

Schedule 15

COUNTY SHERIFFS

October 10, 2014

Nebraska Records Management Division
3242 Salt Creek Circle
Lincoln, NE 68504
(402) 471-2559


**REQUEST FOR APPROVAL
OF RECORDS RETENTION
AND DISPOSITION SCHEDULE**

SCHEDULE	15
AGENCY, BOARD OR COMMISSION	COUNTY SHERIFFS
DIVISION, BUREAU OR OTHER UNIT	
Supersedes Edition of February 10, 2014	

**TO: STATE RECORDS ADMINISTRATOR
STATE OF NEBRASKA**


PART I – AGENCY STATEMENT:

In accordance with Section 84-1212.01, R.R.S. 1943, approval of the attached records retention and disposition schedule by the State Records Administrator is hereby requested. Retention periods and dispositions have been recommended by this agency after a careful evaluation of all factors listed in Section 84-1212.01, R.R.S. 1943.

SIGNATURE			
TITLE	Executive Director for NSA	DATE	10-3-2014


PART II – APPROVAL OF STATE ARCHIVES:

The attached schedule has been analyzed, all archival and historical material has been properly identified, no disposition except by transfer to the State Archives has been recommended for such material, and this schedule is approved as submitted.

SIGNATURE			
		DATE	10/7/2014

PART III – APPROVAL OF AUDITOR OF PUBLIC ACCOUNTS:

The attached schedule has been reviewed, all audit material has been properly identified, and this schedule is approved as submitted.

SIGNATURE			
		DATE	10/7/14

PART IV – APPROVAL OF STATE RECORDS ADMINISTRATOR:

The attached schedule has been reviewed in accordance with Section 84-1212.01, R.R.S. 1943, and is approved as submitted.

SIGNATURE			
		DATE	10/10/14

INSTRUCTIONS FOR USING THIS SCHEDULE

Records retention and disposition schedules are designed to serve as your records management guideline for storing and disposing of agency records, **regardless of the media on which they reside**, including paper, microfilm, diskettes, optical disks, CDs, DVDs, servers, computer hard drives, etc. This schedule was written specifically for records unique to your office and the Local Agencies General Records Schedule #24 contains those records common to most local government agencies. This retention schedule, which is approved by the State Records Administrator, provides your only ongoing authority to dispose of records. Listed below are some basic procedures to follow when applying this schedule.

DISPOSING OF RECORDS

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over General Records Schedule #24 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods. Unless there is pending or on going, legal action, records request, or audit.
3. For records requiring a review of, or transfer to the **NE State Historical Society (State Archives)**, your agency is required to contact the State Archives to negotiate the transfer. Additionally, **once the records are accessioned into their collection, they become the property of the State Archives**. The State Archives may remove selected records in accordance with standard archival practices to ensure efficient access, organization and enduring historical value (Nebr. Rev. Stat. §82-107). Please contact their office by calling (402) 471-4783.
4. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is located on the Secretary of State Records Management website. https://appengine.egov.com/apps/ne/sos_records_disposition_report. This report establishes that the destruction was performed in your normal course of business.

NON-SCHEDULED RECORDS

Contact a Records Management Specialist in Records Management to see whether the records will fit under an item already on the schedule. If they do not, they must be retained until they are added to the next revision of your schedule.

SCHEDULE UPDATE

It is the responsibility of each agency to periodically update their schedule. A Records Management Specialist in Records Management can assist you with the schedule update, which may involve adding new records series and making revisions to existing items. Keeping your schedule current will ensure you have the ongoing authority to discard records when their useful life has ended.

QUESTIONS

If you have any questions about these procedures, please contact your agency Records Officer or the Records Management Specialist in Records Management. They will help you with any questions the schedule may present, including: transferring records to the State Records Center or microfilming records, scanning records, etc.

**Records Management Division
3242 Salt Creek Circle
Lincoln, NE 68504
402-471-2559**

**SCHEDULE 15
COUNTY SHERIFFS**

October 10, 2014

Retention requirements are for all records, regardless of the media on which they reside, unless otherwise noted.

