

410-CORRECTIONS

RDA #	RDA Title	Retention	Disposition	PII
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<u>00001000.</u>	<u>DIVISION OF ADULT INSTITUTIONS (DAI) AND DIVISION OF JUVENILE CORRECTIONS (DJC) HEALTH CARE RECORDS</u>	<u>EVT+11</u>	<u>DEST</u>	<u>Y</u>
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Content: This record series consist of individually identifying confidential documents files in the paper-based DOC Health Care Record, and/or in an electronic health record, for individuals residing in Division of Adult Institutions and Division of Juvenile Corrections facilities. The documents are created by, or under the supervision of, health care providers who identify and address the medical, dental, mental health, and alcohol and drug abuse of those individuals. The record series consists of at least the following components: Medical Chart, Patient Request Folder, Psychological Records envelope, Psychological Services Unit Record, and Dental Record. It also includes forms used by patients to communicate with health staff, including Health Service Request, Dental Service Request and Psychological Service Request forms. Some offenders also have a Medications Record envelope and/or a Psychological Services Unit Record - AODA envelope.

Purpose: This record series documents requests for health care by patients, identification of needs and health care conditions of patients, and the provision of health care to those patients with the goal of ensuring that the DOC provides appropriate and needed health care to patients.

The forms include but are not limited to: See DAI Policy 500.50.02, Attachments 1 and 1a

Confidential:

Federal Laws:

- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
- 45 C.F.R. Part 160 General Administrative Requirements
- 45 C.F.R. Part 164 Security and Privacy

Wisconsin State Statutes:

- Wis. Stat. § 51.30 Records
 - Wis. Stat. § 51.47 Alcohol and Other Drug Abuse Treatment Records
 - Wis. Stat. § 146.38 Health Care Services Review, Confidentiality of Information
 - Wis. Stat. § 146.82 confidentiality of patient health care records
 - Wis. Stat. § 146.83 Access to Patient Health Care Records
 - Wis. Stat. § 252.15 Restrictions of Use of an HIV Test
 - Wis. Stat. § 303.388 Prisoner Medical Records
 - Wis. Stat. §938.78 Confidentiality of Records
 - Wis. Stat. §950.04(1v) Rights of Victims
 - Wis. Stat. §972.15 Presentence Investigation
- Wisconsin Administrative Code:
- Wis. Admin code § DHS 92.08 Criminal Commitments

See Confidentiality of Records on page 2 above and application of the balancing test.

RETENTION: EVENT (Date of release from DAI incarceration or DJC Commitment) + 11 years and destroy confidential

<u>00001A00.</u>	<u>DIVISION OF ADULT INSTITUTIONS (DAI) OFFENDER HEALTH CARE RECORDS</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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Content: This record series consists of individually identifying confidential documents filed in the paper-based DOC Health Care Record, and/or in an electronic health record, described in RDA 1, for individuals residing in Division of Adult Institutions. The documents are created by, or under the supervision of, health care providers who address the medical, dental, mental health, and alcohol and drug abuse needs of those individuals.

This RDA authorizes confidential destruction of documents filed in the Health Care Record at seven (7) years following the date of release from a period of incarceration EXCEPT for the following documents which must be retained under RDA 1 for eleven (11) years from date of release from a period of incarceration:

- Prescriber's Orders
- EKG/ECG Reports
- Immunization Records
- Positive Tuberculosis test result report
- Consultation Records of non-DOC providers
- Last 12 months of Progress Notes
- Most recent Intake Screening/Medical History
- Psychiatric Reports
- Most recent problem list
- Dental Record
- Psychological Services Unit Record
- All documents pertaining to an inmate who dies during incarceration, or for whom litigation is pending

Purpose: This record series documents requests for health care by patients, identification of needs and health care conditions of patients, and the provision of health care to those patients with the goal of ensuring that the DOC provides appropriate and needed health care to patients.

The forms include but are not limited to: See DAI policy 500.50.02, Attachments 1 and 1A

Confidential:

Federal Laws:

- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
- 45 C.F.R. Part 160 General Administrative Requirements
- 45 C.F.R. Part 164 Security and Privacy

Wisconsin State Statutes:

- Wis. Stat. § 51.30 Records
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse Treatment Records
- Wis. Stat. § 146.38 Health Care Services Review, Confidentiality of Information
- Wis. Stat. § 146.82 Confidentiality of Patient Health Care Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records
- Wis. Stat. § 252.15 Restrictions of Use of an HIV Test
- Wis. Stat. § 303.388 Prisoner Medical Records
- Wis. Stat. §938.78 Confidentiality of Records
- Wis. Stat. §950.04(1v) Rights of Victims
- Wis. Stat. §972.15 Presence Investigation

Wisconsin Administrative Code:

- Wis. Admin code § DHS 92.08 Criminal Commitments

RETENTION: EVENT (Date of release from DAI incarceration)+ 7 years and destroy confidential

<u>00003000.</u>	<u>INFORMATION FOR INMATES, OFFENDERS, STUDENTS, STAFF, VISITORS, C</u>	<u>EVT+60</u>	<u>DEST</u>	<u>N</u>
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CONTENT: Department of Correction's handout, handbook, booklet, information, instruction, notice or other items created for inmates, offenders, students, or staffs that provide information on a variety of topics. The Forms Compliance Officer retains the original.

