



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Sheriff
Department No.: 032
For Agenda Of: 2/17/09
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Bill Brown, Sheriff ext. 4290
Director(s)
Contact Info: Detective Jennifer Lafferty ext. 4061

SUBJECT: **Destruction of Records**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions: That the Board of Supervisors execute an application for the disposal of Internal Affairs files at least five (5) years old.

Summary Text: The Sheriff's Department disposes of Internal Affairs files at least five (5) years old annually as prescribed by California Government Code Section 26202 and California Evidence Code Section 1045 (a)(1). California Penal Code Section 832.5(b) states: "*Complaints and any reports or findings relating to these complaints shall be retained for a period of at least five years.*"

Background: This recommendation is primarily aligned with actions required by law and routine business necessity.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Narrative: The current adopted budget accounts for the cost of this action in line item #7650.

Special Instructions:

Please return a copy of the Minute Order and a copy of the executed Application for Destruction of Records to the Sheriff's Department, Attention: Internal Affairs.

Attachments:

Schedule of Records for Destruction

Application for Destruction of Records Certification of Approval

Authored by: Det. Jennifer Lafferty ext. 4061

cc:

SCHEDULE OF RECORDS FOR DESTRUCTION

<u>TYPE OF RECORD</u>	<u>ORIGINAL OR COPY</u>	<u>PERIOD COVERED</u>
Internal Affairs Files	Original	January 1, 2003 through December 31, 2003

APPLICATION FOR DESTRUCTION OF RECORDS
CERTIFICATION OF APPROVAL

TO: Board of Supervisors
County of Santa Barbara, California

The undersigned officer hereby applies, pursuant to the law cited below, for an order to destroy the records described in the attached schedule and to excuse said officer and his assistants, deputies and employees from further custody of said records.

Code and Section Number: Government Code Section 26202, Evidence Code Section 1045 (a)(1).

Reason for Destruction: Complaints made pursuant to Penal Code section 832.5 and any reports or findings relating thereto need not be retained in excess of five (5) years.

Executed at Santa Barbara, California, on _____, 2009.

Bill Brown
Sheriff- Coroner

APPROVED:

COUNTY COUNSEL

AUDITOR-CONTROLLER

BY: _____

BY: _____

CERTIFICATION OF APPROVAL

I hereby certify that the above application was approved and adopted on _____, 20____, by the following vote of the Board of Supervisors:

AYES:

NOES:

ABSENT:

County Clerk and ex officio Clerk of the Board
Of Supervisors, County of Santa Barbara, State
Of California

By: _____

