

City of San Jose Retention Schedule

Police

Section	Series #	Title and Description	Retention Period	Basis of Retention
Cases				
CAS	32	BOMB SQUAD CASE FILES	Closed+7 Years	Department Policy
CAS	71	COURT LIAISON RECORDS - Docket Lists, Calendars, Bail Summary, Affidavits for Probable Cause, District Attorney Rejection Slips	2 Years	GC 34090
CAS	74	FINANCIAL CRIMES - Pawnbroker Receipts, Tickets	2 Years	GC 34090
CAS	77	INVESTIGATIONS, GENERAL CRIMES PROSECUTED - Case Files - General Crimes - Assault (Except Kidnapping for Ransom / Extortion), Financial (Except Embezzlement, Falsification of Public Records), High-Tech Crimes, Narco Drug Files, Robbery, Motor Vehicle Theft - Criminal Prosecution	Closed+5 Years	Department Policy
CAS	78	INVESTIGATION CASE FILES, GENERAL CRIMES NOT PROSECUTED - Case Files - General Crimes - Assault (Except Kidnapping for Ransom / Extortion), Financial (Except Embezzlement, Falsification of Public Records), High-Tech Crimes, Narco Drug Files, Robbery, Motor Vehicle Theft - No Criminal Prosecution	Closed+3 Years	Department Policy
CAS	79	INVESTIGATION CASE FILES, ASSAULT UNIT - Case Files - Assault Unit - Kidnapping for Ransom / Extortion, Embezzlement, Falsification of Public Records	50 Years	Department Policy
CAS	80	INVESTIGATION CASE FILES, CHILD ABUSE SUBSTANTIATED - Child Abuse, Child Neglect - Substantiated Cases	PERMANENT	PC11169

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CAS	81	INVESTIGATIONS CASE FILES, CHILD ABUSE, UNSUBSTANTIATED - Child Abuse, Child Neglect - Unsubstantiated Cases	Last report received for suspected child abuser + 10 years	PC 11169(c) and 11170(a)(3)
CAS	82	INVESTIGATION CASE FILES, DOMESTIC VIOLENCE AND ELDER ABUSE/NEGLECT - Case Files - Family Violence Unit - Domestic Violence and Elder Abuse or Neglect	Closed+10 Years	Department Policy
CAS	83	INVESTIGATION CASE FILES, GANGS	Closed+5 Years	Department Policy
CAS	85	INVESTIGATIONS, HOMICIDE AND OFFICER INVOLVED SHOOTINGS - Case Files - Homicide Unit - Homicide (Not Including Suicide) and Officer Involved Shootings	50 years	Department Policy
CAS	87	INVESTIGATION CASE FILES, SUICIDE - Suicide and Attempted Suicide Case Files	20 Years	Department Policy
CAS	89	INVESTIGATION CASE FILES, MISSING PERSONS - Case Files - Missing Persons Unit	Closed+5 Years	Department Policy
CAS	91	INVESTIGATION CASE FILES, CHILD MOLESTATION - Sexual Assault Unit - Child Molest - Substantiated Cases	PERMANENT	PC 11169 and Department Policy
CAS	92	INVESTIGATION CASE FILES, CHILD MOLESTATION - Sexual Assault Unit - Inconclusive and Unsubstantiated Cases	10 Years after most recent report	PC 11170(a)(3)
CAS	93	INVESTIGATIONS, SEXUAL ASSAULT - Sexual Assault Unit - Sexual Assault excluding child molestation cases (see series 91 and 92).	No further activity foreseen+20 Years	Department Policy

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CAS	99	INVESTIGATIONS, GANGS ACTIVE - Gangs - Information on Gang Activity and Members for CAL-GANG Database	Inactive+5 Years	Department Policy
CAS	106	SPECIAL EMPLOYEES UNDERCOVER AGENT CASE FILES	Date Closed+5 Years	Department Policy
CAS	115	FACTUALLY INNOCENT RECORDS - Sealed Factually Innocent Records	Sealed+3 Years	Department Policy
CAS	120	JUVENILE ARREST AND INVESTIGATION RECORDS, SEALED (Juvenile Sealings)	Date of Petition+5 Years	WIC 781
CAS	128	STOLEN GUN FILES	Date Recovered+10 Years	Department Policy
CAS	136	POLICE OFFICER INVOLVED SHOOTINGS - Reports, Interviews, Studies	Date of Incident+10 years	PC 832.5 & Department Policy
CAS	139	SPECIAL INVESTIGATIONS, VICE	Closed+5 Years	Department Policy
CAS	141	SPECIAL INVESTIGATIONS - GAMING, Surveillance Video Log, Table Count, Incident Reports, Background Investigations, Cardroom Permits	PERMANENT	Department Policy, per Chief of Police
CAS	341	INVESTIGATIONS, NONFATAL ACCIDENTS, NO CRIMINAL PROSECUTION - Traffic Investigations Unit - Nonfatal Accidents, Driving While Under the Influence (DUI), Misdemeanor Hit and Run - No Criminal Prosecution	3 Years	Department Policy

