

100-RICR-50-20-28

TITLE 100 – DEPARTMENT OF STATE

CHAPTER 50 – PUBLIC RECORDS ADMINISTRATION

SUBCHAPTER 20 – STATE AGENCY RECORDS RETENTION SCHEDULES

PART 28 – DEPARTMENT OF PUBLIC SAFETY RECORDS (DOS, ETS, FM, GJC, SP)

28.1 Purpose, Authority, Severability, and Destruction

28.1.1 Purpose

To establish the official retention, maintenance, and disposal requirements for a public record based upon any administrative, legal, fiscal, and/or historical value related to that record created or received by an agency, department, division, board, commission, office, or quasi-public corporation under any branch of State or local government which performs functions relating to government, or acts on behalf of a governmental agency, pursuant to law or relating to the transaction of public business.

28.1.2 Authority

This Regulation is promulgated pursuant to the authority granted in R.I. Gen. Laws Title 38 (“Public Records”), including expressly but without limitation R.I. Gen. Laws §§ 38-3-1 et seq.

28.1.3 Severability

If any provision of these Regulations or the application thereof to any Person or circumstances is held invalid by a court of competent jurisdiction, the validity of the remainder of the regulations shall not be affected thereby.

28.1.4 Destruction Review Procedure

Government employees should also consult with their administration to determine if any records eligible for destruction may be involved in current, pending, or anticipated litigation, any government investigation or regulatory proceeding, or request under the Access to Public Records Act. (Part 10-2 of this Chapter (Legal Records) and R.I. Gen. Laws Chapter 38-2)

DOS **Division of Sheriffs**

DOS1 **Directives, Policies, and Rules**

This series includes records that document official statements of policy, operating procedures, and standards issued by headquarters to the division's various posts. It may also include general or special orders, memoranda, rules and regulations, operating instructions, re-affirmations of previously issued policies, special purpose agreements, as well as instructions to guide DOS personnel in day-to-day job functions and operations.

DOS1A **Headquarters Copy**

Retention: Permanent.

DOS1B **Judicial Complex Copies**

Retention: Permanent.

DOS2 **Hospital Detail Records**

The division is responsible for transporting prisoners in Sheriff's custody who need medical attention to hospitals. The records in this series document each hospital detail. Potentially included is information about initial contact with prisoners, defendants' criminal history forms, including charges, offender property inventory forms, as well as hospital detail logbooks recording activities and incidents from the beginning of the detail to its completion. Also included records of supervisors in reverse order of seniority ordered to do hospital detail supervision.

Retention: Retain three (3) years.

DOS3 **Extradition Records**

As part of its responsibility to transport prisoners charged with crimes, the Division of Sheriffs is the agency designated by law to transport prisoners for extradition. The records in this series document the Division of Sheriff's performance of its extradition-related responsibilities. Included are records of deputies assigned to trips and equipment they received and returned. Forms of authorization which include the deputy's name, related arming of assigned sheriff personnel, the authorization to take custody of a prisoner, flight plans, and documentation attesting to deputy's understanding of extradition rules and policies. Also included are records documenting the pick-up of prisoners. This documentation records prisoner name, deputies assigned to the trip, location of the pick-up and drop-off points; inmate history and photo, the reason for the extradition, and a deputies' task check list. All other extradition records

related to credit card use, vehicle use, cell phones and equipment, trip expenditure reports, and hours of work are included in this series.

Retention: Retain seven (7) years after extradition is fulfilled, cancelled, or expired.

DOS4 Trespass and Eviction (T and E) Reports

When a landlord files a complaint for nonpayment of rent, the court clerk sets a hearing date to appear. The hearing date is then set upon written request of the plaintiff (person filing the suit). After the papers are properly filled out, the clerk gives copies of the complaint, summons and a blank answer form to the plaintiff to mail by first-class mail to the defendant. Sheriffs receive copies of the complaint, the original summons and a copy, and a blank answer form to be served on the defendant. The sheriff serves these papers by handing them to the defendant, or by giving them to a responsible person at the defendant's home or securing them to the defendant's door if no one is home. This series consists of spreadsheets prepared by the Division of Sheriffs. They contain aggregate data of processes served. The spreadsheets are used for quantitative analysis for internal periodic statistical reports to the superintendent, and for annual statistical reports to the governor.

Retention: Retain three (3) years.

DOS5 Writ Service Report Records

In Rhode Island law, sheriffs, or their deputies, are authorized to serve all processes (R.I. Gen. Laws § 9-5-6). This includes writs of arrest and writs of attachment, writs of habeas corpus, writs of estrepement, and also citations related to mechanics' liens. The records in this series document the serving of processes. The records are reports that document who served the writ, the name and address of the defendant, the date served, and how it was served on the defendant, and the fees involved. The records also include refunds to plaintiffs when writs were unable to be served. The series may also include proofs of service and, when originals are not available, affidavits of service certifying service in the absence of original documentation. Where writs were unable to be served, the records may also document when and how the service was attempted. This series also includes monthly writ reports showing total writs served, writs returned, the state involved, the amount of money collected, and the number of outstanding writs. In addition, this series includes documentation of writ returns by court district. (R.I. Gen. Laws § 9-5-6)

Retention: Retain three (3) years.

DOS6 Use of Force Records

This series includes all use of force reports. The files may include video recordings of incidents, use of force forms, and correspondence relating to the incident. Records are organized by building, and then chronologically.

Retention: Retain ten (10) years.

DOS7 Death in Custody Report Records

Deaths in custody incident reports are prepared monthly. Deaths are reported for all individuals in the custody of Division of Sheriffs personnel, or at the scene of an arrest or crime, or while in transit from a crime/arrest scene, or while confined in cells. Death in custody does not include: a death in a medical facility that was solely the result of a condition that existed prior to being in Sheriff's custody or a death that resulted from medical treatment in a medical facility when the medical treatment had no connection to an interaction with Division of Sheriffs personnel. Reports are made whether or not deaths have occurred. When deaths have occurred, documentation describing the incident and other supporting documentation accompany the reports.

DOS7A Reports – No Incidents

Retention: Retain three (3) years.

DOS7B Reports of Death in Custody

Retention: Permanent.

DOS8 Personnel Training Records

The Division of Sheriffs administers a program of training for its personnel. The periodicity of the training depends on the courses. These programs include seminars and sessions, which may cover different aspects of criminal law, hate crimes, and civil rights, and departmental policies and procedures (e.g. transportation, extradition, courtroom security, and emergency operations). Training may also cover certifications in first aid, CPR, AED (Automated External Defibrillator) defibrillation, Naloxone, and the use and knowledge of certain law enforcement tools and technologies - for example, handcuffs, pepper spray, CEWs (Conducted Energy Weapons) and firearms. Finally, as required by state law (R.I. Gen. Laws §§ 11-47-15.1, 11-47-15.3, and 11-47-17), the Division of Sheriffs (and all state law officers) division personnel must qualify annually to carry firearms. Employees maintain the same assigned firearm, unless it is determined to be unserviceable, or they are issued new firearms, or the employee terminates their employment. A new employee may be issued the firearm, of a former employee or the Division purchases a new one, for said new hire. The

records include manuals, lesson plans, and training and presentation materials. The records may also include course attendance sheets, a record of who obtained certifications, and related correspondence. (R.I. Gen. Laws §§ 11-47-15.1, 11-47-15.3, and 11-47-17)

Note: Department of Public Safety Headquarters personnel office retains record copies of these records.

DOS8A Training Materials and Curricula

Retention: Retain three years (3) or until updated or superseded, whichever is later.

DOS8B Attendance Records and Certification Documentation

Retention: Retain three years (3) or until updated or superseded, whichever is later.

DOS8C Annual Firearms Qualification Records

Retention: Retain five (5) years.

DOS8D Firearms Assignment Lists

Retention: Retain three years (3) after superseded.

DOS9 Division Academy Records

The Sheriff's Academy provides training for all successful applicants for admission to the academy.

