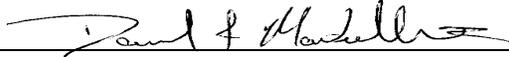


 Corrections and Community Supervision DIRECTIVE	TITLE Disposition of Departmental Records		NO. 2011
			DATE 03/30/2015
SUPERSEDES DIR# 2011 Dtd. 01/29/2014	DISTRIBUTION A	PAGES PAGE 1 OF 11	DATE LAST REVISED
REFERENCES (Include but are not limited to) Arts & Cultural Affairs Law	APPROVING AUTHORITY 		

- I. DESCRIPTION:** This directive provides guidelines for disposition of Departmental records that have served their function and are now obsolete.
- A. **Authority:** The retention and disposition of State records is governed by Section 57.05 of the Arts & Cultural Affairs Law. Agencies may not destroy or otherwise dispose of any records unless such disposition is authorized by the State Archives and Records Administration (SARA), acting on behalf of the Commissioner of Education. The retention/disposition schedules promulgated by SARA have been adopted by this Department.
- B. **Definitions**
1. The term records means “all books, papers, maps, photographs, or other documentary materials, regardless of physical form or characteristics, made or received by any agency of the state or by the legislature or the judiciary in pursuance of law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities, or because of the information contained therein.” (Arts and Cultural Affairs Law, Section 57.05.)
 Staff should use sound judgment and apply consistent criteria when deciding whether recorded information constitutes records. Examples of information that may be excluded from the definition of records include:
 - a. Temporary drafts or personal notes that were not circulated, reviewed, or used to make decisions or complete transactions;
 - b. Extra copies of documents that were created or distributed solely for reference purposes;
 - c. Temporary files used solely to change the arrangement or format of electronic records;
 - d. Electronic versions of documents, transactions, or reports, when the record is retained on paper or microfilm to provide evidence or for legal or audit purposes;
 - e. Conversely, extra copies of correspondence, reports, and printouts when the record is retained in electronic form to provide evidence or for legal or audit purposes; and

- f. Copies of files or extracts of databases created solely to transfer data between systems.
 2. A record series is defined as any group of related records which are normally used and filed as a unit and which permit evaluation as a unit for disposition purposes.
 3. The term minimum retention period refers to that period of time which must elapse and/or that event which must occur before a record or a record series may be destroyed.
- C. Effective Records Management: The effective management of records extends from creation through disposition. The result should be both fiscal savings and administrative efficiency. Retention of records beyond legal requirements, or beyond usefulness, taxes both manpower and equipment resources. Disposition of obsolete records will aid in maintenance of viable files and retrieval of records of value. The following suggestions for records management will make it easier to use the retention/disposition schedules:
1. The Record Copy: Many records are produced in multiple copies, either by photocopying or by using multi-copy forms. Before using these schedules to dispose of records, identify the record copy. The record copy is the copy that must be retained to satisfy any audit or legal requirement. Often the original is the record copy, although photocopies and duplicates can be designated as record copies. It is the record copy which must be retained and may only be destroyed in accordance with the SARA retention/disposition schedules.

Note: A printout of an e-mail record retained in accordance with Directive #2824, "Use of Electronic Mail (E-Mail)," will serve as the record copy. The individual who makes entries into the pertinent official record (e.g., legal, guidance, health, etc.) is responsible for printing the e-mail to be filed in accordance with the appropriate program unit's standard practices.
 2. Duplicate Copies: Units should limit the number of duplicate or convenience copies of records to the minimum needed for effective Agency operations. Non-record copies may be routinely destroyed at any time they are no longer needed.
- D. Retention/Disposition Schedules
1. The purpose of the SARA schedules is to:
 - a. Provide the Department with uniform guidelines for retention and disposition of common records;
 - b. Ensure that the Department retains records as long as needed for internal administration, and to meet legal, fiscal, audit, and other State and Federal requirements;
 - c. Promote the cost-effective management of records; and
 - d. Provide the Department with legal authorization to dispose of obsolete records on a regularly scheduled basis after minimum retention periods have been met.
 2. These schedules do not apply to:
 - a. Records that have been identified as having historical value;

