



CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL

AGENDA ITEM

Report: Destruction of Certain Police Department Records, Documents, and Papers.

- 1) Resolution to Authorize Destruction of Certain Police Department Records, Documents, and Papers

COUNCIL ACTION

Item Type: Consent Calendar

Approved for November 16, 2021 **calendar**

EXECUTIVE SUMMARY

This report outlines the resolution requesting authorization for destruction of certain police records. There is no additional fiscal impact to the Police Department's budget.

COUNCIL PRIORITIES

Informed and Engaged Community: Provides transparency regarding the police records retention.

Exceptional Customer Service: The routine destruction of records is consistent with state law as the records no longer need to be retained. Having less records to go through means we are performing our duties more efficiently and are able to provide better customer service.

RECOMMENDATION

That the City Council adopt a resolution authorizing the destruction of records, as allowed by State law, as specified in the resolution. This routine purging of records is consistent with State law and the Police Department's records destruction policy.

BACKGROUND

Annually, the Police Department routinely requests authorization to destroy certain police records. Pursuant to Government Code Sections 34090 and 34090.6, certain records may be destroyed after specified periods of time. In some situations, the Police Department retains certain records for a longer time, as indicated on the resolution.

ANALYSIS

The records the Police Department seeks authorization to destroy do not relate to cases involving:

- Outstanding warrants;
- Penal Code Section 290 (sex registrants);
- Penal Code Section 457.1 (arson registrants);
- Criminal death cases;
- Violations listed in Penal Code Section 799 (offenses punishable by death or by imprisonment in the state prison for life or for life without the possibility of parole, or for the embezzlement of public money) or Penal Code Section 800 (offenses punishable by imprisonment for eight years or more);
- Penal Code Section 11167.5 (Child Abuse and Neglect Reporting Act);
- Missing persons who are not found;
- Pending civil or criminal litigation; or
- Serialized firearms that have been entered into the NCIC (National Crime Information Center) database.

The following records (documents, instruments, etc.) are no longer required to be maintained and may be destroyed:

CATEGORY	DESCRIPTION OF RECORDS	PURGE CRITERIA	RETENTION PERIOD
AUDIO/VIDEO	Digital audio recordings	Older than 777 days from date of occurrence.	2+ years
	Automated License Plate Readers recordings	Older than 777 days from date of occurrence	2+ years
	Mobile Audio Video System recordings	Older than 777 days from date of occurrence	2+ years
	Telephone and radio communication recordings	Older than 777 days from date of occurrence	2+ years
AUDIO/VIDEO (continued)	Routine video monitoring recordings	Older than 777 days from date of occurrence	2+ years
PERSONNEL	Closed Administrative investigations that contain formal dispositions retained for at least five years in accordance with Penal Code section 832.5	Closed prior to January 1, 2016	Closed + 5 years

CATEGORY	DESCRIPTION OF RECORDS	PURGE CRITERIA	RETENTION PERIOD
	Pre-employment background investigation files where those applicants were not hired	Closed prior to January 1, 2019	Closed + 2 years
	Personnel files of employees who separated employment with the City	Separated prior to January 1, 2018	Closed + 3 years
	Administrative files referencing <i>Pitchess</i> Motions	Closed prior to January 1, 2018	Closed + 3 years
PHOTOGRAPHS	Photographs, in hardcopy or digital format	Dated prior to January 1, 2014	7+ years
RECORDS	Crime and arrest reports	Dated prior to January 1, 2014	7+ years
	Miscellaneous non-criminal reports	Dated prior to January 1, 2014	7+ years
	Records of statistical reports	Dated prior to January 1, 2014	7+ years
	Jail logs	Dated prior to January 1, 2014	7+ years
	Special events permits	Dated prior to January 1, 2016	5+ years
	Traffic citations	Dated prior to January 1, 2018	3+ years
	Parking citations	Dated prior to January 1, 2018	3+ years
	Bail receipts and records	Dated prior to January 1, 2019	2+ years
	Dealers' reports of gun sales	Dated prior to January 1, 2019	2+ years
	Subpoenas	Dated prior to January 1, 2019	2+ years
	Subpoenas not associated with a police report	Dated prior to January 1, 2019	2+ years
	Informal discovery requests	Dated prior to January 1, 2019	2+ years
	Pawn slips	Dated prior to January 1, 2019	2+ years
	Treasurer's receipt records	Dated prior to January 1, 2019	2+ years
	Miscellaneous correspondence	Dated prior to January 1, 2019	2+ years
	Vacation check requests	Dated prior to January 1, 2019	2+ years

The attached resolution is proposed and approved annually in order to keep the purging of Glendale Police Department records current. The resolution is fully compliant with the State of California Government Code Sections 34090 and 34090.6.

Approval of this resolution is important to lessen the massive storage problem that retention creates and is consistent with proper records management practices. The Police Department has limited space for records retention and storing off-site is expensive and replete with security issues.

STAKEHOLDERS/OUTREACH

Not applicable.

FISCAL IMPACT

There is no fiscal impact associated with this report.

ENVIRONMENTAL REVIEW

There is no possibility that the destruction of paper records and audio and video recordings may have a significant effect on the environment. (14 Cal. Code Regs. § 15061(b)(3)).

CAMPAIGN DISCLOSURE

Not applicable.

ALTERNATIVES

Alternative 1: Adopt the resolution authorizing the destruction of records as proposed by staff.

Alternative 2: Deny the requested authorization to destroy records.

Alternative 3: Consider any other alternative not proposed by staff.

ADMINISTRATIVE ACTION

Submitted by:

Carl Povilaitis, Chief of Police

Prepared by:

Tracey McCollum, Police Records Administrator

Tim Oswandel, Police Lieutenant

Sean Riley, Police Lieutenant

Sheryl Davis-Moore, Civilian Division Commander

Reviewed by:

Michael J. Garcia, City Attorney
Michele Flynn, Director of Finance

Approved by:

Roubik R. Golanian, City Manager

EXHIBITS / ATTACHMENTS

None.