DOS9.1 Recruitment Files

Admission to the Sheriff's Academy depends on candidates' successful fulfillment of certain requirements. An applicant must have reached the age of eighteen (18) years in order to be admitted as a candidate to the Training Academy. There is no maximum age of admission to the Training Academy. The records in this series consist of files pertaining to individual recruits. Included in the files are application forms, background criminal checks, medical history, physical agility test records as well as physical fitness (eyesight hearing,) academy examination results, acceptance or decline of offer forms, and related correspondence.

DOS9.1A Successful Applicant Files

Retention: Retain forty (40) years.

DOS9.1B Unsuccessful Applicants

Retention: Retain seventeen (17) years.

DOS9.2 Curriculum Materials and Lessons Plans

This series consists of the curriculum materials, training and testing materials, and lesson plans developed by personnel involved in the division's training of new recruits.

Retention: Retain three (3) years, or after materials revised or replaced, whichever is longer.

DOS9.3 Recruit Attendance Records

The records in this series document recruit attendance at the Academy. The records include attendee sign-in sheets and late slips.

Retention: Retain three (3) years.

DOS10 Juvenile Justice and Delinquency Prevention Act Compliance Records

The federal Juvenile Justice and Delinquency Prevention Act requires inspections of the conditions of juvenile detention facilities for compliance with the act. This series includes correspondence with federal compliance personnel relating to juvenile compliance visits as well as copies of inspectors' reports to the federal authorities.

Retention: Retain five (5) years after audit.

DOS11 Post Orders

Post orders detail the responsibilities and tasks for each post and position included in jail staffing plans. Post orders detail what specific tasks are to be done, when they are to be done, and who will do them. Post Orders include daily checklists of supervisory duties, activities with respect to specific courthouses and other buildings, and hospital duty officer requirements.

Retention: Retain three (3) years.

DOS12 Comprehensive Monthly Reports

The Administrative Captain prepares comprehensive monthly reports for the Chief Sheriff. These reports are compiled from data received each month from each building or unit judicial complex (see DOS16D (Monthly Reports)). The reports include statistical information about the total number of prisoners transported from each building, the number of police department lockups, the number of individuals not making an

appearance before courts, amount of food ordered, incidents for the month, use of force, and the number of hospital details from within cellblocks. These reports may also contain monthly mileage reports, number of extraditions, and number of writs served.

Retention: Retain three (3) years.

DOS13 Inmate Custody, Control, and Transportation Records

This series includes records that document the transportation of all prisoners to or from the various courthouses. The records consist of daily lists of inmates designated for transportation to various courts, photographs of inmates, as well as personal information, including name, date of birth, prison building, prison id aliases, and length of sentence. This information is printed out from the Department of Correction's INFACTS system.

Retention: Retain three (3) years.

DOS14 Performance Measure Reports

Performance measure reports contain data relating to the totals for inmate processing, transportation, and the number of writs for the month as well as extradition data. Copies of these reports are sent to the Central Management Office of the Department of Public Security.

Retention: Retain three (3) years.

DOS15 Bonds of Office Records

Every deputy must give bond with sufficient surety or sureties to the sheriff appointing him or her director of the department of public safety, in a sum satisfactory to the sheriff director, not less than five thousand dollars, for the faithful execution of his or her office according to law. (R.I. Gen. Laws § 42-29-11)

Retention: Retain until the deputy is no longer employed by the division.

DOS16 Judicial Complex/Cell Block Records

Division of Sheriffs personnel are assigned to maintain order in cellblocks and courtroom security in each of Rhode Island's judicial complexes. The records in this series document the administration and activities conducted at each location, including each deputy's assignment (s) for the day. The daily assignments for each location are based on information drawn from various sources, including the Rhode Island Law Enforcement Telecommunications System.

DOS16A Roll Call (Daily Assignment Sheets)

Retention: Retain three (3) years.

Note: Originals are retained at each location for the current year and archived at Sheriff Headquarters thereafter.

DOS16B Rhode Island Law Enforcement Telecommunications System (RILETS) Query Log/Sheet

Retention: Retain three (3) years.

Note: Originals kept at each location (RITT, each cellblock).

DOS16C Daily Activity Sheets

Retention: Retain three (3) years.

Note: Originals are retained at each location for the current year and archived at Sheriff Headquarters thereafter. This is a package that contains the documents, which are derived from the RI Department of Corrections INFACETS System, faxes from police, shipment forms, and holding room copies of prisoner activity sheets. These documents provide the data for each complex's monthly report.

See Also: DOS13 (Inmate Custody, Control, and Transportation Records).

DOS16D Monthly Reports

Retention: Retain until transmitted to division headquarters.

Note: Copy retained at each location, electronic copy forwarded to Administrative Captain, who forwards completed comprehensive report, which is a compilation of all monthly reports, to the Chief Sheriff. A hard copy is kept with the Administrative Captain (DOS 12 (Comprehensive Monthly Reports)).

DOS16E Attorney Sign In Sheets/Logs

Retention: Retain three (3) years.

Note: Originals are retained at each location for the current years and archived at Sheriff Headquarters thereafter.

DOS16F Transfer of Custody Forms

Retention: Retain three (3) years.

Note: Originals are retained at each location for the current year and archived at Sheriff Headquarters thereafter.

DOS16G Emergency Contact Information

These records concern DOS personnel. The records are available to all supervisors in the RMS system.

Retention: Retain until superseded.

DOS16H DOS Directives; DOS Policy/Rules and Regulations Book

Retention: Permanent.

DOS16I DOS Emergency Operations Book

Retention: Retain three (3) years or until superseded, whichever is later.

Note: Hard copy at each location, Chief Sheriff, Administrative Captain, DPS (Electronic copy).

DOS16J NALOXONE Narcan Deployment Log

Original retained at each facility.

Retention: Retain record of deployment for three (3) years or new issuance after expiration, whichever is later.

DOS16K Meal Bar Inventory

Retention: Retain one (1) year after audit.

Note: Originals are retained at each location for the current year and archives at Sheriff Headquarters thereafter, and by Security Operations manager.

DOS17 Use of Force Report Files

Officers are required to submit reports when they discharge their firearms, or when they use non-lethal force. Reports may include, but are not limited to, data and place of weapon discharge, the nature of the incident, and specific shooting data.

Retention: Retain ten (10) years or seven (7) years after all litigation is resolved, whichever is later.

DOS18 Vehicle and Equipment Allocation Files

The Division of Sheriffs' Office of Operation and Security has responsibility for managing information documenting its purchase and control of division personnel vehicles and equipment. It is also responsible for managing their allocation to individual personnel, division units, and courthouses, and other locations. The office is also responsible for the management and provision of other equipment, including restraint equipment, communications equipment, weapons, uniforms, and courthouse pass cards (which are issued by the courts and provided to the division for distribution to its personnel). In addition to issuing equipment, the office is also responsible for maintaining a registry and files of the division's personnel, which includes biographical information and photographs, and issuing identification (ID) cards. The records in this series consist of lists and spreadsheets that document the issuance of equipment to specific personnel, units, and locations. Included is (spreadsheet) information about the identity of officers who have been issued specific radios specifying to whom each radio has been assigned, which may change daily.

DOS18A Vehicle Purchase, Allocation, and Maintenance Information

Retention: Retain twenty (20) years.

DOS18B Equipment Issuance Records

Retention: Retain until superseded or equipment transferred to the Division of Office of Surplus Inventory.

DOS18C Divisional Personnel Records

Retention: Retain until no longer required for reference purposes.

Note: These files do not include disciplines and promotions.

DOS18D Radio ID Spreadsheet Information

Retention: Retain three (3) years.

Note: The division's official records of personnel as well as purchases of division vehicles and other equipment, payments, and surplus equipment resides with the Department of Public Safety's financial management office.

