

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION ADOPTING RECORDS RETENTION SCHEDULE FOR THE SHERIFF'S OFFICE

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, Government Code § 26200 *et seq.* authorize the Board of Supervisors to adopt a records retention schedule which sets forth the duration that county records must be retained and authorizes the destruction or disposition of any records at the conclusion of the record retention period specified in the schedule; and

WHEREAS, the Sheriff has prepared a records retention schedule, which is attached hereto and incorporated by reference as Exhibit A to this resolution, which schedule represents an inventory of all records maintained by the Sheriff's Office, the retention period for each type of record, the media options and applicable legal requirements; and

WHEREAS, the Sheriff's record retention schedule will protect useful and vital records, identify historically valuable records, and assure the prompt and systematic disposal of records that are obsolete; and

WHEREAS, this Board of Supervisors wishes to adopt the records retention schedule that has been presented to this Board for its consideration.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Sheriff's records retention schedule which is attached hereto and incorporated by reference as Exhibit A to this resolution is hereby adopted and approved.

IT IS FURTHER DETERMINED AND ORDERED that the Sheriff or the Sheriff's designee is authorized to retain the records pursuant to the schedule, and thereafter to destroy or otherwise dispose of documents that exist beyond the records retention periods specified in Exhibit A.

IT IS FURTHER DETERMINED AND ORDERED that the term “records” as used herein shall include documents, instructions, books, microforms, electronic files, magnetic tape, optical media, or papers as defined by the California Public Records Act.

IT IS FURTHER DETERMINED AND ORDERED that upon adoption by the Board of Supervisors, this resolution shall supersede any previous resolution pertaining to the adoption of records retention schedule, destruction or disposition of the records of the Sheriff.

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EXHIBIT A - Records Retention Schedule: Sheriff

Office of Record (OFR)	Records Series No.	Title and Description	Retention Period / Disposition						Comments / Reference	
			Active (in office)	Inactive (Off-Site)	Total Retention	Vital?	Media Options	Image: S=Scan M=Micro-forms I=Import		Destroy Paper after Imaged & QC'd
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Court Orders, litigation, complaints, claims, audits and/or investigations suspend normal retention periods (retention resumes after final action - settlement).</i>										
ADMINISTRATION / ALL DIVISIONS & BUREAUS										
Sheriff / Admin.		AGREEMENTS & CONTRACTS Agreement or Contract includes all contractual obligations Examples: Consultants, Personnel, Professional Services, etc.	Expiration	10 years	Expiration + 10 years	Yes: Before Completion	Mag, Mfr, OD, Ppr	S/I	Yes: Upon Completion	Covers E&O Statute of Limitations (insurance certificates are filed with agreement); Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers=comp. + 10 years; Statewide guidelines propose termination + 5 years; CCP §§336(a), 337 et. seq., GC §26202
Sheriff / Admin.		COPIES or duplicates of any record	Copies - When No Longer Required		Copies - When No Longer Required		Mag Ppr			GC §26201
Sheriff / Admin.		CORRESPONDENCE - ROUTINE (e.g. Administrative, Chronological, General Files, Letters, Memorandums, Miscellaneous Reports, Reading, Working Files, etc.)	2 years		2 years		Mag, Ppr			GC §26202

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<i>Court Orders, litigation, complaints, claims, audits and/or investigations suspend normal retention periods (retention resumes after final action - settlement).</i>									
Sheriff / Admin.		CORRESPONDENCE - TRANSITORY / PRELIMINARY DRAFTS , not retained in the ordinary course of business (e.g. e-mail, calendars, checklists, logs, computer sign-ups, mailing lists, supply inventories, telephone messages, transmittal letters, thank yous, meeting room registrations, requests from other cities, undeliverable envelopes, voice mails, etc.)	When No Longer Required		When No Longer Required		Mag, Ppr		E-mails that have a material impact on business are saved outside the e-mail system; If not mentioned here, consult County Counsel to determine if a record is considered transitory / preliminary drafts. GC §26202, GC §6252
Sheriff / Admin.		CORRESPONDENCE / PRESS RELEASES	2 years		2 years		Mag, Ppr		GC §26202
Sheriff / Admin.		CRIME STATISTICS: ANNUAL	2 years	P	P		Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC Historical Value; GC §26202
Sheriff / Admin.		DRAFTS & NOTES: Drafts that are revised (retain final version)	When No Longer Required		When No Longer Required		Mag, Ppr		As long as the drafts and notes are not retained in the "Regular Course of Business". Consult the County Counsel to determine if a record is considered a draft. GC §26202, GC §6252
Sheriff / Admin.		GENERAL ORDERS / POLICIES & PROCEDURES / BUREAU ORDERS / SPECIAL ORDERS / OPERATIONS ORDERS	When Superseded Minimum 10 years		When Superseded Minimum 10 years	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After Superseded Department preference; GC §26202, 60201