PURPOSE: This record series provides information to inmates, offenders, students, staff, visitors, or the public regarding DOC practices. These do not contain any inmate, offender, student or staff information and are for information purposes only.

Retention: Event+ 60 years. Event is date each edition is created, revised, obsolete or no longer used.

Change in Retention from 75 years to 60 years was determined after reevaluating this RDA for use with all DOC similar records. The forms include but are not limited to:

- ALL DOC Forms that begin with "POC"
- All DOC Forms are instructions

CONFIDENTIAL: None

RETENTION: EVENT (Date each edition is created, revised, obsolete or no longer used) + 60 years and destroy

<u>00009000.</u>	<u>LITIGATION & REPRESENTATION</u>	<u>EVT+10</u>	<u>DEST</u>	<u>N</u>
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Purpose: This record series identifies the retention period and disposition for litigation and representation records after the Office of Legal Counsel closes a matter. The office creates a litigation case file in either paper or electronic/digital format for each litigation or representation matter. The case remains open until the litigation is closed in the tribunal or when a pre-litigation case is closed due to inactivity. Thereafter, the office closes the matter.

Content: Records include any office record pertaining to representation of the Department of Corrections or its officials or employees in any pre-litigation, litigation, or appeal. Litigation and representation records include employment, inmate, offender, and any other litigation records originally created or retained by the office. The litigator may be an attorney in the office or any attorney at the Department of Justice, Department of Administration, private counsel, and any other litigator. The litigation may be in any tribunal, such as the Claims Board, small claims court, Division of Hearings & Appeals, Equal Employment Opportunity Commission, Equal Rights Division, Labor & Industry Review Commission, Wisconsin Employment Relations Commission, state circuit court, state court of appeals, Wisconsin Supreme Court, U.S. District Court, U.S. Court of Appeals, or Supreme Court. Records include communication received by the office from officials and employees about litigation and representation, including communication received about potential litigation. Records include attorney work product, such as notes, drafts, and correspondence.

Lifecycle Language: The official record in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stats § 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed [confidentially].

Confidentiality: Disposition of records in this series are destroyed as confidential records. Records in this series are confidential under lawyer-client privilege in Wis. Stat. § 905.03 and may include attorney work product under Wis. Stats § 804.01 (2) (c). Some, but not all records, may include personally identifiable information as defined in Wis. Stat. § 19.62(5). Personally identifiable information is incidental to the primary purpose for which the record series was created.

Retention & Disposition: The Department retains records for 10 years after the date closed with destruction thereafter due to confidentiality. The Department retains records for 10 years to ensure retention beyond standard appeal and statute of limitation time limits.

RETENTION: EVENT (Date closed) + 10 years and destroy confidential

<u>00011000.</u>	<u>LEGAL OPINION</u>	<u>EVT+20</u>	<u>DEST</u>	<u>Y</u>
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Purpose: This record series identifies the retention period and disposition for legal opinion records after the Office of Legal Counsel closes a matter. The office generates an identification (ID) number for each legal matter that pertains to a legal opinion it provides to the Department of Corrections. The office stores records under the ID number. The matter is open until the office provides advice to, or consults with, a Department official or employee. Or until the matter becomes inactive, such as when an official or employee no longer seeks advice or consultation on a matter. Thereafter, the office closes the matter.

Content: Legal opinions may be in any legal practice area, such as administrative law, civil law and litigation, contract and property law, criminal and juvenile law, employment law and litigation, health care and guardianship law, and open government and privacy law. Legal opinions include legal services associated with opinions for administrative rules and rulemaking, contract reviews, public records, and other legal matters. Records include advice and consultation provided by the office to the Department through its officials and employees. Records include communication received by the office from officials and employees for advice or consultation, including communication received for advice or consultation that does not result in legal opinion. Records include attorney work product, such as notes, drafts, and correspondence. Records include the legal opinion provided by the office.

Lifecycle Language: The official record in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stats § 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed [confidentially].

Confidentiality: Disposition of records in this series are destroyed as confidential records. Records in this series are confidential under lawyer-client privilege in Wis. Stats § 905.03 and may include attorney work product under Wis. Stats § 804.01(2) (c). Some, but not all records, may include personally identifiable information as defined in Wis. Stats § 19.62 (S). Personally identifiable information is incidental to the primary purpose for which the record series was created.

Retention & Disposition: The Department retains records for 20 years after the date closed with destruction thereafter due to confidentiality. The Department retains records for 20 years to ensure retention beyond when a legal opinion is superseded or no longer relevant.

RETENTION: EVENT (Date closed) + 20 years and destroy confidential

<u>00016000.</u>	<u>DACC/SCCC TREATMENT FILES</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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Content: Treatment records include care history, testing, assessment memos and similar information required by programming, produced by staff and the inmate to diagnose, treat and refer. This information is confidential under Federal Law 42USC 290-dd-3.

