

## Local Records Retention Schedules

Missouri Revised Statutes Chapter 109 (Public and Business Records) Section 255 authorizes the Local Records Board to establish minimum retention periods for the administrative, fiscal and legal records created by local governments.

Retention and disposition of records that are common to many offices are included in the General Schedule. Records unique to particular offices are addressed in individual office schedules.

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August 2013

## Police Clerks Records Retention Schedule

See also the [General Records Retention Schedule](#).

### Using this Records Retention Schedule

Every day local government offices throughout Missouri produce records that document the rights of citizens, the actions of the government that serves them and the history of the community in which they live. It is the responsibility of local government to effectively maintain and manage these records and to ensure the continued preservation of those records of essential evidence that have enduring and permanent value.

The introduction to this retention schedule provides local government officials with basic information on records and the application of retention schedules.

### What is a Record?

A "**record**" is defined as any "document, book, paper, photograph, map, sound recording or other material, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business" (109.210(5) RSMo). This definition includes those records created, used and maintained in electronic form.

### Non-Records

Even though records include a broad spectrum of recorded information, not all recorded information is a record. According to Section 109.210(5) RSMo, the following are not records: "...Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed documents are not included within the definition of records..."

Other examples of non-records include the following materials:

- Identical copies of documents maintained in the same file.
- Extra copies of printed or processed materials (official copies of which are retained by the office of record).
- Superseded manuals and other directives (maintained outside the office of record).
- Materials documenting employee fringe activities (blood donors, charitable funds, social and professional meetings, etc.)
- Work papers and drafts of reports or correspondence. Transcribed stenographic materials.
- Blank forms.
- Materials received from other activities that require no action (official copies of which are retained by the office of record).

- Catalogs, trade journals and other publications or papers received from government agencies, commercial firms or private institutions that require no action and are not part of an action case record.

Non-records do not require retention scheduling or destruction authorization or reporting. To control excessive accumulation, it is necessary to keep only current, useful materials and to destroy non-records immediately after needs have been satisfied. Avoid filing non-record material with records.

### **The Value of Local Government Records**

Some records, because of their enduring administrative, fiscal, legal or historical value, should be permanently retained. These records require that special care and consideration be given to their storage conditions and the feasibility of preservation microfilming. Examples of permanent records include year-end reports; minutes; property records such as deeds; and birth, death and marriage records. Most records do not have values that warrant their permanent preservation. Those records with short-term value should, upon reaching end of the retention period, be destroyed.

### **Statutory Authority for Establishing Records Retention Requirements**

In 1965, the Missouri General Assembly established a State Records Commission to approve retentions for records produced by state agencies. In 1972, Missouri's Business and Public Records Law (Chapter 109) was expanded to include local government. Thus, the Missouri Local Records Board was established to set retention times for local government records. The 16-member board, chaired by the Secretary of State, consists of local government officials from all classes of counties and cities, elementary and secondary education, higher education and a person active in historical society groups.

Supplemental to the Local Records Board, the Records Management and Archives Service of the Secretary of State's office provides assistance to local governments and implements board policy.

### **Application of the Records Retention Schedule**

This schedule establishes minimum retention periods and authorizes dispositions for many of the administrative, fiscal and legal records common to most local governments. Retention periods are based upon federal and state mandates, record surveys, business needs, and general knowledge as to how long records should be kept. Using the schedule as a guide and without seeking further approval from the Local Records Board, any local government may regularly dispose of any of its records that appear on this schedule. The schedule is subject to the following exceptions and limitations:

- A. Local government offices may retain any of their records beyond the retention periods set by the schedule, as they deem necessary. The schedule establishes only a minimum period of retention. Before retaining a record longer than the minimum time required, however, the office should be certain that it has good reason to do so. Unnecessary retention of records can be expensive in space and filing equipment and may expose the office to costly litigation and discovery requirements.
- B. This schedule does not relieve local governments of retention requirements mandated by other state and federal statutes and regulations. When such an obligation does exist, then the longer retention period takes precedence.
- C. This schedule generally reflects audit requirements in its prescribed retention periods, but audits are not always completed in a timely fashion. Therefore, any record required for an audit must be retained until completion of that audit, regardless of its stated retention period in the schedule.
- D. This schedule does not authorize destruction of records that could be deemed relevant to current or pending litigation.

Retention and disposition of records that are common to many offices are included in the General Schedule. Records unique to particular offices are addressed in individual office schedules. All schedules are available on the Secretary of State's website at <http://www.sos.mo.gov/archives/localrecs/schedules>

### **Destruction of Records**

The records classification and retention periods in this manual constitute legal authority for retention and disposal of official records. No records can be destroyed until they meet the minimum retention period listed in this manual. In cases where there is no schedule for a particular record series, the Local Records Board must grant permission for the destruction.