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Sheriff / Admin.		INVOICES / ACCOUNTS PAYABLE / CLAIMS FOR PAYMENT / PAYMENT VOUCHERS / REQUESTS FOR WARRANTS - Detail Backup that is NOT sent to the Controller's Office	2 years	3 years	5 years		Mag, Ppr		If the detail backup is not sent to Accounts Payable, the department maintains the backup in their department for auditing purposes; Consistent with Controller's retention and County Accounting Committee recommendations; GC §§26202, 26907	
Sheriff / Admin.		MUTUAL AID AGREEMENTS / MOUs (Memoranda of Understanding) - e.g. Pilot Rock	Completion + 10 years		Completion + 10 years	Yes	Mag, Ppr		Department Preference; Statute of Limitations: Errors & Omissions=10 years, Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Statewide guidelines propose termination + 5 years; CCP §§336(a), 337 et seq., GC §26202	
Sheriff / Admin.		PERMITS - APPROVED - CONCEALED WEAPONS PERMITS (CCW), EXPLOSIVE	Expiration + 2 years		Expiration + 2 years	Yes	Ppr		Department Preference (2 year permit); DOJ manages the sale and transfer of firearms; Non-records (State is OFR); most agencies retain for 2 years; GC §26202, PC §12070 et seq.	
Sheriff / Admin.		PERMITS - DENIED / REVOKED - CONCEALED WEAPONS PERMITS (CCW),	2 years		2 years		Ppr		Department preference; GC §26202, PC §12070 et seq.	
Sheriff / Admin. / Prof. Standards & Ops		PERSONNEL FILES / K-9 FILES - DIVISION / BUREAU FILES	Send to Professional Standards & Ops Upon Separation		Send to Professional Standards & Ops Upon Separation	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Originals are transferred to Training (Standards & Ops); GC §26202

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Sheriff / Admin.		PROJECTS / PROGRAMS / MISCELLANEOUS FILES	When No Longer Required - Minimum 2 years		when No Longer Required - Minimum 2 years			Mag, Ppr		Department preference; GC §26202
Sheriff / Admin.		SCHEDULES / STAFFING / ROSTERS	When No Longer Required - Minimum 2 years		when No Longer Required - Minimum 2 years			Mag, Ppr		Department preference; GC §26202
Sheriff / Admin.		SUGGESTIONS Not Adopted	2 years		2 years			Mag, Ppr		GC §26202

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ADMINISTRATION / PROFESSIONAL STANDARDS AND OPERATIONS (Diane is unclear if this should be Field Ops & Investigations or whatever you want to call this ...)										
Sheriff / Admin. / Prof. Standards & Ops		ACCIDENT INVESTIGATIONS - OTHER THAN FATALITIES	Final Disposition + 5 years		Final Disposition + 5 years	Yes: Before Disposition	Mag, Ppr			GC §26202
Sheriff / Admin. / Prof. Standards & Ops		ACCIDENT INVESTIGATIONS - FATALITIES	Indefinite		Indefinite	Yes: Before Disposition	Mag, Mfr, OD, Ppr	S/M/I	Yes: After 5 years	GC §26202
Sheriff / Admin. / Prof. Standards & Ops		BACKGROUND FILES - SUCCESSFUL APPLICANTS	15 years		15 years		Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Department preference; EEOC/FLSA/ADEA (Age Discrimination) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years; 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 26202; 29 USC 1113
Sheriff / Admin. / Prof. Standards & Ops		BACKGROUND FILES - UNSUCCESSFUL APPLICANTS	3 years		3 years		Mag, Ppr			EEOC/FLSA/ADEA (Age Discrimination) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years; 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 26202; 29 USC 1113

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Sheriff / Admin. / Prof. Standards & Ops		BOMB SQUAD / FTO (Field Training Officer) / JTO (Jail Training Officer) / K9 / SWAT Training Files SEND TO TRAINING AFTER 1 YEAR	Separation + 3 years		Separation + 3 years			Mag, Ppr	Department preference; EEOC/FLSA/ADEA (Age Discrimination) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years; 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 26202; 29 USC 1113
Sheriff / Admin. / Prof. Standards & Ops		COMPLAINTS: FORMAL COMPLAINTS FROM CITIZENS, INTERNALLY-GENERATED COMPLAINTS	Final Disposition + 5 years		Final Disposition + 5 years	Yes: Before Disposition		Mag, Ppr	State requires for at least 5 years; other State & Federal laws require retention until final disposition of formal complaint; State requires 2 years after action is taken; Statute of Limitations is 4 years for misconduct; EVC §1045, GC §§12946, 26202, PC §§801.5, 803(c), 832.5, VC §2547
Sheriff / Admin. / Prof. Standards & Ops		COMPLAINTS: INFORMAL COMPLAINTS FROM CITIZENS	2 years		2 years	Yes: Before Disposition		Mag, Ppr	GC §26202
Sheriff / Admin. / Prof. Standards & Ops		EMPLOYEES OR VOLUNTEERS - INVESTIGATIONS / BACKGROUND FILES - Unsuccessful Applicants	3 years		3 years			Mag, Ppr	EEOC/FLSA/ADEA (Age Discrimination) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years; 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 26202; 29 USC 1113

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Sheriff / Admin. / Prof. Standards & Ops		EMPLOYMENT / PERSONNEL FILE: Employment Verification, Evaluations, Flat Badge, Name and Address Changes, Orders, Performance Appraisals, Lost or Stolen ID, DMV Confidentiality, Waiver to View	Separation + 3 years		Separation + 3 years	Yes: Before Separation	Mag, Mfr, OD, Ppr	S / M / I	Yes: After QC	Department Preference; Statute of limitations for retirement benefits is 6 years from last action; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years; 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 26202; 29 USC 1113
Sheriff / Admin. / Prof. Standards & Ops		INTERNAL AFFAIRS INVESTIGATIONS: Critical Incidents Resulting in Death	P		P		Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	For others, see Internal Affairs; Department Preference; Statewide guidelines propose 25 years; GC §26202
Sheriff / Admin. / Prof. Standards & Ops		INTERNAL AFFAIRS INVESTIGATIONS: Other than Critical Incidents Resulting in Death	Final Disposition + 5 years		Final Disposition + 5 years		Mag, Ppr			Complaints & Findings must be retained for 5 years; all laws require retention until final disposition of formal complaint; Statute of Limitations is 4 years for misconduct; EVC §1045, GC §§12946, 26202, PC §§801.5, 803(c), 832.5, VC §2547