DOS19 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6(i), 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DOS20 Body Camera Recordings

Included in this series are records related to recordings made from a body-worn camera and vehicle mounted dash camera, if equipped. Body cameras and dash cameras (if equipped) are used by the Division of Sheriffs when interacting with the public on official business and civil process service. Also included in this series are requests for deletion of recordings for events specifically allowed by department policy (RIDOS Policy 300.18) and electronically documented supervisory compliance reviews.

DOS20A Non-Evidentiary Recordings

Retention: Retain sixty (60) days.

Note: Any recording with evidence of possible illegal activity, incident, or otherwise problematic behavior, that could lead to

civil or criminal investigation should be considered as part of DOS20C (Evidentiary Recording Used in Professional Standards or Response to Resistance Investigations) even if no legal action has yet been taken after the 60-day period.

DOS20B Evidentiary Recordings

Retention: Retain ten (10) years or seven (7) years after all litigation is resolved, whichever is later.

See Also: DOS6 (Use of Force Records) and DOS17 (Use of Force Report Files).

DOS20C Evidentiary Recording Used in Professional Standards or Response to Resistance Investigations

Retention: Retain ten (10) years or seven (7) years after all litigation is resolved, whichever is later.

See Also: DOS6 (Use of Force Records) and DOS17 (Use of Force Report Files).

DOS20D Requests for Deletion and Associated Recordings

Retention: Retain requests (approved or denied) three (3) years. Destroy records upon approval of request by the Chief Sheriff or designee.

See Also: For recordings pertaining to legal cases, see GRS2.1 (Case Files).

DOS21 Destruction of Property Records

Prisoners sometimes abandon personal property upon being released from custody. In those instances, the Division destroys the property. The records in this series may include, but are not limited to, incident reports, photographs, personal property inventory forms, requests for destructions forms (for listing items to be destroyed), requests for destruction, approvals for destruction, information on the dates and times of destruction, and information on witnesses to destruction of the property.

Retention: Retain three (3) years.

ETS E 9-1-1 Uniform Emergency Telephone System

ETS1 Voice Recordings (Magnetic Tape)

Magnetic tape recordings produced for all incoming and outgoing emergency telephone calls terminating at or emanating from the 9-1-1 Emergency Operations Center. In addition, incoming and outgoing radio transmissions will be recorded on the same voice tape. The purpose of these tapes is primarily for 9-1-1 to use to play back when message content is difficult to understand, or to refer to when confirmation of an address is requested. Voice tape recordings may prove of value in legal proceedings where incriminating statements have been made. Each tape will contain 24 hours of taped data.

Retention: Retain three (3) years.

Note: Previously record series E911.1.

ETS2 Telecommunications Device for the Deaf (TDD) Tapes

TDD tapes will contain printed communications of emergency service requests generated by speech and/or hearing impaired individuals who transmit their typewritten message for 9-1-1 service via telephone lines which terminates at the 9-1-1 Operations Center. The purpose of these tapes is to be an alternative means of communication for those who cannot hear or speak. Tapes may be used to disclaim any allegation of misfeasance or nonfeasance. TDD tapes will be filed monthly by time and date received and attached to ALI printout. Duplications will be made as for CMDR printouts on a "need to know" basis and only by official request.

Retention: Retain three (3) years.

Note: Previously record series E911.2.

ETS3 Call Message Detail Recorder (CMDR) Computer Printouts

CMDR is a printed reproduction of the Automatic Location Identification which is visually displayed upon the selective transfer console at each telecommunicator station. In addition, CMDR printouts record the trunk, the time the call was seized, the time the call was answered, the time the call was transferred, the time the call was terminated, the station which processed the call, and the telephone trunk which carried the call. The purpose of these printouts is for internal use to assess call process efficiently; to identify telecommunicator for establishing call responsibility; to identify trunk and/or station for mechanical trouble

identification; to separate call processing time from total response time should response time be in question. Printouts are filed monthly by time and date received and duplicated only by request from public safety agencies or individuals upon establishing a "Legal Right to Know" the information contained in any particular printout.

Retention: Retain three (3) years.

Note: Previously record series E911.3.

ETS4 Automatic Location Identification (ALI) Computer Printouts

ALI is a printed reproduction of CRT visual information which displays caller's name, address, phone number, time and date of call, and the name of the emergency public safety agency with jurisdiction over the caller's location, for every 9-1-1 call received. The purpose of these printouts is because a printed record of every 9-1-1 transaction is required since one or more may be used to support of defense against litigation where: abuse of the system is alleged by the State or claims of misfeasance or non-feasance against 9-1-1 employees are alleged by system user. ALI will be filed monthly by the time and day received and will be duplicated only if requested by any RI public safety agency or other agencies or individuals upon showing of a "Legal Right to Know" the information contained in the particular printout.

Retention: Retain three (3) years.

Note: Previously record series E911.4.

FM Office of the State Fire Marshal

FM1 Plan Review Applications

Prior to receiving a building permit, a builder must submit plans for review by the Fire Marshal to ensure compliance with all applicable fire codes. The plan review process is designed to maximize safety for a building's occupants and first responders. Once approved, plans are retained for future review in the event of problems arising. Eventually, they are replaced by inspection reports. The applications may include, but are not limited to, applications forms, fee schedules, review letters, and copies of plans.

Retention: Retain ten (10) years after certificate of occupancy has been issued.

FM2 Explosives Permits

Anyone who manufactures, deals, possesses, or uses explosives in the state of Rhode Island must obtain a permit from the Fire Marshal per R.I. Gen. Laws Chapter 23-28.28. These permits are issued only to people who are properly licensed and who have proven themselves capable of performing these functions. The issuance of these permits facilitates the tracking of the sale and use of explosives in the state of Rhode Island. They expire at the end of the calendar year in which they are issued per R.I. Gen. Laws § 23-28.28-11. The records in this series may include, but are not limited to, copies of the permits, application forms, copies of bonds, certificates of competency, and associated correspondence.

Retention: Retain ten (10) years.

FM3 Fire Works and Pyrotechnics Licenses, Applications, and Permits

Anyone who stores, handles, transports, and/or displays fireworks and pyrotechnics in the state of Rhode Island must have a permit from the local fire authority that is based on forms provided by the State Fire Marshal per R.I. Gen. Laws § 23-28.11-3. No permits may be issued until applicants' certificates of competency and insurance coverage are verified as being current. Applicants must obtain the certificates of competency from the State Fire Marshal. Certificates of competency, once issued, are valid for one year per R.I. Gen. Laws § 23-28.11-5. Applicants must also submit proof of sufficient financial responsibility for potential damage per R.I. Gen. Laws § 23-28.11-7. Any nonresident of Rhode Island who wishes to obtain such a permit must appoint a member of the Rhode Island Bar Association to act as his or her attorney to handle any and all litigation involving the nonresident per R.I. Gen. Laws § 23-28.11-9. These records document the issuance of these permits. They may include, but are not limited to, applications, copies of bonds, and copies of the certificates of competency. The applications require extensive personal and background information.

Retention: Retain ten (10) years.

FM4 Inspection Reports

The State Fire Marshal conducts periodic inspections of buildings for state fire code violations. Some of the inspections are dictated by statute and others occur upon request or in response to a complaint. The frequency of the inspections depends upon occupancy and the purpose each building serves. For example, buildings where combustible materials are known to accumulate can be inspected at any reasonable hour (with the exception of dwelling houses) per R.I. Gen. Laws § 23-28.5-1. Other locations subjected to specific laws include, but are not limited to, places of assembly, schools, boarding homes, and childcare centers. The inspection process is designed to confirm that occupants

and first responders will be safe when the building is occupied. The records generated by these inspections may include, but are not limited to, copies of the inspection reports, building descriptions, records of the type of occupancy of the building, and information on pertinent code sites addressing any violations.

Retention: Retain each report for a minimum of ten (10) years and ensure that the five (5) most recent reports are retained, even if some of them exceed five years. When a new code cycle (based on revised codes issued by the National Fire Protection Association) is put in place, the last report of the previous code cycle must be retained ten (10) years.