Supersedes Edition of February 10, 2014

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
15-1	FISCAL - CASH BOOKS	Cash books showing fees collected and cash paid out by the sheriff's office.		See ACCOUNTS PAYABLE, item 024-002 and ACCOUNTS RECEIVABLE, item 024-003
15-2	FISCAL - FEE RECORDS: CIVIL, CRIMINAL AND FOREIGN	A record of fees collected by the county sheriff for serving warrants, subpoenas, summons, notices of delinquent taxes, orders, record requests, etc. May list names of plaintiff and defendant, court involved, case number, dates, fees, mileage, attorneys, etc. The "foreign" fee records are used to record fees collected for services performed by the county sheriff for outside agencies.		See ACCOUNTS RECEIVABLE, item 024-003
15-3	INMATES - ADULT FILES	Records relating to prisoners who have been processed by the county sheriff. May include, but not limited to: Nebraska Admission and Release Record, state and F.B.I. criminal history arrest records, mug shots, charges filed, progress reports, interview record, and final disposition of case.	<p>FELONY CASES: 50 years MISDEMEANOR CASES: 25 years IF FILE IS A NOTATION & RECORD MAINTAINED IN ANOTHER OFFICE: 5 years</p> <p><i>ELECTRONIC RECORD: Follow appropriate disposition listed above</i> SCANNED ORIGINALS: Destroy originals after image verification pursuant to AUTHORITY FOR DISPOSAL OF RECORDS FOLLOWING A DURABLE MEDIUM PROCESS CONVERSION, item 024-006 MICROFILMED ORIGINALS: Destroy originals after image verification pursuant to AUTHORITY FOR DISPOSAL OF RECORDS AFTER MICROFILMING, item 024-005 SECURITY MICROFILM: Transfer to off-site security storage and follow appropriate disposition listed above MICROFILM WORK COPY: Follow appropriate disposition listed above</p>	

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
15-4	INMATES - CELL CHECKS AND COUNTS	Documentation of inmates viewed and counted.	5 years	
15-5	INMATES - DISCHARGED PRISONERS	Cards showing the discharge of prisoners from the county jail upon receipt of payment of fines or conclusion of sentence.	5 years	
15-6	INMATES - FINGERPRINT FILES	Cards providing the name of an offender, fingerprints, mug shots, vital statistics, etc.	FELONY CASES: 20 years; if more than one file on same inmate, dispose of 1 year after replacement MISDEMEANOR CASES: 10 years; if more than one file on same inmate, dispose of 1 year after replacement	
15-7	INMATES - FOOD SERVICE LOGS	Summary of the daily meals (diet) served to inmates.	5 years	
15-8	INMATES - JAIL INCIDENT REPORTS	Reports compiled daily by jail personnel on any incident which may have occurred on that shift.	5 years	
15-9	INMATES - JAIL REGISTERS	Registers showing names of prisoners, dates of commitment, personal effects, disposition of case, etc.	ORIGINAL RECORD: 25 years after last entry OR microfilm and destroy, subject to review by the State Archives for possible accession. SECURITY MICROFILM: Transfer to security storage; 25 years MICROFILM WORK COPY: 25 years	Contact State Archives to negotiate transfer
15-10	INMATES - JAIL REPORT, SHERIFF'S	Annual report filed with the district or county court giving reasons for inmates' commitments, dates, number of prisoners, etc.	2 years, subject to review by the State Archives for possible accession	Contact State Archives to negotiate transfer
15-11	INMATES - JAIL STANDARDS BOARD REQUIRED RECORDS	The following records may be found in the INMATES - ADULT FILES, item 015-015, INMATES - JUVENILE FILES, item 015-002 or filed separately. May include, but not limited to: Custody Authorization, Grievances, Incident and Discipline Report, Inmate Account Sheet, Inmate Medical Clearance Report, Inmate Property Inventory, Inmate Request Form, Medical Receiving Screening, Medical Record and Treatment, and Record of Restraint.	5 years after release of inmate	
15-12	INMATES - JUVENILE FILES	May include, but not limited to: Nebraska Admission and Release Record, state and F.B.I. criminal history arrest record, mug shots, charges filed, progress reports, interview record, and final disposition of case.	TRIED/CONVICTED AS JUVENILE: 5 years after juvenile reaches the age of majority (age 19) TRIED/CONVICTED AS ADULT: Transfer to INMATE RECORDS - ADULT INMATE FILES, item 015-001	

