



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: November 19, 2019
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Bill Brown, Sheriff-Coroner (Ext.14290)
Director(s)
Contact Info: Ryan Sullivan, Custody Commander, Sheriff's Office (Ext. 14091)

SUBJECT: Adopt a Resolution for the Office of the Sheriff's Electronic Retention of Custody and Medical Records

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Adopt a Resolution authorizing the electronic reproduction and retention of the Office of the Sheriff's custody and medical records and the destruction of the paper files pursuant to California Government Code sections 26201, 26205, 26205.1, and 26206.7; and
- b) Find that the proposed Resolution is not a "project" under CEQA Guideline 15378(b), in that it does not involve a commitment to any specific project which may result in a potentially significant impact to the environment.

Summary Text:

The Office of the Sheriff would like to adopt a systematic electronic records retention procedure for its custody and medical records files. The goal is to decrease the amount of files stored both on-site and off-site and to create further efficiencies in accessing important custody and medical records information between custodial facilities with the anticipated opening of the Northern Branch Jail. Rather than transporting these files to and from different facilities, Sheriff's Office staff will scan these documents and store them electronically.

Background:

The Sheriff's Office currently disposes of custody records more than three (3) years old and medical records more than seven (7) years old with Board of Supervisors approval in accordance with law. Custody records files include inmates personal identifying information, their criminal charges and court information, as well as other information pertinent to their incarceration. Medical records are maintained by the Sheriff's Offices contracted medical provider, who utilizes an electronic health records system, but also maintains paper files in addition to the electronic health records.

Both Government Code sections 26205 and 26205.1 allow for the Board to authorize the destruction of any record, paper, or document not expressly required by law to be filed and preserved, if reproduced electronically with specific requirements. One of these requirements is for the electronic storage to be within a "trusted system" that does not permit additions, deletions, or changes to the original document and is produced in compliance with Government Code section 12168.7. Both the Sheriff's Office's Jail Management System (which custody records are maintained in) and the Electronic Health Record System (which medical files are maintained in) comply with these requirements. The Sheriff's Office will ensure that any future record management systems comply with these requirements.

In addition, both Government Code sections 26201 and 26206.7 allow for the Board to authorize the destruction of various duplicates of county records.

This policy is in compliance with both the California Secretary of State Local Government Records Program, established pursuant to Government Code section 12236(a), and the Countywide Policy 121-107 Local Government Records Management Guidelines.

A Board adopted electronic retention mechanism, for the Office of the Sheriff's custody records and medical records, will allow the Office of the Sheriff to destroy all paper files, once electronically retained into a trusted system, without having to return to the Board each time, thereby improving records management efficiency.

Fiscal Analysis:

A routine disposal of paper custody and medical records files and retention of these files electronically will reduce the Office of the Sheriff's physical storage demands. This new policy is cost neutral since Sheriff's Office staff will spend time scanning documents rather than transporting files to and from storage, however this change will likely result in greater efficiencies in accessing information which cannot be calculated at this time.

Special Instructions:

Clerk of the Board: Please send one copy of the signed Resolution and minute order to Custody Commander Ryan Sullivan, Sheriff's Office.

Attachments:

- a) Proposed Resolution to Adopt an Electronic Records Retention Policy for the Office of the Sheriff's Custody and Medical Records.

Authored by:

Ryan Sullivan, Custody Commander, Sheriff's Office