

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 3.5
(ID # 22905)

MEETING DATE:

Tuesday, October 03, 2023

FROM : ASSESSOR-COUNTY-CLERK-RECORDER:

SUBJECT: ASSESSOR-COUNTY CLERK-RECORDER/RMAP: Approval of Revised Departmental Records Retention Schedules, All Districts. [\$0] (4/5th Vote Required)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the attached Departmental Records Retention Schedule for the Probation Department.

ACTION: 4/5 Vote Required, Policy


Kan Wang, Assistant Assesor-County-Clerk Recorder 8/29/2023

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Gutierrez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: October 3, 2023
xc: Assessor

Kimberly A. Rector
Clerk of the Board

By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$0	\$0	\$0	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: N/A			Budget Adjustment: No	
			For Fiscal Year: 2023/2024	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

In accordance with the provisions of Board Policy A-43, the Records Management and Archives Program (RMAP) worked with appropriate departments to review the Records Retention Schedules attached. Approval will authorize the disposal of certain records following mandatory retention requirements, thereby enabling the County to reduce the cost of storage for obsolete materials while ensuring that administrative, fiscal, legal, and other recordkeeping responsibilities are met. Prior agenda references are noted on the appropriate cover page. Per Government Code Section 26202, this item requires a 4/5 vote.

Impact on Residents and Businesses

The citizens of Riverside County benefit from the efficiencies gained through the application of generally accepted recordkeeping principles.

ATTACHMENTS:

- 1. DRRS Probation – DRRS_PROB_2023_Rev03 – Supersedes DRRS Probation, adopted December 7, 2021, as Agenda Item #3.6**

Cesar Bernal
 Cesar Bernal, PRINCIPAL MGMT ANALYST 9/21/2023

Aaron Gettis
 Aaron Gettis, Deputy County Counsel 9/20/2023



County of Riverside, California Departmental Records Retention Schedule (DRRS_PROB_2023_Rev03)

Enacted pursuant to Board of Supervisors, County of Riverside Resolution No. 2016-126, "Pertaining to the Management, Retention, Destruction or Disposition of County Records," and Board of Supervisors, County of Riverside Policy A-43: "County Records Management and Archives Policy."

Inquiries or comments regarding this schedule should be directed to:

County of Riverside
Records Management and Archives Program (RMAP)
2724 Gateway Drive
Riverside, CA 92507
951-486-7067
(County Mail Stop 2625)

Introduction

This Departmental Records Retention Schedule (DRRS) for the Probation Department (PROB) is adopted as per the recommendations of Board Policy A-43 and supersedes the DRRS adopted December 7, 2021, as agenda item # 3.6.

This schedule is written with general titles and descriptions rather than identifying specific individual documents or forms. A record with content and function that is substantially the same as an item described in this schedule should be considered covered by that series. This retention schedule indicates the length of time that listed records, regardless of media or format, must be retained by the department before disposition may be implemented. These retention requirements are recommended in order to reduce the costs for the storage and maintenance of records while ensuring that administrative, fiscal, legal and other recordkeeping responsibilities are met.

Records, including copies held for convenience or reference, must be disposed of as directed herein at the close of the official retention period. A full justification for any request to extend the retention period for a particular group of records must be submitted in writing to the Records Management and Archives Program (RMAP) as stated by Board Policy A-43, Section D.5.

If a federal or state statute or regulation specifies a longer retention period for any records series received, created, or maintained by the department, the statute or regulation override this schedule and the department must amend its records retention schedule as soon as practicable. In addition, a record may not be destroyed if notice of litigation, audit, public records request, etc. is received prior to the expiration of the retention period. For records held for audit purposes, the Auditor Controller's Office, or appropriate auditing authority, will notify the department once the audit is complete. In the event a lawful claim or a lawsuit is made against the county of Riverside, the department will suspend destruction of the subject records until all issues of the matter are resolved. Further, if the department is notified by County Counsel or Human Resources to put documents on hold due to a claim or other legal proceeding, the department will suspend any records destruction of the identified documents. (Board Policy A-43 § D.9)

The department will maintain the requested records until the close of litigation or proceedings plus an additional ten (10) years. The department is responsible for ascertaining the correct date of closure in order to establish this ten (10) year retention period. Furthermore, the department is responsible for establishing appropriate procedures to ensure that records are retained for the period of time mandated and that the records remain accessible as required.

Explanation of Fields

Record Series Codes: The Record Series Code is assigned by RMAP. The code is alphanumeric and uniquely identifies the Record Series Title regardless of the schedule it occupies enabling the Record Series to be tracked within the master index system.

Record Series Title: The Record Series Title identifies a group of similar records generally produced or utilized for similar business needs allowing them to be evaluated as a group for retention scheduling purposes.

Record Series Description: A description of the Record Series Title that includes examples, not an exhaustive list, of the record types found within the group.

Official Records: The agency or department responsible for the county's official record.

