


<p align="center">SOLANO COUNTY CALIFORNIA PROBATION DEPARTMENT</p>	<p>POLICY NUMBER:</p> <p align="center">512</p>	<p>EFFECTIVE DATE:</p> <p align="center">November 4, 2019</p>
	<p>SUPERSEDES:</p> <p align="center">August 17, 2009</p>	
<p>APPROVED BY:</p>  <p>CHIEF PROBATION OFFICER</p>	<p>TITLE:</p> <p align="center">Maintaining, Stripping and Purging Probation Documents, Records and Files</p>	

1. **Policy**

The purpose of this policy is to define the requirements for managing the records and documents of the Solano County Probation Department, and to ensure compliance with federal, state, local laws and business operations. The requirements included in this policy ensures confidentiality of documents, records, and files, as well as, the need to maintain proper storage space for Probation records. This policy is in alignment with the State of California File and Documentation Retention Policy (CA-GC 34090-(2Y); CA-PC1203.10-(AC+5Y); CA-PC290-(AC+5Y)) and the Solano County Record Retention Policy.

2. **Procedures**

A. File and Documentation Retention:

Per county policy and in accordance with State law, records and documents are to be retained based on the Records Retention Schedule adopted by the Board of Supervisors. Upon reaching the retention period, records and documents (regardless of the format) must be deleted or disposed of

B. Maintaining Probation Documents, Records, and Files:

- (1) Probation documents, records and files (including case notes) are to be maintained and organized as directed by Division Managers
- (2) Probation documents, records and files are confidential pursuant to Department Policy P-504 and should be maintained in such a manner to ensure access only to authorized personnel

C. Stripping Probation Files and Records

- (1) In order to maintain proper storage space for Probation documents, records and files, certain case files that are closed must be stripped of non-essential documents. Therefore, when cases have expired or terminated, the Deputy Probation Officer assigned to the case will be responsible for removing non-

essential documents. The only documents to be retained in the case file are as follows:

- a. The face (running) sheet
 - b. Court orders
 - c. Probation reports
 - d. Psychological evaluation or other important official reports
 - e. The most recent adult social data or juvenile financial sheet
 - f. The adult closing summary or juvenile file / transfer summary
 - g. Any handwritten case notes (that are not captured in electronic case management system)
 - h. Police reports for juvenile sex offenders
 - i. Treatment provider reports, including closing summaries
- (2) Any files created for specialized programs such as Center for Positive Change or Youth Achievement Center should be reviewed upon closing and stripped of any non-essential documents. The stripped program file should be merged and retained with the probation file. The only documents to be retained and merged with the case file are as follows:
- a. Status Form (showing CM exit date)
 - b. Disclosures: HIPPA, Media Release Form, Confidentiality Form
 - c. Any handwritten case notes (that are not captured in electronic case management system)
 - d. Psychological Evaluations
 - e. Status Reports
 - f. Any legally binding document/contract with signature
 - g. Original referral form (if not in electronic case management system)
- (3) Whenever a non-essential document is removed from a case file or otherwise taken for discarding the document, the authorized employee removing/discarding the document shall place the document in the shredding bin to ensure that confidentiality is maintained.

C. Purging Probation Files and Records (Authority: Section 1203.10 of Penal Code and Section 826 of the Welfare and Institutions Code)

- (1) Upon termination of probation and/or juvenile jurisdiction and upon meeting Solano County and State of California retention requirements, Probation records may be purged.
- (2) As directed by the Division Manager and Clerical Operations Manager, the Probation Department will purge cases, records, and documents as follows:
 - a. Non-State Prison Cases 5 Years
 - b. State Prison Cases 5 Years
 - c. Deferred Entry of Judgment 5 years from expiration or Termination of jurisdiction
 - d. Active Bench Warrants Retained Indefinitely
 - e. DJJ (formerly CYA) Cases 5 years from date of discharge from DJJ

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| f. Adult offenders supervised in Solano County for sex offenses and required to register pursuant to 290 PC | 50 Years |
| g. Juvenile Sex Offenders required to register pursuant to 290 PC | 50 Years |
| h. 705 WIC Cases | 1 year from receipt of the court order dismissing the petition |
| i. Adult Cases- Probation to terminate upon release from county jail | 6 Years (retention + 1) |
| j. Diversion records created with physical files will fall under the same record retention policy as the other juvenile case files | |

3. **Exceptions**

- A. Exceptions to the provisions set forth in this policy shall require approval by the Chief Probation Officer, or their designee, and completion of the File Retention Extension Request form (See Attachment A).
- (1) The supervisor must sign off any request for an exception and forward it to a manager with the file for final approval. After approval, the form will be attached to the file and forwarded to support staff for filing, and updating the file status in the file management system database
- B. Subdivision (d) of Section 781 of the Welfare and Institutions Code: sealed juvenile records shall be destroyed upon court order, five years after the records have been sealed.
- C. Juvenile traffic and some non-traffic misdemeanors and infractions pursuant to Section 601 of the Welfare and Institutions Code: upon reaching 21 years of age, or five years after jurisdiction over the person has terminated under subdivision © of Section 826 of the Welfare and Institutions Code. Records may be microfilmed or photocopied.
- D. Juvenile Marijuana infraction under subdivision (d) of Section 11357 of the Health and Safety Code in accordance with procedures specified in subdivision (a) of Section 11361.5 of the Health and Safety Code: upon reaching 18 years of age, the records shall be destroyed.

Attachment A

File Retention Extension Request Form

Name of Client: _____

CASE Identification Number: _____

Closing Date: _____

State reason for extended retention period:

Requested Purge Date: _____

Name and Signature of Probation Officer:

Print Name

Probation Officer's Signature

Date

Supervisor's Signature

Date

Manager's Signature

Date

Clerical confirmation file retention updated, and file marked as exception _____