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
15-13	INMATES - PENITENTIARY "DRESS OUT" PICTURES	Photos of inmates taken upon their release from the state penitentiary.	5 years	
15-14	INMATES - PRINT CLASSIFICATION, NAME AND NUMBER INDEX	Index cards listing name, charge and number of the case file where related papers are found; some include a description of the accused.	ADULT FELONY CASES: ORIGINAL RECORD: 50 years; OR, microfilm and destroy SECURITY MICROFILM: Transfer to off-site security storage; 50 years MICROFILM WORK COPY: 50 years ADULT MISDEMEANOR CASES: ORIGINAL RECORD: 25 years; OR, microfilm and destroy originals SECURITY MICROFILM: Transfer to off-site security storage; 25 years MICROFILM WORK COPY: 25 years JUVENILE CASES: TRIED/CONVICTED AS JUVENILE: 5 years after juvenile reaches the age of majority (age 19) TRIED/CONVICTED AS ADULT: Dispose of pursuant to adult offenses listed above	Contact State Archives to negotiate transfer
15-15	INMATES - PRISONER REQUEST	Written requests for commissary items, medical, legal or clerical services and action taken by officer.	5 years after release of inmate	
15-16	INMATES - PROPERTY DELIVERY	Record of items delivered to the inmate, such as commissary items, merchandise and/or clothing.	5 years after release of inmate	
15-17	INMATES - TELEPHONE LOG, INMATE	Record of inmate's phone calls.	5 years	
15-18	INMATES - VISITORS REGISTER	Passes, notes, etc., allowing visitors access to inmates.	5 years	
15-19	INMATES - WORK RELEASE	Information on inmates in work release programs, their employers, etc. May include an application, acknowledgements and authorization forms.	5 years	
15-20	INTERNAL - "SHAKEDOWN" RECORDS	Reports of routine "shakedown" usually of motor vehicles conducted by the county sheriff's office.	1 year	Information is duplicated and sent to the county attorney

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
15-21	INTERNAL - IN-CAR AND ON-BODY VIDEO/AUDIO/DIGITAL RECORDINGS		EVIDENCE/CRIMINAL OFFENSE: After expiration of statute of limitations OR adjudication of the case (whichever applies) EVIDENCE/TRAFFIC INFRACTION: 6 months from date of violation OR 30 days after court disposition (whichever applies)	
15-22	INTERNAL - INTERVIEW VIDEO/AUDIO/DIGITAL RECORDINGS		EVIDENCE/CRIMINAL OFFENSE: After expiration of statute of limitations OR adjudication of the case (whichever applies) NON-EVIDENTIARY: Erase or reuse after 48 hours OR according to agency policy (whichever is later)	
15-23	INTERNAL - PATROL, ACTIVITY AND RADIO LOGS	Log shows mileage driven and other pertinent information of activity in the discharge of county business by the sheriff's office. Includes recording tapes or transcripts of radio logs.	5 years or maximum of 10 years if no audit has been performed	
15-24	INTERNAL - RECORD DISSEMINATION LOG	Entries and reports about agencies and individuals inquiring about inmate records.	COMPLETED: 2 years after request is completed or when no longer of administrative value (whichever is later) DENIALS: 10 years	Neb. Rev. Stat. §84-712.03 & §84-712.04
15-25	INTERNAL - TELEPHONE LOG			See LOGBOOKS AND OTHER LOGS, item 024-056
15-26	INTERNAL - VEHICLE LOGS	Mileage, gallons of fuel used, maintenance records and other official duty motor vehicle records.	After vehicle has been sold, traded or otherwise replaced (whichever is sooner)	
15-27	MISCELLANEOUS - COMPLAINT FILES	Cards showing name of complainant, address, nature of complaint and date.	5 years	
15-28	MISCELLANEOUS - EXECUTION AND REPLEVIN	Court issued order to secure personal property on judgment. May include, but not limited to: bill of sale, name of purchaser, bid order, bidders, and monies received.	ORIGINAL RECORD: Return to court of record after action taken OTHER COPIES: When no longer of value to the Department	