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Sheriff / Admin. / Prof. Standards & Ops		PERSONNEL FILES / K-9 FILES	Separation + 10 years		Separation + 10 years	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Department preference; Claims can be made for 30 years for toxic substance exposure (Risk Management and/or Personnel maintain medical files); EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years; 29 CFR 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 26202
Sheriff / Admin. / Prof. Standards & Ops		PURSUIITS - OTHER THAN FATALITIES	When No Longer Required - Minimum 5 years		When No Longer Required - Minimum 5 years	Yes: Before Disposition	Mag, Ppr			Department preference; GC §26202
Sheriff / Admin. / Prof. Standards & Ops		PURSUIITS - FATALITIES	Indefinite		Indefinite	Yes: Before Disposition	Mag, Ppr			Department preference; GC §26202
Sheriff / Admin. / Prof. Standards & Ops		USE OF FORCE - OTHER THAN FATALITIES	When No Longer Required - Minimum 5 years		When No Longer Required - Minimum 5 years	Yes: Before Disposition	Mag, Ppr			Department preference; GC §26202
Sheriff / Admin. / Prof. Standards & Ops		USE OF FORCE -FATALITIES	Indefinite		Indefinite	Yes: Before Disposition	Mag, Ppr			Department preference; GC §26202

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COURTS, DETENTION, CUSTODY & SECURITY (Includes Maguire Correctional Facility / MCF)									
Sheriff / Courts, Detention, Custody & Security		ANNUAL REPORTS	3 years		3 years		Mag, Ppr		Department preference; GC §26202
Sheriff / Courts, Detention, Custody & Security		CLASSIFICATION FILES / REPORTS	3 years		3 years		Mag, Ppr		Department preference; GC §26202
Sheriff / Courts, Detention, Custody & Security		COMICS (COMMISSARY SYSTEM)	3 years		3 years		Mag, Ppr		Department preference; GC §26202
Sheriff / Courts, Detention, Custody & Security		COUNT SHEETS	3 years		3 years		Mag, Ppr		Department preference; GC §26202
Sheriff / Courts, Detention, Custody & Security		COURT FILES	3 years		3 years		Mag, Ppr		Department preference; GC §26202
Sheriff / Courts, Detention, Custody & Security		COURT SERVICES	3 years		3 years		Mag, Ppr		Department preference; GC §26202

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Sheriff / Courts, Detention, Custody & Security		CRIME REPORTS	Copies - When No Longer Required		Copies - When No Longer Required			Mag, Ppr	Records keeps original reports; GC §26201
Sheriff / Courts, Detention, Custody & Security		DETENTION LOGS	3 years		3 years			Mag, Ppr	Department preference; GC §26202
Sheriff / Courts, Detention, Custody & Security		DISCIPLINARY BOARD HEARING REPORTS	3 years		3 years			Mag, Ppr	Department preference; GC §26202
Sheriff / Courts, Detention, Custody & Security		ERT ACTIVATIONS, TRAINING & INSPECTION FILES	When No Longer Required - Minimum 3 years		When No Longer Required - Minimum 3 years			Mag, Ppr	Department preference; GC §26202
Sheriff / Admin. / Prof. Standards & Ops		FTO (Field Training Officer) / JTO (Jail Training Officer)	Send to Professional Standards & Ops		Send to Professional Standards & Ops			Mag, Ppr	Department preference; EEOC/FLSA/ADEA (Age Discrimination) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years; 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 26202; 29 USC 1113

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Sheriff / Ops / Emergency Services & Courts, Detention, Custody & Security		GANG INTELLIGENCE FILES	5 years		5 years			Mag, Mfr, OD, Ppr	S / I	Yes: After QC	Misleading, obsolete or unreliable information is required to be destroyed; remaining records must not be retained longer than 5 years; 28 CFR 23.20(h)
Grand Jury		GRAND JURY REPORTS & RESPONSES	3 years		3 years			Mag, Ppr			The Grand Jury is required to maintain their records for 5 years; GC §26202
Sheriff / Courts, Detention, Custody & Security		GRIEVANCE FORMS	3 years		3 years			Mag, Ppr			Department preference; GC §26202
Sheriff / Courts, Detention, Custody & Security		IDENTEX (Mug Shot System)	Indefinite		Indefinite			Mag			Data is interrelated (sealing & expungements must be performed according to court orders); GC §26202
Sheriff / Courts, Detention, Custody & Security		IN CUSTODY DEATH - Adults / Emancipated Minors, Juveniles / UNEMANCIPATED Minors	3 years	P	P			Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Department preference; GC §26202
Sheriff / Courts, Detention, Custody & Security		INCIDENT REPORTS	3 years		3 years			Mag, Ppr			Department preference; GC §26202

