

COUNCIL OF THE COUNTY OF MAUI
PUBLIC SERVICES COMMITTEE

July 23, 2010

Committee
Report No. _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Public Services Committee, having met on June 30, 2010, makes reference to County Communication No. 10-80, from the Chief of Police, transmitting a proposed resolution entitled "AUTHORIZING THE ADOPTION OF A REVISED RECORDS DISPOSITION SCHEDULE FOR THE MAUI POLICE DEPARTMENT PURSUANT TO SECTION 46-43, HAWAII REVISED STATUTES".

The purpose of the proposed resolution is to update the Records Disposition Schedule of the Department of Police.

Your Committee notes that the latest version of the Department's Records Disposition Schedule dates back to 1990, and is in need of an update. Your Committee also notes that, pursuant to Section 46-43(a), Hawaii Revised Statutes, the County legislative body shall determine whether, and the extent to which, the County shall create, accept, retain, or store in electronic form any records and convert records to electronic form.

The Assistant Chief, Department of Police, explained that the changes being proposed to the Department's Records Disposition Schedule are contained in brackets and are located next to the language that is to be replaced. The Department also included explanations on the schedule for each proposed revision.

Your Committee noted that some of the proposed revisions to the Department's Records Disposition Schedule call for an increase in time that records be maintained, such as when the records relate to budget, accounting, or payroll. Your Committee also noted that the Department is proposing that certain records, such as personnel files, gun permit applications, and applications to carry supplemental weapons, be maintained indefinitely. In addition, the Department is proposing that record retention requirements relating to outdated subject matter, such as public dance hall permits or curfew permits, be removed.

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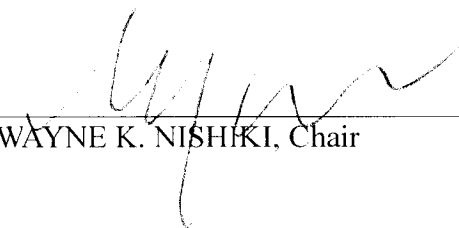
Your Committee voted 6-0 to recommend adoption of the proposed resolution and filing of the communication. Committee Chair Nishiki, Vice-Chair Pontanilla, and members Johnson, Mateo, Medeiros, and Victorino voted "aye". Committee member Kaho`ohalahala was excused.

Your Committee is in receipt of a revised proposed resolution entitled "AUTHORIZING THE ADOPTION OF A REVISED RECORDS DISPOSITION SCHEDULE FOR THE DEPARTMENT OF POLICE PURSUANT TO SECTION 46-43, HAWAII REVISED STATUTES", approved as to form and legality by the Department of the Corporation Counsel, incorporating nonsubstantive revisions.

Your Public Services Committee RECOMMENDS the following:

1. That Resolution No. _____, as revised herein and attached hereto, entitled "AUTHORIZING THE ADOPTION OF A REVISED RECORDS DISPOSITION SCHEDULE FOR THE DEPARTMENT OF POLICE PURSUANT TO SECTION 46-43, HAWAII REVISED STATUTES", be ADOPTED; and
2. That County Communication No. 10-80 be FILED.

This report is submitted in accordance with Rule 7 of the Rules of the Council.



WAYNE K. NISHIKI, Chair

Resolution

No. _____

AUTHORIZING THE ADOPTION OF A REVISED RECORDS
DISPOSITION SCHEDULE FOR THE DEPARTMENT OF POLICE
PURSUANT TO SECTION 46-43, HAWAII REVISED STATUTES

WHEREAS, the Department of Police ("MPD") desires to
update and revise its Records Disposition Schedule; and

WHEREAS, the latest version of MPD's Records Disposition
Schedule was approved in 1990; and

WHEREAS, MPD has developed a proposed revised Records
Disposition Schedule which is attached hereto as Exhibit "A";
and

WHEREAS, the Council of the County of Maui is authorized
to determine whether, and the extent to which, the County of
Maui shall create, accept, retain, or store in electronic form
any records and convert records to electronic form pursuant to
Section 46-43, Hawaii Revised Statutes ("HRS"); now,
therefore,

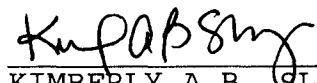
BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby authorizes the adoption of the
proposed revised Records Disposition Schedule attached hereto
as Exhibit "A"; and

Resolution No. _____

2. That certified copies of this resolution be transmitted to the Mayor, the Director of Finance, and the Chief of Police.

