

SCHEDULE NO. 100

PUBLIC SAFETY RECORDS

General Description: Records relating to the emergency, enforcement and protective service functions.

*No record may be destroyed under this Retention Schedule if it is pertinent to any current, pending or anticipated investigation, audit or legal proceeding. **The minimum retention periods specified in this schedule apply to the information contained within the record copy, regardless of the physical format of the record copy (paper, microfilm, electronic).** Each municipality must decide on the physical format for each type of record, ensuring authenticity, readability and accessibility for the entire retention period. **Duplicate Copies:** Retain duplicated copies until no longer needed but not longer than the record copy. <Amended 5/14>*

100.010 AMBULANCE LICENSING AND OPERATION RECORDS

Records relating to the licensing and operations of municipal ambulance services.

A. Ambulance Licensing Records

Records relating to county licensing and level of service certification of ambulance vehicles and operations.

Retention: 2 years after license or certification expires

B. Ambulance Run and Patient Records

Call sheets, logs, patient treatment and transport records or other records of ambulance runs.

Retention: 5 years

100.020 ANIMAL CONTROL

Records relating to the impoundment, care and disposition of stray animals.

Retention: 2 years

100.030 DISPATCH RECORDS

A. 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 9-1-1 calls and fire, rescue or ambulance dispatch calls.

Retention: 90 days

B. Emergency 9-1-1 System

Records relating to emergency 9-1-1 and reverse 9-1-1 system management.

Retention: 2 years after system is superseded

100.040 EMERGENCY PLANNING AND RESPONSE

A. *Emergency Operations and Management Plans*

Records relating to disaster, emergency and civil defense planning and implementation and testing of disaster warning systems. Includes emergency operations plans, incident response plans, and disaster management, response and recovery plans.

Retention: Until superseded <Amended 5/14>

B. *Incident Records – Major Disasters and Emergencies*

Documentation of the extent and impacts of major natural or manmade disasters and emergency incidents and actions taken in response to such incidents; includes logs, diaries, damage assessment and response reports, situation and resource allocation reports, incident plans, resource ordering and tracking, financial documentation, photographs, and similar incident-related documentation. A *major disaster or emergency incident* is defined as one that may have historical significance and/or a federal or state disaster declaration; i.e., the 2008 Windsor tornado, the Granby armored bulldozer incident.

Retention: Permanent

100.050 FIRE AND RESCUE RECORDS

Records pertaining to fire suppression and prevention and emergency rescue functions.

A. *Administrative Records*

Applications for modification, alternative methods or materials and the final decision of the fire code official.

Retention: Permanent [IFC §104.6.4]

B. *Apparatus Inspection Records*

Records of checks of vehicles, mechanical systems and equipment such as breathing apparatus.

1. *Daily or Weekly Inspections*

Retention: 1 year

2. *Monthly Inspections*

Retention: 3 years

C. *Approval Records*

Records of approvals by the fire code official of certificates of occupancy, alarm systems, smoke and fire detection systems, and other matters regulated by the fire code.

Retention: Not less than 5 years or for as long as structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations [IFC §104.6.1]

D. *Construction Documents*

Construction documents reviewed by the fire code official.

Retention: Until final approval of work [IFC §105.4.6]

E. Fire Hydrant Records

Documentation of locations, specifications, maintenance, testing and repair of fire hydrants.

Retention: 1 year after hydrant is replaced or removed from service

F. Fire Records

Records of fires within the jurisdiction, facts concerning the fires, statistics as to the extent of such fires and the damage they caused and other information required by the fire code official.

Retention: Not less than 5 years or for as long as structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations [IFC §104.6.3]

G. Incident Call or Run Sheets

Retention: 5 years

H. Incident Case Files

Records pertaining to incidents and follow-up investigations, including incident reports, supplemental reports, photographs or video recordings, diagrams, copies of police or insurance reports, etc. [General Reference: IFC §104.10]

1. Arson With Fatality

Retention: Permanent

2. Arson Without Fatalities

Retention: 10 years

3. Misdemeanor

Retention: 3 years

I. Inspection Records

Records of each inspection made, notices and orders issued and findings and disposition of each inspection; may include building plans or system specifications.

Retention: Not less than 5 years or for as long as structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations [8 CCR 1507-11 5.4.1, IFC §104.6.2]

J. Intelligence Files (Arson)

Records containing information regarding individuals and groups potentially linked to arson investigations.

Retention: No longer than 5 years after obsolete or no longer relevant [28 CFR 23.20(h)]

K. Requests for Service

Retention: 3 years

100.060 HAZARDOUS MATERIALS ENFORCEMENT RECORDS

Records relating to hazardous materials regulation, prevention, safety and incident response and investigation.

