

<i>Effective Date:</i> 1 Jan.2016	<i>Approval:</i> Sheriff Travis Belden	<i>Number:</i> 167
Subject: RECORDS RETENTION SCHEDULE / Disposal of Media		
<i>Reference:</i> Colorado Sheriff's Records Retention Schedule	<i>Standard:</i>	
<i>Chapter:</i> I	<i>Reevaluation Date:</i> 11/09/2022	<i>No. Pages:</i> 35

PREFACE

Authority: CRS 24-80-103 provides that all public officers of political subdivisions consult with the department of personnel (i.e. Colorado State Archives) concerning the retention and disposition of records. In order to expedite this process, the Colorado State Archives has developed the *Colorado Sheriffs' Record Retention Schedule*. The schedule has been approved by the State Archivist of Colorado, the Office of the Attorney General, and the Office of the State Auditor.

The *Colorado Sheriffs' Records Retention Schedule* is intended to provide a comprehensive records retention schedule for most records that are typically kept by any Sheriff. The schedule may list records that an individual Sheriff's Office does not currently have but that it may have in the future.

Subsequent to approval, the records retention schedule will apply to the record copy, regardless of how it is stored (electronic, microfilm, digital image, paper, audio or video recording, etc.). If the record copy of a permanent record is stored in electronic format, carefully determine that the storage system is nonproprietary and whether there is a capability to migrate these records to the next generation of technology.

Important

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Record Titles and Description

Because the records titles used may not reflect the exact records titles used by everyone, the Retention Schedule provides a short paragraph that describes the use and typical contents of each record.

Retention Periods

Retention periods are based on legal requirements and/or on common usage and industry standards to meet typical administrative, operational or reference requirements. The retention time period indicates the minimum length of time that the record copy should be retained before disposal can take place. Typically, some kind of approval process is in place to authorize the destruction of records in accordance with the Records Retention Schedule.

Evaluate records for continuing legal, fiscal, administrative or historical value and determine whether they are the subject of any legal holds before proceeding with the authorized destruction. It is permissible to either destroy obsolete records at the end of the retention period or to wait until the end of the year the records become eligible for destruction. The Sheriff may dispose of duplicates in accordance with the following guidelines:

- **Duplicate Copies created for convenience or reference.**
Retain until no longer needed for reference or one (1) year, whichever is first, and then destroy.

Non-Records

Guidelines for identification and handling of some non-records are discussed in *Appendix A – Non-Records of the Colorado Municipal Record Retention Manual.*

Trigger Dates

Trigger dates are included in retention periods whenever possible. A trigger date is the date of an event, action or cut-off point that begins the countdown to the end of the retention period. An example of a trigger date in a retention period is: “***3 years after complaint is resolved***”. When a trigger date is not specified, the countdown to the end of the retention period begins on the date the file is closed, the date the file no longer has any administrative or reference value, or the date of the newest document in the file.

SCHEDULE NO. 01

ANIMAL CONTROL

General Description: Records relating to the animal control functions.

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NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

01.010 ANIMAL CONTROL RECORDS

Records relating to Animal Control Enforcement actions, including: animal bite reports, animal impound files, officer incident reports, official warning notices, uniform penalty assessments/summons and complaints, and cruelty investigation files.

Retention: 3 years after final disposition of case

01.020 COUNTY LICENSING OF DOG TAGS

Records of issuance of county dog tags to canine owners.

Retention: 2 years after expiration, revocation, denial or termination of license activity

01.030 REGISTERED GUARD DOG FILE

Information on guard dogs, including descriptions of animals, commands, name of contact person, vaccination and veterinary history.

Retention: Life of dog or until it is removed from the county

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

SCHEDULE NO. 02

CIVIL

General Description: Records relating to civil functions.

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2.00 CIVIL JACKETS:

A. *Levy, Attachment, and Sale Jackets*

Jackets containing notice of levy, writ of attachment, judgment execution decree, foreclosure decree, proof of publication, bonds, sheriff's sale continuance, property seizure form, sales documentation, memoranda, notes, and other documentation concerning levies, attachments, and sales executed by the sheriff.

[General Reference: CRS 30-10-515]

Retention: 7 years after case closure

B. *Record of Service Jackets*

Civil case jacket and routing slip containing a record of service of civil documents presented for service, correspondence, and copies of documents served

[General Reference: CRS 30-1-106]

Retention: 3 years

2.10 SHERIFF'S CERTIFICATE OF PURCHASE

Record of certificate of purchase issued after a foreclosure sale containing: names of original grantors of the deed of trust being foreclosed, description of the property, sum paid for the property, name and address of purchaser, statement that the purchaser shall be entitled to a confirmation deed at the expiration of all redemption periods, the deficiency under the evidence of debt, public trustee's sale number or district court civil action number, date of sale, copy of order authorizing sale, copy of mailing lists.

[CRS 38-38-401.]

Retention: Permanent

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Colorado Sheriff's Record Retention

2.20 SHERIFF'S LEVY LOG

Log and/or computer database of sheriff's levy, attachment, and sale cases, indicating the type of document received, date received, date issued, court case number, plaintiff and defendants' names, and disposition of the case.

