



POLICY & PROCEDURE

PORTAGE POLICE DEPARTMENT

SUBJECT: **RETENTION OF RECORDS**

SCOPE: All Department Personnel
DISTRIBUTION: Policy & Procedures Manual

REFERENCE: WI State Statutes: 16.61(7), 19.21(4)(a),
19.21(4)(b)

NUMBER: 10.05
ISSUED: 04/08/2025
EFFECTIVE: 04/08/2025
 RESCINDS
 AMENDS
WILEAG 5TH EDITION
STANDARDS: 10.2.2

PURPOSE: The purpose of this Policy & Procedure is to establish a retention schedule, as well as destruction procedures, for the Portage Police Department records.

This Policy & Procedure consists of the following numbered sections:

- I. DEFINITIONS
- II. POLICY
- III. PROCEDURE

I. DEFINITIONS

- A. Hold: A status ensuring a record may not be destroyed even though the record retention period has concluded.
- B. Indefinite: A term used in records retention schedules to indicate the retention period for certain records cannot be determined and these records must be reviewed periodically to determine whether they can be destroyed.
- C. Record: Information stored on any media that can be retrieved at a later time.

II. POLICY

- A. It is the policy of the Portage Police Department that official records shall be

retained in accordance with provisions established by Wisconsin Statutes.

III. PROCEDURE

A. Management of the Records Retention Program.

1. The Chief of Police and/or designee shall be responsible for the retention and disposal of records listed in Section C.

B. Legal Considerations

1. WI Statute 19.21(4)(b) requires the preservation of public records for 7 years, unless a shorter period has been set by statute or by the State Public Records Board.
2. WI Statute 19.21(4)(a) requires that prior to the destruction of obsolete public records, a minimum of a 60 days' notice of such destruction shall be given, in writing, to the Wisconsin State Historical Society. The Historical Society may in some instances waive the required statutory notification.
3. Any public record may be kept and preserved by the use of microfilm or other reproductive device. Any photographic reproduction shall be deemed an original record for all purposes if it meets the applicable standards of WI Statute 16.61(7). Once reproduced by photographic reproduction, the original document may be destroyed or otherwise disposed of.

C. Records Retention Schedule

| TYPE OF RECORD | LOCATION | RETENTION/DISPOSAL SCHEDULE | WI Historical Society Notification Waived |
|--|--------------------|-----------------------------|---|
| State of Wisconsin Uniform Traffic Citation | Police Department | Current year plus 7 years | Yes |
| City of Portage Municipal Summonses or Citations | Police Department | Current year plus 7 years | Yes |
| Portage Police Department Citizen Contact Reports | Police Department | Current year plus 7 years | Yes |
| State of Wisconsin Motor Vehicle Accident Reports | Police Department | Current year plus 7 years | Yes |
| Portage Police Department Employment Applications Packets | Personnel Director | Current year plus 1 year | Yes |
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| Portage Police Department Memos, Policy & Procedures, Directives | Police Department | Current year plus 7 years | Yes |
| Portage Police Department In-car Video Recordings | Police Department | 120 days, unless archived | Yes |

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|--|--------------------|--|-----|
| Portage Police Department Interview Recordings. (Audio and/or Video) | Police Department | 120 days, unless archived | Yes |
| Portage Police Department Complaints by Citizens | Personnel Director | Current year plus 7 years | Yes |
| Portage Police Department Offense, Incident, Arrest Case File Reports | Police Department | Current year plus 7 years | Yes |
| Portage Police Department Parking Citations & Citation Log | Police Department | Current year plus 7 years | Yes |
| Portage Police Department Bicycle Registrations | Police Department | Current year plus 7 years | Yes |
| Portage Police Department Payroll, time cards, overtime records | Personnel Director | Current year plus 7 years | Yes |
| Portage Police Department Daily Work Schedules | Police Department | Current year plus 2 years | Yes |
| Portage Police Department Training Records | Personnel Director | Current year plus 7 years after separation | Yes |
| Portage Police Department Master Cash Register Receipt Rolls | City Clerk | Maintained by City Clerk. | Yes |
| Portage Police Department Evidence Records/Photographs | Police Department | Current year plus 7 years | Yes |
| Portage Police Department Employee files | Personnel Director | Current year plus 7 years. | Yes |
| Portage Police Department Evidence | Police Department | Current year plus 7 years, depends statutory requirements. | Yes |
| Portage Police Department property Inventory | Police Department | Current year plus 7 years | Yes |
| Portage Police Department Open Records Requests (19.31-19.37) | Police Department | Current year plus 7 years | Yes |
| Portage Police Department Purchase orders, receipts, bill payables, squad repair records/bills | City Clerk | Saved by City clerk. | Yes |

D. Exceptions to Retention Schedule

1. Any record for which there is reason to believe litigation may be pending should not be destroyed, regardless of whether the retention period has concluded.
2. Such records should be placed on a hold status until all litigation has concluded.

E. Destruction Procedure

1. At least 60 days prior to the planned destruction of public records, written notification of the destruction should be sent to:

Wisconsin State Historical Society
816 State Street
Madison, WI 53706

No notification is necessary if a waiver has been made.

2. When the period specified in the records retention policy ends, records meeting the criteria for destruction should be destroyed as soon as practical.

Keith J. Klafke
Chief of Police

This Policy & Procedure cancels and supersedes any and all written directives relative to the subject matter contained herein.

Initial 04/08/2025