The closed action indicates that the inmate has left the facility.

This record series is not a duplicate of RDA 72, Adult Social Service Case Record (Institution Copy) Paper. There is only one duplicated document, the Summary of the Drug and Alcohol Assessment. The DACC and SCCC treatment files are unit files that stay at the facility.

Purpose: These files are maintained by the staff to keep accurate and current information on the inmate's treatment and testing.

RETENTION: EVENT (Closed/terminated/death) + 7 years and destroy confidential

<u>00018000.</u>	<u>INITIAL CLASSIFICATION AND RECLASSIFICATION TRACKING OF WORK PR</u>	<u>EVT+7</u>	<u>DEST</u>	<u>N</u>
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This is a NEW RDA created to cover records identified during agency review.

CONTENT: This record series consist of data regarding the number of hearings processed by type (scheduled - appeared, scheduled - waived, early- appeared, early - waived).

PURPOSE: This record series documents the number of hearings performed by BOCM staff as part of their duties.

The forms include but are not limited to: None

CONFIDENTIAL: None

RETENTION: EVENT (Creation) + 7 years and destroy confidential

<u>00019000.</u>	<u>WORK/STUDY COORDINATOR'S UNIT FILE</u>	<u>EVT+3</u>	<u>DEST</u>	<u>Y</u>
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The file contains weekly work schedules, paycheck stubs, Work Study Release Data Sheet, with information such as; work schedule, work route, pay rate, travel time, employer address and start data.

Work Study Release Form - DOC-370 (Copy)
 Work Study Release Agreement - C-372 (Original)
 Work Release Approval - (Copy)
 Social Security Number - (Copy of Social Security Card)

Note - A copy of DOC-370, Work Study Release Form and Work Study Release Agreement DOC-372, must be set to the inmates

Social Service File.

Purpose: Program Coordinators use these files for quick access to work information while the inmate is in the Work/Study Program.

The closed action indicates that the inmate is released or transferred from the institution or from the Work Study Program.

Records contain personally identifiable information.

RETENTION: EVENT (Closed/terminated/death) + 3 years and destroy confidential

<u>00020000.</u>	<u>TRAINING / COURSE MATERIALS RELATED TO LAW</u>	<u>EVT+4</u>	<u>DEST</u>	<u>Y</u>
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Purpose: This records series is created under the direction of RDA Number ADM00012 for Administrative and Related Records in the General Records Schedule. The Office of Legal Counsel retains training and course materials related to law until a record is no longer needed. A record is no longer needed when the training or course materials are superseded or when an official or employee in the office no longer needs materials after the date of the training or course. Or it may no longer be needed when the office had received a request to provide information to an audience but the request has been rescinded or the training or course was aborted prior to its commencement.

Content: This record series includes any Office of Legal Counsel records pertaining to training or course materials related to law. It includes materials prepared and used by office staff to provide information targeted to internal and external audiences. And it includes materials received by office staff as a participant for any training or conference approved through a DOC-1042 or DOC-1042B request. Records also include communications received by the office to provide information at a training or course.

Lifecycle Language: The official record in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stats § 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed [confidentially].

Confidentiality: Records in this series may include confidential or personally identifiable information. For example, a record may include attorney work product under Wis. Stat § 804.01 (2) (c), and copies of confidential records under Wis. Stat § 905.03. Some, but not all records, may include personally identifiable information as defined in Wis. Stat § 19.62(5), such as a record containing personally identifiable information about an official or employee attending a training or course. Personally identifiable information is incidental to the primary purpose for which the record series was created.

Retention & Disposition: The Department retains records for 4 years after the event with destruction thereafter. Retention of 4 years ensures compliance with the Supreme Court of Wisconsin Board of Bar Examiners requirement on its continuing legal education (CLE) Form 2 that "[c]opies of all brochures, written materials distributed to participants, and attendance lists shall be maintained by the sponsor for the minimum of four (4) years, and shall include the names of presenters."

RETENTION: EVENT (No longer needed) + 4 years and destroy confidential

<u>00026000.</u>	<u>REQUEST TO VISIT INMATE</u>	<u>EVT+1</u>	<u>DEST</u>	<u>Y</u>
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This record series is for use with, but not limited to DOC 176-Request to Visit Inmate, DOC 846-Visitor Register and DOC 1089-Denied Visit Justification (Security Copy). This record series includes inmate name, DOC number, institution, facility, housing, unit, assignment, date of last visit, visit hours available, date completed, visitor(s) name, relationship to inmate, date of birth, address (street, city, state) and names of children under 18 years of age by full name and date of birth; staff signature approving visit, time visit began, time visit ended, staff signature.

This record series documents the person(s) visiting an inmate so that security can verify if that person is authorized to visit and the reason(s) for denial of visitation. DOC 176 form is also used as a pass for visitor(s) to get into the institution or facility.

These documents should be maintained in the institution or facility security department. DOC Administrative Code 309.06 provides guidance for this procedure.

