

## Police Records Schedule

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Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](https://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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# Table of Contents

Police Records Schedule.....	3
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## Police Records Schedule

Reference Number: MTAS-693

<b>POLICE RECORDS RETENTION SCHEDULE</b>		
<b>Description of Record</b>	<b>Retention Period</b>	<b>Legal Authority/ Rationale</b>
<p><b>M-1. Accident Reports.</b> Motor vehicle accident reports giving location of the accident, persons and vehicles involved, time of accident, injuries, witnesses, diagram of accident, and condition of persons involved.</p>	<p>Retain 4 years unless needed longer for local statistical analysis.</p>	<p>Record may be used in litigation. Retention period bases on statute of limitations for actions for injury to personal property plus 1 year. T.C.A. § 28-3-105.</p>
<p><b>M-2. Armory Records.</b> Records regarding acquisitions, requisitions, check-ins, etc.</p>	<p>Retain for 10 years.</p>	<p>Keep in case of potential liability.</p>
<p><b>M-3. Arrest Records.</b> Includes offense and incident reports and indexes citation in lieu of arrest form. Information includes name, alias, address, date and time of offense, date of birth, age, place of birth, description, place of arrest, charge, disposition at time of arrest, warrant number, name of court, accomplices, vehicle information, arresting officer, remarks, signature of arresting officer.</p>	<p>Retain 100 years. If subject is found “not guilty”, then original arrest records should be retained until the records are transferred to an acceptable storage medium such as microfilm. If subject is convicted, retain original until exhaustion of all appeals or termination of probation or sentence; further, the originals are not to be destroyed thereafter until transferred to an acceptable space-saving medium for storage or the retention period has elapsed. Arrest index card should remain active until the death of the subject, which can be presumed 100 years after the event. Consider donating to the archive.</p>	<p>Retaining originals is necessary for continuing investigation purposes. Retaining record in space-saving storage medium is based on life if individual.</p>
<p><b>M-4. Case Files.</b> Copies of all pertinent records for whatever nature relevant to a particular case under or pending investigation, accumulated in a single file by the investigator or the agency to facilitate the investigation or prosecution of offenders. May include copies of incident reports; supplementary report; missing persons/ runaway report; arrest report if part of criminal case file; copies of citation-in-lieu of arrest; property receipt; vehicle tow slip; statement form; blood alcohol test and accident</p>	<p>Retain originals until 1 year after statute of limitations has run. After statute of limitations has run, retain in an acceptable space-saving medium 100 years except for Missing Persons/ Runaway records; which are not to be destroyed if needed by juvenile authorities, and destruction should not violate National Crime Information Center (NCIC) requirements. (NCIC requirements may vary based on specific contract provisions.) Consider donating to archive.</p>	<p>Retaining originals is necessary for continuing investigation purposes. Retaining record in space-saving storage medium is based on life of individual.</p>

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report; other relevant reports; and relevant photos or drawings.		
<b>M-5. Fingerprint Records.</b>	Death of subject or reasonable presumption of death, i.e., 100 years. NOTE: See T.C.A. § 37-1-155 for detailed information regarding treatment of fingerprint records of juveniles.	Retention period based on life of subject.
<b>M-6. Identification Files.</b> Records kept for identification purposes, including fingerprints, photographs, measurements, descriptions, outline pictures, and other available information.	Death of subject or reasonable presumption of death, i.e., 100 years.	Retention period based on life of subject.
<b>M-7. In Patrol Dash Camera Video.</b>	Retain as long as needed for administrative purposes when the video captures no criminal activity, arrest, conduct related to criminal activity, acts that could create civil liability for the law enforcement agency or conduct that could result in an internal affairs investigation.  When a video captures criminal activity or acts that create potential civil liability for the law enforcement agency, the video should be maintained until the statute of limitations runs on the criminal activity or the civil liability (one year for civil rights claims or three years for property damage claims). See Tennessee Code Annotated Title 39 for classifications of criminal offenses and T.C.A. §§ 40-2-101 and 40-2-102 for applicable statute of limitations for the offenses.  When the video captures conduct that could result in an internal affairs investigation, the video should be maintained until the investigation is concluded.  When the video captures an arrest, the video should be maintained until the final adjudication of the case, through the appeals process.	
<b>M-8. Incident Reports (Offense or Complaint Reports).</b> Show name and address of person reporting offense, file and case number, place of occurrence, investigating officer, time, date, how report was made, and officer assigned to the case. May include dispatcher	Retain misdemeanors for 2 years. Retain felonies for 16 years. Retain capital offenses permanently.  If record is unrelated to a felony or other case under investigation, retain original 5 years if stored in an acceptable	Retention period based on statute of limitations of incident.

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cards regarding calls. This includes Tennessee Basic Law Enforcement Records System (TBLERS) Complaint, Offense, Supplementary, Missing Person, Runaway Reports (individual and collective).	space-saving storage medium. If record is related to a felony or other case under investigation, retain 100 years except for Missing Person/Runaway Records, which are not to be destroyed if needed by juvenile authorities, and destruction should not violate National Crime Information Center (NCIC) requirements. (NCIC requirements may vary based on specific contract provisions.)	
<b>M-9. Internal Investigation Records.</b> Records of investigations resulting from a complaint against an employee of the police department. Includes notification of complaint, investigation files, any associated medical files, and any written decisions, orders, or disciplinary actions. Maintain security and confidentiality of files.	Retain for term of employment of officer or 10 years, whichever is longer.	Record retains significance in personnel decisions, promotion, dismissal, etc., and for defense of litigation.
<b>M-10. Missing Persons/Runaway Records.</b>	Retain 100 years but not to be destroyed if needed by juvenile authorities or to comply with National Crime Information Center (NCIC) requirements. Moving information to an acceptable space-saving storage medium is recommended.	Retention is necessary for continuing investigation purposes and is based on life of individual.
<b>M-11. Mittimuses (Committal Records).</b> Commitments to jail, showing name of person committed, offense charged, name of prosecutor, amount of bail, date, and signature of judicial officer.	Retain 10 years.	Record may be used as back-up documentation for board bill and cost summaries.
<b>M-12. Parking Tickets.</b>	Retain 3 years.	Statistical data.
<b>M-13. Processes Served, Record of.</b> Record of warrants, capiases, summonses, and other papers served.	Retain 3 years after last entry.	Keep for nonfinancial audit purposes.
<b>M-14. Radio Logs.</b> A record of radio calls giving time called, car or station calling, car or station called, car location, nature of call, and acknowledgement.	Retain 3 years, unless legal action is pending.	Retention period based on likely time of complaint or legal action.

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<b>M-15. Traffic Citations, Copies.</b> (Originals are kept by court. See page 36 on court records.)	Retain 3 years.	Statistical data.
<b>M-16. Training Records.</b> Records of participation in training programs, sign-in sheets, lesson plans, videotapes, certifications, etc.	Retain for career of officer plus 10 years where information is kept in personnel file.	Records useful to make employment and promotion decisions and for continuing education program. Also, vital record in defending lawsuits against department alleging improper actions of employees.

*DISCLAIMER: The letters and publications written by the MTAS consultants were written based upon the law at the time and/or a specific sets of facts. The laws referenced in the letters and publications may have changed and/or the technical advice provided may not be applicable to your city or circumstances. Always consult with your city attorney or an MTAS consultant before taking any action based on information contained in this website.*

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