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Sheriff / Courts, Detention, Custody & Security		INMATE ACTION REPORTS	3 years		3 years		Mag, Ppr		Department preference; GC §26202
Sheriff / Courts, Detention, Custody & Security		INMATE REQUEST FORMS	3 years		3 years		Mag, Ppr		Department preference; GC §26202
Sheriff / Courts, Detention, Custody & Security		INMATE TELEPHONE RECORDINGS	5 years		5 years		Mag, Ppr		Department preference; Considered transitory / preliminary drafts. GC §26202, GC §6252
Sheriff / Courts, Detention, Custody & Security		INMATE TRANSPORTATION	3 years		3 years		Mag, Ppr		Department preference; GC §26202
Sheriff / Courts, Detention, Custody & Security		INMATE WELFARE FUND (IWF)	5 years		5 years		Mag, Ppr		Meets municipal government auditing standards; GC §26202
Sheriff / Courts, Detention, Custody & Security		INSPECTION REPORTS & RESPONSES Fire, health, medical (IMQ), Title 15, 24 CSA, etc.	3 years		3 years		Mag, Ppr		Department preference; GC §26202

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Sheriff / Courts, Detention, Custody & Security		JAIL ADMINISTRATION	3 years		3 years		Mag, Ppr		Department preference; GC §26202
Sheriff / Courts, Detention, Custody & Security		LOGS Visitor, Attorney, AD/SEG 3 West Recreation, etc.	3 years		3 years		Mag, Ppr		Department preference; GC §26202
Sheriff / Courts, Detention, Custody & Security		ORCS (RELEASE ON OWN RECOGNIZANCE)	3 years		3 years		Mag, Ppr		Department preference; GC §26202
Sheriff / Courts, Detention, Custody & Security		PRISONER DEATH - Adults / Emancipated Minors, Juveniles / UNEMANCIPATED Minors	3 years		3 years		Mag, Ppr		Department preference; GC §26202
Sheriff / Courts, Detention, Custody & Security		RED LOG BOOKS (Activity Logs, Security Check Logs)	3 years		3 years		Mag, Ppr		Department preference; GC §26202
Sheriff / Courts, Detention, Custody & Security		SECURITY CAMERA RECORDINGS (VIDEO)	3 years		3 years		Mag		Department preference; Records regular and ongoing operations as well as public activities; GC §§34090.6, 60201 et seq.

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Sheriff / Courts, Detention, Custody & Security		SECURITY SYSTEM ACCESS RECORDS	When No Longer Required		When No Longer Required		Mag		Preliminary drafts / transitory records; GC § 26202 et seq.
Sheriff / Courts, Detention, Custody & Security		WORK PROGRAM	3 years		3 years		Mag, Ppr		Department preference; GC §26202

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MULTI-JURISDICTIONAL SERVICES									
Sheriff / Multi-Jurisdic. Services		ADVISORY BOARD MEETINGS Agendas, Bylaws, Notices, Affidavits of Postings, Proof of Publications, etc.	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr		GC §26202
Sheriff / Multi-Jurisdic. Services		ADVISORY BOARD MEETINGS Minutes and Resolutions	P		P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC Department preference; GC §26202
Sheriff / Multi-Jurisdic. Services		ADVISORY BOARD MEETINGS: Audio Recordings / Tapes of Meetings	30 days or after Minutes are approved (whichever is longer)		30 days or after Minutes are approved (whichever is longer)		Tape (Mag)		County preference; State law only requires for 30 days; GC §54953.5(b)
Sheriff / Multi-Jurisdic. Services		COURT ORDERS / DESTRUCTION ORDERS	3 years		3 years		Mag, Ppr		Department preference; GC §26202
Sheriff / Multi-Jurisdic. Services		GRANT MANAGEMENT	2 years	After Funding Agency Audit, if Required - Minimum 5 years	After Funding Agency Audit, if required - Minimum 5 years		Mag, Ppr		Meets auditing standards; Uniform Admin. Requirements for Grants to Local Governments is 3 years from expenditure report or final payment of grantee or subgrantee; HUD requires 3 years; 21 CFR 1403.36 & 1403.42(b); 24 CFR 85.42, 91.105(h), & 570.502(b), 29 CFR 97.42; GC §26202, 60201

Records Retention Schedule: Sheriff

Office of Record (OFR)	Records Series No.	Title and Description	Retention Period / Disposition						Comments / Reference
			Active (in office)	Inactive (Off-Site)	Total Retention	Vital?	Media Options	Image: S=Scan M=Microforms I=Import	
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Court Orders, litigation, complaints, claims, audits and/or investigations suspend normal retention periods (retention resumes after final action - settlement).</i>									
Sheriff / Multi-Jurisdic. Services		HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) PROGRAM FILES	When No Longer Required - Minimum 5 years		when No Longer Required - Minimum 5 years		Mag, Ppr		Department preference; GC §26202
Sheriff / Multi-Jurisdic. Services		INFORMANT FILES / NARCOTICS FILES	5 years		5 years		Mag, Mfr, OD, Ppr	S / I Yes: After QC	Misleading, obsolete or unreliable information is required to be destroyed; remaining records must not be retained longer than 5 years; 28 CFR 23.20(h)
Sheriff / Multi-Jurisdic. Services		LOGS Case #s, on-call, office visitors, etc.	When No Longer Required - Minimum 5 years		when No Longer Required - Minimum 5 years		Mag, Ppr		Considered transitory / preliminary drafts; GC §26202, GC §6252
Sheriff / Multi-Jurisdic. Services		NARCOTICS TASK FORCE (NTF) PROGRAM FILES	When No Longer Required - Minimum 5 years		when No Longer Required - Minimum 5 years		Mag, Ppr		Department preference; GC §26202
Sheriff / Multi-Jurisdic. Services		OPERATIONAL INSPECTIONS	When No Longer Required - Minimum 5 years		when No Longer Required - Minimum 5 years		Mag, Ppr		GC §26202
Sheriff / Multi-Jurisdic. Services		OPERATIONS PLANS (Removed from Case Files)	When No Longer Required - Minimum 5 years		when No Longer Required - Minimum 5 years		Mag, Ppr		GC §26202