Retention: Permanent

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

SCHEDULE NO. 03
COMMUNICATIONS

General Description: Records relating to the communication functions.

This document does not provide legal authority or authorization for destruction of records by any Sheriff until it is approved for use for that Sheriff by the Colorado State Archives.

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3.10 COMMUNICATION UNIT SHIFT BRIEFING SHEETS

Summaries of Sheriff's Communication Unit activity maintained by each shift to inform incoming shifts of previous shift activities.

Retention: 2 months

3.20 DISPATCH RECORDS

A. Computer Aided Dispatch System (CAD)

On-line computer database containing information on all calls for service received by the Sheriff's Office and dispatched.

Retention: 5 years

B. Dispatch Historical Information Files

Historic communications; information relating to County dispatch functions, training, equipment, etc.

Retention: Permanent

C. Dispatch Phone and Radio Recording Request Forms

Cross-reference: See Records Section #11.020

D. Dispatch Recordings

Audio recordings made to monitor and record law enforcement and other protective or emergency services; radio transmissions, including police and fire radio transmissions; police emergency 911 calls and fire, rescue or ambulance dispatch calls.

Retention: 90 days

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Colorado Sheriff's Record Retention

3.30 EMERGENCY 911

Records relating to emergency 911 and reverse 911 system, including citizen notifications.

Retention: 2 years

3.40 RADIO:

A. Federal Communication Commission Radio Station Licenses

Official radio station licenses issued by the FCC.

[General Reference: 47CFR 90.15 - 90.20]

Retention: 1 year after expiration of license.

B. Radio Site Maintenance Log

Log containing a summary of all radio maintenance and other maintenance activities completed at radio transmitter sites, as required by FCC regulations.

[General Reference: CFR47 90.443 & 90.447]

Retention: 2 years

3.50 TELETYPES - NATIONAL CRIME INFORMATION CENTER/COLORADO CRIME INFORMATION CENTER (NCIC/CCIC)

Informational teletypes received via NCIC and CCIC for entry to the sheriff department's computer system; follow-up teletypes from other law enforcement departments.

Retention: 30 days

**SCHEDULE NO. 04
COMMUNITY SERVICE**

General Description: Records relating to the community service functions.

This document does not provide legal authority or authorization for destruction of records by any Sheriff until it is approved for use for that Sheriff by the Colorado State Archives.

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

4.00 COMMUNITY SERVICE FILES

Records relating to community service ordered by District and County courts (also known as alternative service/useful public service). Includes contracts with community service clients and follow-up after completion of community service.

[General Reference: CRS 18-1.3-507, CRS 19-2-308, CRS 42-4-1701]

Retention: 6 years after completion of community service

4.20 POST CONVICTION ELECTRONIC MONITORING FILES

Records relating to the alternative sentencing option of electronic monitoring (also known as "home detention"), which allows a defendant to remain gainfully employed while serving a court-ordered sentence. By statute, the defendant is only allowed out of his or her residence for work, court-ordered treatment and medical related matters. Community Justice Services is able to monitor a defendant's alcohol consumption and whereabouts electronically, which holds the defendant accountable for court-ordered conditions of home detentions.

[General Reference: CRS 18-1.3-106(4)]

Retention: 6 years after completion of electronic monitoring

4.30 PRE-TRIAL INTAKE FILES

Bond reports on defendants at the time of booking into the detention facility to be used by District or County courts to set appropriate bonds on criminal cases; records of investigations of defendants who fail to appear for their scheduled court dates and arrangements for defendants to turn themselves in or to be picked up by law enforcement.

[General Reference: CRS 16-4-102, CRS 16-4-103, CRS 16-4-104. CRS 16-4-105
CRS 16-4-105(1)(n.5): No release on personal recognizance if the person's criminal record indicates that he or she failed to appear on bond in any case involving a felony or class 1 misdemeanor charge in the preceding 5 years, unless the DA consents]

Retention: 6 years after completion of pre-trial supervision

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Colorado Sheriff's Record Retention

4.40 PRE-TRIAL RELEASE SUPERVISION FILES

Records relating to supervision of defendants who are released from jail during the pre-trial stage of their criminal case, including reviews and verifications of initial evaluations of a defendant, determinations of the person's risk and needs, bond conditions of release, and reports to District or County courts on defendant's compliance or noncompliance with court-ordered conditions of bond.

[General Reference: CRS 16-4-102, CRS 16-4-103, CRS 16-4-104, CRS 16-4-105: CRS 16-4-105(1)(n.5): No release on personal recognizance if the person's criminal record indicates that he or she failed to appear on bond in any case involving a felony or class 1 misdemeanor charge]

Retention: 6 years after completion of pre-trial release supervision

4.50 PRE-TRIAL REPORTS TO STATE JUDICIAL DEPARTMENT

Annual reports required by State law on number of interviews conducted with defendants, number and nature of recommendations made, number of defendants under pre-trial release supervision who failed to appear.