FM5 Investigations Reports

The State Fire Marshal receives reports of all fires and explosions occurring in the state of Rhode Island per R.I. Gen. Laws § 23-28.2-10. In each case, the Fire Marshal determines whether or not an investigation is warranted and if so, conducts the investigation. In the course of investigations, the Fire Marshal has the authority to summon witnesses per R.I. Gen. Laws § 23-28.2-12. If the Fire Marshal determines that the evidence gathered during an investigation is sufficient to file criminal charges against anyone, s/he will report that recommendation to the Attorney General. In such cases, evidence is forwarded to the state crime lab and in all cases, a report documenting the cause of the fire or explosion is produced. Courts utilize the reports in cases of prosecution and insurance companies use them to assist claims. The courts may also use them in the event of civil cases that arise from fires or explosions. R.I. Gen. Laws § 23-28.2-16 mandates that the Fire Marshal maintain records of all fires and explosions investigated. The records may include, but are not limited to, the various items contained in the reports. The reports may include, but are not limited to, building descriptions, witness statements, lists of evidence, and narratives of scene investigations.

FM5A 1st, 2nd, and 3rd Degree Arson Investigations (Capital Crimes)

Retention: Retain one hundred (100) years.

FM5B 4th, 5th, and 6th Degree Arson Investigations

Retention: Retain thirty (30) years from the date of the opening of the case or ten (10) years after the sentences of those convicted expire, whichever is later.

FM5C Fatal Fire Investigations (Accidental)

Retention: Retain one hundred (100) years.

FM5D Investigations of Accidental Fires

Retention: Retain ten (10) years. If related to litigation, retain seven (7) years after final disposition of litigation or ten years after case opens, whichever is later.

FM5E Landmark Cases

Retention: Permanent.

FM6 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destructions forms signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable records retention schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6(j), and 43-8.1.10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

FM7 Variance Decisions

The Fire Safety Code Board of Appeal and Review has the responsibility for deciding whether or not appeals for variances from certain aspects of the State Fire Code are granted or not per R.I. Gen. Laws § 23-28.3-5. The Board has the authority to render decisions on appeals for variances and holds hearings to determine whether or not to grant them. The Fire Safety Code Board of Appeal and Review provides a copy of each decision rendered to the State Fire Marshal. Per R.I. Gen. Laws § 23-28.3-5(b), a properly indexed record of all variations made shall be kept in the office of the state fire marshal and shall be open to public inspection.

Retention: Permanent.

FM8 Arson Investigations/Physical Evidence

The State Fire Marshal receives reports of all fires and explosions occurring in the state of Rhode Island per R.I. Gen. Laws § 23-28.2-10. In each case, the Fire Marshal determines whether or not an

investigation is warranted and if so, conducts the investigation. In such cases physical evidence such as fire debris may be collected. Some of that evidence may be forwarded to other agencies to be tested and examined as part of the process of determining whether the cause of the fire or explosion is classified as incendiary, accidental, natural, or undetermined. The reports resulting from these tests are filed with FM5 (Investigations Reports). This record series consists of the actual physical evidence obtained from fires and explosions that are classified as arson.

Note: Physical evidence can be ascertained to have decayed or degraded when, due to its natural characteristics, it has undergone a physical and/or chemical breakdown to the extent that it no longer possesses probative value. Physical evidence can be ascertained to be unsafe for continued storage when due to decay, degradation, or other characteristics, it poses a threat of harm to personnel and/or other evidence, and there are no other reasonable measures that can be employed to continue to safely and securely maintain that evidence. Either of two authorized officials of the Office of the State Fire Marshal may make this determination about evidence – the Chief Deputy for Enforcement and the Chief of Investigations, the latter of whom serves as the evidence supervisor.

FM8A Charged Cases Resulting in Convictions – Capital Offenses

Retention: Retain one hundred (100) years from the date of opening or until the sentence expires, whichever is later, or until such time as the evidence decays, degrades, or can no longer be safely stored.

FM8B Charged Cases Resulting in Convictions – Non-Capital Offenses

Retention: Retain thirty (30) years from the date of opening or ten (10) years after the sentence expires, or until such time as the evidence decays, degrades, or can no longer be safely stored.

FM8C Charged Cases Not Resulting in Convictions

Retention: Retain seven (7) years after final disposition of case or until such time as the evidence decays, degrades, or can no longer be safely stored, whichever is sooner.

FM8D Uncharged Cases with No Statute of Limitations

Retention: Retain until evidence decays, degrades, or can no longer be safely stored.

FM8E Uncharged Cases with Statutes of Limitations

Retention: Retain until Statute of Limitations expires or until evidence decays, degrades, or can no longer be safely stored, whichever is sooner.

FM9 Accidental, Natural and Undetermined Fire Investigations/Physical Evidence (No Criminal Component)

The State Fire Marshal receives reports of all fires and explosions occurring in the state of Rhode Island per R.I. Gen. Laws § 23-28.2-10. In each case, the Fire Marshal determines whether or not an investigation is warranted and if so, conducts the investigation. In such cases physical evidence such as fire debris may be collected. Some of that evidence may be forwarded to other agencies to be tested and examined as part of the process of determining whether the cause of the fire or explosion is classified as incendiary, accidental, natural, or undetermined. The reports resulting from these tests are filed with FM5 (Investigations Reports). This record series consists of the actual physical evidence obtained from fires and explosions that are classified as accidental, natural, or of undetermined cause.

Note: When there is a basis to believe that a civil action may arise as a result of a fire or explosion investigation, a good faith effort to notify interested parties will occur prior to destruction of physical evidence. Physical evidence can be ascertained to have decayed or degraded when, due to its natural characteristics, it has undergone a physical and/or chemical breakdown to the extent that it no longer possesses probative value. Physical evidence can be ascertained to be unsafe for continued storage when due to decay, degradation, or other characteristics, it poses a threat of harm to personnel and/or other evidence, and there are no other reasonable measures that can be employed to continue to safely and securely

maintain that evidence. Either of two authorized officials of the Office of the State Fire Marshal may make this determination about evidence – the Chief Deputy for Enforcement and the Chief of Investigations, the latter of whom serves as the evidence supervisor.

FM9A Landmark Cases and Fires and Explosions Resulting in Fatalities

Retention: Maintain in accordance with FM8D (Uncharged Cases with No Statute of Limitations) and FM8E (Uncharged Cases with Statutes of Limitations), or until evidence decays, degrades, or can no longer be safely stored, whichever is sooner.

FM9B All Other Fires and Explosions

Retention: Maintain in accordance with FM8D (Uncharged Cases with No Statute of Limitations) and FM8E (Uncharged Cases with Statutes of Limitations), or until evidence decays, degrades, or can no longer be safely stored, whichever is sooner.

FM10 Fire Protection Systems Service – Applications, Licenses, Permits and Certificates

The State Fire Marshal receives written applications for permits to engage in the business of servicing portable fire extinguishers and/or the business of installing, repairing, and servicing fixed systems. These applications, provided by the State Fire Marshal, may be used by firms or individuals and are required for anyone who wishes to provide the aforementioned services. They are also required for anyone desiring to service portable fire extinguishers and/or fixed systems as an apprentice. Certificates of Registration are required for each separate location that has facilities to service extinguishing equipment. All of this is mandated by 450-RICR-00-00-7.13 (Chapter 13 – Fire Protection Systems). The State Fire Marshal keeps and maintains records of all such licenses, apprentice permits, and Certificates of Registration. These documents may include, but are not limited to, applications, tests, photographs, licenses, permits, and certificates.

Retention: Retain ten (10) years.

FM11 Fire Code Prosecution Records

The State Fire Marshal is responsible for the initiation of criminal prosecution of or civil proceedings against any person(s) and/or businesses for violations of the State Fire Code, or failure to comply with an order to abate conditions that constitute a violation of the Fire Code. These files may include, but are not limited to, fire safety inspection reports, violation notices, correspondence, criminal complaints and summons, Fire Safety Code Board of Appeal and Review records, processing report cover and fact sheets, copies from complaint report files, reports of investigations, property records, witness statements, signed Miranda rights forms, process and disposition documents, fingerprints, and photographs.