Official Record Retention: The length of time that the official record must be kept based upon the legal minimum requirement as well as any operational or business need. All other copies must be disposed of at the end of the retention period. For example, departmental copies held for convenience or reference must be destroyed at the close of the retention period or when no longer needed to support normal business operations, whichever is earlier.

Citation / Rationale: The legal citation or operational/business reason for retaining the official record for the period specified.

Final Disposition: The recommended final status or arrangement for the official record, usually disposed of by confidential shredding or transfer to the County of Riverside Archives as determined through best practice.

Explanation of Codes

Best Practice = Best Practice determined through business and government agency benchmarks.

CCR = California Code of Regulations

CFR = Code of Federal Regulations

CL = Closed, which will also mean after final resolution (as in an inquiry or litigation) after expiration (as in a contract) after final payment, upon completion of participation in a program, etc. A record is considered "closed" when no further action is pending or required.

CR = Date of creation

CY = Calendar year end

EC = California Evidence Code

FY = Fiscal year end

GC = California Government Code

PC = California Penal Code

T = Termination (of employment or service); Termination of probation

USC = United States Code

WIC = California Welfare and Institutions Code



COUNTY OF RIVERSIDE RECORDS RETENTION SCHEDULE

Probation	Schedule Type: Departmental Records Retention Schedule (DRRS)
Division: All	DRRS_PROB_2023_Rev03
Section: All	

With full consideration given to the preservation of the historic records of the County, the undersigned hereby certifies that this retention schedule conforms to the legal and regulatory requirements and best business practices known at this time.

Department Head: Christopher H. Wright, Chief *Christopher H. Wright* Date: 8/18/2023

Code	Title	Record Series Description	Copy of Record	Official Record Retention	Citation / Rationale	Final Disposition
Administration (ADM)						
PROB-ADM100	Complaints / Grievances	Includes documentation of employee grievances, charges related to discrimination or harassment including those filed under or by EEOC/DEH, County C-25 Harassment, Public Employment Relations Board (PERB), or a violation of Meyers-Miliias-Brown Act. May also include an action brought by the Commission or the Attorney General against an employer under Title VII.	Dept.	CL + 5	EC 1045(b)(1); 29 CFR 1602.31; 29 CFR 1602.14; GC 12946; Best Practice	Shred / Delete
PROB-ADM200	Corrective or Disciplinary Actions - Supervisors' copies	Supervisors' reference copies of records documenting the prevention and/or resolution of problems involving individuals and related to work situations. Records may include arbitration decisions, demotions, documents pertaining to the action taken for reconsideration of appeal, employee discipline matters, investigation reports, notice of appeals, notice of discipline, records pertaining to adverse job actions, suspensions, terminations and written reprimands.	Dept.	CR + 5	EC 1045(b)(1); 29 CFR 1602.31; 29 CFR 1602.14; GC 12946; Best Practice	Shred / Delete
PROB-ADM300	Training History	Records retained to confirm participation in and successful completion of job related training for Standards and Training in Corrections (STC) and Non-STC programs. Includes documentation of employee continuing education, training and development, including employee identification, training received, dates of training and related records.	Dept	T + 3	29 CFR 1602.31; 29 CFR 1602.14; GC 26202; Best Practice	Shred / Delete
Field (FLD)						
PROB-FLD100	Client File - Adult	May include face sheet, assessments, law enforcement reports, progress reports, program enrollment forms, victim statement of loss, consent for release of information, protective orders, program terminations, program completion certificate.	Dept.	T + 40	PC 1203.7(c); PC 1203.10; Best Practice	Shred / Delete