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CAS	344	INVESTIGATIONS, NONFATAL ACCIDENTS, CRIMINAL PROSECUTION - Traffic Investigations Unit - Nonfatal Accidents, Driving While Under the Influence (DUI), Misdemeanor Hit and Run - Criminal Prosecution	10 Years	Department Policy
CAS	345	INVESTIGATIONS, FATAL ACCIDENTS - Traffic Investigations Unit - Fatal Accidents, Felony Hit & Run	50 years	Department Policy
CAS	695	INVESTIGATIONS, AUTO THEFT UNIT - Auto Theft Unit - Vehicle Identification Number (VIN) Checks	2 Years	GC 34090
Evidence				
EVD	38	PURSUIITS/CHASES AUDIO/VIDEO TAPES - Recordings of pursuits and chases by Police personnel.	3 Years	43 USC 1983 and CCP 335.1
EVD	48	ILLEGAL SUBSTANCE AND ALCOHOL TEST RECORDS - Records documenting the administration and results of tests for illegal substances and alcohol including but not limited to Valtox logs.	5 Years	Department Policy
EVD	66	PHOTO LAB - PHOTOS - Crime Scenes	10 Years	Department Policy
EVD	67	PROPERTY REPORTS - Form 13 - Open and Dead (Reconciled)	20 Years	Department Policy
EVD	68	PROPERTY REGISTER LOG - Index Log of Property Taken In and Stored	20 Years	Department Policy
EVD	73	COURT LIAISON, EVIDENCE - Property Summary Reports	Disposition+10 Years	Department Policy

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EVD	76	INVESTIGATION CASE BURN FILES - Case Burn Files - Destruction of Evidence	8 Years	Department Policy
General				
GEN	40	PREPROCESSING CENTER - INTAKE AND SCREENING - (Juvenile and Adult) - Files and Completed Forms, Logs	5 Years	Department Policy
GEN	63	PERSONNEL EMPLOYEE FILES, SWORN	Term of Employment + 20 Years	Department Policy
GEN	107	COMMUNICATIONS, 911 MASTER TAPES AND CAD LOGS	2 Years	GC 34090
GEN	108	COMMUNICATIONS, FCC LICENSES	Term+2 Years	GC 34090
GEN	126	RESTRAINING ORDERS	Term of Order	Department Policy
GEN	130	WARRANTS - Notices to Appear, Warrants Recalled, Cleared Warrants	3 Years	Department Policy
GEN	138	POLICY AND PROCEDURE FILES - Policies, Procedures, Directives, Duty Manuals	PERMANENT	Department Policy
GEN	694	WARRANTS UNIT - Completed Extradition Files	2 Years	GC 34090
GEN	697	RECRUITMENT RECORDS, UNSUCCESSFUL APPLICANTS - Documents relating to unsuccessful employment applications, sworn and non-sworn, including but not limited to applications, test results, and background investigation materials.	3 Years	29CFR801.30, Department Policy

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Incidents				
INC	53	FALSE ALARM INCIDENTS - False Alarm Warning Card Files, Reports	2 Years	GC 34090
INC	114	TRAFFIC AND CRIMINAL COURT CITATION FILES	5 Years	Department Policy
INC	124	CRIME AND INCIDENT REPORTS (Including Supplemental Reports)- Including but not limited to incident Reports, Offense Reports, Traffic Accident Reports, Juvenile Contact Reports, Abandoned Vehicles, Impounded Vehicles, Stolen Vehicles, Recovered Vehicles, Stolen Plates, DUI, and Public Intoxication.	10 Years	Department Policy
INC	134	INTERNAL AFFAIRS COMPLAINTS - Complaints Against Department Members (Sworn and non-sworn)	Date Received+6 years	PC 832.5 & Department Policy
INC	696	INTERNAL AFFAIRS, NON-MISCONDUCT - Non-Misconduct Concerns (Sworn and Non-Sworn)	Date Initiated+2 Years	GC 34090
Intelligence and Reference				
INT	50	VCET (Violent Crime Enforcement Team) STREET GANG FILES	PERMANENT	Department Policy
INT	102	INVESTIGATION INFORMATION CARD FILES	PERMANENT	Department Policy
INT	116	FIELD INTERVIEWS - Cards, Information Gathered in All Formats	10 Years	Department Policy
INT	117	OSSD FINGERPRINT FILES - Case (Palm) Print Cards, Fingerprint Cards, Latent Lift Cards	PERMANENT	Department Policy

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INT	145	SPECIAL INVESTIGATION INTELLIGENCE FILES	Date Inactive+5 Years	Dept of Justice - Law Enforcement Intelligence Unit
Permits and Registrations				
P&R	52	POLICE PERMITTING RECORDS - Records of applications for, and approval or denial of various Police permits such as taxi, tow, massage parlors, secondary employment, entertainment, gaming, and peddlers including but not limited to applications, inspections, issuance documents, hearings, correspondence, photographs, and background checks.	Life of Permit or Denial, Suspension, or Revocation + 6 Years	SJMC 6.02.130(L)
P&R	105	SEX REGISTRANT FILES	Life of Registrant or 2 Years whichever is longer	PC 290 and GC 34090
P&R	119	OSSD- GUN FILES - Voluntary Registrations	PERMANENT	DOJ
P&R	407	HANDGUN SALES REPORTS - Reports of sales of pistols and revolvers on federally mandated forms (currently ATF 3310.4).	20 days from receipt unless the purchaser is prohibited from possessing a firearm under 18 USC 922(g) or (n)	18 USC 923(g)

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Programs & Projects				
PRO	36	COMMUNITY DEVELOPMENT AND CRIME PREVENTION PROGRAM RECORDS - Records documenting the development and administration of programs and projects such as Neighborhood Watch, Senior Security Crime Stoppers, Ride Along, and Truancy Abatement, including but not limited to correspondence, emails, plans, proposals, presentations, and memoranda.	2 Years	GC 34090
PRO	45	SPECIAL OPERATIONS, K-9 AND HORSE MOUNTED - Training Files, Bite Memos	Until Animal is Retired+7 Years	Department Policy
PRO	342	SPECIAL OPERATIONS, METRO AND GRAFFITI	10 Years	GC 34090