[General Reference: CRS 16-4-105(2)(e)]

Retention: Permanent

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

SCHEDULE NO. 05
DETENTION – JAIL

General Description: Records relating to the detention-jail functions.

This document does not provide legal authority or authorization for destruction of records by any Sheriff until it is approved for use for that Sheriff by the Colorado State Archives.

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

5.00 COMMISSARY AND KITCHEN RECORDS

Documentation of the routine operations and control of jail commissary, kitchens, and canteens. This series may include, but is not limited to, commissary reports, food logs, meal counts, meal plans, order forms, copies of accounting records, inventory control documents, supply reports, use reports.

Retention: 6 months

5.20 CONTROLLED SUBSTANCES INVENTORY AND RECORD

Biannual inventory of controlled substances on hand, log of controlled substances received and dispensed to inmates by prescription, records of controlled substances surrendered to the Drug Enforcement Administration.

[CRS 27-80-210]

Retention: 2 years after the respective dates of the transactions as shown on the inventories

5.30 DAILY RECORD OF JAIL COMMITMENTS AND DISCHARGES

Sheriff's daily record of commitments and discharges of all persons delivered to his/her custody, showing date of entrance, name, offense, term of sentence, fine, age, sex, citizenship, how and by whom committed, and when and by whom discharged.

[General Reference: CRS 17-16-118]

Retention: Permanent

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Colorado Sheriff's Record Retention

5.40 FUGITIVE UNIT CASE FILES

Case files containing case number, name of inmate, agency, copies of warrants, tracking sheet, communications, copies of extradition waivers, end of month reports, activity logs and sheets. Used to track legal process on extraditions.

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Colorado Sheriff's Record Retention

Retention: 10 years after case is closed

5.50 IMMIGRATION STATUS REPORTING: ARREST REPORTS-POSSIBLE ILLEGAL PRESENCE IN THE U.S.

Reports made to U.S. Citizenship and Immigration Services (USCIS) regarding any person arrested that the law enforcement department believes is not legally present in the United States; and reports to the Colorado Legislative Council of the total number of reports made to USCIS.

[General Reference: CRS 29-29-

1003] Retention: 3 years after last

contact

5.60 INMATE RECORDS

A. *Inmate Case Files*

Records used to document information on persons confined in a jail or detention facility. File can contain identifying information, criminal history, mug shots, fingerprint cards, copies of police/arrest records, work release records, release orders, kites, detention classification files, grievance files, and other records pertaining to the inmate's confinement.

1. *Felony Cases - Major Felonies and Violent Crimes*

Cases such as arson with fatalities, homicides, kidnapping, deaths related to criminal acts, sexual assault on a child, forgery and officers killed.

[CRS 16-5-401]

Retention:

Permanent

2. *Felony Cases (Other)*

Other felony cases, special investigations related to aggravated assault, arson without fatalities and similar cases.

[CRS 16-5-401]

Retention: 10 years after inmate is released

3. *Misdemeanor Cases*

Misdemeanor cases, petty offenses, traffic offenses and similar cases.

[CRS 16-5-401]

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Colorado Sheriff's Record Retention

Retention: 3 years after inmate is released

4. *Sexual Assault Cases (Excluding Sexual Assault on a Child)*

Case files related to the investigation of a sex assault crime.

Retention: 99 years

B. Inmate Disciplinary Hearing Case Files

Files for each disciplinary board hearing held as a result of rule infractions by inmates/detainees, containing: investigation reports, notification of board hearings, audio tape of hearings and result sheet showing the outcome of the hearing.

1. *Felony Cases - Major Felonies and Violent Crimes*

Cases such as arson with fatalities, homicides, kidnapping, deaths related to criminal acts, sexual assault on a child, forgery and officers killed.

[CRS 16-5-401]

Retention:

Permanent

2. *Felony Cases (Other)*

Other felony cases, special investigations related to aggravated assault, arson without fatalities and similar cases.

[CRS 16-5-401]

Retention: 10 years after inmate is released

3. *Misdemeanor Cases*

Misdemeanor cases, petty offenses, traffic offenses and similar cases

[CRS 16-5-401]

Retention: 3 years after inmate is released

4. *Sexual Assault Case (Excluding Sexual Assault on a Child)*

Case files related to the investigation of a sex assault

crime. Retention: 99 years

C. Inmate Incident Reports

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Colorado Sheriff's Record Retention

Reports of incidents occurring in the jail, containing the inmate/detainee's name, date and time of incident, names of other inmates involved, and narrative description of the incident.

[General Reference: CRS 17-26-112]

Retention: 10 years after inmate is

released

D. Inmate Record of Funds (Inmate Cash Control Log)

Daily log of every cash amount received or disbursed on behalf of inmates/detainees.

Retention: 7 years

5.70 Jail Inspection Report/Log

County health department reports of inspections in jail kitchen and other jail facilities, and correspondence and memoranda concerning the inspections and remedial action taken concerning inspections.