FORM APPROVED COUNTY COUNSEL
 BY MCT 20SEP23
 MICHAEL C THOMAS DATE

Record Series			Copy of Record	Official Record Retention	Citation / Rationale	Final Disposition
Code	Title	Description				
PROB-FLD150	Client File - Juvenile	May include police report, court documents, youth's identifying documents, probation case management documents, and documents collected from collateral agencies.	Dept.	Termination of Juvenile Court jurisdiction + 5	WIC 826(a)	Shred / Delete
PROB-FLD200	Client Sign In Logs	Lists client name, Client Identification Number, assigned Probation Officer who meets with client, reason for visit, date and time when checking into a Probation Department office.	Dept.	CY + 5	GC 26202; Best Practice	Shred / Delete
PROB-FLD250	DJJ Juvenile Probation Legal File	May include record of all court proceedings, Department of Corrections and Rehabilitation (DCR) annual review report as required by Senate Bill 459, DCR's law enforcement notification of parole or transfer, special education individualized assessment (IEP) , minor's mental health assessment, notification of parole date and status; petitions and court reports referencing all allegations filed against minor; memorandum from the Clerk of the Court regarding Order of Discharge; notification from DJJ regarding a dishonorable discharge after minor has completed custody time.	Dept.	Termination of Juvenile Court jurisdiction + 5	WIC 826(a)	Shred / Delete
PROB-FLD300	Informal Contracts	Notes and letters pertaining to contracts with a juvenile who has not been adjudicated by the court but has agreed to informal probation in lieu of court appearance. May include correspondence from law enforcement, third party victims, collateral agencies, including notification of scheduled appointments.	Dept.	T + 5	WIC 826(a)	Shred / Delete
PROB-FLD350	Placement File	Files related to juvenile probationers placed in group homes, relative placements, other county facilities, etc. May include all correspondence and forms from DPSS and placement sites related to the probationers placement.	Dept.	Until Client reaches age 26	WIC 11403.2(a) (2); GC 26202; Best Practice	Shred / Delete
PROB-FLD400	Record Sealings	May include minute orders, probation officer's reports, school records, applications for juvenile petitions (J-132), correspondence, California Law Enforcement Telecommunications Records (CLETS), doctor's notes, field notes.	Dept.	Sealed + 5	WIC 781(d)	Shred / Delete
PROB-FLD-450	Non-Court Ordered Diversion	Documents pertaining to juveniles who have not been adjudicated by the court and have been diverted. May include informal contracts, minute orders, school records, Applications for Juvenile Petitions (J-132), correspondence from law enforcement, third party victims, collateral agencies, including notification of scheduled appointments, doctor's notes, field notes and police reports.	Dept.	Sealed + 2	WIC 786.5; WIC 654; 34 USC 10401et seq; GC 26202; Best Practice	Shred / Delete

Record Series			Copy of Record	Official Record Retention	Citation / Rationale	Final Disposition
Code	Title	Description				
PROB-FLD500	Stepparent Adoptions and Civil Files	May include information related to search for biological parent, forms and correspondence related to proceedings and Court's orders.	Dept.	CL + 2	GC 26202; Best Practice	Shred / Delete
PROB-FLD550	Termination of Parental Rights / Abandonment File	File related to the termination of parental rights or abandonment procedures. File may include a petition filed in court for freedom from parental custody and control (Form #809), Probation Officer's Report or Abandonment Report, Declaration of Diligent Search (Form #819), Order of relinquishment of Parental Rights.	Dept.	CL + 3	GC 26202; Best Practice	Shred / Delete
PROB-FLD650	Resource Family Approval (RFA) File	Securely maintain an electronic or hard copy central RF file for each applicant and Resource Family, containing all documents. Records shall be securely maintained for at least five years following the date of an application withdrawal or denial, rescission of approval, criminal record exemption denial or rescission, exclusion, or forfeiture or surrender of approval.	Dept.	CL + 7	42 USC 3796 ee et seq; GC 26202; Best Practice	Shred / Delete
Dept (DEP)						
PROB-DEP100	California Law Enforcement Telecommunications Records (CLETS) Log	Log listing information pertaining to reason for conducting a criminal search on any person, including who originated the request.	Dept.	CY + 3	GC 26202; Best Practice	Shred / Delete
PROB-DEP200	Child Abuse or Neglect Investigations	Substantiated, unsubstantiated or inconclusive investigative reports of suspected child abuse and/or neglect.	Dept.	CY + 10	PC 11169(c); 28 CFR 115.389(d)	Shred / Delete
PROB-DEP250	Child Abuse or Neglect Investigations - Juvenile Offender	Substantiated, unsubstantiated or inconclusive investigative reports of suspected child abuse and/or neglect.	Dept.	CY + 10 with no further offenses	PC 11170(a)(3)	Shred / Delete
Institution Services (INS)						
PROB-INS100	Food Services	Records related to the preparation and distribution of food. Records series includes food services inspections, meal counts and menus.	Dept.	FY + 3	7 CFR 210.23(c); GC 26202; Best Practice	Shred / Delete
PROB-INS200	Faily Logs, Reports and Forms	Daily Logs, rosters, Safety Check logs, Mail Logs, Separation Reports, Grievance forms, Cash Listing Reports, Programming Logs, Resident Surveys	Dept.	CY + 3	GC 26202; Best Practice	Shred / Delete

Record Series			Copy of Record	Official Record Retention	Citation / Rationale	Final Disposition
Code	Title	Description				
PROB-INS250	Allegations of Sexual Abuse (PREA)	Client Management System (CMS) data from referred incidents, including report details, Child Protective Services (CPS) contact name and incident number. Investigative reports of suspected sexual abuse for any youth in a juvenile confinement facility.	Dept.	CY + 3	GC 26202; Best Practice	Shred / Delete
PROB-INS500	Client File - Detention	May include police reports, admittance/release packets, youth's identifying documents, case management documents, courts documents, and documents collected from collateral agencies.	Dept.	Release from facility + 3	GC 26202; Best Practice	Shred / Delete
PROB-INS600	Client File - Treatment	May include police reports, admittance/release packets, youth's identifying documents, case management documents, courts documents, and documents collected from collateral agencies.	Dept.	Release from facility + 5	GC 26202; Best Practice	Shred / Delete