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15-29	MISCELLANEOUS - FIREARMS CERTIFICATE APPLICATIONS	Application form for the purchase, lease, rent or transfer ownership of a handgun and may include, but not limited to: application, criminal history document, local, Triple III and/or NICS (National Instant Criminal Background Check System) checks, and letter of denial (if appropriate).	APPROVED APPLICATION AND LOCAL/TRIPLE III/NICS CHECKS: 6 months after approval DENIED APPLICATION AND LOCAL/TRIPLE III/NICS CHECKS: 3 years after denial OR scan and destroy original after image verification following a durable medium conversion pursuant to AUTHORITY FOR DISPOSAL OF RECORDS FOLLOWING A DURABLE MEDIUM PROCESS CONVERSION, item 024-006 ELECTRONIC RECORDS: 3 years	•Neb. Rev. Stat. §69-2407 •Printing Local/Triple III/NICS checks on <i>approved</i> applications is "optional", but on <i>denied applications</i> it <i>should be printed/retained as supporting documentation</i>
15-30	MISCELLANEOUS - LIQUOR LICENSE FILES	Includes applications and any reports on businesses outside city limits and within county jurisdiction.	2 years after license is superseded	
15-31	MISCELLANEOUS - ORDER OF SALE	Court issued order for sale of real estate. May include, but not limited to: foreclosure, advertising, name of purchaser, bid order and bidders, monies received, confirmation of deed, and bill of sale.	ORIGINAL RECORD: Return to court of record after action taken OTHER COPIES: When no longer of value to the Department	
15-32	MISCELLANEOUS - SERVICE INFORMATION CARD	Information regarding the service process of criminal and civil actions. Data may include, but is not limited to: type of service, date, price, time, whom serviced, and deputy number.	2 years	
15-33	MISCELLANEOUS - SUMMONS, SUBPOENAS AND GOVERNOR'S WARRANTS	May include some case file papers.	Return to the court of record after action taken	
15-34	MISCELLANEOUS - UNIFORM CITATION AND COMPLAINTS	Tickets issued by the Sheriff's Department. Unpaid tickets cause warrants to be issued by the appropriate court. Innocent pleas cause Case Files to be generated.	3 years after tickets paid or completed	
15-35	MOTOR VEHICLE - IDENTIFICATION STATEMENT	Inspection of out-state vehicles before being titled in Nebraska. May include, but not limited to: name of applicant, address, city and state, odometer number, previous owner, inspecting officer, and vehicle description.	5 years or maximum of 10 years if no audit has been performed	
15-36	MOTOR VEHICLE - TOW-IN RECORDS	Record of vehicles towed in for various violations. May include, but not limited to: name of owner, description of vehicle, location from which towed, and date.	1 year	