[General Reference : CRS 25-1.5-101 (1) (i) (iii); 30-11-104 ; CRS17-26-

126] Retention: 7 years

5.80 Medical Case Files

Case files on inmates/detainees containing intake medical screening sheets, treatment records, medication records, laboratory test results, requests for treatment, dental records, suicide watch, and medication authorization forms.

[General Reference: 42CFR1003.132]

Retention: 7 years after the last date of treatment, or 7 years after the patient reaches age 18- whichever is later

5.90 Population

A. Monthly Jail Population Analysis Files: Body Count

Jail Annex roster by room/module reports, and daily call in logs. Used to generate a monthly report providing statistics for the quarterly and year-end jail population statistics reports.

Retention: 3 years

B. Population Statistics Reports

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Colorado Sheriff's Record Retention

Compiled from monthly report of unit activities, jail annex population statistics reports, work/education release program statistical reports, transportation reports, counseling meeting attendance reports, monthly officer training reports, weekly inmate/detainee roster reports, and quarterly statistic reports. Used to document number of inmates/detainees and inmate/detainee activities processed by the department.

Retention: 3 years

C. Transport Records

Log of inmates transported by sheriff's department, containing inmate's name, dates and times of transport, court times, and name of transporting deputy.

[General Reference: CRS 30-10-51]

Retention: 2 years

5.10 Victims' Inmate Release Notification Cards

Cards used to notify victims of release of inmate. Cross Reference: See Victim Services, Item # 13.030

5.11 Work /Education Release

A. Work Program Records

Records used to document and administer inmate work programs. Contains inmate information, disciplinary forms, job listing forms, agreement related program reports, and other related documents.

Retention: 3 years after release from program

B. Court Petitions for Work/Education Program Refusal Files

Court documents describing arrest, conviction, sentencing information, and memoranda, explaining reasons for refusal of acceptance into the Work/Education Release program.

Retention: 6 years

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

**SCHEDULE NO. 06
EMERGENCY MANAGEMENT**

General Description: Records relating to the emergency management functions.

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NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

**SCHEDULE NO. 06
EVIDENCE AND LABORATORY**

General Description: Records relating to the evidence and laboratory functions.

This document does not provide legal authority or authorization for destruction of records by any Sheriff until it is approved for use for that Sheriff by the Colorado State Archives.

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

6.10 Crime Lab

A. Chemical Blood Testing Reports

(Crime Lab Reports)

Reports requested by the sheriff's department for chemical blood testing (such as DNA testing) to determine genetic markers, performed by CBI or other agencies

[General Reference: CRS 18-1-1101, et. Seq.]

1. Felony Investigations That Do Not Result in Charges Filed

[CRS 18-1-1103(1)]

Retention: Life of case file

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Colorado Sheriff's Record Retention

2. *Criminal Investigations That Result in a Conviction*

[CRS 18-1-1103(2)]

Life of defendant

B. Logs

Automatic fingerprint identification system (AFIS) fingerprint logs, crime scene processing logs, laboratory field work logs, laboratory work logs, marijuana testing logs, etc.

Retention: Permanent as documentation of qualifications of crime lab technicians as expert witnesses

C. Other Crime Lab Reports

Reports regarding crime lab work and findings, and supporting documentation such as laboratory request forms, vehicle hold/release sheets, sketches, etc.

Retention: Life of related case file

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Colorado Sheriff's Record Retention

6.20 Evidence Records

Records pertaining to the collection and storage of evidence collected at crime scenes and during police investigations. Note: Physical evidence, including DNA evidence, is destroyed in consultation with, and upon written authorization from, the district attorney. Since the retention and destruction of physical evidence related to crimes is determined by the law enforcement agency in consultation with the district attorney, the retention of such physical evidence is therefore not covered in this Retention Schedule. Note: Retention periods apply provided that offenses are not affected by statute of limitations.

A. Evidence and Property Audit Records

Audit reports detailing the authorized destruction or disposal of property and evidence associated with sheriff cases, including drugs, drug paraphernalia, weapons, currency, explosives, armored or bulletproof clothing, unlawful property, etc.

Retention: Until completion of next succeeding evidence and property audit

B. Evidence Logs: Case Specific

Logs documenting the receipt, transfer and release of materials taken into evidence for specific cases, including property reports, release records, evidence tags and similar records.

Retention: Life of related case file or life of defendant, whichever is later

C. Evidence and Property Room Sign-In Log

Log of persons admitted to the evidence and property storage area.

Retention: Permanent

D. Lie Detector Test

Administration Records

Records retained by the test administrator to document expertise in the administration of lie detector tests using the computer voice stress analyzer, polygraph and other detector test equipment.

Retention: Permanent

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

**SCHEDULE NO.
07**

FLEET

General Description: Records relating to the fleet functions.

This document does not provide legal authority or authorization for destruction of records by any Sheriff until it is approved for use for that Sheriff by the Colorado State Archives.

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

7.00 Video Recordings - Vehicle and Officer Recording Systems

Video recordings made from police vehicle or officer-carried recording systems

Retention: Body worn cameras - 180days

Cross Reference: See Records, Item #911.100

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

SCHEDULE NO. 08
INTERNAL AFFAIRS

General Description: Records relating to the Internal Affairs functions.