Records Retention Schedule: Sheriff

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Sheriff / Multi-Jurisdic. Services		PRESS RELEASES	2 years		2 years		Mag, Ppr		GC §26202
Sheriff / Multi-Jurisdic. Services		RAPID ENFORCEMENT ALLIED COMPUTER TEAM (REACT) PROGRAM FILES	When No Longer Required - Minimum 5 years		when No Longer Required - Minimum 5 years		Mag, Ppr		Department preference; GC §26202
Sheriff / Multi-Jurisdic. Services		SPECIAL WEAPONS & TACTICS TEAM (SWAT) PROGRAM FILES	When No Longer Required - Minimum 5 years		when No Longer Required - Minimum 5 years		Mag, Ppr		Department preference; GC §26202
Sheriff / Multi-Jurisdic. Services		TIP SHEETS (No action taken)	When No Longer Required		When No Longer Required		Mag, Ppr		Considered transitory / preliminary drafts; GC §26202, GC §6252
Sheriff / Multi-Jurisdic. Services		VEHICLE MAINTENANCE FILES	Sale / Disposal + 5 years		Sale / Disposal + 5 years		Mag, Ppr		Department preference; CHP requires life of vehicle; OSHA requires 1 year; 8 Ca. Code Reg. § 3203(b)(1); CCP §337 et. Seq., GC §26202
Sheriff / Multi-Jurisdic. Services		VEHICLE THEFT TASK FORCE (VTTF) PROGRAM FILES	When No Longer Required - Minimum 5 years		when No Longer Required - Minimum 5 years		Mag, Ppr		Department preference; GC §26202

Records Retention Schedule: Sheriff

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OPERATIONS / EMERGENCY SERVICES / HOMELAND SECURITY										
Sheriff / Ops / Emergency Services		ANNUAL REPORTS	P		P		Mag, Mfr, OD, Ppr	S/I	No	Retained for historical and administrative value; GC §26202
Sheriff / Ops / Emergency Services		EMERGENCY OPERATIONS CENTER ACTIVATIONS OR INCIDENTS	2 years	After Funding Agency Audit, if Required - Minimum 5 years	After Funding Agency Audit, if required - Minimum 5 years		Mag, Ppr			Meets auditing standards; Uniform Admin. Requirements for Grants to Local Governments is 3 years from expenditure report or final payment of grantee or subgrantee; HUD requires 3 years; 21 CFR 1403.36 & 1403.42(b); 24 CFR 85.42, 91.105(h), & 570.502(b), 29 CFR 97.42; GC §26202, 60201
Sheriff / Ops / Emergency Services		EMERGENCY SERVICES COUNCIL Agendas and Agenda Packets	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Mfr, OD, Ppr	S/I	No	Department preference; ESC is a JPA, with Sheriff serving as the Lead Agency; GC §26202, 60201
Sheriff / Ops / Emergency Services		EMERGENCY SERVICES COUNCIL Minutes & Resolutions	P		P		Mag, Mfr, OD, Ppr	S/I	No	ESC is a JPA, with Sheriff serving as the Lead Agency; GC §26202, 60201
Sheriff / Ops / Emergency Services		GRANT MANAGEMENT	2 years	After Funding Agency Audit, if Required - Minimum 5 years	After Funding Agency Audit, if required - Minimum 5 years		Mag, Ppr			Meets auditing standards; Uniform Admin. Requirements for Grants to Local Governments is 3 years from expenditure report or final payment of grantee or subgrantee; HUD requires 3 years; 21 CFR 1403.36 & 1403.42(b); 24 CFR 85.42, 91.105(h), & 570.502(b), 29 CFR 97.42; GC §26202, 60201

Records Retention Schedule: Sheriff

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Sheriff / Ops / Emergency Services		INTELLIGENCE FILES	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC	Misleading, obsolete or unreliable information is required to be destroyed; remaining records must not be retained longer than 5 years; 28 CFR 23.20(h)
Sheriff / Ops / Emergency Services		OES PROGRAM FILES	2 years	After Funding Agency Audit, if Required - Minimum 5 years	After Funding Agency Audit, if required - Minimum 5 years		Mag, Ppr			Meets auditing standards; Uniform Admin. Requirements for Grants to Local Governments is 3 years from expenditure report or final payment of grantee or subgrantee; HUD requires 3 years; 21 CFR 1403.36 & 1403.42(b); 24 CFR 85.42, 91.105(h), & 570.502(b), 29 CFR 97.42; GC §26202, 60201
Sheriff / Ops / Emergency Services		PLANS, PROCEDURES & REFERENCES: County Emergency Plan, Communications, Emergency Operations, Multi-Hazard, Oils Spill Contingency, Schools, etc.	When Superseded Minimum 2 years		When Superseded Minimum 2 years	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After Superseded	GC §26202, 60201
Sheriff / Ops / Emergency Services		VOLUNTEERS & RESERVES: "PERSONNEL FILES" FOR VOLUNTEERS OR UNPAID INTERNS (includes applications/intake interviews, harassment policy acknowledgments, fingerprints, oaths, Juvenile Hall Applications, etc.)	Inactive + 3 years		Inactive + 3 years					Courts may treat volunteers as employees; EEOC/FLSA/ADEA (Age Discrimination) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years; 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 26202; 29 USC 1113