- b. Records being used for audits or legal actions, including printouts of any e-mail records pertaining to the subject matter of the audit or legal action. These records must be kept until the audit is satisfied or the legal action ends, even if their minimum retention period has passed;
 - c. General ledgers, general journals, and “books of original entry” (e.g., gate logs);
 - d. Fiscal records related to capital construction. Contracts and related records which document the history of design and construction of a structure generally should be maintained for the life of the structure plus three years to protect an Agency against tort claims;
 - e. Fiscal records related to the acquisition or sale of real property; or
 - f. Records of receipts and expenditures of Federal funds (Federal disposition schedules apply).
3. For each records series in the schedules, entries provide the following information:
 - a. A Record Disposition Authorization (RDA) number for each authorized retention period: This is a control number assigned by SARA.
 - b. Title and Description: A title that describes the contents, types of materials, and/or functions of the record series and a brief description of the common uses for the records.
 - c. Retention and Disposition: The minimum amount of time that records must be retained by the Department and the final action that can be taken after the minimum retention period is passed.

II. PROCEDURE

- A. To dispose of obsolete records on a continuing basis after their minimum retention periods have been met, all units shall use:
 1. The General Retention and Disposition Schedule for New York State Government Records published by the State Archives, Revised January 2008 Edition, which replaces the previous version of the Schedule which was issued in 1997 and revised in 2002.

The previous version can no longer be used to authorize records disposition. The revised January 2008 General Schedule will remain in effect until replaced by a new General Schedule or a revision to it.

The revised General Schedule is accessible on the State Archives website at: www.archives.nysed.gov/a/records/mr_pub_genschedule.pdf.

2. The disposition authorizations unique to the Department, described in Attachment A.

Disposition should be carried out periodically (at least once every two years). Disposition includes transfer of records to Records Center storage, when appropriate, and Directive #3050, “Waste Reduction and Recycling Program,” should be followed for destruction of records. Facilities are to direct their material to the local DOCCS hub recycling center.

Generally, records may be destroyed when the minimum retention period has been met, unless the records are being used in an audit or legal action, or have obvious historical value. Units are not required to destroy records at the end of the legal retention period. However, obsolete records occupy expensive office and storage space, and there is increased risk of litigation if records are kept beyond the legal minimum retention period.

- B. Office/Unit Heads shall determine when records under their control have exceeded their usefulness or are obsolete. The incorporated retention/disposition schedules shall then be examined to ascertain if records so identified are listed. If listed, and the minimum retention period has passed, the Office/Unit Head shall prepare and sign an entry in the "Records Disposition Log," [Form #1075](#), and then proceed with disposition or destruction as appropriate. The facility "Records Disposition Log," [Form #1075](#), shall be established and maintained by the Deputy Superintendent for Administration which may be photocopied locally.

Whenever it is necessary to store records pending destruction, use [Form #1075A](#), "Records in Storage Pending Disposition," to mark and track the storage boxes or containers.

Special DOCCS Destruction Authorizations**CORRECTIONS****ADMINISTRATION**

Destruction authorization number: 16112

Record Series Title: Inmate Institutional Records

This series contains inmate personal, legal, custodial, medical records, and other history. Refer to Directive #2010, "FOIL/Access to Departmental Records," and Directive #4011, "Processing Inmate Records for Transfer."

The Department is currently authorized to destroy records, in this series, of inmates who were deceased or released from custody from the beginning of the year 1957 to the end of the year 1996. Records must be properly destroyed (e.g., shredded or burned).

EMPLOYEE INVESTIGATION UNIT

Destruction authorization number: EI-001-19286

Record Series Title: C.O. Trainee Background Investigations-Appointed

This series includes background investigation records for the eligible Correctional Officer (CO) trainees who are appointed.

Retain in program office for 6 years after records become inactive. Final Disposition: Destroy.

Destruction authorization number: EI-002-19287

Record Series Title: C.O. Trainee Background Investigations-Not Appointed

This series includes background investigation records of eligible candidates for the Correctional Officer (CO) trainee position who were not appointed.

Hold 3 years or until expiration of eligible list, whichever is later. Final disposition: Destroy.

BUDGET & FINANCE (Central Office and Facilities)

Destruction authorization number: B&F-001-19288

Record Series Title: Inmate Account Records

This series includes account records and associated documents relating to inmate moneys and property. Documents include general correspondence, various financial statements and reports, receipts, disbursements, and other associated records.