This document does not provide legal authority or authorization for destruction of records by any Sheriff until it is approved for use for that Sheriff by the Colorado State Archives.

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

8.10 Internal Affairs Investigations (Unsubstantiated)

Records pertaining to internal investigations regarding sheriff personnel conduct or actions (i.e., reviews of use of force, pursuits, officer-involved traffic accidents), including allegations of misconduct, polygraph records, board of inquiry or internal affairs administrative inquiries and proceedings, and any subsequent disciplinary actions. Note: Substantiated investigations and substantiated review and disciplinary documentation should be transferred to the record copy custodian for personnel records to be retained or destroyed according to personnel policy unless there are conflicts with union policy.

Retention; 5 years

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

SCHEDULE NO. 09
PATROL

General Description: Records relating to the patrol functions.

This document does not provide legal authority or authorization for destruction of records by any Sheriff until it is approved for use for that Sheriff by the Colorado State Archives.

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

9.10 ALARM RECORDS

Records of false alarms, warnings issued and user fee assessments; notifications of unreliable alarm systems, etc.

Retention: 2 years after completion

9.20 CASE RECORDS

Case files, incident reports, offense reports, crime stoppers reports, activity summaries, accident reports, fingerprint cards and files, photographic records of suspects and persons convicted of crimes (including photographic prints and negatives), photographic records of crime scenes (including photographic prints and negatives), video and audio recordings of crime scenes and interviews with witnesses or suspects, lie detector test records and other records pertaining to cases handled by the sheriff's department.

A. Death Case Records - Noncriminal

Retention: 10 years

B. Felony Case Records - Major Felonies and Violent Crimes

Cases such as arson with fatalities, homicides, kidnapping, deaths related to criminal acts, sexual assault on a child, forgery, officers killed and similar cases.
[CRS 16-5-401.]

Retention: Permanent

C. Felony Case Records (Other)

Other felony cases, special investigations related to aggravated assault, arson without fatalities and similar cases.
[CRS 16-5-401]

Retention: 10 years

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Colorado Sheriff's Record Retention

D. Misdemeanor Case Records

Misdemeanor cases, petty offenses, traffic offenses and similar cases
[CRS 16-5-401]

Retention: 3 years

E. Missing Persons Including Runaways

Until Located

F. Sexual Assault Case Records

(Except Sexual Assault on a Child)

Case files related to the investigation of a sex assault crime

Retention: 99 years

G. Traffic Accident Case Records

1. Fatal Traffic Accidents

Retention: 10 years

2. Non-Fatality Traffic Accidents

Retention: 3 years

9.30 COMMUNITY RELATIONS RECORDS

Records of outreach and public relations efforts, neighborhood mediation, presentations, and similar community outreach efforts.

Retention: 2 years after completion

9.40 FIELD CONTACT

A. Daily Field Activity Reports (DFAR)

Daily log of deputies' supervisors' and other personnel's activities during shifts, showing times and locations of calls, and statistics based on activities

Retention: 2 years

B. Field Contact Records

Records of contacts with businesses, complainants, juveniles, victims or witnesses after which no incident report is filed.

Retention: 3 years

9.50 INTOXILIZER LOG

Log of intoxilizer tests conducted to determine suspects' level of intoxication, showing date and time of test; name, date of birth, and sex of subject; arresting officer; testing officer; test results; and case report number.

Retention: 3 years

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Colorado Sheriff's Record Retention

9.60 LICENSE PLATE RECOGNITION DATA

Data and images recorded by means of automated license plate recognition systems (one or more mobile or fixed high-speed cameras combined with computer algorithms to convert images of registration plates into computer-readable data) used to capture license plate numbers for parking enforcement, booting, stolen vehicle identification or other law enforcement purposes.

Retention: 21 days except that "hits" are retained for life of related case file

9.70 RIDE-ALONG PROGRAM RECORDS

Records of programs that allow citizens to ride along with police officers

Retention: 3 years

9.80 VEHICLE RECORDS

A. *Abandoned Vehicles*

Impound Notice, Report of Abandoned Vehicle, Report of Sale of Abandoned Vehicle

Retention: 2 years after last action or final payment

B. *Vehicle Impound Records*

Records documenting the impoundment of licensed and nonlicensed motorized vehicles and sports craft that have been taken into custody for violations of laws that govern their use, operation and ownership.

Retention: 2 years after vehicle is released to owner or otherwise disposed of

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

SCHEDULE NO. 10
RECORDS/ ADMINISTRATION

General Description: Records relating to the records administration functions.

This document does not provide legal authority or authorization for destruction of records by any Sheriff until it is approved for use for that Sheriff by the Colorado State Archives.

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

10.10 CORRESPONDENCE AND GENERAL DOCUMENTATION

Correspondence is a written communication that is sent or received via the U.S. mail, private courier, facsimile transmission or electronic mail, including letters, postcards, memoranda, notes, telecommunications and any other form of written communications. The term general documentation is intended to cover a wide variety of records created in the normal course of business.