The disposition of records should be recorded in a document such as the minutes of the city council or other legally constituted authority that has permanent record status. The record should include the description and quantity of each record series disposed of, manner of destruction, inclusive dates covered and the date on which destruction was accomplished.

The retention schedule does not prescribe the method of destruction (shredding, burning, landfills, etc.), however, record series with a disposition of *Destroy securely* contain confidential data. These records should be destroyed under the supervision of a competent person(s) designated (or appointed) to ensure that no records fall into unauthorized hands and that the data cannot be reconstructed.

When records, open or confidential, have been destroyed by decay, vermin, fire, water or other means making their remains illegible, the custodian of records may dispose of the remains after verification and documentation by the Local Records Program, Office of the Secretary of State.

### **Preservation of Permanent Records**

A fundamental, yet often neglected obligation of local government is to care for its permanent records-in this case, some of the records that it generates and receives. The records that have been identified as permanent require special handling and storage if they are to be preserved. The continuous interaction between a record's medium-paper, magnetic tape, film, etc. -and the quality of the environment in which it is kept-temperature, humidity, light, and air-determines the severity and rate of its deterioration.

By microfilming older, deteriorating, but permanently valuable records, local governments can generate durable copies for research and prevent further damage or deterioration of the original. When filmed, processed, and maintained to archival specifications, the master negative will ensure that permanently valuable records are preserved for generations to come.

*The Missouri Local Records Grant program can provide financial assistance in the form of grants-in-aid to supplement local funds for preservation initiatives, such as archival supplies, shelving and preservation microfilming.*

### **A Note about Electronic Records**

Permanent records existing solely in electronic form are in danger of becoming inaccessible through media decay and hardware/software obsolescence. Periodic migration and transfer of permanent records to stable preservation media, such as microfilm, should be considered as a best practice for local government to fulfill its statutory responsibility to maintain permanent records.

### **A Note about Retention Periods**

This schedule provides minimum retentions. Local authorities may choose to keep a particular series or record for a longer period of time. It should be kept in mind, however, that a record kept beyond its listed retention must be made available for inspection upon request.

### **Retention Definitions:**

**COA=Completion of Audit.** Note that COA is coupled with a lot of 5-year entries to help encourage regular audits. Not all jurisdictions are required to have audits by statute. Audits for some municipalities are governed by the level of federal financing for bonds and public improvements, and thus are governed by federal retentions. Most municipalities are governed by their local authority (alderman, council, mayor, etc.) for auditing policy. Local jurisdictions may consult RSMo 29 to review the State Auditor's chapter for petition audits (see RSMo 250 for large capital projects such as bonds for water and sewer). For general auditing explanations and advice we recommend that clerks contact the State Auditor's office at 573.751.4213.

**DCA=Destroy in Current Area/Reference.** Series with these retentions are considered "reference" records and may be destroyed when they are no longer of use.

**Destroy Securely.** See "Destruction of Records" above.

**Modifications and Additions**

Because records reflect activities that are constantly changing, the retention requirements for them sometimes require revision as well. Consequently, records retention and disposition schedules often need modification or additions in order to be realistic and effective. Furthermore, because local governments are so large, it is impractical to consult with every office regarding specific schedule entries. There may be some retention periods and disposition requirements within this schedule that fail to account for all relevant factors and there may be some important record series not addressed here which need to be added. The Local Records Program welcomes all comments and suggestions concerned with improvement of record retention schedules through modifications and additions.

**For further information on any records management or preservation issue, please contact:**

Missouri Secretary of State  
Local Records Preservation Program  
PO Box 1747, Jefferson City, MO 65101-1747  
Telephone: (573) 751-9047  
Fax: (573) 526-3867

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## Police Clerks Records Retention Schedule

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See also the [General Records Retention Schedule](#).