A. Incident Case Files

Records of hazardous materials incidents and investigations, including incident reports, copies of fire and rescue reports, narratives, memos, etc.

1. Criminal Hazardous Materials Incidents

Retention: Permanent

2. Noncriminal Hazardous Materials Incidents

Retention: 2 years after costs are recovered

B. S.A.R.A. Tier II Reports – Fire Department's Copies

S.A.R.A. Title III (EPCRA) Tier II emergency and hazardous chemical inventory forms submitted annually, or within 90 days of exceeding the EPCRA threshold, to the fire department by facilities that use or store chemicals requiring a material safety data sheet.

Retention: 2 years

100.070 IMMIGRATION STATUS REPORTING RECORDS

A. 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 References: SB 06-090; CRS 29-29-103]

Retention: 3 years after last contact

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

Reports relating to verifications of U.S. citizenship status of applicants for local licenses, credentials, rebates, employment and/or benefits. Note: Reports to the federal government are filed electronically as part of the SAVE verification process, and some municipalities may retain reference copies.

Retention: 3 years

100.080 POLICE RECORDS [General Reference: CRS 24-72-304]

A. Arrest Records

Records pertaining to arrests, including cards, numerical files and register books; may include mug shots and fingerprints. <Amended 5/14>

1. Adult Offender Arrest Records

a. Felony Arrests (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. [Reference CRS 16-5-401] <Amended 5/14>

Retention: Permanent

b. Felony Arrests (Other)

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

Retention: 10 years

c. Misdemeanor Arrests

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

Retention: 3 years

d. Sexual Assault Arrest Records (excluding sexual assault on a child) <Amended 5/14>

Retention: 99 years

2. Arrest and Booking Logs

Retention: 5 years

3. Expungement Records – Arrests

Records of sealing or expungement of arrest records, retained with the expunged record.

Retention: Until sealed record is destroyed pursuant to this Retention Schedule

4. Juvenile Offender Arrest Records [General Reference: CRS 19-1-304]

Retention: Until 19 years old

5. Traffic Accident Arrest Records <Amended 5/14>

a. Fatal Traffic Accidents

Retention: 10 years

b. Non-Fatality Traffic Accidents

Retention: 3 years

B. 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 police department.

1. Death Case Records – Noncriminal

Retention: 10 years

2. Felony Case Records (Major Felonies and Violent Crimes)

Cases such as arson with fatalities, forgery, unrecovered firearms, homicides, kidnapping, deaths, sexual assault on a child and officers killed. [Reference: CRS 16-5-401] **<Amended 5/14>**

Retention: Permanent

3. Felony Case Records (Other)

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

Retention: 10 years [CRS 16-5-401]

4. Misdemeanor Case Records

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

Retention: 3 years

5. Missing Person Records Including Runaways **<Added 5/14>**

Retention: Until located

6. Sex Offender Case Records **<Amended 5/14>**

Includes case files related to sex offenders.

Retention: Permanent

7. Sexual Assault Case Records (Excluding Sexual Assault on a Child) **<Amended 5/14>**

Case files related to the investigation of a sex assault crime

Retention: 99 years

8. Traffic Accident Case Records **<Amended 5/14>**

a. Fatal Traffic Accidents

Retention: 10 years

b. Non-Fatality Traffic Accidents

Retention: 3 years

C. Community Relations Records

Records of outreach and public relations efforts, including routine requests for police department contact, follow-up, services, etc., not involving a police report; neighborhood mediation; police presentations; and similar community outreach efforts.

Retention: 2 years after completion

D. Crime Lab Records

1. Crime Lab Reports and Supporting Documentation

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 police case file

2. Logs – Crime Lab

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

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

E. 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 police department 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.

1. Chemical Blood Testing Reports

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

Retention: Life of related case file or life of defendant, whichever is later [CRS 18-1-1101, et seq.]

2. Evidence and Property Audit Records

Audit reports detailing the authorized destruction or disposal of property and evidence associated with police 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

3. Handling and Storage of Evidence Records**a. Case-Specific Evidence Logs**

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 [CRS 18-1-1101, et seq.]

b. Evidence Logs Documenting Multiple Cases

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

Retention: 7 years

4. 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 lie detector test equipment.

Retention: Permanent

F. False Alarm Records

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

Retention: 2 years

G. Field Contact Records

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

Retention: 3 years

1. Recorded Interviews – Field Contacts

Recorded interviews conducted during field contacts in which no incident report is filed.

Retention: 90 days if transcribed, or life of case file if not transcribed

H. General Orders

Directives or standard operating procedures issued by the police chief governing the overall operation and administration of the police department.

Retention: Permanent

I. Intelligence Files (Police) <Amended 5/14>

1. Intelligence Files

Records containing information regarding individuals and groups.