A. Enduring Long-Term Value

Documentation or correspondence, including e-mail messages, with lasting long-term administrative, policy, legal, fiscal, historical or research value; records that relate to policy issues and actions or activities in which an important precedent is set; records of historic events; and other similar records and documentation.

Retention: Permanent

B. Routine Value

Routing operating documentation or correspondence with limited administrative, legal, fiscal, historical, informational or statistical value. Includes routine e-mail messages, letters or memoranda, reading or chronological files that contain duplicates of memos or letters also filed elsewhere, routine requests for information, transmittal documents, etc.

Retention: 2 years

C. Transitory Value

General documentation or correspondence of extremely short-term value, including advertisements, drafts and worksheets, desk notes, copies of materials circulated for informational "read only" purposes, other records, including e-mail messages, with preliminary or short-term informational value.

Retention: Until material has been read

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Colorado Sheriff's Record Retention

10.20 DISPATCH PHONE AND RADIO RECORDING REQUEST FORMS

Retention: 1 year

10.30 ELECTRONIC RECORDS

A. *Electronic Records in General*

Computer generated and maintained records and associated metadata in electronic formats retained for recordkeeping purposes, including, but not limited to: audio and video digital recordings; email messages and attachments; imaged records; databases, and word processing files; recorded videoconferences; digital photographs; geographic information systems datasets; and all other records retained in electronic format.

1. *Electronic Records (Copies) Retained Solely for Convenience*

Retention: Until no longer needed, **Provided** that definitive or record copy of record is retained for applicable retention period.

2. *Electronic Records Retained for Recordkeeping Purposes*

Retention: Based on content, retain for retention period for specific type of record; i.e., electronic records have the same retention periods as paper or microfilm records with the same content.

B. *Email*

CRS 24-80-101 specifies that electronic mail messages are not records "unless the recipient has previously segregated and stored such messages as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the government or because of the value of the official governmental data contained therein." Generally, e-mail messages can be described as correspondence. Email attachments or records linked within email messages should be retained with like record series outside of the email system. Metadata should also be retained with the corresponding email message or attachment.

1. *Enduring Long-Term Value Email*

See item #1A

Retention: See Item # 11.010A

2. *Routine Value Email*

See item #1B

Retention: See Item # 11.010B

3. *Transitory Value Email*

See item #1C

Retention: See Item # 11.010C

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Colorado Sheriff's Record Retention

4. Email Attachments and Records Linked Within an Email Message

Retention: Follow retention periods set forth for comparable records (e.g., case files)

C. Social Media Records

Records relating to social media such as Twitter, Facebook, YouTube, LinkedIn, etc. Includes posts, comments, screenshots, downloads, back-up records

Retention: 2 years

10.40 EXPUNGEMENT RECORDS

Records of sealing or expungement

Retention: Until sealed record is destroyed pursuant to Retention Schedule

10.50 GRANT FILES

A. Awarded Grants

Files pertaining to the application, administration, and monitoring of grants such as Law Enforcement Assistance Fund (LEAF), Department of Local Affairs (DOLA), victim assistance grants, etc. May include award modifications, budget and finance reports, correspondence, reports required by the granting agency, and close out letter

Retention: 3 years after the submission of the final grant report, provided the requirements of the granting agency have been satisfied.

B. Rejected Grants

Files pertaining to the application process for grant funds

Retention: 2 years after rejection or withdrawal

10.60 IMMIGRATION STATUS REPORTING RECORDS

A. Arrest Reports-Possible Illegal Presence in the U.S.

See Detention-Jail, Item #5

B. Systematic Alien Verification for Entitlements (SAVE) Program Records

Reports relating to verification of U.S. citizenship status of applicants for local licenses, credentials, rebates, employment and/or benefits

Retention: 3 years

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Colorado Sheriff's Record Retention

10.70 INTELLIGENCE FILES

A. Confidential Informant Files

Information pertaining to the identity of confidential informants, including, but not limited to, the informant's name, address, telephone number, race, sex, height, hair and eye color, social security number, date of birth, criminal history report, fingerprint card, photographs, and names of family members, may include records of any payments to the informant.

Retention: 5 years following last contact with informant.

B. Intelligence Files

Records containing information regarding individuals and groups.
Reference: (28 CFR 23.20(h))

Retention: No longer than 5 years after becoming obsolete or no longer relevant

10.80 NATIONAL INCIDENT BASED REPORTING SYSTEM (NIBRS)

A. Statistical Files

Indexes for statistical reporting of data by class of crime and other statistical information.

Retention: 5 years

B. Uniform Crime Report

Annual crime report sent to NIBRS

Retention: Permanent

10.90 PASSIVE SURVEILLANCE RECORDS

Records created by a digital video camera, video tape camera, closed circuit television camera, film camera, photo radar recorder, or other image recording device positioned to capture moving or still pictures or images of human activity on a routine basis or for security or other purposes per CRS 24-72-113. Not applicable to passive surveillance records of any correctional facility or local jail.

