



# Monterey County

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066

## Board Report

Legistar File Number: 17-0179

March 28, 2017

Introduced: 2/21/2017

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

Approve an application and order for destruction of records for the Sheriff's Office. (4/5th Vote Required).

### RECOMMENDATION:

It is recommended that the Board of Supervisors approve an application and order for destruction of records for the Sheriff's Office. (4/5th Vote Required).

### SUMMARY:

The application and order for the destruction of records are for the Sheriff, authorizing him to destroy certain records as listed in Attachment A and to discharge him and the employees of his office from further custody of those records. The records may be destroyed pursuant to California Government Code §26202 and California Penal Code §832.5.

### DISCUSSION:

It is necessary to destroy the records listed in this request in order to free up file space. Destruction of records, except for the internal affairs records, is requested in compliance with California Government Code §26202 (records more than two years old). The destruction of the internal affairs records is requested in compliance with California Penal Code §832.5 (records more than five years old).

### OTHER AGENCY INVOLVEMENT:

County Counsel has approved the Application and Order for Destruction form.

### FINANCING:

The cost of the destruction of these records is included in the FY 2016-17 Sheriff's Office Approved Budget.

Prepared by: Kathleen Palazzolo, Sheriff's Sergeant, X7240

Approved by: Steve Bernal, Sheriff, X3856

A handwritten signature in blue ink, appearing to read "Steve Bernal".

Attachments: Application for Authorization for Destruction of Records  
Attachment A

**APPLICATION FOR AUTHORIZATION FOR DESTRUCTION OF RECORDS**

TO: Board of Supervisors of the County of Monterey  
FROM: Sheriff of Monterey County

The Sheriff hereby requests authorization to destroy the records listed on Attachment A. This request is made on the following grounds:

1. These records are more than two years old.
2. Some of these records were prepared or received pursuant to state statute.
3. None of these records are expressly required by law to be filed and preserved.
4. No audit or court action is presently pending concerning these records.
5. There is no requirement for the Sheriff's Office to keep copies of these records prior to destruction.
6. Retention of these records is no longer necessary or required for county purposes.

Pursuant to Government Code section §26202 and California Penal Code § 832.5, the Board of Supervisors must determine by four-fifths (4/5) vote that the retention of these records is no longer necessary or required for county purposes.

I declare under penalty of perjury that the foregoing is true and correct.

Subscribed at Salinas, California on Feb 6, 2017

Steve Lee  
Sheriff-Coroner

Approved as to form:  
Charles J. McKee, County Counsel

By: [Signature]  
Deputy County Counsel

## Attachment "A"

<b>Name/Kind of Record</b>	<b>Original or Copy</b>	<b>If Copy, Where Is Original</b>	<b>Dates</b>
Internal Affairs Investigations with all notes, audio recordings and related information	Original	N/A	01-01-2011 to 12-31-2011
Use of Force Reports	Original	N/A	01-01-2011 to 12-31-2011
Sheriff's Office Recruitment, Examination and Referral files	Original	N/A	01-01-2010 to 12-31-2010
Sheriff's Office Payroll and Fiscal Related Documents	Original	N/A	01-01-2008 to 12-31-2008
Personnel Files of employees who have ceased employment	Original	N/A	All files seven years or older from date of separation. Any file in litigation will be retained.
Corrections 24 Hour Files	Original	N/A	01-01-2010 to 12-31-2010
Corrections Central Cash Files	Original	N/A	01-01-2010 to 12-31-2011
Corrections Inmate Medical Files	Original	N/A	01-01-2010 to 12-31-2011

Case Files: Abandoned Vehicle Abatement (AVA) and related AVA administrative files	Original	N/A	01-01-2010 To 12-31-2010
Closed - working case files for the tracking of arrest and bench warrants	Copy	Original warrants are with the courts	01-01-2011 to 12-31-2011
Local booking records	Original	N/A	01-01-2009 to 12-31-2009
Court ordered book and release records	Original	N/A	01-01-2009 to 12-31-2009
Citations	Copies	Courts	01-01-2011 to 12-31-2011
Field Interview Cards	Original	N/A	01-01-2011 to 12-31-2011
Crime reports and related investigative files	Original	N/A	01-01-2009 to 12-31-2009
Miscellaneous incident reports and related investigative files	Original	N/A	01-01-2009 to 12-31-2009
Civil Unit Files: Instructions of Sheriff Trip Tickets Proof of Services Ledgers Writ Returns	Original	N/A	None
Corrections Operations Bureau Commander Files	Copy	In Inmate Files	01-01-2012 thru 12-31-2012

Narcotics Bureau Files and Confidential Informant Files	Original	N/A	01-01-2006 thru 12-31-2006
Asset Forfeiture	Original	N/A	01-01-2007 thru 12-31-2007
Investigative Files	Original	N/A	01-01-2011 thru 12-31-2011
Special Services	Original	N/A	01-01-2007 thru 12-31-2007
Information Security Unit Mobile Data Computer Data User Activity/Signon/ Talk messages	Electronic Original	On Servers and Workstations	01-01-2014 thru 12-31- 2014
Background files for temporary employees that have severed employment, volunteers that have severed employment and those that failed the background process	Original	N/A	All files five years or older from date of separation.