RETENTION: EVENT (Creation) + 1 year and destroy confidential

<u>00030000.</u>	<u>CONSTRUCTION PROJECTS - PAYMENTS</u>	<u>EVT+36</u>	<u>DEST</u>	<u>N</u>
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CONTENT: These documents include vouchers, purchase orders, requests and certifications for payment, final closing letters and other payment related correspondence.

PURPOSE: The records are used to process and document payments for construction projects that have been assigned project numbers and approval from the Department of Administration, Building Commission or Division of Facilities Development.

The forms include but are not limited to: None

CONFIDENTIAL:

Wisconsin State Statutes:

Wis. Stat. § 19.31-19.39 Public Records

Wis. Stat. § 19.35(1)(am) Safety and Security

Wis. Stat. § 19.36(9) Plans or Specifications for State Buildings

Wis. Stat. § 71.78(1)(5)(6) Revenue Confidentiality Provisions

Wis. Stat. § 905.03 Lawyer-Client Privilege

RETENTION: EVENT (Date of final closing letter or other final payment related correspondence) + 36 years and destroy confidential

<u>00038A00.</u>	<u>CIPIS INMATE RELATED DATA FILES - PRIMARY INFORMATION</u>	<u>EVT+75</u>	<u>SHSW</u>	<u>Y</u>
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Root Segment, Inmate characteristics, sentence/detainer, ATF releases, DIs status, Mandatory Release/Parole Eligibility Data status, Release Supplement.

RETENTION: EVENT (After inmate discharge or death) + 75 years and transfer to SHS

<u>00038B00.</u>	<u>CIPIS INMATE RELATED DATA FILES - SECONDARY INFORMATION</u>	<u>EVT+5</u>	<u>DEST</u>	<u>Y</u>
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Movement, Security, Classification including Assessment and Evaluation and Program Review, Health Classification including Medical and Dental, Work/Study Release, Education Agent/Area Assignment, and Special Placement Needs.

RETENTION: EVENT (After final discharge) + 5 years and destroy

<u>00039B00.</u>	<u>CIPIS NON-INMATE RELATED DATA - FILES COUNTS HISTORY</u>	<u>P</u>	<u>PERM</u>	<u>Y</u>
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On-going history of population counts.

RETENTION: Permanent

<u>00053B00.</u>	<u>INTERSTATE CORRECTIONS COMPACT - BED DAYS TRACKING INPUTS AND</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: This record series consist of records that are utilized to track, manage, and record the number of bed days, date received in contract state, date revised, and total days after release.

PURPOSE: The purpose of this record is to track the number of bed days per offender to ensure Wisconsin is afforded the appropriate number of bed days in states that have entered into a compact contract. Wisconsin Statute § 302.25 outlines the purpose of the compact, to provide for the mutual development and execution of programs of cooperation for the confinement, treatment and rehabilitation of offenders with the most economical use of human and material resources. This requirement provides a basis of cooperation between states that have entered into the contract to serve the best interests of offenders and society and effect economies-in capital expenditures and operations costs.

The forms include but are not limited to: None

CONFIDENTIAL:

State Statutes:

Wis. Stat. §19.35(1)(am) Safety and Security

Wis. Stat. §19.36(8) Confidential Informant

Wis. Stat. §905.09 Informant

Wis. Stat. §905.10 Identity of Informer

See Confidentiality of Records on page 2 above and application of the balancing test.

RETENTION: EVENT (Last day of the calendar year) + 7 years and destroy confidential

<u>00055A00.</u>	<u>EXECUTIVE DIRECTIVES - INDEX</u>	<u>EVT</u>	<u>DEST</u>	<u>N</u>
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CONTENT: The Executive Directives Index is a list of the DOC Executive Directive polices listed in numerical order. The Executive Directives Index contains the following information: Executive Directive Title, Executive Directive number and date the Executive Directive was approved by the DOC Secretary.

PURPOSE: This index is used as a tool for staff to locate particular Executive Directives created by the department.

There is no GRS RDA for Executive Directive Index, the DOC has these records and requires an RDA to manage.

FORMS: No forms for this RDA

CONFIDENTIAL: None

RETENTION: EVENT (Date index is superseded) and destroy

<u>00057000.</u>	<u>RESEARCH PROJECTS CASE FILE - APPROVED PROJECTS</u>	<u>EVT+7</u>	<u>SHSW</u>	<u>Y</u>
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CONTENT: Requests to conduct research are managed by the Research Review Committee. Executive Directive #36, Research Program Procedures was established to assure quality research and to protect offenders, inmates, youth and/or employees who are the subjects of research. Records in this series include, but are not limited to:

Request to conduct research

- Protocol including a description of the proposed research

- Questionnaire(s) to be used
- Description of procedures to assure that Department inmates, offenders, youth, and/or employees are not put at risk and that security of the institution/probation & parole system won't be violated
- Samples of proposed informed consent forms
- DOC-138 Research Project Agreement
- DOC-138A Supervisor Consent for DOC Employee Researchers (if necessary)
- DOC-139 Decision on Research Project Application
- DOC-1198 Researcher's Request for Confidential Records or Human Subjects Research
- Insurance policies
- Approved project records that may include follow-up research on findings
- Final report
- One-page executive summary or scientific abstract of findings
- Any papers intended for publication with the department approval
- Correspondence to researchers regarding deadlines