A. Records for which no notice of claim has been filed, or there has been no specific incident that may cause the record to become evidence in any proceeding

Retention: 1 year after creation of record.

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Colorado Sheriff's Record Retention

(Note: record must be destroyed at the expiration of the retention period)
CRS 24-72-113 (2) (a)

B. Records for which there has been a notice of claim filed

Record must also include the person who accessed the record and the reason for which the record was accessed per CRS 24-72-113 (2) (a)

Retention: 3 years after creation of record

(Note: record must be destroyed at the expiration of the retention period)
CRS 24-72-113 (2) (a)

10.100 REGISTERED SEX OFFENDERS

A. Information Request Forms - Sex Offenders

Forms completed by parties interested in inspecting public information regarding sex offenders.

General Reference: CRS 16-22-112

Retention: 2 years after request is answered

B. Sex Offender Registration and Cancellation Forms

Notifications completed by convicted sex offenders regarding residence addresses and contact information.

General Reference: CRS 16-22-108

Retention: 5 years after offender leaves jurisdiction

Note: CCIC keeps permanently

C. Sexually Violent Predators - Public Notifications

Notices given to the public regarding sexually violent predators in the community

General Reference: CRS 16-22-108 & CRS 18-3-414.5

Retention: Permanent

10.110 REQUESTS FOR RELEASE OF INFORMATION

Requests for public release of information such as E-9-1-1, dispatch phone and radio recordings, reports, incident histories, etc.

Retention: 2 years after request is answered

10.120 SEIZURE FUND DOCUMENTATION

Records relating to the fund for monies accrued as a result of court-ordered seizures and disposition of property connected to vice, narcotics and other crimes.

Retention: 7 years

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Colorado Sheriff's Record Retention

10.130 TRAFFIC CITATIONS

Duplicate copy of traffic citations issued

Retention: 2 years

10.140 WEAPONS AND FIREARMS

A. *Authorizations to Carry - Officers*

Records of types of firearms and weapons carried by officers Including authorization to carry weapons, maintenance, indication that the weapon has been checked, and that the officer qualifies to use it.

Retention: 2 years after weapon is no longer in use

B. *Concealed Handgun Permit*

Concealed Handgun Permit (CCW) application forms, CCW checklists, identification photograph, case notes and other related investigative documents.

Retention: 2 years after expiration, revocation, denial or termination of permitted use

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

SCHEDULE NO. 11
RECRUITMENT AND TRAINING

General Description: Records relating to the recruitment and training functions.

This document does not provide legal authority or authorization for destruction of records by any Sheriff until it is approved for use for that Sheriff by the Colorado State Archives.

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

11.10 EMPLOYEE TRAINING FILES

Records documenting training for sheriff personnel, including K-9 training records.

Retention: 5 years after employee's termination

11.20 FIREARMS TRAINING AND QUALIFICATIONS FILES

Daily range score sheets containing names of trainees, weapons used and shooting scores, monthly, quarterly and annual firearms reports, weapon repair record, Special Weapons and Tactics (SWAT) firearms training records, Special Operations Response Team (SORT) training records, log of authorized ammunition, and less than lethal weapons records. Used to track firearms usage, training proficiency, maintenance, and firearms directives.

Retention: 4 years

11.20 SHERIFF TRAINING ACADEMY INFORMATION FILES

Curricula including lesson plans, outlines and other material, approved by the State used in courses taught at the training academy, Peace Officer Standards Training (POST) regulations, list of instructors, written exams and test scores, student identification copies of certificates, copies of affidavits required by the state, copies of official training photographs, copies of POST approval documents, copies of ratings criteria for skills requirements, copy of applicable field training instructions manual and sign-off sheet. Used to verify that a sworn peace officer has met state requirements for POST state certification.

A. Peace Officer Standards Training (POST) Files

Retention: Permanent

B. Lesson Plans, Outlines, and Other Materials Used In Courses

Retention: 7 years

11.30 TRAINING INSTRUCTOR CRITIQUES

Critiques by students of every class and its instructor, used to evaluate instructors' effectiveness'

Retention: 2 years after completion of training

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

Colorado Sheriff's Record Retention

11.40 TRAINING REQUESTS

Requests from department employees for outside training with approvals by the training unit and division commander, and evaluations of the training after attendance.

Retention: 2 years after completion of training

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

SCHEDULE NO. 12
VICTIM SERVICES

General Description: Records relating to the victim services functions.

This document does not provide legal authority or authorization for destruction of records by any Sheriff until it is approved for use for that Sheriff by the Colorado State Archives.

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

12.10 CASE FILES

Crime victim case files, each containing basic personal information about victim; log and narrative report of contacts with the victim, services provided, and program items supplied. Used to track cases and to document that mandated services were offered or provided to victims (including property crimes).

General Reference: CRS 24-4.1-302.5 - 24-4.1-303

Retention: 4 years after case is closed

12.20 GRANT RECORDS

Cross Reference: Records/Administration, Item #11.060

12.30 VICTIMS' INMATE RELEASE NOTIFICATION CARDS

Cards used to notify victims of release of inmate.