Retain in program office for 3 fiscal years after creation. Final Disposition: Destroy.

Destruction authorization number: B&F-002-19289

Record Series Title: Inmate Fund Bank Account Files

This series includes records of inmate fund bank transactions. Documents include bank statements, deposit slips, canceled checks, cancellation of payment, checks outstanding, other back-up statements, and records reflecting the status of Inmate Fund Accounts.

Retain in program office for 3 fiscal years after creation. Final Disposition: Destroy.

Destruction authorization number: B&F-003-19290

Record Series Title: ICAS Reports

This series includes Inmate Commissary Account System (ICAS) reports which track and monitor commissary activities of the inmates. The ICAS reports are internal reports.

Final Disposition: Destroy after the report is updated, superseded, or becomes obsolete.

Destruction authorization number: 97-001-19921

Record Series Title: Inmate Claims Files

This series consists of inmate claims involving personal property. Documents include all correspondence, claim requests, investigations, final determinations, appeals, and all other associated records.

Retain for 5 years after payment of claim or completion of appeal process. Final Disposition: Destroy.

INMATE GRIEVANCE PROGRAM (Central Office and Facilities)

Destruction authorization number: IG-001-19291

Record Series Title: Inmate Grievance Program Records

This series includes records regarding the filing and disposition of inmate grievances. Documents include initial complaints, findings, and outcomes/resolutions. The records in this series are confidential.

Retain in program office for 3* years after records become inactive. Final Disposition: Destroy.

*It is Departmental policy for grievance program offices to retain grievance records for the current year plus the last four previous calendar years.

SECURITY FILES

Destruction authorization number: SEC-001-20037

Record Series Title: Watch Commander's Master Log

This series includes Watch Commander's Master Logs.

Retain at facility for 10 years. Final Disposition: Transfer to Archives.

Destruction authorization number: SEC-002-20038

Record Series Title: Security Reports

This series includes:

1. Inmate/Facility activities and control logs and reports, including but not limited to:

- Drafts In/Out
- Inmate/Officer Injury Reports
- Inmate Transfers
- Daily Trips
- Medical Trips
- Fence Alarms
- Fence Alarm Tests
- Search and Contraband Logs and Receipts
- Strip Frisk Logs, Forms, etc.
- Inmate Accounts
- Any other records documenting inmate movement, work locations, or housing

2. Regular and Special Housing Units activity and control records, including:

- Housing Area Logs
- Entry/Admission Logs (e.g., Hospital, Special Housing Unit)
- Cell Frisk Logs
- Special Watch Logs
- Activity Logs
- Phone Logs
- Inmate Visitor Logs
- Notary Logs
- Shower/Exercise Deprivations

3. Unusual Incident and Use of Force Reports

Retain at facility for 5 years, except for Unusual Incident Reports which are to be retained for 10 years and special housing unit admission logs which are to be retained for 15 years. Final Disposition: Destroy.

Destruction authorization number: SEC-003-20039

Record Series Title: Correctional Officer Work and Planning Schedules

This series includes, but is not limited to:

- Line-Up Memos
- Daily By Shifts Chart Sheets
- Security Information Services Unit (SISU) Charts
- Light Duty Assignments
- Day Off Calendars/Slips
- Vacation Schedules

- Uniform Issuances/Career Apparel Reports
- Uniform Inspections
- Job Bids and Awards
- Overtime Books
- Daily Trip Logs

Retain at facility for 3 years. Final Disposition: Destroy.

Destruction authorization number: SEC-004-20040

Record Series Title: Procedures - Security

This series includes the contents of the Ready Emergency Data (RED) Book.

Retain at facility for 3 years after superseded by new procedure. Final Disposition: Destroy.

Destruction authorization number: SEC-005-20041

Record Series Title: Inventory Records - Security

This series includes, but is not limited to:

1. Tool and key control logs, inventories, and other records used to control tools, keys, and related items, including:
 - Key Requests
 - Special Key Logs
 - Institutional Maps pertaining to locksmith
 - Locksmith Key Ring List
 - Shadow Board Tool Inventory List
2. Weapons/chemical agent inventory and security equipment issue daily arsenal logs, reports and related records used to control weapons, chemical agents and similar items, including:
 - Weapons/Ammo/Chemical Agent Assignment and Inventory Logs
 - Arsenal Entrance Logbooks/Sign In Logs
 - Tri-Analyzer Logs

Retain at facility for 5 years after end of calendar year created. Final Disposition: Destroy.

