# Basics of Managing Law Enforcement Records

WASHINGTON

Secretary of State

Washington State Archives

Ritzville Police in front of City Hall, 1950, A.M. Kendrick Photographic Collection, ca. 1890-1976, Washington State Archives

# AGENDA

1. Basics

2. Retention Schedules

3. Law Enforcement Records

4. Q & A



Meeting, 1960, General Subjects Photograph Collection, 1845-2005, Washington State Archives, Digital Archives

# What is Records Management?

Records Management
is **control** at every stage of
a record's lifecycle.

**CREATE** or **RECEIVE**

**USE**

**STORE**

**DESTROY** or **PRESERVE**

# BENEFITS OF MANAGING RECORDS

❑ Enables the agency to fulfill its mission

❑ Promotes cost-effective use of agency resources

❑ Strengthens transparent and accountable government

❑ Reduces Agency Risk

# WHAT IS A PUBLIC RECORD?

A **public record** is:

- ❑ ANYTHING made or received in the transaction of public business
- ❑ Regardless of format

Invoice? **Public record.**

Database entry? **Public record.**

E-mail? **Public record.**

Voicemail? **Public record.**

# Public Records are Public Property

*All public records are the property of the state of Washington.* (RCW 40.14.020)

*Anyone who destroys, conceals, erases or falsifies a public record…is guilty of a class B felony.* (RCW 40.16.020)

# WE'RE ALL CONTENT CREATORS

You could be stuck on a ferry texting your boss on your personal cellphone.

If it's about work,

it's a **public record**.

Evergreen Point Floating Bridge, Department of Transportation, Agency Library, Photograph Collections, Washington State Archives, Digital Archives.

# BORN DIGITAL RECORDS

*Maintain electronic records in electronic format…for the length of the retention period.*

(WAC 434-662-040)



OK. Now we just have to scan these, upload em' all, then email them…

CONSIDER DIGITAL SIGNATURES

Initiative 207 Petitions, 1960, Merle Junk, General Subjects Photograph Collection, 1845-2005, Washington State Archives, Digital Archives.

# How Do I Know What to Keep?

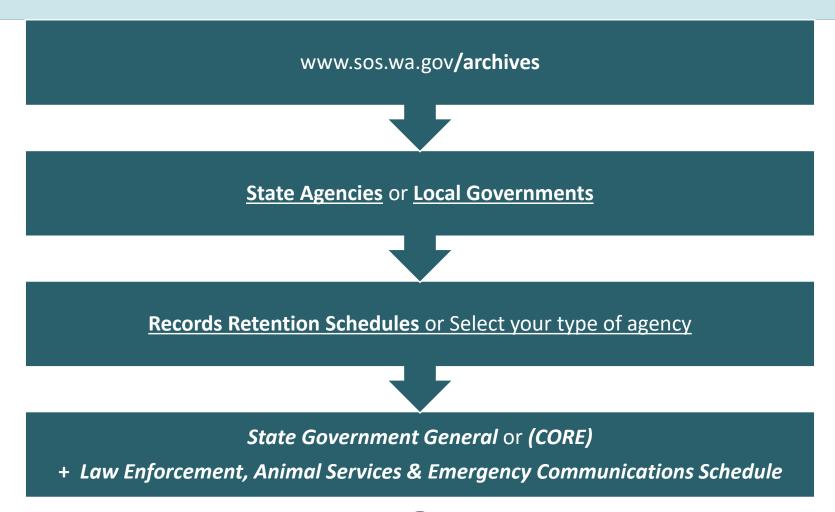Agencies have the ongoing legal authority to disposition public records using…

## RECORDS RETENTION SCHEDULES

***The State & Local Records Committees review and approve the retention schedules.***

(RCW 40.14.060 and 40.14.070; chapters 434-624 and 434-630 WAC)

# WHICH SCHEDULE(S) DO I USE?

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

↓

**State Agencies** or **Local Governments**

↓

**Records Retention Schedules** or Select your type of agency

↓

*State Government General* or *(CORE)*

*+  Law Enforcement, Animal Services & Emergency Communications Schedule*

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# RECORDS RETENTION SERIES/SCHEDULE

| DISPOSITION AUTHORITY NUMBER (DAN) | DESCRIPTION OF RECORDS | RETENTION AND DISPOSITION ACTION | DESIGNATION |
|---|---|---|---|
| GS 09009 Rev. 1 | **_Meetings – Staff and Internal Committees_**<br>Records documenting meetings of the agency's staff and those of internal committees, commissions, councils, boards, task forces, etc.<br>Includes, but is not limited to:<br>• Agendas, meeting/agenda packets (briefs, reference materials, etc.);<br>• Speaker sign-up, written testimony;<br>• Audio/visual recordings and transcripts of proceedings;<br>• Minutes.<br>Excludes records covered by:<br>• _Advisory Body Records (DAN GS 10015);_<br>• _Governing/Executive/Policy-Setting Body Records (DAN GS 10004);_<br>• _Meeting Arrangements (DAN GS 09024);_<br>• _Meeting Materials – Members' Copies/Notes (DAN GS 09026)._ | **Retain** for 2 years after end of calendar year<br>_and_<br>until no longer needed for agency business<br>_then_<br>**Destroy.** | NON-ARCHIVAL NON-ESSENTIAL OFM |