*Note: Any record in this schedule that becomes part of an investigative file/report will assume the retention requirements of the investigative file. Do not destroy records pertinent to active investigations/prosecutions.*

### **POL 001**

*Also Called:*

*Function:*

*Content:*

*Retention:*

*Disposition:*

*Note:*

*Approval Date:*

### **Incident Report/File**

Offense Report; Police Report; Investigative Report; Supplemental Report; Case File; Robbery Photo File; Citations; Tickets; Controlled Substance Test Report; Evidence Sheet Documents an alleged violation of law or ordinance

Date, time, location, description of incident; who, what, when, where and how of an incident; All investigative materials related to incident

If case is filed, retain until final disposition; If no charges are filed: Class A felony, Permanent; Other felony, 3 years; Sex crime involving minor, 30 years after victim reaches 18; Misdemeanor, 1 year; Infraction, 6 months

Destroy

May include Juvenile or other confidential files. Note: if the municipality adopted all, or part, of the Missouri Model Traffic Ordinance, RSMo 300, traffic violations must be maintained for five years; Retentions based on statute of limitations, see RSMo 556.036-037. August 20, 2008; Revised December 21, 2011

### **POL 002**

*Also Called:*

*Function:*

*Content:*

*Retention:*

*Disposition:*

*Note:*

*Approval Date:*

### **Non-Criminal Incident Report/File**

Lost Property, Found Property, False Alarm, Private Property Accident, Civil Situation, Tow sheets, Abandoned Vehicle Tows, Motorist Assist

Documents an incident that is not criminal in nature, but may be a requirement of insurance or other industry

Date, time, location, description of incident; who, what when where and how of an incident; Evidence Sheet

1 Year

Destroy

August 20, 2008

### **POL 003**

*Also Called:*

*Function:*

*Content:*

*Retention:*

*Disposition:*

*Note:*

*Approval Date:*

### **Accident Report/File**

Crash Report

Documents accident on public property or highway

Date, time, location, description of incident; who, what when where and how of an incident; Evidence Sheet

7 Years--felony case; 5 Years all others

Destroy

August 20, 2008

### **POL 004**

*Also Called:*

*Function:*

*Content:*

*Retention:*

*Disposition:*

*Note:*

*Approval Date:*

### **Missing Person/Runaway Report**

Juvenile Missing, Juvenile Runaway

Documents report of missing person or runaway

Date, time, location, description of incident; who, what when where and how of an Person not found, Permanent; Person located safe, 1 Year; Person located deceased, not suspicious, 1 Year; Person located deceased, suspicious, retain until resolved

Destroy Securely

August 25, 2009

**POL 005***Also Called:**Function:**Content:**Retention:**Disposition:**Note:**Approval Date:***Messages/Teletypes**911 printouts, MULES Messages, Weather Reports  
Interdepartmental messages between jurisdictions

Reference

Destroy Securely

Refer to NCIC Operations Manual and MULES Policy and Procedures Manual for current regulations

August 25, 2009; Revised August 20, 2013

**POL 006***Also Called:**Function:**Content:**Retention:**Disposition:**Note:**Approval Date:***Arrest Records**Arrest Log, Arrest Files, Arrest Register, Arrest Register ID, Fingerprints, Booking Sheet  
Document arrest

Name, d.o.b., Social Security Number, Address, Phone Number, cause of arrest

5 Years

Destroy Securely

Fingerprints are normally sent to Highway Patrol, Central Repository; if copies are kept locally, they are merely reference

August 25, 2009

**POL 007***Also Called:**Function:**Content:**Retention:**Disposition:**Note:**Approval Date:***Orders of Protection/Full Orders**

Ex-Parte

Court orders of protection

Reference

Destroy

Court keeps original copy 12 years

August 25, 2009

**POL 008***Also Called:**Function:**Content:**Retention:**Disposition:**Note:**Approval Date:***Logs**Desk Books, Activity Logs, Car Logs, Daily Logs, Officer Logs, P.M. Appointments,  
Watchman File-Printout, Commander Book, Holdover Inspection, Complaint Numbers  
Log, Unsecure Building Report, Standby Book/list/notification, Case Assignment Book

Record of daily, weekly or monthly activities

Date, time, activity, car number, Officer DSN

5 Years or Completion of Audit

Destroy

August 25, 2009

**POL 009***Also Called:**Function:**Content:**Retention:**Disposition:**Note:**Approval Date:***Subpoena**

Order for records or personnel to attend court proceeding

1 Year from court date

Destroy

August 25, 2009

**POL 010**

*Also Called:*

*Function:*

*Content:*

*Retention:*

*Disposition:*

*Note:*

*Approval Date:*

**Racial Profiling Statistics**

1 Year after submission to Attorney General  
Destroy

August 25, 2009

**POL 011**

*Also Called:*

*Function:*

*Content:*

*Retention:*

*Disposition:*

*Note:*

*Approval Date:*

**Audio/Video Recordings**

Car Audio/Video recording; Booking Surveillance; Surveillance

30 Days--Evaluate\*

\*Managers should extract significant information that may impact criminal or major case investigation prior to deleting video/re-using the tape. Extracted video must be retained until administrative/judicial proceedings are complete. This retention does not apply to interrogation videos which are by their nature evidentiary and should be part of the investigative files—See POL001