Retention: Retain thirty (30) years from the date of the opening of the case, or ten years after the sentences of those convicted expire, whichever is later.

FM12 Juvenile Fire Setter Intervention Records

The State Fire Marshal administers the Juvenile Fire Setter Intervention Program, which is an intervention program for juveniles who have exhibited fire related behavior. The program is designed to enlighten parents and children about fire safety and the consequences of fire. These records include, but are not limited to, referral forms, intake forms, copies of investigative reports, written examinations, other court documents, process and disposition documents, and other associated records.

Retention: Retain seven (7) years after juvenile reaches age eighteen (18).

FM13 Juvenile Detention and Arrest Records

The State Fire Marshal maintains records of juveniles detained or arrested on suspicion of arson separately from those of adult suspects. Information in records of juveniles detained, but not arrested, may include, but is not limited to, identification or reference number, age of detainee, race of detainee, gender of detainee, the reason for detention, the location at which the detainee is held, the dates and times of entering and leaving detention, and the final disposition. For arrests of juveniles, the Fire Marshal maintains arrest logs as well as individual files on each suspect arrested. The information in the logs may include, but is not limited to, the date of the arrest, the name of the arrested juvenile, the address of the suspect, the date of birth of the suspect, the age of the suspect, the gender of the suspect, the agency the suspect was referred to, the complaint report number, the identification number, and the arrest number. The individual files contain all the information included in the log. These files may also include, but are not limited to,

processing report cover and fact sheets, copies from complaint report files, reports of investigations, property records, witness statements, signed Miranda rights forms, Family Court petitions, other court documents, process and disposition documents, fingerprints, and photographs.

Note: Records must be kept separate and apart from adult records. Current practice is to seal records at age eighteen (18).

FM13A Juvenile Detention Records (For Juveniles Not Arrested) in Cases in Which Others Are Charged

Retention: Retain seven (7) years after juvenile reaches age eighteen (18) or seven years after the conclusion of the case, whichever is longer.

FM13B Juvenile Detention Records (For Juveniles Not Arrested) in Cases in Which No One Is Charged

Retention: Retain one hundred (100) years.

FM13C Juvenile Arrest Logs

Retention: Retain three (3) years after last entry.

FM13D Juvenile Arrest Files

Retention: Retain seven (7) years after juvenile reaches age eighteen (18) or seven years after the conclusion of the case, whichever is longer.

FM14 Fire Academy Student Training Records

The Fire Marshal operates a Fire Academy that provides basic and advanced training to members of the fire service community. The records in this series document this training and any resulting certifications. The records may include, but are not limited to, student fact sheets, student information sheets, applications for enrollment, written and practical examinations, incident reports, copies of graduation certificates, copies of training certificates, and any other information received or generated by the Fire Academy relating to specific students.

Retention: Retain forty (40) years from date of course completion.

GJC **Public Safety Grant Administration Office**

Formerly Governor's Justice Commission and later, Rhode Island Justice Commission.

GJC1 **Policy Board Minutes**

Minutes of policy board meetings. File may also include agenda and any supporting documentation or reports introduced during the meeting. (R.I. Gen. Laws § 42-26-6)

Retention: Permanent.

GJC2 **Steering Committee Minutes**

Minutes of the Governor's Justice Commission's steering committee.

Retention: Permanent.

GJC3 **Criminal Justice Oversight Committee Minutes**

Minutes of Criminal Justice Oversight Committee meetings. File may also include agenda and any supporting documentation or reports introduced during the meeting. (R.I. Gen. Laws § 42-26-13)

Retention: Permanent.

GJC4 **Grants**

GJC4.1 **Grant Planning and Sub-Committee Meeting Minutes**

Minutes recorded during a meeting of a grant subcommittee. For every grant the state applies for or is awarded, several committees are created to oversee and administer the grants, including an original grant planning committee. (R.I. Gen. Laws § 42-26-7)

Retention: Permanent.

Note: Sub-committee meeting minutes may be filed with appropriate Federal Grant File (GJC4.2 (Federal Grant File (Notebook))).

GJC4.2 **Federal Grant File (Notebook)**

File includes all documentation relating to a federal grant award to the State of Rhode Island's Governor's Justice Commission. File may include, but is not limited to, original state application, grant award, grant adjustment notices, correspondence from the Justice Department, general correspondence, grant subcommittee meeting minutes (GJC4.1

(Grant Planning and Sub-Committee Meeting Minutes)), and technical assistance information.

Retention: Permanent.

GJC4.3 Sub-Grant Files

File contains all documentation relating to the sub-grant awarded from the federal grant. File may include, but is not limited to, original sub-grantee application, grant award and cooperative agreement, financial reports (filed monthly or quarterly), requests for reimbursements or advancements, quarterly and annual progress reports, independent auditor's report, newsletters, newspapers clippings, and general correspondence. (28 C.F.R. §§ 66.42 and 70.53)

Retention: Retain ten (10) years from the date of submission of the final expenditure report.

Note: If any litigation, claim, negotiation, audit or other action has been started before the expiration of the ten (10) year period, the records must be retained seven (7) years after completion of the action and resolution of all issues which arise from it. For purposes of federal examination and audit, the Office for Justice Programs Financial Guide requirements are to "retain all financial records, supporting documents, statistical records, and all other records pertinent to the award for at least three (3) years after receiving notification from the awarding agency that the award has been financially and programmatically closed." This normally takes place within a few months of the Grant Administration Office filing the final expenditure report.

GJC4.4 Independent Auditor Report

Annual independent auditor reports filed by sub-grantees.

Retention: Retain ten (10) years from the date of submission of the final expenditure report.

Note: If any litigation, claim, negotiation, audit or other action has been started before the expiration of the ten (10) year period, the records must be retained seven (7) years after completion of the action and resolution of all issues which arise from it. May be filed with sub-grant file GJC4.3 (Sub-Grant Files) if sub-grantee does not receive more than one (1) grant from the Governor's Justice Commission.

GJC4.5 **Final Grant Reports**

Final reports submitted by the Governor's Justice Commission at the conclusion of a federal grant. Report includes summary information from all sub-grant reports associated with a particular grant. (28 C.F.R. §§ 66.42 and 70.53)

Retention: Permanent.

GJC4.6 **Sub-Grant Applications – Denied**

Applications for sub-grants which are not selected for funding by the Governor's Justice Commission. (28 C.F.R. §§ 66.42 and 70.53)

Retention: Retain three (3) years from decision.

Note: If any litigation, claim, negotiation, audit or other action has been started before the expiration of the three (3) year period, the records must be retained seven (7) years after completion of the action and resolution of all issues which arise from it.

GJC5 **Governor's Justice Commission Annual Report**

Annual report issued by the Governor's Justice Commission including summary information from all final grant reports issued for that year.

Retention: Permanent.

GJC6 **Resource Files**

Reference files containing statistics and other reference material relating to crime and crime prevention at local, state, and federal levels.

Retention: Retain until updated, superseded, or of no further administrative value.

GJC7 **Training Materials**

Manuals created by the Governor's Justice Commission to use in training sessions conducted by the Commission on various issues, including but not limited to domestic violence.

Retention: Retain one (1) copy permanently. Retain all other copies until superseded or of no further administrative value.

GJC8 **Handbooks**

Reference tool created from training manuals for trainees to use after conclusion of training sessions conducted by the Governor's Justice Commission on various issues, including but not limited to domestic violence.

Retention: Retain one (1) copy permanently. Retain all other copies until superseded or of no further administrative value.

GJC9 Training Session Materials

Pre-training tests, post-training tests and evaluations used and created during training sessions conducted by the Governor's Justice Commission on various issues, including but not limited to domestic violence.

GJC9A Pre-Training Tests, Post-Training Tests and Related Documents

Retention: Retain three (3) years after training session complete.

GJC9B Evaluations and Compiled Results of Training Sessions

Retention: Permanent.

