



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

260 – RECORD RETENTION

GENERAL ORDER: 2024-31
ISSUED: May 24, 2024

EFFECTIVE: May 24, 2024

REVIEWED/APPROVED BY:
Assistant Chief Craig Sarnow
DATE: April 16, 2024

ACTION: Amends General Order 2013-21 (October 18, 2013)

WILEAG STANDARD(S): 10.2.2

ROLL CALL VERSION

Contains only changes to current policy.
For complete version of SOP, see SharePoint.

260.00 PURPOSE

To establish procedures for the retention of official police department records, as mandated by state statute ([Wis. Stat. § 19.21 et seq.](#)). Retention procedures provide for the keeping of records in an active file for a specified time, for transfer of records to the City Retention Records Center for an additional period of retention and for the destruction of records after a specified time.

260.05 DEFINITION OF RECORDS

- A. ~~The definition of records shall include,~~ Records are any material on which written, drawn, printed, spoken, visual, or electromagnetic information or electronically generated or stored data is recorded or preserved, regardless of physical form or characteristics, created or received in the course of Milwaukee Police Department (MPD) business. This definition includes, but is not limited to: papers, ~~books,~~ email, photographs (prints and digital), electronic form submissions, ~~film, microfilm, CD/DVD recordings, sound~~ audio and video recordings, maps, blueprints, drawings, log files, or any other document or memorandum which has been created or placed in the custody or under the control of or filed with the ~~Milwaukee Police Department~~ MPD.
- B. All records created or maintained by MPD have primary custodian units, as indicated on associated retention schedules. Copies of these records maintained for reference purposes by other units are non-records and may be destroyed when no longer needed. Likewise, printed or electronically-duplicated copies of records originating in MPD information systems are considered reference copies and may be destroyed upon verification that the authoritative record is maintained by the primary custodian.
- C. ~~All records for the purpose of this retention procedure shall be grouped on a yearly basis, unless otherwise indicated.~~ No official record shall be destroyed or transferred unless such record meets approved retention schedules. ~~Actual retention schedules are distributed by the records liaison officer to district records officers each year.~~ The records liaison officer shall manage all active MPD retention schedules and shall distribute updates to district records officers or custodians as needed. Notwithstanding

any appropriate record retention schedule, no record shall be destroyed or transferred that is likely to be the subject of litigation.

260.10 RESPONSIBILITIES AND DUTIES

In order to maintain proper control and adherence to established retention schedules, the following procedures have been established:

A. RECORDS LIAISON OFFICER

The commanding officer in charge of the Open Records Division is designated as the records liaison officer for the Milwaukee Police Department. It shall be his/her duty to maintain general supervision and coordination of the entire records retention schedule. The records liaison officer shall work with department personnel, ~~the records and forms control analyst in the Bureau of Budget and Management Analysis and the City Records Center manager~~ Officer or his/her staff in carrying out the functions of the Police Records Management Program. It shall be ~~the record liaison officer's duty to send the City Records Committee an annual report certifying all units of the police department have complied with the approved retention schedules and to ensure all *Certificates of Compliance* (form CRC-5) are filed annually.~~ The records liaison officer shall facilitate coordination with and transfers of records to the City Records Center (CRC) and shall serve as the primary point of contact for managing MPD records within the CRC's records management systems.

B. UNIT RECORDS OFFICER

1. The commanding officer of each district or division (or their delegate under their command) is designated as the records officer for their particular command. It shall be the duty of the records officer to maintain supervision of the record retention schedule as it applies to their particular command. ~~All records officers shall perform an ongoing survey of their existing records.~~ All records officers shall maintain at minimum a box or file-drawer level inventory of all active and inactive records being stored under the direct control of their unit, including record end dates or cutoff dates and any related retention schedules. Records officers shall ~~submit proposed retention schedules for those records not having established schedules and review existing retention schedules for potential updating~~ identify records series without active retention schedules and work with the records liaison officer and the city records officer to develop and/or update retention rules for such records. ~~Separate or distinct record retention schedules must be established for the same record kept in separate formats e.g., if there are two records, one in electronic form, the other on paper, two retention schedules must be created.~~

~~The records officer shall, by the 25th of February of each year, fill out *Record Transfer List* (form CRC-412) in triplicate and upon completion, the records officer will sign all such forms and arrange for the transfer of records to the Record Retention Center according to the approved retention schedule. The Record Retention Center will then sign the copies as received. The original form CRC-412 will remain at the Record Retention Center, one copy will be sent to the Open Records Division and one copy will remain at the district or division.~~

2. If records are maintained in multiple formats (e.g., paper and electronic), the records officer must designate one format as the authoritative record to be subject to records retention. Other formats may be treated as non-records as detailed in section 260.05. If a record serves as an input form for MPD information systems, or if a record is scanned in its entirety into such a system, those records must be retained for a minimum of four months, following Records Retention and Disposition Authority #24-S006 (approved by the City Information Management Committee March 7, 2024).
3. Unit records officers may work with the records liaison officer and CRC staff to arrange for transfer of inactive records with active retention schedules to the CRC. Before transferring records, records officers must complete a transfer form, available on the City Records [website](#) and by request to CRC, and submit electronically to the city records officer or designated staff. When the transfer is approved, CRC will return the transfer form with box numbers for easier retrieval of files to the unit records officer, copying the records liaison officer for reference.
4. Requests for transferring or accessing records may also be made via the CRC records management system. Records officers wishing to work records in this manner must contact City Records to be provisioned with an account for this system. Transfers requested via the records management system will be documented via electronic report sent to the submitting unit records officer, copying the records liaison officer for reference.

