



# **UW-Madison Police Department**

## **Policy: 82.4**

### **SUBJECT: RECORDS RETENTION SCHEDULE**

**EFFECTIVE DATE: 06/01/10   REVISED DATE: 05/30/17; 09/24/18; 09/18/19**

**REVIEWED DATE: 4/4/15; 11/11/20**

**STANDARD: CALEA 82.1.3, 82.1.6 WILEAG 10.2.1**

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#### **POLICY:**

The UW-Madison Police Department shall establish a retention schedule and destruction procedures for records maintained by the department.

#### **DEFINITIONS:**

“Hold” refers to a status ensuring a record may not be destroyed even though the retention period has concluded.

“Indefinite” refers to a term used in record retention schedules to indicate the retention period for certain records cannot be determined and these records must be reviewed periodically to determine whether or not they can be destroyed.

“Public Record” under Wisconsin State Statute 16.61(2)(B) means all books, papers, maps, photographs, films, recordings, optical discs, electronically formatted documents, or other documentary materials, regardless of physical form or characteristics, made or received by any state agency or its officers or employees in connection with the transaction of public business, and documents of any insurer that is liquidated or in the process of liquidation under ch. 645.

#### **PROCEDURE:**

##### **82.4.1 RECORDS RETENTION PROGRAM**

- A. Official records shall be maintained in accordance with provisions established by Wisconsin statutes. The Support Services Captain shall review the Records Retention schedule every three years and shall suggest additions to records on the schedule. The Support Services Captain shall consult with the University Records Officer during reviews. At least once every ten years the Wisconsin Public Records Board must approve retention schedules held by the UW Madison Police Department. Any change to a retention schedule requires the entire retention schedule be approved by the Wisconsin Public Records Board.
- B. The Support Services Captain or designee shall be responsible for the retention and disposal of the following department records:
  - 1. Citations
  - 2. Motor vehicle traffic collision reports
  - 3. Audio recordings
  - 4. Video recordings
  - 5. Ride-along records
  - 6. Schedules
  - 7. Offense/incident reports
  - 8. Daily briefing sheets
  - 9. Cash receipts for the distribution of reports and/or associated materials

##### **82.4.2 LEGAL CONSIDERATIONS**

- A. According to Wisconsin statute 16.61(4), all public records made or received by or in the custody of a state agency shall be and remain the property of the state.
- B. University of Wisconsin-Madison Archives and Records Management Services provides standards for the permanent preservation of records of the University of Wisconsin System, as outlined in Wisconsin Statute 16.61(13)(a),(b).

- C. The Department shall follow the procedures established in the University of Wisconsin-Madison Archives and Records Management Services regarding the steps necessary before disposing of a record. The procedures can be found online at: <https://www.library.wisc.edu/archives/records-management/training/disposition-of-university-records/>
- D. Any public record may be kept and preserved by the use of microfilm or any other reproductive device. A photographic reproduction shall be deemed an original record for all purposes if it meets the applicable standards of Wisconsin State Statute 16.61(7). Once reproduced by photographic reproduction, the original document may be destroyed or otherwise disposed of.
- E. The Department shall follow the procedures established in the University of Wisconsin-Madison Archives and Records Management Services regarding the disposal of personnel record items. The Procedures can be found online at: <https://www.library.wisc.edu/archives/records-management/training/disposition-of-university-records/>. While many items are not confidential in nature, personnel records represent an area of sensitivity and should not be left in containers or recycle bins while awaiting disposal.
- F. The UW Archives and Records Management maintains all current retention schedules for the University including ones for the UW-Madison Police Department Records and UW-Madison Emergency Management Records.

#### **82.4.3 DESTRUCTION PROCEDURE**

- A. When the destruction period specified ends, records meeting the criteria shall be destroyed as soon as practical.
- B. Any record for which there is reason to believe litigation may be pending, shall not be destroyed, regardless of whether the retention period had concluded. Such records shall be placed on hold status until all litigation has concluded.
- C. In instances in which records destruction is noted as part of the retention instructions, the Department shall destroy confidentially all personnel-related records that contain confidential or personally identifiable information.

#### **82.4.4 RECORDS RETENTION SCHEDULE**

The Department record retention schedules may be located online on the UW Archives and Records Management website (<https://www.library.wisc.edu/archives/records-management/retention-disposition/>).

- A. UW- Madison Police record retention scheduled is published at [https://www.library.wisc.edu/archives/wp-content/uploads/sites/23/2016/08/2011-UWPDGRSwUWSA\\_opt\\_in.pdf](https://www.library.wisc.edu/archives/wp-content/uploads/sites/23/2016/08/2011-UWPDGRSwUWSA_opt_in.pdf)
- B. UW- Madison Police Emergency Management retention schedule is published at [https://cms.library.wisc.edu/archives/wp-content/uploads/sites/21/2015/08/Emergency\\_Mgt\\_Records\\_MAD2012.pdf](https://cms.library.wisc.edu/archives/wp-content/uploads/sites/21/2015/08/Emergency_Mgt_Records_MAD2012.pdf)