



Using Records Retention Schedules: How Long Do Law Enforcement Misconduct Records Need to Be Kept?

Purpose: Provide misconduct retention guidance to state and local law enforcement agencies.

The *Law Enforcement Records Retention Schedule* covers the minimum retention period for **general authority, limited authority, and specially commissioned peace/corrections officer misconduct records:**

10 years after date of separation from agency

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
LE2022-003 Rev. 0	<p><i>Complaints, Grievances, and Misconduct Records (Peace/Corrections Officers)</i></p> <p>Records relating to complaints, grievances, misconduct, etc. (including their related internal reviews/investigations) involving peace officers or corrections officers.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> Misconduct and equal employment opportunity complaints, whether founded or unfounded; Progressive discipline imposed including written reprimands, supervisor coaching, suspensions, involuntary transfers, other disciplinary appeals and litigation records; Other records needed to comply with the requirements set forth in RCW 43.101.095 (Peace and Corrections Officer Certification) and 43.101.135 (Notice to Criminal Justice Training Commission of peace or corrections officer termination). <p>Excludes:</p> <ul style="list-style-type: none"> Complaints, grievances, and misconduct records for corrections officers employed by state agencies; Records covered by <i>Prison Rape Elimination Act (PREA) - Allegations, Investigations, Incident Review (DAN LE2015-003)</i>. <p><i>Note: Retention based on 10-year requirement for peace and corrections officers' personnel records (RCW 40.14.070(4)).</i></p>	<p>Retain for 10 years after date of separation from agency</p> <p><i>then</i></p> <p>Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR

The *Local Government Common Records Retention Schedule (CORE)* and the *State Government General Records Retention Schedule* cover misconduct records of **non-commissioned employees of law enforcement agencies.**

The *Law Enforcement, Local Government Common (CORE), and State Government General Records Retention Schedules* are available from the Washington State Archives' website.

Additional advice regarding the management of public records is available from Washington State Archives:

**www.sos.wa.gov/archives
recordsmanagement@sos.wa.gov**