



POLICY & PROCEDURE

HOLMEN POLICE DEPARTMENT

SUBJECT:	RETENTION OF RECORDS	NUMBER:	11.6
		ISSUED:	10/31/2016
SCOPE:	All Department Personnel	REVIEWED :	02/06/2017
DISTRIBUTION:	Policy & Procedure Manual	<input type="checkbox"/> RESCINDS	
		<input type="checkbox"/> AMENDS	
REFERENCE:	WI §19.21	WILEAG 4 TH EDITION STANDARDS: N/A	

INDEX AS: Records Retention

PURPOSE: The purpose of this Policy & Procedure is to establish a retention schedule, as well as destruction procedures, for Holmen Police Department records.

This Policy & Procedure consists of the following numbered sections:

- I. POLICY
- II. DEFINITIONS
- III. PROCEDURE

I. POLICY

It is the policy of the Holmen Police Department that official records shall be retained in accordance with provisions established by Village Ordinance and Wisconsin State Statutes.

II. DEFINITIONS

HOLD: A status ensuring a record may not be destroyed even though the record retention period has concluded.

INDEFINITE: A term used in records retention schedules to indicate the retention period for certain records cannot be determined and these records must be reviewed periodically to determine whether they can be destroyed.

RECORD: Has the meaning specified in s. 19.32(2).

III. PROCEDURE

A. Management of the Records Retention Program.

1. The policed chief shall be responsible for the retention and disposal of records.

B. Legal Considerations

1. WI §19.21(4)(a) requires that prior to the destruction of obsolete public records, a minimum of a 60 day notice of such destruction shall be given, in writing, to the Wisconsin State Historical Society. The Historical Society may in some instances waive the required statutory notification.
2. WI §19.21(4)(b) requires the preservation of public records for 7 years, unless a shorter period has been set by statute or by the State Public Records Board.
3. Any public record may be kept and preserved by the use of microfilm or other reproductive device. Any microfilm reproduction of an original record, or a copy generated from an original record stored in optical disk or electronic format, is deemed an original public record if it meets the applicable standards of WI §16.61(7). Once reproduced by photographic reproduction, the original document may be destroyed or otherwise disposed of.

C. Records Retention Schedule

1. Department records will be retained in accordance with the Village of Holmen Municipal Code Chapter 140 and Wisconsin State Statutes.

D. Exceptions to Retention Schedule

1. Any record for which there is reason to believe litigation may be pending should not be destroyed, regardless of whether the retention period has concluded. Such records should be placed on a hold status until all litigation has concluded.
 - a. In order to ensure that electronic recordings of any person are available if litigation occurs, the Department will preserve recordings made during the investigation of a crime until every person in custody as a result of the conviction, adjudication or commitment for that crime has reached his or her discharge date. Recordings in unsolved/uncharged investigations should be preserved until the statute of limitation for that offense has expired.
2. Any record deemed appropriate by the police chief may be placed on a hold status until such time as the police chiefs approves its disposal.

E. Destruction Procedure

1. At least 60 days prior to the planned destruction of public records, written notification of the destruction should be sent to:

Wisconsin State Historical Society
816 State Street
Madison, WI 53706

No notification is necessary if a waiver has been made.

2. When the period specified in the records retention policy ends, records meeting the criteria for destruction should be destroyed as soon as practical.

Shane Collins
Police Chief

This Policy & Procedure cancels and supersedes any and all previous written directives relative to the subject matter contained herein.

Initial 02/06/2017