PURPOSE: Approved research projects serve a valuable purpose because they examine the process and effectiveness of correctional programs

FORMS include but are not limited to:

- DOC-138 Research Project Agreement
- DOC-138A Supervisor Consent for DOC Employee Researchers
- DOC-139 Decision on Research Project Application
- DOC-1198 Researcher's Request for Confidential Records or Human Subjects Research
- DOC-1098D Application Supplement-Conviction Record
- DOC-255 Data Request
- DOC-1163A Authorization for the Use and Disclosure of Protected Health Information

Both RDA AMD00026 and ADM00027 were considered for these records; however, the DOC determined that these Research Projects Case Files are not Program/Policy Impact nor are they Internal or Routine.

The DOC Research Projects RDAs exist and are renewed as separate RDAs due to the nature of the records that researchers may have access to. These are often times research that may be published by professionals within a specific or multiple disciplines. We have had these RDAs in the past and prefer to have separate retentions for the different aspects of these research projects. The DOC does not believe that Research Projects that have been denied/withdrawn, no protocols returned or the log needs to be sent to the Wisconsin Historical Society or retained the same length of time -- therefore the need for separate RDAs. Historically inmates are the subject of studies in many disciplines.

Retention Justification: These records may have business or historical value if the research project is approved and completed. The seven (7) year in house retention provides the DOC with access to these records in the event of research finding publication and any items that would arise from said research. The DOC feels this retention is adequate for business purposes.

CONFIDENTIAL:

Federal Laws:

- 42 C.F.R. Part 2 Confidentiality of alcohol and Drug Abuse Patient Records
- 45 C.F.R. Part 46 Protection of Human Subjects
- 45 C.F.R. Part 164 Protected Health Care Records

Wisconsin State Statutes:

- Wis. Stat. § 19.35(1)(am) Safety and Security
- Wis. Stat. § 19.36(9) Plans or Specifications for State Buildings
- Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
- Wis. Stat. § 69.20 Collection of Vital Statistics
- Wis. Stat. § 103.13 Employee Records
- Wis. Stat. § 118.125 Pupil Records
- Wis. Stat. § 146.82 Health Care Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records
- Wis. Stat. § 165.79 DNA Analysis and Data Bank
- Wis. Stat. § 230.13 Closed Records
- Wis. Stat. § 252 HIV Test Results
- Wis. Stat. § 938.78 Juvenile Records
- Wis. Stat. § 950.04(1v) Rights of Victims
- Wis. Stat. § 938.78 Confidentiality of Records
- Wis. Stat. § 972.15 Pre-Sentence Investigation.

RETENTION: EVENT (Date the final report is received) + 7 years and transfer to the Wisconsin Historical Society

00057A00.	RESEARCH PROJECTS CASE FILE - DENIED/WITHDRAWN	EVT+3	DEST	N
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CONTENT: Requests to conduct research are managed by the Research Review Committee. Executive Directive #36, Research Program Procedures. This directive was established to assure quality research and to protect inmates, offenders and/or employees who are the subjects of research.

Records in this series include, but are not limited to:

- Request to conduct research

- Research Review Committee denial letter to researcher detailing reason for denial and opportunity for researcher to respond

PURPOSE: Recommendations to deny research are required to insure safeguards for the protection and privacy of the involved offenders, inmates, youth and/or employees.

FORMS: None

This RDA is different from RDA 57 as these were Research Projects that were denied or withdrawn. No research was completed therefore these records do not need to be retained for the same retention.

Retention Justification: These records have little business or historical value if the research project has been denied or withdrawn, therefore the three (3) year retention is adequate to know if someone has already requested to do this type of research in the past.

CONFIDENTIAL: None

RETENTION: EVENT (Date of denial or withdrawn) + 3 years and destroy

<u>00057B00.</u>	<u>RESEARCH PROJECTS CASE FILE - NO PROTOCOLS RETURNED</u>	<u>EVT+2</u>	<u>DEST</u>	<u>N</u>
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CONTENT: Requests to conduct research are managed by the Administrator, Division of Management Services. Executive Directive #36, Research Program Procedures was established to assure quality research and to protect the offenders, inmates, youth and/or employees who are the subjects of research.

Records in this series include, but are not limited to:

- Request to conduct research
- Correspondence to researcher detailing additional requirements or DOC response packet

PURPOSE: These records are used to track research projects and follow-up on nonresponse of requirements according to Executive Directive #36

FORMS: None

This RDA is different from RDA 57, this RDA covers Research Projects that no protocols were returned. No research was completed therefore these records do not need to be retained for the same retention.

Retention Justification: These records have little business or historical value if the no protocol has been returned as the research will not be approved. The two-year retention provides a record if the requester submits a new request within this timeline. The DOC believes this two (2) year retention is adequate.

