

RESOLUTION NO. 80-7

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIDGECREST, CALIFORNIA, APPROVING THE DESTRUCTION OF CERTAIN CITY RECORDS, DOCUMENTS, AND PAPERS, PURSUANT TO SECTION 34090 ET SEQ. OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA

WHEREAS, The Chief of Police has submitted a request for authority to destroy obsolete records; and

WHEREAS, said request has been approved by the City Attorney, and is recommended for approval by the City Administrator, and is in accordance with the procedures and requirements of the City and Section 34090 et seq. of the California Government Code; and

WHEREAS, said request is to authorize the destruction of all original police records including incident, crime, arrest, property records, together with their associated logs and index cards which are two or more years old, providing that original reports relating to offenses which can be prosecuted beyond the two-year period or which involve convicted persons will be retained during the period of time the offenses can be prosecuted and/or convictions be appealed: Therefore be it, that the Chief of Police is hereby authorized to destroy the police records described in the foregoing paragraph subject to the exception also noted.

WHEREAS, in accordance with Government Code Section 34090, the City Attorney has filed his written consent to the destruction of records, instruments, books and papers hereinafter described;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIDGECREST, CALIFORNIA RESOLVES AS FOLLOWS:

Section 1. The following City records, documents, instruments, books or papers are no longer required:

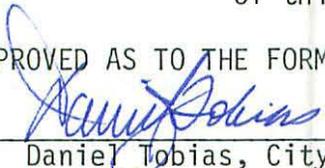
- (a) Bicycle auction receipts and records over two (2) years old.
- (b) Records of expired bicycle licenses over two (2) years old.
- (c) Records of lost and found items over two (2) years old.
- (d) Miscellaneous non-criminal police contact reports over two (2) years old.
- (e) Police daily bulletin records over two (2) years old.

- (f) All arrest reports and police crime reports of infractions, misdemeanors, and felonies over five (5) years old, providing:
- (1) It does not have an unserved warrant.
 - (2) It does not involve a stolen vehicle or firearm which has not been recovered.
 - (3) It is not classified 290 Penal Code or 11850 Health and Safety Code.
 - (4) It is not a criminal death case.
 - (5) It does not include violations listed in Penal Code Section 800.
 - (6) The case is not presently involved in either civil or criminal litigation.
- (g) Unserved misdemeanor warrants and corresponding cases over five (5) years old.
- (h) Unserved felony warrants and corresponding cases over ten (10) years old.
- (i) All index cards which relate to the cases destroyed.
- (j) Police dispatch cards over two (2) years old.
- (k) Field investigation cards over two (2) years old.

Section 2. The records, documents, instruments, books and papers specified in Paragraph 1 of this resolution do not include any documents relating to citizen complaints or investigations in response to citizen complaints relating to members of the Police Department nor to internal affairs investigation files.

Section 3. The City Council finds that the City Attorney has given his written consent to the destruction of the records described in Paragraph 1 of this resolution, and the Chief of Police is authorized to destroy the City records described in Paragraph 1 of this resolution.

APPROVED AS TO THE FORM AND CONTENT:



Daniel Tobias, City Attorney

2-1-80
Date

APPROVED AND ADOPTED this 6th day of February, 1980, by the following roll call vote:

AYES: Mayor Chieze, Councilmembers Grossman, Hockett, Karlberg and Smith.

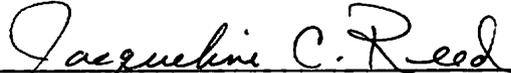
NOES: None.

ABSENT: None.



DON J. J. CHIEZE, MAYOR

ATTEST:



JACQUELINE C. REED, CITY CLERK