Retention: No longer than 5 years after obsolete or no longer relevant [28 CFR 23.20(h)]

2. 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

J. Internal Affairs Investigations and Police Action Reviews

Records pertaining to internal investigations regarding police conduct or actions (i.e., reviews of use of force, pursuits, officer-involved traffic accidents, etc.), board of inquiry or internal affairs administrative inquiries and proceedings, and any subsequent disciplinary actions. <Amended 5/14>

1. Unsubstantiated <Added 5/14>

Retention: 5 years

2. Substantiated <Added 5/14>

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: See Employee Records (CMRRS 90.070)

K. 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 for data, *except* that "hits" are retained for life of related case file

L. Logs – Routine

Listings tracking specific routine daily activities, such as alarm check logs, logs of court subpoenas served, logs of crimes in specific areas, criminal history check log sheets retained for National Crime Information Center (NCIC) audits, dispatch logs, DUI logs, home check logs, offense logs, traffic accident logs, welfare check logs, etc.

Retention: 2 years

M. National Crime Information Center/Colorado Crime Information Center (NCIC/CCIC) Teletypes

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

Retention: 30 days

N. Parole Card File

Retention: Until no longer needed

O. Prisoner Transport Records

Retention: 2 years

P. Registered Sex Offenders [General Reference: CRS 18-3-412.5]

1. 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

2. 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

3. Sexually Violent Predators – Public Notifications

Notices given to the public regarding sexually violent predators in the community. [General references: CRS 16-22-108 and CRS 18-3-414.5]

Retention: Permanent

Q. Requests for Release of Information

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

Retention: 2 years after request is answered <Amended 5/14>

R. Ride-Along Program Records

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

Retention: 3 years

S. 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

T. Statistical Files

Card or other indexes for statistical reporting of data by class of crime and other statistical information.

Retention: 5 years

U. Summonses and Complaints

Duplicate copy of summonses and complaints.

Retention: 2 years

V. Training Records

Records documenting training for police personnel, including K-9 training records, firearms range scores, test scores and monthly training reports.

Retention: 5 years after employee's termination

W. Uniform Crime Report

National Incident Based Reporting System (NIBRS) annual uniform crime report.

Retention: Permanent

X. 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

Y. Victim Assistance and Counseling Records

Case records, including contact sheets, relating to victim assistance and advocacy.

Retention: 2 years after completion of assistance

Z. Video and Audio Recordings – Secured Police Facilities

Video and audio recordings made in secured areas of jails, holding areas, booking areas or lock-ups.

Retention: To be determined administratively by law enforcement agency, provided that any pertinent recordings are retained until final resolution of any related potential or pending claim or litigation

AA. Video Recordings – Vehicle and Officer Recording Systems

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

Retention: 30 days, *except* that portions of recordings relating to specific cases may be captured separately and retained as part of case record for life of case record

BB. Weapons and Firearms Records

1. Authorizations to Carry

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

Retention: 2 years after weapon is no longer in use

2. Weapons Maintenance Records

Records relating to in-house and external maintenance work on weapons.

Retention: 3 years

Cross References

- Agreements and contracts – 40.030, Agreements and Contracts
- Ambulance districts – 40.320, Special District Records
- Billing records – 30.020, Accounts Receivable (A/R) Records
- Code enforcement records – 100.080.B.4, Misdemeanor Case Records
- Collective bargaining records – 90.050, Collective Bargaining Records
- Concealed weapons permits – 75.020.F, Permits Issued by the Municipality in General
- Correspondence and general documentation – 40.100, Correspondence and General Documentation
- Equipment calibration, maintenance and testing – 35.010, Equipment Records in General
- Fire Code – 40.070.A, Codes Adopted by Reference
- Fire Code Board of Appeals – 05.040, Building Review Board Case Files
- Fire insurance rate maps – 40.180, Maps, Drawings and Supporting Documentation
- Hazardous waste – 25.020, Hazardous Waste Storage and Transport Records
- Licenses and permits – Schedule 75, Licenses and Permits
- Material safety data sheets – 25.030, Material Safety Data Sheets (MSDS)
- Policies and procedures – 40.220, Policies and Procedures Documentation
- Reports – 40.290, Reports
- Rules, regulations and standards – 40.310, Rules, Regulations and Standards
- S.A.R.A. Tier II reports submitted to CHPDE and Fire Department – 25.040, S.A.R.A. Tier II Reports – Submitting Facility's Copy
- Security records – 105.020, Security Records – Municipal Facilities
- Toxic sites – 25.060, Toxic Sites
- Traffic Code – 40.070.A, Codes Adopted by Reference
- Training and certification records – 90.070, Employee Records – Active and Terminated
- Vehicles and equipment – Schedule 35, Fleet and Equipment Records
- Warning systems – 35.010, Equipment Records in General