Destruction authorization number: SEC-006-20042

Record Series Title: Identification Records

This series includes, but is not limited to:

1. Records on visiting and external control (Lobby, Sally Port/Truck Trap, Package Room, etc.)
2. Logs of vehicles entering and exiting the facility

3. Logbooks and other records used to record and control entrances and departures from the facility, including:
 - Visitor's Logs - Inmate, Civilian, and Inspectors
 - Inmate Visitor Passes
 - Metal Detector Logs
 - Personal/Outside Agency Weapons Logs
 - Inmate Packages Received
 - Property Left by Inmates

Retain at facility for 5 years after superseded by new record or obsolescence due to individual no longer at facility. Final Disposition: Destroy.

Destruction authorization number: SEC-007-20043

Record Series Title: Inmate Disciplinary Records

This series includes, but is not limited to:

1. Hearing Records, Time Out Sheets, and Early Release Logs
2. Other discipline reports, logs, and related records

Retain at facility for 5 years after hearing closed. Final Disposition: Destroy.

Destruction authorization number: SEC-008-20044

Record Series Title: Temporary Activity Records

This series includes, but is not limited to:

- Inmate Passes
- Visitor Passes
- Inmate Count Slips
- Weekly Screen and Bar Check Records
- Key or Equipment Transfer Slips
- Restricted Key Issuance Forms
- Inmate Pass Logs
- Inmate Passbook Logs
- Vehicle Escort Officer Slips
- Contractors and Volunteers I.D. Logs, Passes, Photographs, and Fingerprints
- Inmate Outside Clearance records

Retain at facility for 6 months after creation. Final Disposition: Destroy.

COMMUNITY SUPERVISION

ADMINISTRATION/CENTRAL OFFICE

Destruction Authorization Number: 5587

Record Series Title: Parolees' Closed Files

This series contains original, inactive case records pertaining to individuals previously subject to parole supervision.

Transfer to State Records Center. May be destroyed only when parolee reaches age 70 or older and has been paroled for 7 years; or 7 years after his or her death. Final Disposition: Destroy.

AREA OFFICES/CLOSED FILES CENTER**Destruction Authorization Number: 18563****Record Series Title: Parolees' Closed Files**

This series contains inactive case records pertaining to individuals previously subject to parole supervision. When individual is discharged from supervision, original records are transferred to Central Office. Remaining are all duplicates of Central Office materials.

Retain in Area Office/Closed Files Center for 3 years. Final Disposition: Destroy.

COUNSEL'S OFFICE**Destruction Authorization Number: 14646****Record Series Title: Administrative Appeal Cases**

This series contains administrative appeal cases reviewed and maintained pursuant to Executive Law Section 259-i(4).

Retain in active office 2 years and in storage 8 years (10 years total), after appeal is filed. Final Disposition: Destroy.

Destruction Authorization Number: 19925**Record Series Title: Parole Revocation Hearing Video Tapes**

This series contains video tapes of parole revocation hearings conducted at the Riker's Island Judicial Center.

Retain in program office space for 3 years. Final Disposition: Destroy.

INTERSTATE BUREAU**Destruction Authorization Number: 18089****Record Series Title: Interstate Discharges**

This series contains case files of parolees discharged from supervision by another state. Files contain personal data, information about incarceration, behavior while paroled, and health and psychiatric evaluations.

Retain in State Records Center for 3 years. Final Disposition: Destroy.

QUALITY AND CONTROL**Destruction Authorization Number: 15606**

Record Series Title: Day Sheets

This series contains daily record of Parole Officer contacts with parolees.

Retain in program unit, for transfer to State Records Center at end of calendar year.

Retain for 10 years. Final Disposition: Destroy.

BOARD OF PAROLE

CHAIRMAN'S OFFICE

Destruction Authorization Number: 19968

Record Series Title: Board of Parole Business Meetings Minutes

This series contains typed minutes of Board of Parole monthly meetings.

Retain in office space for 3 years, then retain in State Records Center for 5 years. Final Disposition: Transfer to State Archives.