Documents/Reports
1/3	2019	Dept of Justice CLETS Entry Validations and UCR Statistic Worksheets
1	2019-20	Department Records related to: <ul style="list-style-type: none">• Family Court Mediation• Background Checks• Visa Clearance/Local Criminal History Letters• Calls for Service Released• Housing Authority Criminal History Checks
½	2016	Public Records Requests
3	2018-19	Department Payroll Files

REVIEWED AND APPROVED BY:

City Attorney

City Clerk/Information Services

Community Services

Development Services

Finance

Fire

Personnel

Police

Public Works