APPROVED AS TO FORM
AND LEGALITY:



KIMBERLY A.B. SLOPER
Deputy Corporation Counsel
County of Maui

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COUNTY OF MAUI
RECORDS DISPOSITION SCHEDULE

Department POLICE	Division ADMINISTRATION	Section
Item No.	Description of Records	Retention Period
A.	<u>ANNUAL REPORTS</u>	5 fiscal years
B.	<u>BOARDS & COMMISSIONS, & COMMITTEE RECORDS</u>	
	1. Ad Hoc/Advisory (not established by statute, ordinance, charter or rules and regulations)	
	a. Agendas	1 fiscal year
	b. Minutes, communications, and other related records	2 fiscal years unless approved by Records Disposition Committee
	c. Reports	10 fiscal years
	2. County/state Authorized (by statute, ordinance, charter, or rules and regulations)	
	a. Agendas	1 fiscal year
	b. Minutes, reports, communications, and others	25 fiscal years unless approved by Records Disposition Committee
	c. Rules and regulations (pursuant to Chapters 91-92, HRS)	Until superseded or amended
C.	<u>CORRESPONDENCE RECORDS</u>	
	Intra/interdepartmental directives, memos, circulars, and other communications and records of a <u>general</u> nature (e. g. those records which are inappropriate for filing in specific subject or case files):	
	1. Involving policy decisions procedures, County liability rules, etc.	Until superseded or amended
	2. <u>Not</u> involving policy decisions procedures, rules, or inquiries on routine matters, the response to which completes the cycle of correspondence	Until superseded
	3. County Standard Operating Guidelines & Procedures (SOGP's)	Until superseded or amended
D.	<u>COUNCIL-RELATED RECORDS</u>	
	1. Ordinances	
	a. Permanent	Until codified
	b. Others, e.g., zoning budget	Until superseded

COUNTY OF MAUI
RECORDS DISPOSITION SCHEDULE

Department POLICE	Division ADMINISTRATION	Section
Item No.	Description of Records	Retention Period
2.	Resolutions	
	a. If required by law, e.g., grants, condemnation	50 fiscal years than Reassessed for further retention
	b. Council statements, e.g., Council positions	2 fiscal years
	c. Others, e.g., congratulatory condolence	1 fiscal year
3.	County Council Journals (minutes)	-----
4.	County Council Committee Reports	2 fiscal years
5.	General and County Communications	2 fiscal years
 E. <u>FINANCE-RELATED RECORDS</u>		
1.	Accounts	
	Accounts payable and encumbrance print-outs, accounting ledgers, requisitions, purchase orders, invoices, mileage claims, other financial records and related communications for:	
	a. General Fund Accounts	7 fiscal years
	b. Special Fund Accounts (e. g., Highway, Bikeway, Sewer, Golf, Liquor, etc.)	7 fiscal years
2.	Budget	
	a. Allotment requests	3 fiscal years
	b. Budget worksheets	3 fiscal years
	c. Departmental budget	7 fiscal years
	d. County annual budget	7 fiscal years
3.	Inventory	
	a. Inventory print-outs	Retain 1 prior generation
	b. Inventory-related forms (Inv. Form 1 through Form 6)	Retain 1 prior generation
	c. Certificates of Ownership (Motor vehicles, equipment etc.)	-----

COUNTY OF MAUI
RECORDS DISPOSITION SCHEDULE

Department POLICE	Division ADMINISTRATION	Section
Item No.	Description of Records	Retention Period
4.	Payroll/Attendance	
a.	Application for Leave of Absence (Form DF-1)	3 calendar years
b.	Application for Leave (Form DF-2)	3 calendar years
c.	Meal Claims (Form DF-3)	1 fiscal year
d.	Payroll Print-outs (Payroll Register, Payroll Recap., Deduction Register)	Permanent
e.	Terminal Applications (Form DF-1A)	Permanent
f.	Time Sheets (Form DF-4)	7 calendar years
g.	SF-1	Permanent
h.	Accumulated Leave Print-outs	3 calendar years
i.	Temporary Assignment Report Aid Listing Print-outs	Permanent
j.	County Insurance policies	-----
F.	<u>CONTRACTS AND RELATED DOCUMENTS/ COMMUNICATIONS</u> , (e.g., personnel services, construction, goods, services, consultants, or equipment, etc.) Original copy of <u>ALL</u> contracts sent to County Clerk.	
1.	County funded	5 fiscal years
2.	State Funded	7 fiscal years
3.	Federally funded	7 fiscal years
G.	<u>HOUSE RULES</u>	Until superseded or amended
H.	<u>PERSONNEL-RELATED RECORDS</u>	
1.	Employee records	
a.	Transferring employees	
(1)	Intra-Jurisdictional	Departmental records transferred with employee
(2)	Inter-Jurisdictional	Permanent
b.	Terminating employees	Permanent
c.	Workers' Compensation Records	Permanent