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15-37	MOTOR VEHICLE RECORDS	Includes duplicate copies of any vehicle (motor, trailer, mobile home, etc.) registrations, titles, etc., court writ (either criminal or civil), and other records in which the original is maintained by another office.	2 years	
15-38	REPORTS - ACCIDENT	Reports of accidents investigated by the county sheriff.	HIGH PROFILE ACCIDENTS: 10 years ALL OTHERS: 3 years	
15-39	REPORTS - ACCIDENT INDEX	An alphabetical name index to location of accident reports.	5 years	
15-40	REPORTS - ANNUAL AND STATE	Copy of the Annual Report to county clerk.	3 years OR when no longer of administrative value to the Department (whichever is later)	
15-41	REPORTS - CASE FILE	These are similar to the Offense Reports except they contain supplementary information as a result of subsequent investigation. Includes child abuse investigations.	5 years	Also known as Uniform Crime Reports (UCR) if copy is sent to various courts or the F.B.I.
15-42	REPORTS - COMPUTER, INTERNAL	Computer reports for in-office administrative decision. May include, but not limited to: Record Bureau (RB) and Arrest Exception Report, RB Daily Audit, Confidential Law Enforcement Audit, Criminal Justice Exception Report, Warrant Exception Report and others not specifically listed here.	PERIODIC REPORTS: Superseded TAPE: Superseded ONE TIME ONLY REPORTS: 3 years TAPE: 3 years	
15-43	REPORTS - CORONER'S	Information regarding deaths within the county which were investigated by the sheriff's office. May include, but not limited to: names, dates, address, next of kin and report of examination of body.	PRIOR TO 1940: 5 years, subject to review by the State Archives for possible accession AFTER 1940: 5 years	<ul style="list-style-type: none"> •Contact State Archives to negotiate transfer •Older records also known as Inquest Corner Files
15-44	REPORTS - DISPATCH CARDS	Computer input data cards filled out by the dispatcher with time of call, complaint description or number, arrival and departure times of responding officers, who took the call, what respondents did on the call and any follow-up action taken.	ORIGINAL RECORD: 5 years TAPE: Superseded	
15-45	REPORTS - FIRE MARSHAL	Copies of investigation reports done by the fire marshal's office on cases of possible arson.	10 years	
15-46	REPORTS - OFFENSE	Reports showing name of complainant, address, type of offense, the location and detailed description.	ORIGINAL RECORD: 5 years after case is closed OR when removed from NCIC (whichever applies) TAPE: 5 years	Paper and electronic

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
15-47	REPORTS - OFFENSE INDEX	Alphabetical card index to location of offense reports.	ORIGINAL RECORD: 5 years after case is closed OR when removed from NCIC (National Crime Information Center) (whichever applies) TAPE: 5 years	Paper and electronic
15-48	REPORTS - PHOTOGRAPHS IN REPORTS		5 years	
15-49	REPORTS - PROPERTY	Reports on stolen or confiscated property. May include items of evidence not submitted to court and other property.	EVIDENCE ITEMS: Transfer to appropriate court in receipt of a letter of transmittal (Note: Allegedly stolen items may be returned to the owner pursuant to state statute) OTHER PROPERTY: After case is closed OR when no longer of legal value (whichever is later) PROPERTY REPORTS: 5 years	Neb. Rev. Stat. §28-511.01
15-50	REPORTS - UNUSUAL CIRCUMSTANCE	May be index card or form filled out by patrol on unusual situations, persons or cars.	90 days	
15-51	TRAINING RECORDS	A summary or listing of employee's training. Records may include, but are not limited to: schools, seminars, in-service training programs, and continuing education courses.	10 years after termination of employment	<ul style="list-style-type: none"> •Neb. Rev. Stat. §23-1727 •Sheriff's Office Merit Commission Rules
15-52	WARRANTS - ACTIVE INDEX	Cards listing name, charge for which individual is wanted, and code number of file where the warrant is to be found. Warrant may be several years old, but are considered active until served or dismissed.	After warrant has been served or dismissed transfer to WARRANT RECORDS - INACTIVE INDEX, item 015-038	
15-53	WARRANTS - EXECUTED FUGITIVE	Inactive file of processed fugitive warrants.	Return to court of record after action taken	
15-54	WARRANTS - INACTIVE INDEX	Cards showing name, charge for which warrant was issued, disposition of case, date and warrant number. Warrants which have been served, but may have a later reference value.	5 years	
15-55	WARRANTS - MITTIMUS AND MENTAL	Mittimus warrants are orders to commit an individual to the county jail and mental warrants are orders to commit an individual to the mental hospital.	MITTIMUS: Return to court of record after action taken MENTAL: Return to Mental Health Board after action taken	
15-56	WARRANTS - SHERIFF'S DISTRESS	Copies of distress warrants served by the sheriff for collection of delinquent taxes.	5 years or maximum of 10 years if no audit has been performed	

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
15-57	WARRANTS - UNEXECUTED FELONY, FUGITIVE AND MISDEMEANOR	Unexecuted warrants for the arrest of individuals charged with felony, fugitive or misdemeanor offenses. Listed are the offense, place from which the warrant was issued, warrant number and date.	Return to court of record after dismissed by the county attorney	