CONFIDENTIAL: None

RETENTION: EVENT (Date response packet distributed) + 2 years and destroy

<u>00057C00.</u>	<u>RESEARCH PROJECTS CASE FILE - OFFENDER RESEARCH LOGS</u>	<u>EVT</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: Requests to conduct research are managed by the Research Review Committee. Executive Directive #36, Research Program Procedures was established to assure quality research and to protect inmates, offenders, youth, and/or employees who are the subjects of research.

PURPOSE: These records track research projects and follow-up on non-response of requirements according to Executive Directive #36. The Division of Management Services (DMS) distributes a log twice a year to executive staff indicating the type of research approved by the committee and the status of the research projects. An additional log is maintained which tracks all pertinent dates related to research projects.

The offender research log is an index of research projects and is used to track projects. Information in the log may include the following:

- Case number
- Name of researcher
- Date Initial request received
- Date DOC Response Packet sent
- Date Received Plan & Signed forms
- Research Review Committee Members assigned
- Decision and Date of Letter
- Additional information needed & type of information
- Follow-up review date
- Research Results Received

FORMS: None

CONFIDENTIAL: None

RETENTION: EVENT (Superseded) and destroy confidential

<u>00059000.</u>	<u>APPROVAL LETTERS</u>	<u>EVT+7</u>	<u>SHSW</u>	<u>N</u>
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CONTENT: This record series contains the official state approval documentation for local places of detention to operate. Documentation consists of, but is not limited to plan approval, occupancy approval and policy / procedures approval letters written by facility inspectors and signed by the Office of Detention Facilities Director.

PURPOSE: These records are kept to acknowledge approval of facility planning, occupancy and operations to the facility administrator.

NOTE: "Closed" means closure of the facility.

RETENTION: EVENT (Closed/terminated/death) + 7 years and transfer to WHS

<u>00060000.</u>	<u>CONSTRUCTION DOCUMENTS</u>	<u>EVT+7</u>	<u>DEST</u>	<u>N</u>
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CONTENT: This record series contains the official copies of facility DOC approved construction documents.

PURPOSE: Construction documents are kept to ensure compliance with administrative rules.

RETENTION: EVENT (Closed/terminated/death) + 7 years and destroy

<u>00061A00.</u>	<u>INSPECTION REPORTS</u>	<u>CR+10</u>	<u>SHSW</u>	<u>Y</u>
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CONTENT: This record series contains reports written by inspectors to sheriffs and other keepers of facilities that summarize facility operations.

PURPOSE: These reports are used to advise the administrators of facility operational issues as determined by the inspectors. They also provide documentation of compliance with the statutory requirement to inspect per WI statute sections 301.36 and 301.37.

Note: The official copy is kept by the Office of Detention Facilities Director.

RETENTION: EVENT (Creation) + 10 years and transfer to WHS

<u>00064000.</u>	<u>DEATH INVESTIGATIONS</u>	<u>EVT+50</u>	<u>SHSW</u>	<u>Y</u>
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CONTENT: This record series consists of reports, summaries of the incidents and letters to the facility administration regarding the review of inmate deaths which occur i local places of detention.

PURPOSE: These records are kept pursuant to the legal requirement of WI statute section 301.36(1) to investigate certain deaths within facilities.

NOTE: These records are retained permanently to be used for research purposes. These records are the only documentation collected and retained for these incidents.

RETENTION: EVENT (Closed/terminated/death) + 50 years and transfer to WHS

<u>00065000.</u>	<u>JAIL POPULATION REPORTS</u>	<u>CR+7</u>	<u>SHSW</u>	<u>N</u>
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CONTENT: This record series consists of the Annual Population Reports for local places of detention and may include rated capacities, monthly averages of daily population and other requested information.

PURPOSE: The Department and other agencies use these records to monitor facility daily populations.

RETENTION: EVENT (Creation) + 7 years and transfer to WHS

<u>00070000.</u>	<u>INCIDENT REPORTS</u>	<u>EVT+11</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: This record series contains internal reports that have been sent to supervisors and/or institution or facility administrators that include narrative description of: fires, escapes, deaths, riots/disturbances, cell entries, informational, discharged firearms, self-harm, misconduct, Prison Rape Elimination Act (PREA), physical injury, property damage, threats, accidents, health, custody and other incidents that occurred at a facility.

With implementation of WICS (Wisconsin Integrated Corrections System) in the Summer of 2008, most of these forms are now electronic.

PURPOSE: These records are used to review incidents for possible administrative code/rule violations and to document compliance with Wisconsin Administrative Code for Chapter DOC 306.

To inform designated DOC staff in Central Office of serious incidents, events of special interest, media contacts, contacts with outside agencies such as law enforcement, and legislative inquiries. Department and Division administrative personnel shall be expeditiously informed of all matters of significant interest that occur in adult institutions or facilities.

This records series includes all facilities and field offices statewide within the Department of Corrections. The retention period was extended from seven years to eleven years to accommodate possible litigation.

