



# POLICY & PROCEDURE

## ELKHART LAKE POLICE DEPARTMENT

SUBJECT: **RETENTION OF RECORDS**

SCOPE: All Department Personnel  
DISTRIBUTION: Policy & Procedure Manual

REFERENCE: WI State Statutes: 16.61(7), 19.21(4)(a),  
19.21(4)(b)

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 RESCINDS  
 AMENDS  
WILEAG 4<sup>TH</sup> EDITION  
STANDARDS: N/A

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INDEX AS: Records Retention

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

This Policy & Procedure consists of the following numbered sections:

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

### I. DEFINITIONS

- A. Hold: A status ensuring a record may not be destroyed even though the record retention period has concluded.
- B. 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.
- C. Record: Information stored on any media that can be retrieved at a later time.

II. POLICY

- A. It is the policy of the Elkhart Lake Police Department that official records shall be retained in accordance with provisions established by Wisconsin Statutes.

III. PROCEDURE

A. Management of the Records Retention Program.

- 1. The Chief of Police and/or designee shall be responsible for the retention and disposal of records listed in Section C.

B. Legal Considerations

- 1. WI Statute 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.
- 2. WI Statute 19.21(4)(a) requires that prior to the destruction of obsolete public records, a minimum of a 60 days' 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.
- 3. Any public record may be kept and preserved by the use of microfilm or other reproductive device. Any photographic reproduction shall be deemed an original record for all purposes if it meets the applicable standards of WI Statute 16.61(7). Once reproduced by photographic reproduction, the original document may be destroyed or otherwise disposed of.

C. Records Retention Schedule

TYPE OF RECORD	LOCATION	RETENTION/DISPOSAL SCHEDULE	WI Historical Society Notification Waived
State of Wisconsin Uniform Traffic Citation	Police Department	Current year plus 3 years	Yes
Village of Elkhart Lake Municipal Summonses or Citations	Police Department	Current year plus 3 years	Yes
Elkhart Lake Police Department Employment Application Packets	Elkhart Lake Police Chief	Current year plus 1 year	Yes
Elkhart Lake Police Department Fingerprint Cards and Mug Shots	Police Department	Current year plus 7 years	Yes
Elkhart Lake Police Department Telephone Recordings	Police Department	Current month plus 5 months	Yes
Elkhart Lake Police Department Memos, Policy & Procedures, Directives	Police Department	Current year plus 5 years	Yes

Elkhart Lake Police Department In-car Video Recordings	Police Department	Current month plus 5 months	Yes
Elkhart Lake Police Department Interview Recordings. (Audio and/or Video)	Police Department	Current year plus 7 years. Saved on DVD.	Yes
Elkhart Lake Police Department Complaints by Citizens	Elkhart Lake Police Chief	Current year plus 7 years	Yes
Elkhart Lake Police Department Offense, Incident, Arrest Case File Reports, Citizen Contact Reports, State of Wisconsin Accident Reports.	Police Department	Current year plus 7 years	Yes
Elkhart Lake Police Department Parking Citations & Citation Log	Police Department	Current year plus 2 years	Yes
Elkhart Lake Police Department Bicycle Registrations	Police Department	Current year plus 2 years	Yes
Elkhart Lake Police Department Payroll, time cards, overtime records	Elkhart Lake Village Clerk	Current year plus 7 years	Yes
Elkhart Lake Police Department Daily Work Schedules	Police Department	Current year plus 7 years	Yes
Elkhart Lake Police Department Training Records	Elkhart Lake Village Personnel Director	Current year plus 7 years	Yes
Elkhart Lake Police Department Evidence Records/Photographs	Police Department	Current year plus 10 years	Yes
Elkhart Lake Police Department Employee files	Elkhart Lake Village Personnel Director	Current year plus 30 Years. Saved by Village Clerk.	Yes
Elkhart Lake Police Department Evidence	Police Department	Current year plus 10 years	Yes
Elkhart Lake Police Department property Inventory	Police Department	Current year plus 3 years	Yes
Elkhart Lake Police Department Open Records Requests (19.31-19.37)	Police Department	Current year plus 3 years	Yes

#### 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.
2. Such records should be placed on a hold status until all litigation has

concluded.

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.

Michael Meeusen  
Chief of Police

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

Initial 06/01/2015