Records Retention Schedule: Sheriff

Office of Record (OFR)	Records Series No.	Title and Description	Retention Period / Disposition						Comments / Reference
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Sheriff / Ops / Emergency Services		VOLUNTEERS & RESERVES: TIMESHEETS FOR VOLUNTEERS OR UNPAID INTERNS	3 years		3 years				See County-Wide for Employee Time-cards; These are not used for any financial purpose; GC §26202

Records Retention Schedule: Sheriff

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OPERATIONS / INVESTIGATIONS									
Sheriff / Ops / Investig.		DETECTIVE INVESTIGATION FILES (Notes and Official Reports)	Transferred into Case Records		Transferred into Case Records	Yes			Transfer all Official Reports to Records to be placed in the Day Files.
Sheriff / Ops / Investig.		FIREARMS DEALERS	5 years		5 years	Yes	Ppr		May include some criminal Intelligence information (Misleading, obsolete or unreliable information is required to be destroyed; remaining records must not be retained longer than 5 years); DOJ manages the sale and transfer of firearms; Non-records (State is OFR); GC §26202, PC §12070 et seq.; 28 CFR 23.20(h);
Sheriff / Ops / Investig.		GANG FILES	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC Misleading, obsolete or unreliable information is required to be destroyed; remaining records must not be retained longer than 5 years; 28 CFR 23.20(h)
Sheriff / Investig.		GUNS: DEALERS RECORD OF SALES	6 years		6 years		Mag, Ppr		PC §12070
Sheriff / Ops / Investig.		INFORMANT FILES / NARCOTICS FILES	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC Misleading, obsolete or unreliable information is required to be destroyed; remaining records must not be retained longer than 5 years; 28 CFR 23.20(h)

Records Retention Schedule: Sheriff

Office of Record (OFR)	Records Series No.	Title and Description	Retention Period / Disposition						Comments / Reference
			Active (in office)	Inactive (Off-Site)	Total Retention	Vital?	Media Options	Image: S=Scan M=Micro-forms I=Import	
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<i>Court Orders, litigation, complaints, claims, audits and/or investigations suspend normal retention periods (retention resumes after final action - settlement).</i>									
OPERATIONS / PATROL / STATIONS									
Superior Court		COURT PETITIONS: Emergency Medical Petitions (HIV testing)	2 years		2 years		Mag, Ppr		Superior Court maintains originals; GC §26201
Sheriff / Ops / Patrol		FIELD INVESTIGATION CARDS (FIs)	3 years		3 years				Department preference to cover accreditation cycles; GC §26202 et seq.
Sheriff / Ops / Patrol		INVESTIGATIONS	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC Misleading, obsolete or unreliable information is required to be destroyed; remaining records must not be retained longer than 5 years; 28 CFR 23.20(h)
Sheriff / Ops / Patrol		NEIGHBORHOOD WATCH PROGRAMS	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr		GC §26202
Sheriff / Ops / Patrol		PATROL REQUESTS	2 years		2 years		Mag, Mfr, OD, Ppr		GC §26202
Sheriff / Ops / Patrol		PAWN SLIPS	2 years		2 years		Ppr		Non-records used for investigations; Originals entered into the State Automated Property System; most agencies retain for 2 years; GC §26202
Sheriff / Ops / Patrol		RECORDINGS: In-Car Video Recordings / Mobile Audio/Video Recordings that are not evidence	3 years		3 years		Mag		Department preference; Recordings that become evidence are stored with evidence - these are preliminary documents / transitory recordings; GC §26202.6(a)

Records Retention Schedule: Sheriff

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<i>Court Orders, litigation, complaints, claims, audits and/or investigations suspend normal retention periods (retention resumes after final action - settlement).</i>									
Sheriff / Ops / Patrol		RIDE-ALONG APPLICATIONS	2 years		2 years		Mag, Ppr		GC §26202
Sheriff / Ops / Patrol		SUBPOENAS	2 years		2 years		Mag, Ppr		GC §26202
Sheriff / Ops / Patrol		WATCH REPORTS	When No Longer Required		When No Longer Required		Mag, Ppr		Preliminary Documents (originals kept in electronic database); GC §26202

