
	LOWER MERION TOWNSHIP POLICE DEPARTMENT Ardmore, Pennsylvania	
	Policy 3.17.2	
Subject:		Distribution:
Records Retention		All Personnel
Date of Issue:	Expiration Date:	Rescinds:
06-01-2014	Until Amended or Rescinded	General Order: 05-18
References:		
CALEA: N/A; PLEAC: N/A		
By Authority of:		
		Superintendent of Police

PURPOSE

The Municipal Records Act of January 18, 1968 designates the Pennsylvania Historical and Museum Commission as the agency responsible for administering the program of Local Government Records. Under the Act, the Commission has established schedules for maintaining permanent records, to be held indefinitely, and for non-permanent records, to be disposed of after a finite period of time.

POLICY

It shall be the policy of this Department to, at a minimum, abide by the schedule established by the Pennsylvania Historical and Museum Commission regarding the retention of records, the transfer of records from one form to another, and the destruction of records. It is the responsibility of the Auxiliary Services Unit Commander, as the designated Records Custodian, to ensure that this policy is complied with and that Department records are maintained according to the Commission's standards.

PROCEDURES

A. General

1. Records retention schedules apply to information in all forms and formats. Whether information is stored on paper, electronically or on microfilm has no bearing on its retention status or other regulations related to its access or distribution.
2. Electronic reports in the ALERT system will be retained for an indefinite period of time beyond the requirements of the Municipal Records Act. All Unit Commanders are responsible to abide by the records retention schedule, safeguarding specific records in compliance with the Municipal Records Act.

3. On a semiannual basis, the Records Custodian shall require Unit Commanders to forward to the Records Custodian a list of all documents under their control that may legally be disposed of. The Records Custodian shall review, organize and submit a comprehensive list of all police department documents meeting the criteria for destruction to the Board of Commissioners for consideration and approval for disposal.

B. Auxiliary Services Unit

1. Traffic Citations - retain 5 years if not part of criminal history case file.
2. Non-Traffic Citations - retain 5 years if not part of criminal case file.
3. Traffic Violation/Faulty Equipment Notices - retain 2 years.
4. Initial Complaints and Incident Reports - retain 3 years if not part of criminal case file.
5. Daily Bulletins/Logs - retain 1 year.
6. Initial Complaints and Incident Reports – retain 3 years if not part of criminal case file.
7. Criminal History/Investigative Case Files (including, but not limited to arrest and detention records, citations and complaints, crime analysis records, evidence records, field notes, hospital and medical records, offense reports, probation and parole records, press releases, search warrants, subpoenas, fingerprint cards, photographs and vehicular reports):
 - a. Homicides/Suspicious Deaths/Missing Persons – retain 75 years.
 - b. Summary Cases – retain 5 years after close of investigation.
 - c. All Other Cases – retain 20 years after close of investigation.
8. PA Uniform Crime Reporting Worksheets and Printouts – retain 2 years.
9. Permits and Related Applications – retain 3 years after expiration.
10. Property Records (evidence/found/recovered) – retain 6 years after property is no longer in custody of the police department if record is not part of criminal case file.
11. Temporary Detention Records.
 - a. Detention Reports – retain 3 years if not part of the criminal case file.

b. Inspection Reports (from the PA Department of Corrections) – retain 4 years.

12. Mobile Video Recorder Tapes – retain 30 days.

C. Communication Center

1. Vacation/Vacant House Check Records – retain 30 days after re-occupancy.
2. Police Audio Recordings - retain 30 days.

D. Investigations Unit

1. All investigators are responsible for forwarding any hard copy documents not retained in the ALERT system to the Records Unit for electronic scanning and/or to the Identification Officer for entering as evidence at the conclusion of the investigation.
2. Court Orders – retain same length of time as the case file. If no case file is found, retain - 2 years.

E. Staff And Inspections Unit

1. Internal Affairs Case Files - retain 3 years after termination of employment.
2. Job Announcements and Descriptions - retain 2 years after hire.
3. Application for Employment (Not Hired) - retain 2 years.
4. Union Grievances - retain 3 years after resolution.
5. Civil Service Commission Records:
 - a. Appeals/Removal Files - retain 5 years after expiration of all appeal periods.
 - b. Eligibility Lists - retain 5 years after expiration.
 - c. Examination Records and Answer Sheets - retain 5 years.
 - d. Recommendation of Applicants for Appointments - retain 5 years.
6. Employee Personnel Records
 - a. Employee Separation with Benefits - retain 50 years.
 - b. Employee Separation at Conclusion of Benefits - retain 3 years.
 - c. Employee Separation without Benefits - retain 5 years.

7. Attendance Records - retain 3 years.
8. Daily Activity Records (includes assignment sheets, officer activity reports, patrol logs, sign-in logs, and work schedules) – retain 3 years.
9. Community Relations Files (includes information relating to business and home security surveys, crime prevention, educational programs, neighborhood crime watch, and public safety) – retain 1 year.
10. Firearms/Ammunition Records and Inventories (Departmental) – retain 2 years after superseded or obsolete.
11. K-9 Corps Records – retain veterinary and training records 2 years after retirement or death of dog.
12. Video/Audio Tapes
13. Training Documentation – retain 2 years.
14. Comprehensive Emergency Management Plan - retain 3 years after superseded.
15. Waiver for Riding in Police Vehicles – retain 2 years.

F. Traffic Safety Unit

1. Calibration Records (includes chemical analysis, intoxilizer, vehicle speedometer, ENRAD, ROBIC, ESP and any other speed measuring devices) – retain 5 years after expiration of certification.
2. Motor Vehicle Records
 - a. Crash Records – retain 5 years after close of investigation if not part of criminal case file.
 - b. Abandoned Vehicle or Impounded Vehicle Records – retain 2 years.
3. Towing Records
 - a. All Towing Service Records – retain for a period of 5 years.

G. Court Ordered Expungements

1. Destroy immediately after completion of the expungement. See Policy 3.17.3 for expungement procedures.

H. Retaining Records For Alternate Periods

1. Records involved in litigation must be retained until final disposition of the case, even if the minimum retention period has been met.
2. Records subject to audit must be retained until all necessary audits have been completed and all issues resolved, even if the minimum retention periods have been met.
3. Records may be retained longer than specified in this policy if mandated by State or Federal statute, Township regulations, or any relevant court decree.

I. Retaining Records In Alternate Forms

1. Records may be photographed, electronically scanned, or retained in any other manner as approved by the Act.
2. The Records Custodian shall file the appropriate petition with the Commission to insure that any alternate forms used meet the requirements and standards of the Commission prior to any such transfers occurring.

J. Procedure For Destroying Records

1. No one other than the Records Custodian shall initiate any direct action towards the destruction of any police department records.
2. The Records Custodian shall identify the records to be destroyed and must have the approval of the Township Board of Commissioners, through a resolution, prior to those records being destroyed.
3. No original records shall be destroyed prior to their retention expiration, unless those records have been transferred into an alternate form accepted and approved by the Commission.
4. If original records are to be destroyed that have been transferred to alternate forms, but have not reached their retention expiration, the Records Custodian must have the approval of the Commission prior to the destruction of those original records.
5. The Records Custodian must have the approval of the Commission prior to destroying any records created before 1910.

K. Standard Of Acceptance For Any Record In Alternate Forms

1. Any record that has been transferred into an alternate form shall be receivable into evidence in any court, and shall have the same force and effect of the

original record, so long as the alternate form has been approved by the Commission.

RESPONSIBILITY

It is the responsibility of all supervisory personnel to ensure that all personnel under their immediate supervision comply with this policy.