General Reference: CRS 24-4.1-302.5 - 24-4.1-303

Retention: Permanent

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

SCHEDULE NO. 13

WARRANTS

General Description: Records relating to the warrants functions.

This document does not provide legal authority or authorization for destruction of records by any Sheriff until it is approved for use for that Sheriff by the Colorado State Archives.

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

13.10 WARRANTS FOR ARREST OR DETAINMENT (DUPLICATE COPY)

Orders issued by the court for the arrest or detainment of an individual, including CCIC teletypes and computer printouts pertaining to warrant life cycle from initial court entry into CICJIS to final cancellation.

Retention: 6 months after cancellation (Court retains original)

13.20 WARRANTS AND DETAINERS ISSUED BY OTHER AGENCIES

Warrants, detainers, and mittimi received from other law enforcement agencies.

Retention: Until warrant is satisfied or cancelled

Kit Carson County Sheriff's Office Disposal of Media Policy and Procedures

1.0 Purpose The purpose of this policy is to outline the proper disposal of media (physical or electronic) at Kit Carson County Sheriff's Office. These rules are in place to protect sensitive and classified information, employees and Kit Carson County Sheriff's Office. Inappropriate disposal of Kit Carson County Sheriff's Office media may put employees, Kit Carson County Sheriff's Office at risk.

2.0 Scope This policy applies to all Kit Carson County Sheriff's Office employees, contractors, temporary staff, and other workers at Kit Carson County Sheriff's Office with access to CJIS systems and/or data, sensitive and classified data, and media. This policy applies to all equipment that processes, stores, or transmits CJIS and/or classified and sensitive data that is owned or leased by Kit Carson County Sheriff's Office.

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

3.0 Policy When no longer usable, hard drives, diskettes, tape cartridges, CDs, ribbons, hard copies, print-outs, and other similar items used to process, store or transmit CJIS and/or classified and sensitive data shall be properly disposed of in accordance with measures established by Kit Carson County Sheriff's Office. Physical media (print-outs and other physical media) shall be disposed of by the following method:

- 1) shredding using Kit Carson County Sheriff's Office shredder in deputies area.

Electronic media (hard-drives, tape cartridge, CDs, printer ribbons, flash drives, printer and copier Hard-drives, etc.) shall be disposed of by one of the Kit Carson County Sheriff's Office methods:

- 1) **Overwriting (at least 3 times)** - an effective method of clearing data from magnetic media. As the name implies, overwriting uses a program to write (1s, 0s, or a combination of both) onto the location of the media where the file to be sanitized is located.
- 2) **Degaussing** - a method to magnetically erase data from magnetic media. Two types of degaussing exist: strong magnets and electric degausses. Note that common magnets (e.g., those used to hang a picture on a wall) are fairly weak and cannot effectively degauss magnetic media.
- 3) **Destruction** - a method of destroying magnetic media. As the name implies, destruction of magnetic media is to physically dismantle by methods of crushing, disassembling, etc., ensuring that the platters have been physically destroyed so that no data can be pulled.

IT systems that have been used to process, store, or transmit CJIS and/or sensitive and classified information shall not be released from Kit Carson County Sheriff Office's Control until the equipment has been sanitized and all stored information has been cleared using one of the above methods. 4.0 Enforcement Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination.

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.

RESOLUTION NO.15-048

STATE OF COLORADO)
) ss.
COUNTY OF KIT CARSON)

At a regular meeting of the Board of County Commissioners for Kit Carson County, Colorado, held at the Court House in Burlington on Wednesday the 10th day of November, 2015 there were present:

- Gary Koop..... Chairman
- David L. HornungCommissioner
- Cory Wall.....Commissioner
- Susan Corliss County Clerk
- Tom Ridnour.....Sheriff
- Paula Weeks.....Administrator

when the following proceedings, among others, were had and done, to-wit:

A RESOLUTION TO ADOPT A RETENTION SCHEDULE FOR THE SHERIFF'S DEPARTMENT RECORDS

WHEREAS, the Colorado County Sheriff's Retention Schedule has been approved by the Attorney General's Office and the State Auditor and is ready to be implemented by any Colorado Sheriff's Office.

NOW THEREFORE, be it resolved by the Board of County Commissioners of Kit Carson County that the Sheriff adopt the state approved retention schedule.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION IS EFFECTIVE IMMEDIATELY THIS 10th day of November, 2015.

DONE THIS 10th day of November, 2015, at Burlington, Colorado.

Motion made by Dave Hornung, seconded by Cory Wall.

Motion carried.

Board of County Commissioners

By: [Signature]
Gary Koop, Chairman

By: [Signature]
David L. Hornung, Commissioner

By: [Signature]
Cory Wall, Commissioner

NO RECORD SHALL BE DESTROYED UNDER THIS SCHEDULE AUTHORITY SO LONG AS IT PERTAINS TO ANY PENDING LEGAL CASE CLAIM ACTION OR AUDIT.