The forms include but not limited to:

- DOC-0098 Incident Report
- DOC-98A Accident Report
- DOC-00986 Incident Information
- DOC-0375 Incident Report- DCC
- DOC-1465 Central Office Incident Notification
- DOC-1846 Incident Report - DJC
- ICCR 2424 Incident Report
- ICCR 2424B Incident Report

CONFIDENTIAL:

Federal Laws:

- 42 C.F.R. Part 2 Confidentiality of alcohol and Drug Abuse Patient Records
- 45 C.F.R. Part 164 Protected Health Care Records

Wisconsin State Statutes:

- Wis. Stat. § 19.31-19.39 Public Records
 - Wis. Stat. § 19.35(1)(am) Safety and Security
 - Wis. Stat. § 19.36(8) Confidential Informant
 - Wis. Stat. § 19.36(9) Plans or Specifications for State Buildings
 - Wis. Stat. § 48.396 Children's Code Records
 - Wis. Stat. § 48.78 Children's Code
 - Wis. Stat. § 48.981(7) Abused or neglected children and abused unborn children
 - Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information
 - Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
 - Wis. Stat. § 69.20 Collection of Vital Statistics
 - Wis. Stat. § 71.78(1)(5)(6) Revenue Confidentiality Provisions
 - Wis. Stat. § 103.13 Employee Records
 - Wis. Stat. § 118.125 Pupil Records
 - Wis. Stat. § 146.82 Health Care Records
 - Wis. Stat. § 146.83 Access to Patient Health Care Records
 - Wis. Stat. § 165.79 DNA Analysis and Data Bank
 - Wis. Stat. § 230.13 Closed Records
 - Wis. Stat. § 252 HIV Test Results
 - Wis. Stat. § 301.03(1) General Corrections Authority
 - Wis. Stat. § 804.01 Discovery
 - Wis. Stat. § 905.03 Lawyer-Client Privilege
 - Wis. Stat. § 905.09 Informant
 - Wis. Stat. § 905.10 Identity of Informer
 - Wis. Stat. § 938.78 Juvenile Records
 - Wis. Stat. § 950.04(1v) Rights of Victims
 - Wis. Stat. § 968.26 John Doe Proceeding
 - Wis. Stat. § 968.40 Grand Jury
 - Wis. Stat. § 938.78 Confidentiality of Records
 - Wis. Stat. § 972.15 Pre-Sentence Investigation
- Wisconsin Administrative Code:
- Wis. Ad min. Code § DOC 309.39(7) Inmate Telephone Calls
 - Wis. Admin. Code § DOC 332.17(7)(a-d) Lie Detector Disclosure of Test Information

RETENTION: EVENT (Conclusion of investigation, litigation, due process or any other court related activity) + 11 years and destroy confidential

<u>00072000.</u>	<u>ADULT INSTITUTION CASE FILES</u>	<u>EVT+7</u>	<u>SHSW</u>	<u>Y</u>
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This record series consists of files for each offender placed in an adult correctional facility under the authority of the Department of Corrections. The contents of each offender case file include four separate folders consisting of social service, legal, visitor, and education files. A case file is created for each new admission to an adult correctional facility unless a previously created case file has yet to reach discharge/termination.

Social Service File: The Social Service File has a defined filing order which includes the left inner file folder and the right inner file folder.

The left side of the social service file contains records related to the commitment & admission process, the assessment & evaluation process, parole and release

The right side of the social service file consists of six separate "Sections" and the Confidential Envelope.

The 6 sections* are:

- Section 1 - Chronological Recordings
- Section 2 - Inmate Visiting Information
- Section 3 - Correspondence

Section 4 - Miscellaneous
 Section 5 - Adult Conduct Reports
 Section 6 - Sentencing Transcripts

*These sections are Confidential Envelope may not contain documents due to non-existence of documents.

Legal File: The Legal file contains various records that consist of legal documents necessary for the Department of Corrections to incarcerate an inmate.

The left side of the file contains the following:

Judgment of Convictions, Court Orders, Revocation Order and Warrants, Sentence Computations, Notice of Sentence Data, Offender Conduct Record, legal corresponded, and Offender Data.

The right side of the legal file contains the following:

Fingerprints, detainer and notification information, orders to produce, release and discharge documents.

Visitor Information File: The Visitor Information file contains various documents related to the process of approving or denying potential inmate visitors. The documents in this will contain PII and confidential information regarding potential inmate visitors.

Education File: This file contains testing and evaluation records for inmates which may include Test of Adult Basic Education (TABE) test scores, student progress reports, HSED/GED test results, certificates of completion, and evaluation records.

Note: this file does not include the Special Education file.

Forms included in these sections include but are not limited to:

A detailed list of these forms that may be included in these files is listed on Addendum A* (Social Service, Legal File, and Visitor Information File).

* For current listing, please check Records Office Procedure (ROP) E-14 - Institution Case File Format, Content, and Documentation.