GJC10 Reports

All statistical and other types of reports created by the Governor's Justice Commission.

Retention: Retain one (1) copy permanently.

GJC11 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6(j), and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

GJC12 Racial Profiling Prevention Study Records

The Governor's Justice Commission's mandate includes collection of criminal justice data. This record series documents the Commission's study of routine traffic stops by the R.I. State Police and by municipal police departments. The study was undertaken to determine whether racial profiling occurs and whether searches of vehicles and motorists are conducted in an unbiased manner. The Commission received a statutory mandate to conduct this study (2004 Racial Profiling Prevention Act, R.I. Gen. Laws § 31-21.2-6) subsequent to an earlier police racial profiling study carried out by the R.I. Attorney General in 2001-2002 (2000 Traffic Stops Statistics Act, R.I. Gen. Laws Chapter 21-1) Records consist of data collection cards, electronic data, and study reports. Data collection cards were completed by police during individual traffic stops. Data has been input from the cards into an electronic database. Data collected includes age, race, gender, ethnicity, reason for stop/alleged violation, date, time, location, license plate number, warning given, citation given, arrest made, personal search conducted, search of vehicle conducted, contraband found, items seized for forfeiture, and authority for search. Analysis, interim reports, and final report of analysis of electronic data were contracted to Northeastern University's Center for Criminal Justice.

Note: Data transferred from cards to database using Scantron Corporation Optical Mark Reader technology. Retain system documentation necessary to ensure continuing access to data, as well as any documentation that may be required to understand data elements and data relationships, including but not limited to, data dictionaries, codebooks, data tables, technical metadata, and other relevant system materials.

GJC12A Study Reports [SUPERSEDED]

See Also: For associated retention, see GJC10 (Reports).

GJC12B Data Collection Cards

Retention: Retain until verification and validation of electronic data.

GJC12C Electronic Data

Retention: Permanent.

See Also: For administration, fiscal, personnel, and payroll records, see Subchapter 10 of this Chapter (General Records Retention Schedules).

SP **State Police**

SP1 **Complaint**

SP1.1 **Complaint Log**

Name and information of complainant, victim, location, nature of incident, and complaint report reference number. May include date, time and dispatch details.

Retention: Purge with related Complaint Report Files when obsolete or of no administrative value.

SP1.2 **Barracks Complaint Files**

Records complaint, reports, and follow-up of incident. May include complaint report card, incident, accident, misdemeanor, felony, fraudulent check, missing person, domestic violence, supplemental or other reports, consent to search, witness and Miranda rights statements, property records, processing and disposition documents, and copies of records from arrest files.

SP1.2A **Criminal Incidents**

Retention: If arrest, retain ten (10) years from date of final disposition. If no arrest, retain until statute of limitations expires.

SP1.2B **Non-Criminal Incidents**

Retention: Retain three (3) years.

SP1.2C **Motor Vehicle Accidents (If Not Covered Under Other Categories)**

Retention: Retain three (3) years. Retain permanently motor vehicle accidents involving fatality.

SP1.2D **Accidental or Unexplained Death**

Retention: Permanent.

SP1.2E **Missing Persons, Unsolved**

Retention: Permanent.

SP1.3 **Barracks Arrest Files**

Records the arrest and may contain Complaint Report, Arrest Report, and all accompanying paperwork for prosecution, i.e. Miranda Forms, Witness Statements, Statement of Defendants, Seizure Report, Toxicology Report, etc.

Retention: Retain for ten (10) years from date of final disposition.

SP1.4 Field Interrogation Cards

Name and identifying information on persons questioned in the field, location, comments, and disposition. May include data on vehicle, NCIC checks. Used for informational and analysis purposes.

Retention: Retain five (5) years.

Note: Forward copy to Intelligence Unit.

SP1.5 Administrative Card/Log Slips/Vacation/Sick Leave/Overtime Reports

Retention: Retain three (3) years.

SP1.6 A.M. and Night Executive Reports

Twenty-four (24) hour summary of activity of a criminal or informational nature.

Retention: Retain one (1) year.

SP2 Dispatch

SP2.1 Dispatch Tapes

Audio tapes of calls received and dispatch instructions.

Retention: Retain (3) years before re-use.

Note: Times of calls and dispatch are recorded on the Day Sheet.

SP2.2 Towed Vehicle Log

Records for each vehicle, date and time, vehicle information, trooper, locations towed from and to, complaint number and release information.

SP2.2A Releases

Retention: Retain three (3) years.

SP2.2B All Other Records

Retention: Retain one (1) year after all releases recorded.

SP3 Patrol

SP3.1 Day Sheet

Daily roster for work/shift. May include troopers' names, patrols, car numbers, equipment, activities, or duties assigned to each trooper. Compilation of complaints, time received, verification, badge number, unit sent, location of call, patrol, summary. May include weather, names of staff off duty and type of leave, prisoners, and other data.

Retention: Retain five (5) years.

SP3.2 Vehicle Inspection Sheets

Records car number, mileage, date, and time in/out, check list for vehicle and equipment inspection.

Retention: Retain two (2) years.

SP3.3 Trooper Activity Sheet

Records trooper's daily activity. May include for each response, times, complaint information and statistical, and other summaries.

Retention: Retain until data is transferred to monthly activity report.

SP3.4 Monthly Activity Reports

Records trooper's Monthly Activity. May include for each response, times, complaint information and statistical, and other summaries.

Retention: Retain three (3) years.

SP3.5 Accident Log

Listing of motor vehicle accidents. May include complaint report number, date, time, verification code, location, operator(s) of vehicle(s) and registration number(s).

Retention: Retain three (3) years.

SP3.6 Pursuit Debriefing Reports

Reports submitted by troopers following a motor vehicle pursuit.

Retention: Retain ten (10) years.

SP3.7 Summons Books

Book or pad of summonses for violations relating to the operation, control, or maintenance of a motor vehicle. Also called citations, tags, or tickets.

SP3.7A Issued Summonses (Police Record Copy)

Retention: Retain one (1) year after final disposition and audit.

SP3.7B Summons Book Summary Sheets (Department Copy)

Retention: Retain three (3) years.

SP3.7C Used Summons Books and Spoiled/Voiced Summonses

Retention: Retain one (1) year.

SP3.7D Used Summons Books and Spoiled/Voiced Summonses

Retention: Turned over to RI Traffic Tribunal (RITT).

SP3.8 Transmittal Lists (Barracks Copy)

List of summonses issued. Includes summons number, offender's name, trooper's badge number, date, whether paid or hearing required.

Retention: Retain one (1) year.

SP3.9 Void Summons Requests

Requests to invalidate traffic summons issued incorrectly.

Retention: Retain three (3) years.

SP3.10 Size and Weight Enforcement Plan

Commercial Enforcement Unit plan for enforcement of truck size and weight regulations.

Retention: Retain ten (10) years.

SP3.11 Scale Certifications

Certification for accuracy of all Rhode Island State Police scales.

Retention: Retain ten (10) years.

SP3.12 Commercial Vehicle Safety Alliance (CVSA) Certification

This allows the Inspectors to do authorized Motor Carrier Safety Assistance Program (MCSAP) Inspections.

Retention: Retain ten (10) years.

SP3.13 Safety Net

This is database that holds all information for the Division's Commercial Enforcement Unit.

Retention: Retain ten (10) years.

SP3.14 Body Camera and Dash Camera Recordings

This series covers the retention for recordings made from body cameras worn by police and dash camera units mounted in police vehicles. Body cameras and dash cameras are used by police departments when responding to complaints, incidents, or enforcement encounters, as stipulated by statute, ordinance, or department policy. The records in this series may include, but are not limited to, recordings from these cameras taken when police respond to these events and any associated documentation. They may include requests for deletion of videos for events specifically stipulated by department policy that should not have been recorded due to privacy concerns.

SP3.14A Non-Evidentiary Recordings

Retention: Retain sixty (60) days.