260.15 RECORD DESTRUCTION

- A. [Wis. Stat. § 19.21\(4\)\(5a\)](#) requires that the Wisconsin Historical Society (WSHS) be notified prior to the destruction of public records. Once the Milwaukee Police Department's record retention schedule is approved by the Wisconsin Public Records Board, this will serve as the formal 60 day advanced notice, which is required to be given to the WSHS prior to the destruction of records. The Wisconsin Public Records Board may determine that the department maintain certain records for their historic value, or turn them over to the WSHS, the City Archives at City Records, or the Milwaukee Public Library for permanent retention.
- B. Records to be destroyed should be documented on a *Department Memorandum* (form PM-9E), listing the title of records to be destroyed, the start and end dates of the records to be destroyed, and record retention number (e.g., 76-0079), and the volume of records (in records center cartons or equivalent) to be destroyed. ~~Indicate on the list the volume to be destroyed. This list must be returned to the Open Records Division no later than February 25th of each year. The Open Records Division will check this list to ensure it conforms to established record retention schedules. When the list is approved for destruction, it will be returned to the district or division. District personnel will be required to prepare these records prior to destruction.~~ This list should be submitted to the Open Records Division at any time records are to be destroyed. The *Department Memorandum* must, at minimum, be submitted annually by February 25 of each year, indicating the records destroyed over the previous fiscal year.

1. Administrative records (e.g., records relating to the support or maintenance of the

MPD unit) may be destroyed upon submission of the *Department Memorandum* to the Open Records Division. Records in this category include all records related to payroll, personnel, fiscal/accounting operations, and facilities maintenance operations, as indicated on the related Global Records Schedules maintained by City Records.

2. Operational records (e.g., records relating to the functional activities of MPD and MPD personnel) must have their destruction approved by either the records liaison officer or the city records officer before destruction. This includes all records schedules maintained as Police Global Schedules (e.g., applying to all MPD units but not to other City of Milwaukee departments). Operational records that are transferred to the CRC will be destroyed by CRC staff upon expiration of their associated retention period; in such cases, approval of destruction is assumed.

C. Preparation for record destruction shall be done in the following manner:

- ~~3. Remove all manila folders from all reports. Place them in a separate container for subsequent conveyance to the recycling room for proper shredding.~~
34. Remove all cardboard stock and dispose of as trash at the respective district or division.
45. Remove the hard covers from bound books and dispose of as trash at the respective district or division.
56. Cut binding on the bound book pages after removing the hard covers, thereby breaking down the page thickness to accommodate the shredder (example: separate book into at least 3 sections).

D. The prepared records shall then be categorized and boxed as follows:

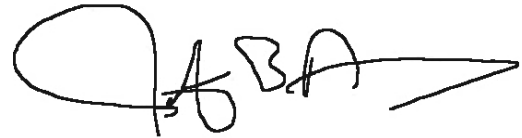
2. ~~Index stock (e.g., 3x5 cards, tab cards, and manila folders).~~ Electronic media (e.g., CD-Rs, DVD-Rs, USB drives, external hard drives, etc.)

E. Records may be destroyed either under MPD auspices or as the end step of transferring those records to the CRC.

1. Prior to the conveyance of the records to the recycling room at the [REDACTED] [REDACTED] personnel are to call extension [REDACTED] (Building Maintenance assistant manager) to confirm bin availability and the availability of personnel to accept the items for destruction. District and division personnel conveying the boxed records to the recycling room shall be responsible for the placement of said sorted records in the proper recycling bins.
2. For immediate records destruction to be performed by City Records, personnel must prepare and submit a CRC transfer form to the city records officer or other City Records staff. MPD personnel must arrange for transportation of the records to the [REDACTED] and must contact CRC

at 414-286-3393 to confirm availability for drop-off. City Records may store records in secure records storage until destruction activities occur. Once records have been destroyed, the records liaison officer or unit records officers may request a certificate of destruction from the CRC.

- ~~F. District and division personnel conveying the prepared / boxed records to the recycling room shall be responsible for the placement of said sorted records in the proper recycling bins.~~

A handwritten signature in black ink, appearing to read 'J.B.N.' with a long horizontal stroke extending to the right.

JEFFREY B. NORMAN
CHIEF OF POLICE

JBN:mfk