## \* You cannot destroy or transfer records without a DAN

# DIGITIZING PAPER RECORDS
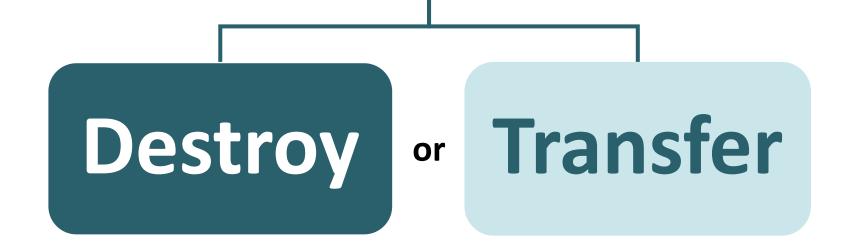
### ARCHIVAL    VS.    NON-ARCHIVAL

Transfer original format
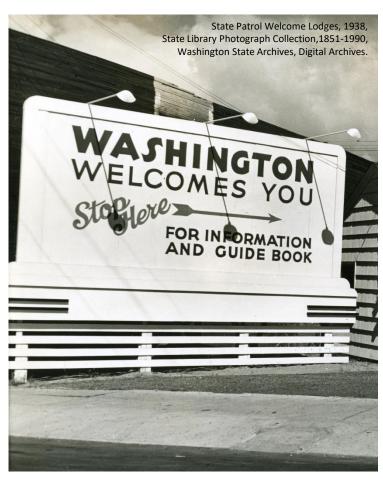to Archives

Follow our published
requirements

## PLAN before you scan.
## Digitization is time-consuming, expensive & labor intensive.

keep **PUBLIC RECORDS** for

**MINIMUM RETENTION**

**Destroy** or **Transfer**

# Hold It!

State Patrol Welcome Lodges, 1938,
State Library Photograph Collection,1851-1990,
Washington State Archives, Digital Archives.

Records responsive to

☐ **Litigation Holds**

☐ **Public Records Requests**

must be retained until matter is resolved.

# What Can I Destroy NOW?



Protest signs in trash can, 1982, Gant Eichrodt, General Subjects Photograph Collection, 1845-2005, Washington State Archives

- ❑ Drafts
- ❑ Empty forms
- ❑ Working documents
- ❑ Duplicate copies
- ❑ Records formalized elsewhere
- ❑ Reference materials
- ❑ Personal, non-work related material

**How to find the right DAN:**

1. **Ask clarifying questions.**
   - ❑ Is the record unique to your agency?
   - ❑ **Who** is doing what to whom?
   - ❑ **Why** was the record created/received?
   - ❑ **What** is the record about?

2. **Review your approved schedules.**
   - ❑ Browse the schedules by table of contents, subject index, and keyword search.

3. **Reach out.**

# CASE FILES

Example:
**Case Files**

1. **Do the records relate to:**
   - ❏ A juvenile, notorious/well known, or sex offense?
   - ❏ A solved/unsolved homicide?
   - ❏ A missing person or unidentified body?

2. **Review**
   - ❏ **Case Management** section of Law Enforcement schedule.

3. **Reach Out**

# Work History & Misconduct

Example:
**Personnel/Work History & Misconduct Records**

1. **Do the records relate to:**
   ❑ A peace officer?
   ❑ A corrections officer at a state or local agency?
   ❑ A non-commissioned officer?

2. **Review**
   ❑ **Human Resource Management** section of CORE, State General, and Law Enforcement schedule.

3. **Reach Out**

# AUDIOVISUAL

Example:
**Audio & Audiovisual Recordings**

1. **Do the records relate to:**
   - ❑ Interrogations or investigative conversations?
   - ❑ Footage where an incident is identified or not identified?
   - ❑ Security recordings of inmates or facilities?

2. **Review**
   - ❑ **Inmate Security** and **Case Management** sections of the Law Enforcement schedule and **Security** sections of CORE/State General schedule.

3. **Reach Out**

# TRAINING

Example:
**Training Records**

1. **Do the records relate to:**
   - ❑ Training your agency provides?
     - ❑ Does it result in credits/certifications?
     - ❑ Is it mandatory?
   - ❑ Training an employee receives?

2. **Review**
   - ❑ **Training** and **Employee Development** sections of CORE, and **Training Others** and **Staff Development** sections of the State General schedule.

3. **Reach Out**

# Retention Schedule Updates

**We want to hear from you** ☺

If there have been changes in…

❑ Language and terminology

❑ Business value

❑ Legal & regulatory requirements

❑ Agency functions

# SAY HELLO!

**THE RECORDS MANAGEMENT TEAM IS HERE FOR YOU WITH FREE CONSULTATION, TRAINING, & ADVICE.**

**www.sos.wa.gov/archives**
**recordsmanagement@sos.wa.gov**
**(360) 586-4901**

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