SP3.14B Evidentiary Recordings

Retention: Retain until resolution of the investigation, court proceedings (including appeals) or administrative hearing to which they relate. Thereafter recordings will be maintained and destroyed in accordance with SP1.2 (Barracks Complaint Files).

SP3.14C Evidentiary Recordings Used in Internal Affairs or Use of Force Investigations

Retention: Retain seven (7) years.

See Also: SP11.11 (Internal Affairs Investigations) and SP11.12 (Use of Force Investigations). For recordings pertaining to legal cases, see GRS2.1 (Case Files).

SP3.14D Requests for Deletion and Associated Recordings

Retention: Destroy records upon approval of request from department head. Retain requests (approved or denied) three (3) years.

Note: For recordings pertaining to legal cases, see GRS2.1 (Case Files).

SP4 Specialty Units

SP4.1 Canine Training/Health Records

Records documenting all specialty training certifications of canine team and canine health records.

Retention: Duration of Canine Team plus three (3) years.

SP4.2 Diver Certifications

National certifications for all divers.

Retention: Retain ten (10) years.

SP4.3 Dive Logs

Record of all dives (Search and Training).

Retention: Retain (10) years.

SP4.4 Tactical Team

DEF-EC-25 Certification – Training certifications for use of flash grenades.

Retention: Instructor shall retain six (6) years.

SP4.5 Tactical Team Site Surveys

Building and property layouts and blueprints.

Retention: Permanent.

SP5 Vehicles and Equipment

SP5.1 Vehicle Records

Records relating to each vehicle owned by the Division of State Police. May include title, registration, inspection, maintenance, check lists, repair, and incident reports.

Retention: Retain one (1) year after disposal of vehicle and completion of audit.

SP5.2 Police Vehicle Accident Files

Records relating to accidents which involved Division vehicles. May include copies of complaint report files, photographs, diagrams, witness statements, repair estimates, medical reports, and disposition.

Retention: Retain seven (7) years unless in litigation.

Note: If minor involved, retain three (3) years after minor reaches the age of eighteen (18) years.

SP5.3 Speedometer Calibration Records

Test reports for vehicle speedometer calibration.

Retention: Retain five (5) years.

SP5.4 Radar Reports

May include certification of calibration, routine radar check reports and certification of accuracy for tuning forks.

Retention: Retain five (5) years after equipment is disposed of.

SP5.5 Borrowed Equipment Agreements

For equipment borrowed may include person's name and address, description of equipment, date and time checked in and out, and signatures of trooper and borrower.

Retention: Retain three (3) years from date returned.

SP6 Detective/BCI

SP6.1 Detective Day Sheet

Daily record logs Detectives in/out and reports activity.

Retention: Retain three (3) years.

SP6.2 Investigation/Assignments Summary

Records detectives' names and individual assignments. May include old and new cases, caseloads, follow-ups, arrests, and cases closed.

Retention: Retain three (3) years.

SP6.3 Detective Investigation Case Files

Detectives copy of cases under investigation. Contains copies from SP1.2 (Barrack's Complaint Files).

Retention: If arrest, retain ten (10) years from date of final disposition. If no arrest, retain until statute of limitations expires.

Note: Cases having historical significance, i.e., statewide, or national significance and/or cases involving major initiative by the State Police and cases involving notorious figures or organizations or prominent individuals, should be retained permanently.

SP6.4 Arrest Booking Log

Records information on arrested persons which may include date of arrest, name, address, sex, date of birth, offense, complaint report number, arresting trooper. May assign arrest booking number and include a section for recording the arrest of persons previously assigned arrest numbers.

Retention: Retain three (3) years after last entry.

SP6.5 Arrest Card

Information recorded may include name, address, date of birth, offense, arrest numbers and disposition of case. May act as index to arrest files.

Retention: Purge with related Arrest File.

SP6.6 BCI Arrest Files

Cumulative information file for each adult arrested. May include processing reports, fingerprint cards, photo description, physical information, rap sheet, cover and face sheet, copies from complaint report files, investigation reports, witness statements, signed Miranda rights, property record, rap sheets, court, process and disposition documents.

Retention: Retail until person is known dead or presumed dead at age eighty-five (85).

SP6.7 Evidence Journal

Cumulative log of evidence taken into custody. Information recorded may include date, item(s), location/bin, names of complainant and arrested person, complaint report number, disposition, and date.

Retention: Retain three (3) years after final disposition of all entries.

SP6.8 Property Record

Individual record of property/evidence taken into custody. May include date, names, addresses, signatures, description, serial numbers, condition, whether property or evidence, location/bin, complaint report number, comments, and disposition.

Retention: Retain three (3) years after final disposition of property.

SP6.9 Evidence Examination Requests

Request for examination of evidence by FBI or RI State Crime Laboratory. May include names of suspect/victim, offense, complaint report number, description of evidence, examinations requested and disposition.

Retention: Record copy kept as part of case file. Purge duplicates when evidence is disposed of.

SP6.10 Confidential Informant Files

Information recorded may include number assigned to informant, informant's and case troopers; names, reference to origins of the contact, reports of information supplied by informant and expenditure/payment records.

Retention: Retain seven (7) years after informant no longer active.

SP6.11 Precious Metals Reports

Buyer/Police/State Treasurer multi-part form reporting the sale of precious metals, gems, and jewelry. Includes buyer and seller information and description of goods

Retention: Retain one (1) year.

SP6.12 Stolen Property Lists

Received and internally produced lists and printouts of lost, stolen, found, pledged or pawned property.

Retention: Retain until updated, superseded, or of no administrative value.

SP6.13 Sex Offenders Register

Form containing name, date of birth, address, household information, violation, BCI number and signature. May include copy notice of duty to register and other notifications.

SP6.13A Offense Adjudicated by Juvenile Court

Retention: Destroy records when person attains age twenty-five (25).

SP6.13B All Other Records

Retention: Retain until person is known dead or presumed dead at age eighty-five (85).

SP6.14 Polygraph Examination File

The Polygraph examination file includes Permission form, Polygraph Procedure form, Miranda Right Form, Background form, Polygraph Chart, Chart Analysis Form, Test Question Sheet, Detective Activity Report.

Retention: Tied to life of case file.

SP7 Juvenile

SP7.1 Juvenile Detention Data Summary

Records information on juveniles detained including identification or reference number, age, race, sex, reason for detention, where held, dates and times of entering and leaving detention and final disposition.

Retention: Retain one (1) year. Records must be kept separate and apart from adult records.

SP7.2 Juvenile Arrests Log

Records information on juveniles arrested. May include date, name, address, date of birth, age, sex, agency referred to, offense, complaint report number, identification, and arrest numbers.

Retention: Retain three (3) years after last entry.

SP7.3 Juvenile Arrest Files

Cumulative information file on each juvenile arrested. May include processing report cover and face sheet, copies from complaint report files, investigation reports, property records, witness statements, signed Miranda rights, Family Court petitions, court, process and disposition documents, fingerprints, and photographs.

Retention: Retain seven (7) years after minor subject reaches the age of 18. Arrest records of juveniles charged as adults to be kept in accordance with adult arrest files (SP6.6 (BCI Arrest Files)).

SP7.4 Abused/Neglected Child Notification

Reports from the Division of Child Protective Services of the Department of Children Youth and Families of suspected cases of child abuse or neglect. May include cover letter, investigative workers' observations and/or recommendations, investigation summary.

SP7.4A Neglect

Retention: If neglect/abuse did occur, retain five (5) years.

SP7.4B All Other Records

Retention: Destroy three (3) years after date of final determination by family court or DCYF that abuse/neglect did not occur.

SP8 Prosecution

SP8.1 Notices to Appear

Notification to troopers to appear at hearings.

Retention: Retain one (1) year.

SP8.2 Court Calendar

List of court appearances. May include date, judge, defendant's name, case number, offense, whether arraignment, pre-trial or trial, attorney's name, and disposition.

Retention: Retain one (1) year.

SP8.3 Court Disposition Reports

Listing of reported disposition or case status. May include case number and final disposition or statistical report tracking the number and status of cases for a given period.

