



**Division of State Patrol
Policy and Procedure**

Number
10-17

Subject RECORDS DISPOSAL	
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I. POLICY

It is the policy of the Division of State Patrol (DSP) to follow statutory requirements for the preservation and management of records and to provide an orderly method for their disposition.

II. BACKGROUND

Public information is a valuable resource. As with other resources in its custody, State government is responsible for managing information and records. Records are maintained until retention requirements are met.

Due to growing demands for information and rapid developments in informational technology and communications, the creation, maintenance, retention and disposition of records have undergone many changes.

III. OBJECTIVE

The objective of this policy is to provide guidance to Division personnel in maintaining and storage of records in an efficient and effective manner.

IV. GENERAL PROVISIONS

A. Positions and Duties

1. Pursuant to ss. 15.105(4), a statewide Public Records Board shall establish a system for the preservation of state records essential for the continuity of

government functions by making reasonable rules regarding records retention and disposal.

2. The Wisconsin Department of Transportation (WisDOT) Records Officer is responsible for records program management. Duties include assisting the Division and Secretary's Office in the administration and coordination of records management activities. Additional duties include reviewing, approving and overseeing the storage provisions of all records and forms and preventing any unauthorized form from being put into use.
3. The Superintendent is the legal custodian of all public records created and maintained by the Division of State Patrol and shall appoint a Records Coordinator for each Region, the Academy, Division Headquarters and other work units as deemed necessary.
4. The Division Records Coordinator at Division Headquarters represents the Division regarding all aspects of records management. The Division Records Coordinator ensures that all Division records are inventoried, maintained and disposed of in accordance with established guidelines and prepares the documentation necessary for the maintenance of Division records, regardless of media.
5. Each Region Commander and the Wisconsin State Patrol Academy (WSPA) Commander shall normally serve as the local Records Coordinator respectively. The Records Coordinator may appoint a designee to review the Records Disposal Authorization forms.
6. Assigned region/post or WSPA personnel will file, retrieve, copy and maintain official records as directed by the Region Commander/WSPA Commander and this policy.

V. RECORDS RETENTION AND DISPOSAL

Records Disposal Authorizations (RDA's) set the retention period for which each record series must be maintained. Custodians and records coordinators as addressed in this policy shall not destroy a record after a request for that record has been received until after the request is granted or until at least 60 days after the request is denied (90 days if the requester is incarcerated in a penal facility or committed to an inpatient treatment facility). If a lawsuit seeking disclosure of a record has been filed, the requested record shall not be destroyed until after the court issues a decision.

A. Division Records Coordinator

1. Coordinate with the regions and Academy to ensure that records are disposed of per the RDA.

2. When a new record series is proposed to maintain as evidence of activities or functions, the Division Records Coordinator will coordinate, review and forward a request for RDA approval from the Public Records Board within one year of creation of the record series.
- B. Local Records Coordinator
1. Assign staff to coordinate official record maintenance and disposal.
 2. Receive requests for records and coordinate response to such request within the provisions of ss.19.35 and this policy.
 3. Contact the Division Records Coordinator whenever a new record or record series is generated locally to receive an approved RDA for the record.
 4. Review and resubmit all Records Disposal Authorizations every 10 years to the Division Records Coordinator.
 5. Coordinate the disposal of records in accordance with approved RDA's.
- C. Region or Academy Staff
1. Identify and maintain an inventory of all record series.
 2. Prepare Records Disposal Authorization (RDA) when required for a new record series or form and submit to the Local Records Coordinator.
 3. Dispose of records when records have met their retention requirements.

VI. REFERENCES

- A. Legal Requirements under Wisconsin Statutes:
1. Heads of Departments and Independent Agencies, ss. 15.06.
 2. Public Records Board, ss. 15.105(4).
 3. Records and Forms of State Offices and other Public Records, ss. 16.61.
 4. Definitions, ss. 19.31.
 5. Procedural Information, ss. 19.34.
 6. Access to records; fees, ss. 19.35.
 7. Limitations upon access and withholding, ss. 19.36.
 8. Enforcement and penalties, ss. 19.37.
 9. Preservation of essential public records, ss. 166.10.
- B. Procedural Requirements:
1. FRM 103, Public Records
 2. FRM 103, Records and Information Management