Records Retention Schedule: Sheriff

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SUPPORT SERVICES / CRIMINAL RECORDS & DISPATCH										
Sheriff / Support / Criminal Records		CRIME REPORTS: All, Unless otherwise Specified (Felonies and Misdemeanors) - Except those with outstanding stolen property, including firearms, or lost	P		P	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Department Preference to facilitate Three Strikes law and ease of document imaging administration; GC §26202, PC §§802, PC §§187, 800 et seq., W&I §389(a), 781(d)
Sheriff / Support / Criminal Records		RMS DATABASE	Indefinite		Indefinite		Mag			Data is interrelated (sealing & expungements must be performed according to court orders); GC §26202
Sheriff / Support / Criminal Records		CRIME REPORTS: Adult Marijuana Misdemeanor - H&S §11357(b)(c)(d)(e) or H&S §11360(b) (with procedure in H&S §11361.5) - Except those with outstanding stolen property, including firearms, or lost firearms	2 years		2 years	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	("Shall" Destroy); GC §68152(e)(8)
Sheriff / Support / Criminal Records		CRIME REPORTS: Juvenile Marijuana Misdemeanor - H&S §11357(E) - Except those with outstanding stolen property, including firearms, or lost firearms	2 years or Juvenile 18 years old		2 years or Juvenile 18 years old	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	If no subsequent conviction ("Shall" Destroy); H&S §11361.5

Records Retention Schedule: Sheriff

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Sheriff / Support / Criminal Records		CRIME REPORTS: Sealed Juvenile and Ward Cases - Except those with outstanding stolen property, including firearms, or lost firearms	Sealing Date + 5 years (Or Court Order)		Sealing Date + 5 years (or Court Order)	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Statute of Limitations runs up to age of majority + 8 years; sealed records for juveniles and wards of the Court must be destroyed 5 years after sealing date; CCP §§340.1, GC §26202; W&I §§389(a), 781(d)
Sheriff / Support / Criminal Records		CRIME REPORTS: Factually Innocent Petition Accepted Records Sealed Pending Destruction - Except those with outstanding stolen property, including firearms, or lost firearms	Arrest Date + 3 years		Arrest Date + 3 years	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Individual petitions District Attorney; Sheriff concurs that person is factually innocent, then seals record ("Shall" Destroy); GC §26202; PC §851.8(a)
Sheriff / Support / Criminal Records		CRIME REPORTS: Major Crimes / Sex Crimes - Capital Crimes (Crimes Subject to the Death Penalty), Sex Crimes (PC §290), Confirmed Child and Elder Abuse	P		P	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Department Preference; No limitations on commencement of action; Courts keep permanently PC §§ 261, 286, 288, 288a, 288.5, 289, 289.5, 290, and 799
Sheriff / Support / Criminal Records		CRIME STATISTICS: PERIODIC (Monthly, Bi-monthly, etc.)	2 years		2 years		Mag, Ppr			GC §26202
Sheriff / Support / Criminal Records		DAILY LOGS	3 years		3 years		Mag, Ppr			Department Preference; GC §26202

Records Retention Schedule: Sheriff

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Sheriff / Support / Criminal Records		DEPARTMENT OF JUSTICE (DOJ) PURGE NOTIFICATIONS	Copies - When No Longer Needed		Copies - When No Longer Needed			Ppr		Non-records; GC §26202	
Sheriff / Support / Criminal Records		DEPARTMENT OF JUSTICE (DOJ) VALIDATION LISTS	2 years		2 years			Mag, Ppr		Information received by DOJ; GC §26202	
Sheriff / Support / Criminal Records		INMATE BOOKING JACKETS	P		P	Yes		Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Department Preference (original crime reports are maintained in the crime report file); GC §26201
Sheriff / Support / Criminal Records		MEGAN'S LAW (APPLICATIONS TO VIEW DATABASE)	5 years		5 years			Ppr			Department Preference; 5 years is required for information not available on the Internet (pursuant to PC 290.46), and only for requests to view information from members of a "campus community"; PC 290(4)(a); GC §26202
Sheriff / Support / Criminal Records		MUG SHOTS	P		P	Yes		Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Department Preference; GC §26202
Sheriff / Support / Criminal Records		NATIONAL CRIMINAL INFORMATION CENTER (NCIC) REPORTS	When No Longer Needed		When No Longer Needed			Mag, Ppr			Transitory records not retained in the ordinary course of business; § 26202 et seq.

Records Retention Schedule: Sheriff

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Sheriff / Support / Criminal Records		REGISTRANT FILES - ARSON REGISTRANTS: Adults	10 years	P	P	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Department preference; Pursuant to PC §457.1 et seq.; required to register for life; If released from CYA, records are destroyed after age 25 or sealing pursuant to W&I §781; GC §26201
Sheriff / Support / Criminal Records		REGISTRANT FILES - ARSON REGISTRANTS: Juveniles released from California Youth Authority	Age 25 or Sealing Date + 5 years		Age 25 or Sealing Date + 5 years	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Pursuant to PC §457.1 et seq.; If released from CYA, records are destroyed after age 25 or sealing pursuant to W&I §781; GC §26201
Sheriff / Support / Criminal Records		REGISTRANT FILES - NARCOTICS / DRUG	5 years		5 years		Mag, Ppr			Non-records used for investigations; originals retained by DOJ; GC §26202, H&S §11590
Sheriff / Support / Criminal Records		REGISTRANT FILES - SEX OFFENDERS: Discharged or paroled from California Youth Authority	Registrant 25 years or Sealing date + 5 years		Registrant 25 years or Sealing date + 5 years	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	PC §290(d)(5), W&I §781
Sheriff / Support / Criminal Records		REGISTRANT FILES - SEX OFFENDERS: Not discharged or paroled from California Youth Authority	P		P	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	PC §290 et seq.
Sheriff / Support / Criminal Records		RESTRAINING ORDERS / ORDER AFTER HEARING	Expiration or Termination + 3 years		Expiration or Termination + 3 years	Yes: Until Expired	M / S / I	Mag, OD, Ppr	Yes: After QC	Department preference; GC §26201
Sheriff / Support / Criminal Records		ROSTER OF CRIMINAL OFFENDER RECORD INFORMATION REQUESTS	3 years		3 years		Mag, Ppr			Department Preference; Attorney General determined 3 years; PC §11078; CCR 707(c)