Retention: Retain three (3) years.

SP9 Licenses & Background Checks

SP9.1 Licensed Premises Files

Files on bars, social clubs and liquor stores within a municipality. May include copies from complaint report files relating to incidents occurring at the premises, arrest/booking reports, court summons, hearing notifications, court decisions relating to alcoholic beverage licenses, suspension orders, memos, and correspondence.

Retention: Retain until obsolete or of no administrative value.

SP9.2 Licensing Files

Application information, criminal background checks or other documentation in connection with a state or local licensing/permit process. Examples include games of chance applications and financial reports, bingo applications, financial reports and reviews.

Retention: Retain three (3) years.

SP9.3 Criminal Background Check Files

Criminal background checks done as a consequence of requests from employers or under state or local government requirements. Examples include school, day care, or nursing home employees. File contains criminal record, if one exists.

Retention: If criminal record, retain print-out of FBI/III record for one (1) year or until conclusion of appeal of the record.

SP9.4 Applications to Purchase Firearms

Duplicate copy of application to purchase firearms within the state.

SP9.4A Denied

Retention: Retain one (1) year.

SP9.4B Approved

Retention: Destroy within thirty (30) days.

SP10 **Holding Facility**

SP10.1 **Meal Records/Food Receipts**

Records may include order, vendor, receipt, and purchase information.

Retention: Retain audit plus one (1) year.

SP10.2 **Inspection Records**

May include schedules/check lists for inspection of security, health, and safety systems such as fire detection and suppression, sanitation, security and first aid.

Retention: Retain three (3) years.

SP10.3 **Housekeeping/Maintenance Records**

May include schedules/check lists for cleaning or maintenance.

Retention: Retain one (1) year.

SP11 **Policy and Reports**

SP11.1 **NCIC Inquiry Log Book**

Records each inquiry to NCIC or other law enforcement databases. May include date, time, name, date of birth, name of requester, authorization, reason, complaint report number and operator's name/number.

Retention: Retain seven (7) years after last entry.

SP11.2 **Outstanding Warrants**

Lists or printouts of outstanding arrest warrants. May include name, date of birth, address, offense code, case number, warrant date, status, charging section.

Retention: Retain until updated, superseded, or of no administrative value.

SP11.3 **Crime Analysis Bulletins**

Notification for internal force on crime activity. Reports on crime patterns may be by type of crime, modus operandi or area, and may include charts, computer printouts and suspect information.

Retention: Retain one (1) year.

SP11.4 Reports

Internally generated reports, including but not limited to, manpower, operations, analysis, crime comparison, inspection, watch or other statistical and summary reports.

SP11.4A Daily and Weekly Reports

Retention: Retain one (1) year.

SP11.4B Monthly and Quarterly Reports

Retention: Retain three (3) years.

SP11.5C Periodic Reports

Retention: Retain three (3) years.

SP11.5D Annual Reports

Retention: Permanent.

SP11.5 Uniform Crime Report (UCR)

Monthly count of offenses and stolen and recovered property values sent to the state Police.

Retention: Permanent.

SP11.6 Accreditation Files

Standards, memoranda, goals and objectives, status, and progress reports, copy orders and directives, and other documentation relating to accreditation and review for maintaining accreditation.

Retention: Retain until superseded, updated, or of no administrative value.

SP11.7 Directives

Official statements of policy, operating procedure, and standards. May include general or special orders, memoranda, rules, and regulations and supporting documentation.

Retention: Permanent – one record copy signed or issued by department or division head.

SP11.8 Signature Returns

Sign-off sheets acknowledging receipt by individuals of named documents.

Retention: Retain three (3) years.

SP11.9 Tow Company Applications

Applications from tow companies approved to tow for the Rhode Island State Police.

Retention: Retain three (3) years.

SP11.10 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms submitted to and signed by the State Archivist/Public Records Administrator authorizing the disposal of records under the retention periods as listed in this and other applicable schedules.

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

SP11.11 Internal Affairs Investigations

Investigations of complaints of alleged trooper misconduct. May include reports, correspondence, statements, investigation documentation, findings, and dispositions.

SP11.11A Complaint Unfounded, Not Sustained

Retention: Retain seven (7) years after final action taken.

SP11.11B Complaint Sustained

Retention: Retain seven (7) years after final action taken.

SP11.12 Use of Force Investigations

Investigations on the application of physical or deadly force. May include copies from complaint report file, inquiry, and findings.

Retention: Retain seven (7) years.

SP12 Grants

SP12.1 Grant Program Files

Records relating to the development of grant proposals to state or federal agencies and the administration of grant awards and programs. Records may include, but are not limited to, grant applications and agreements, studies, notices, bid and contract records, accounting, banking, purchasing and payroll records, bonds monitoring and performance reports, expenditure and outlay reports, memoranda and correspondence.

SP12.1A Grant Applications and Amendments, Final Performance, Disposition, and Expenditure

Retention: Permanent.

SP12.1B Financial and Programmatic Records, Periodic Performance Reports, Supporting Documents, Statistical Records, Other Required and Pertinent Records

Retention: Retain three (3) years from submission of close-out and final expenditure report or submission of annual financial status report for grants renewed annually.

SP12.1C Real Property and Equipment Records

Retention: Retain three (3) years from the date of disposition, replacement, or transfer of property/equipment.

SP12.1D Income Transaction Records (Earning of Income) After Grant Support Where Required by the Terms of the Grant

Retention: Retain three (3) years from the end of fiscal year in which the income is earned.

SP12.1E Unsuccessful Grant Applications

Retention: Retain three (3) years.

SP13 NCIC/RILETS

SP13.1 RILETS User Agreement

An agreement between agency head and the Superintendent.

Retention: Retain until superseded by new agreement.

SP13.2 Validation Certifications

Certification that records are active.

Retention: Retain seven (7) years.

SP13.3 Validation Receipts

Acknowledgment that agency RILETS records are active.

Retention: Retain seven (7) years.

SP13.4 Validation Printout

Listing of all records in NCIC/RILETS of a particular agency.

Retention: Retain one (1) year.

SP14 Community Relations/Programs

SP14.1 Community Service Programs

Files relating to programs within the community or schools which may relate to crime prevention, safety, drugs, and education.

Retention: Retain until of no administrative value, then review for historical value.

SP14.2 Community Surveys

Surveys or questionnaires used to measure community concerns and opinions.

SP14.2A Completed Questionnaires or Survey Forms

Retention: Retain one (1) year.

SP14.2B Compilation of Responses and Summaries

Retention: Permanent.

SP15 Superintendent & Command Staff

SP15.1 Executive Level Correspondence

Letters and memos sent or received by the Superintendent and top command Staff, excluding routine correspondence.

Retention: Permanent.

SP15.2 Subject Files

SP15.2A Project Documentation – Records Created to Design, Develop, Control, or Monitor a Specific Project, Initiative, Program, or the Like

Retention: Permanent.

SP15.2B References Materials – Documentation Collected for Reference Use, Generally Printed Material Routinely, Distributed or Collected

Retention: Retain until of no further administrative value.

SP16 Administration

SP16.1 Recruit Selection Process Applications (Non-Selection)

Record of application process of potential academy recruits. File may include application, letter of reference, physical agility test, oral board, background investigation, and psychological evaluation results.

Retention: Retain seventeen (17) years.

Note: Minimum age of application is 18 and maximum age of application is 35, therefore retention period is 17 years so that information can be referenced for potential reapplication.

SP16.2 Internship Records

Records that document internship programs and those who participate. Files may include, but are not limited to, descriptions of program applications for internship, copies of any student records associated with applicants (including transcripts), reports to interns' instructors, summaries of assignments and evaluations.

SP16.2A Unsuccessful Applications for Internship Programs

Retention: Retain three (3) years.

SP16.2B Successful Applications and Documentation of Internship Served

Retention: Retain five (5) years.

SP16.3 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to and signed by the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable records retention schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6(j), and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).