August 25, 2009; Revised August 23, 2011

**POL 012**

*Also Called:*

*Function:*

*Content:*

*Retention:*

*Disposition:*

*Note:*

*Approval Date:*

**Warrants**

Bench Warrants; Fugitive Files; out-of-jurisdiction files

Class A Felony, 75 years; Class B Felony, 3 years; Misdemeanor, 1 year  
Destroy

May destroy immediately if recalled by the court or served

August 25, 2009

**POL 013**

*Also Called:*

*Function:*

*Content:*

*Retention:*

*Disposition:*

*Note:*

*Approval Date:*

**Information Received, Confidential**

Tip line, CrimeStoppers, Information received, Intelligence files  
Record of information received

1 Year  
Destroy

August 25, 2009

**POL 014**

*Also Called:*

*Function:*

*Content:*

*Retention:*

*Disposition:*

*Note:*

*Approval Date:*

**Police Auction Records**

Record of police sales

Completion of Audit  
Destroy

August 25, 2009

**POL 015**

*Also Called:*

*Function:*

*Content:*

*Retention:*

*Disposition:*

*Note:*

*Approval Date:*

**Special Investigation Fund**

Record of money expended in an investigation--i.e. drug buys  
May include balance sheets; sign-in/sign-out lists  
Same as Case File  
Destroy after audit

August 25, 2009

**POL 016**

*Also Called:*

*Function:*

*Content:*

*Retention:*

*Disposition:*

*Note:*

*Approval Date:*

**VIN Verification**

Record of VIN accuracy checks for the Department of Revenue

90 days

Destroy

August 25, 2009

**POL 017**

*Also Called:*

*Function:*

*Content:*

*Retention:*

*Disposition:*

*Note:*

*Approval Date:*

**Police Administrative Reports**

UCR Reports; MIBRS Reports; Quarterly Stolen Vehicle; Quarterly VIN Reports; Yearly Purge List

2 Years

Destroy

See also: GS 001; GS 076

August 25, 2009

**POL 018**

*Also Called:*

*Function:*

*Content:*

*Retention:*

*Disposition:*

*Note:*

*Approval Date:*

**Internal Affairs Records**

Documents internal investigations

Complaint Report, Not Sustained, 1 Year; Complaint Face Sheet, Not Sustained, until termination; Complaint Report, Sustained, 5 Years; Complaint Face Sheet, Sustained, until termination; Unfounded, Exonerated, Withdrawn Complaints, until settlement

Destroy Securely

August 25, 2009

**POL 019**

*Also Called:*

*Function:*

*Content:*

*Retention:*

*Disposition:*

*Note:*

*Approval Date:*

**Felon Registration**

Track paroled felons

Offender Information; Offense Information; Residence Information; Employment Information; Referring Agency

Until released from probation/parole

Destroy Securely

Per RSMo 217.695; felons are required to submit this form to the Department of Corrections and the chief law enforcement officer of the county or city not within a county

August 25, 2009

**POL 020**

*Also Called:*

*Function:*

*Content:*

*Retention:*

*Disposition:*

*Note:*

*Approval Date:*

**Sex Offender Registry**

Track convicted Sex Offenders

Offender Information; Offense Information; Residence Information; Employment Information; Referring Agency

75 Years

Destroy Securely

Per RSMo 589.400.2 All offenders must register with the chief law enforcement official of the county, or city not within a county. This record is to be maintained locally and at the state level.

August 25, 2009

**POL 021**

*Also Called:*

*Function:*

*Content:*

*Retention:*

*Retention Change:*

*Disposition:*

*Note:*

*Approval Date:*

**Expungement Orders**

Court Orders of Expungement

Orders to delete arrest records

Retain order as long as the underlying incident file\*

\*See POL 001, if incident reports/arrest records are extant, maintain order until they can be disposed--as an explanation of why information is redacted. If the incident reports/arrest records have met their retention and have been destroyed, thus leaving no trace of the original arrest, then the order may be destroyed.

August 28, 2012

**POL 022**

*Also Called:*

*Function:*

*Content:*

*Retention:*

*Disposition:*

*Note:*

*Approval Date:*

**Law Enforcement Animal Records**

Canine Records; Equine Records

Documents ownership, training and deployment of animals by law enforcement, throughout their service

May include, training documentation, certifications, acquisition records, microchip information, use and assignments, and veterinary records

6 Years after retirement, death or transfer, of animal from department

Destroy

Records may be subject to legal hold due to use-of-force litigation, do not destroy until any legal proceedings are complete

August 20, 2013