Records Retention Schedule: Sheriff

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Sheriff / Support / Criminal Records		SEARCH & SEIZURE ORDERS	Expiration or Termination + 3 years		Expiration or Termination + 3 years	Yes: Until Expired	M / S / I	Mag, OD, Ppr	Yes: After QC	Department preference; GC §26201
Sheriff / Support / Criminal Records		UNIFORM CRIME REPORTS (UCR) MONTHLY REPORTS	2 years		2 years		Mag, Ppr			Drafts used to write annual report; GC §26202
Sheriff / Support / Criminal Records		VENDOR PERMITS / REGULATED LICENSES Fees for DOJ, etc.	Expiration of License + 2 years		Expiration of License + 2 years		M / S / I	Mag, OD, Ppr	Yes: After QC	GC §26202
Sheriff / Support / Criminal Records		VENDOR PERMITS / REGULATED LICENSES (backgrounds for massage therapists, etc.)	Expiration of License + 2 years		Expiration of License + 2 years		M / S / I	Mag, OD, Ppr	Yes: After QC	GC §26202
Superior Court		WARRANTS	Served or Recalled + 3 years		Served or Recalled + 3 years	Yes	M / S / I	Mag, OD, Ppr	Yes: After QC	Department preference; GC §26201

Records Retention Schedule: Sheriff

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SUPPORT SERVICES / FISCAL SERVICES										
Sheriff / Support / Fiscal		ACCOUNTS PAYABLE / CLAIMS FOR PAYMENT / INVOICES / ACCOUNTS PAYABLE / PAYMENT VOUCHERS / REQUESTS FOR WARRANTS	2 years	3 years	5 years	Yes: Until Paid	Mag, Mfr, OD, Ppr	S/M/I	Yes: When Inactive	Warrants are required for 5 years; Consistent with County Accounting Committee recommendations; Calif. Dept of Fairs requires 2 years; Published articles show 3 - 7 years; (Interfacing Agencies such as Child Support and Health & Human Services maintain their own); GC §§26202, 25501.5, 26907
Sheriff / Support / Fiscal		ACCOUNTS RECEIVABLE / BILLING	2 years	3 years	5 years		Mag, Ppr			Originating department maintains receipt with all backup information for 2 years to maintain an audit trail; Auditor is required to maintain for 5 years; Published articles show 3 - 6 years; GC §§26202, 24356

Records Retention Schedule: Sheriff

Office of Record (OFR)	Records Series No.	Title and Description	Retention Period / Disposition						Comments / Reference
			Active (in office)	Inactive (Off-Site)	Total Retention	Vital?	Media Options	Image: S=Scan M=Micro-forms I=Import	
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Court Orders, litigation, complaints, claims, audits and/or investigations suspend normal retention periods (retention resumes after final action - settlement).</i>									
SUPPORT SERVICES / PROPERTY & EVIDENCE									
Sheriff / Support / Property & Evidence		LOST & FOUND ITEMS (Disposed)	2 years		2 years		Mag, Ppr		GC §26202
Sheriff / Support / Property & Evidence		PROPERTY / EVIDENCE SHEETS	P		P	Yes	Mag, Ppr		Department Preference; GC §26202
Sheriff / Support / Property & Evidence		PROPERTY DISPOSITIONS	2 years		2 years		Mag, Ppr		GC §26202

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SUPPORT SERVICES / TECHNICAL SERVICES (CRIME LAB)									
Sheriff / Support / Technical Services (Crime Lab)		EQUIPMENT MAINTENANCE HISTORY	Life of Equipment	P	P		Mag, Ppr		Department Preference to cover the statute of limitations for capital crimes; GC §26202
Sheriff / Support / Technical Services (Crime Lab)		FINGERPRINTS & PALM PRINTS (Legacy / Not in LiveScan)	P		P		Ppr		Department Preference; GC §26202
Sheriff / Support / Technical Services (Crime Lab)		LAB TESTS AND RESULTS (Reports & notes)	P		P	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC Department Preference; CCP §340(4); GC §26202
Sheriff / Support / Technical Services (Crime Lab)		TECHNICAL RECORDS / ROUTINE MAINTENANCE RECORDS Relating to Blood & Urine Samples, Instruments, etc. (23152's)	2 years	5 years	7 years		Mag, Ppr		Department Preference; GC §26202

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			Active (in office)	Inactive (Off-Site)	Total Retention	Vital?	Media Options	Image: S=Scan M=Micro-forms I=Import		Destroy Paper after Imaged & QC'd
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Court Orders, litigation, complaints, claims, audits and/or investigations suspend normal retention periods (retention resumes after final action - settlement).</i>										
SUPPORT SERVICES / TRAINING										
Sheriff / Support / Training		TRAINING RECORDS (ALL)	Separation + 10 years		Separation + 10 years	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Department preference; Claims can be made for 30 years for toxic substance exposure (Risk Management and/or Personnel maintain medical files); EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years; 29 CFR 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 26202