COUNTY OF MAUI
RECORDS DISPOSITION SCHEDULE

Department POLICE	Division ADMINISTRATION	Section
Item No.	Description of Records	Retention Period
2.	Health Fund Records	
a.	Applications Forms (Forms E-1, N-1, E-5)	Dispose when superseded
b.	Others	Dispose when superseded or verification of print-outs
3.	Executed Request for Position Action (Manpower Form Rev. 7/88)	3 calendar years & completion
4.	Position Descriptions	Dispose when superseded
5.	Tables of Organization (Structural/functional)	Permanent
I.	<u>OTHER RECORDS FILED WITH COUNTY CLERK</u>	
1.	Deeds, easements and other conveyances, executive orders	-----
2.	Construction Contracts, <u>including</u> construction consultants	To Finance upon completion
3.	Personnel Services Contracts, <u>except</u> construction related	To Finance upon completion
4.	Equipment Contracts, etc.	To Finance upon completion
5.	Claims	-----
6.	Others	To Finance upon completion
J.	<u>RECORDS MANAGEMENT</u>	
1.	General Records Schedule	Until superseded
2.	Records Disposition Schedule (MCR-1)	Until superseded
3.	Request/Approval for Records Disposition Authority (MCR-2)	Until superseded
K.	<u>PERMIT FILES</u>	
1.	Gun Registration Ownership File	Unit status changes
a.	Gun permit application (Form No. 247)	Permanent
b.	Gun photograph file	50 years, then reassess for continued retention

COUNTY OF MAUI
RECORDS DISPOSITION SCHEDULE

Department POLICE	Division ADMINISTRATION	Section
Item No.	Description of Records	Retention Period
	c. Permit to carry firearm	3 fiscal years
	d. Application to carry supplemental weapon	Permanent
2.	Press pass	1 fiscal year
3.	State/County permit file (i.e., to block highways for parades, special events)	1 fiscal year
L.	<u>POLICE REPORTS</u>	
1.	Homicide reports (Records section)	Permanent
2.	General case/incident reports (Records section)	
	a. Unattended death, fatal miscellaneous accident, and suicide	20 fiscal years
	b. Evidence for unattended death, fatal miscellaneous accident, and suicide	Retain until investigation complete and closed
	c. Sexual assault investigations	Permanent
	d. Evidence for sexual assault investigations	Retain evidence until case is closed and adjudicated. Upon receipt of an evidence disposal letter from the Department of the Prosecuting Attorney, evidence may be disposed.
	e. General case/incident reports (Records Section)	10 fiscal years
	f. Non-criminal cases/documentation cases only	2 fiscal years
3.	Traffic accident reports (Traffic Section)	
	a. Fatal Motor Vehicle Accident	Permanent
	b. Major Motor Vehicle Accident	5 fiscal years
	c. Minor/Civil Motor Vehicle Accidents	2 fiscal years
4.	Traffic complaint reports (Traffic Section)	5 fiscal years
5.	Copies of reports 1, 2, 3, and 4 retained in operational elements	2 fiscal years

COUNTY OF MAUI
RECORDS DISPOSITION SCHEDULE

Department POLICE	Division ADMINISTRATION	Section
Item No.	Description of Records	Retention Period
6.	Other related reports: e.g., prisoner in custody reports, suspicious items reports	1 fiscal year
M. <u>MISCELLANEOUS DEPARTMENT FILES</u>		
1.	Mug shot file	50 years then reassess for continued retention
2.	Fingerprint file	50 years then reassess for continued retention
3.	Alphabetical file -report index file (3x5)	50 years then reassess for continued retention
4.	Crime file (3x5)	50 years then reassess for continued retention
5.	Traffic studies and research file	3 fiscal years
6.	Good Guy citation file	1 fiscal year
7.	Plans and mobilization emergency file	Until superseded
8.	Security check request	1 fiscal year
9.	Maui Community Correctional Center inmates on furlough form file	2 fiscal years
10.	District and Circuit Court calendars, Family Court calendars, clerk's minutes	1 fiscal year
11.	Wanted persons circulars	Until superseded
12.	Outstanding warrant list	Until superseded
13.	Robbery response plan	Until superseded
14.	Radio systems implementation and upgrade information	Until equipment disposed of
15.	General research/reference file (3x5)	
a.	Equipment study file	Until superseded
b.	Research study file	Until superseded
N. <u>LOGS</u>		
1.	DUI arrest ledger	Until superseded
2.	Intoxilizer control ledger	1 fiscal year
3.	Booking book (arrests for adults and juveniles)	50 years then reassess Continued retention

COUNTY OF MAUI
RECORDS DISPOSITION SCHEDULE

Department	Division	Section
POLICE	ADMINISTRATION	

Item No.	Description of Records	Retention Period
4.	Evidence and property logs	50 years then reassess for continued retention
5.	Long distance and watts line telephone	1 month
6.	National Warning System Log (NAWAS)	1 fiscal year
7.	Master tape sign-out log	1 fiscal year
8.	Juvenile master log	50 years then reassess for continued retention
9.	Daily transmittal logs (Form 206-10M-1-74)	1 fiscal year

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