Confidential:

Federal laws: see hard copy

State statutes: see hard copy

Administrative rules: see hard copy

RETENTION: EVENT (Termination date*) + 7 years and transfer to State Historical Society (10% Random Sample) and the rest are destroy confidential

*Termination is defined as the date that the offender is terminated, direct discharge from institution, court ordered discharge, or death.

00073000.	<u>NON SEX OFFENDER CASE FILE</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: This record series consists of records for each non sex offender placed under the supervision of the Division of Community Corrections. The content of each case file may include, but is not limited to, the below sections.

PURPOSE: The purpose of this record series is to document activity and actions regarding a non sex offender under supervision with the Division of Community Corrections.

The forms include, but are not limited to, forms listed on Electronic Case Records Manual (ECRM) Case File Setup.

Section 1: Case Activity Record: records related to offender's social history including face sheet, probation social investigation, rules of community supervision, Intake/discharge records, prior record listing, unified case plan, and conditions/supervised release rules.

Section 2: Court Documents: court records related to probation, parole, extended supervision, intensive supervision, judgment of conviction, supervised release and early discharge.

Section 3: Violation Investigation Documents: documents related to violations, warrants, apprehension requests, situation alerts, and absconder locator information.

Section 4: Confidential Documents and Release of Information: records related to health information, victim information, treatment information, and referral for services.

Section 5: Miscellaneous Supervision Forms: supervision documents including travel permit, Interstate Compact documents, electronic monitoring enrollment, home visit waiver, and employment services programs.

Section 6: Miscellaneous Correspondence: correspondence sent to or received from the offender.

Section 7: Institution Documents: documents related to an offender's previous incarceration in a Department of Corrections (DOC) facility including parole planning information, release plan information, sentence information, visitor lists, and financial documentation.

Section 8: Revocation Documents: documents related to an offender's revocation from supervision including hearing notices, revocation order and warrant, subpoenas, and revocation summary reports.

Section 9: Offender Report Forms: DOC-8 (Report). Information gathered on the form includes changes to address, employment, police contact, and education status. (This section of the DCC Offender Case File is retained in accordance with RDA 73A).

Section 10: This section of the DCC Offender Case File is retained in accordance with RDA 184 and RDA 186 related to Sex Offender Case Files only.

Section 11: Offender Financial Information: documents related to an offender's payment for supervision fees, court ordered obligations, wage assignments and payment ledgers.

Confidentiality:

Federal Laws:

42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records

45 C.F.R. Part 160 Privacy of Health Information 45 C.F.R. Part 164 Protected Health Care Records

Administrative Rules:

Wis. Admin Code § 309.39(7) Inmate Phone Calls

Wis. Admin Code § 332.17(7)(a-d) Lie Detector Disclosure of Test Information

Wis. Admin Code PAC § 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

State Statutes:

Wis. Stat. § 19.35(1)(am) Safety and Security Wis. Stat. § 19.36(8) Confidential Informant

Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information

Wis. Stat. § 51.47 Alcohol and other Drug Abuse (AODA) Treatment Records

Wis. Stat. § 71.78(1)(5)(6) Revenue Confidentiality Provisions Wis. Stat. § 118.125 Pupil Records

Wis. Stat. § 146.82 Health Care Records

Wis. Stat. § 146.83 Access to Patient Health Care Records Wis. Stat. § 165.79 DNA Analysis and Data Bank

Wis. Stat. § 252 HIV Test Results

Wis. Stat. § 905.03 Lawyer-Client Privilege Wis. Stat. § 905.09 Informant

Wis. Stat. § 905.10 Identity of Informer Wis. Stat. § 938.78 Juvenile Records Wis. Stat. § 950.04(1v) Rights of Victims

Wis. Stat. § 972.15 Pre-Sentence Investigation

RETENTION: EVENT (Termination date*) + 5 years and destroy confidential

*Termination is defined as the date that the offender is terminated from supervision, court ordered discharge, or death.

<u>00073A00.</u>	<u>NON SEX OFFENDER REPORT FORM (DOC-8)</u>	<u>EVT+0</u>	<u>DEST</u>	<u>Y</u>
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Purpose: The purpose of this record series is to document changes to address, employment, education status, police contact, vehicle change, income change, and payment submission for the offender while under supervision with the Division of Community Corrections (DCC).

Content: This record series consist of "Report" forms, (DOC-8), for each offender placed under the supervision of the DCC. Information gathered on the form includes change of address, employment, police contact, and education status. The form is completed by the offender and is retained in the DCC Offender Case File, Section 9. This form is utilized during supervision of offender, and information from this form is then entered into Department of Corrections (DOC) electronic system for long-term retention. The form is used as a means to gather this information for data entry.

Lifecycle Language: The official record in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidentially.

Retention & Disposition: Event is termination date defined as the date that the offender is terminated from supervision, court ordered discharge, or death. This RDA authorizes destruction of these report forms when the offender is terminated from supervision as the offender can no longer be disciplined or revoked based on the signature on the form.

Retention Justification: Retention is Event + 0 Years and Destroy Confidential. This record is retained throughout the offender's supervision. For example, if an offender is court ordered to a two-year term of probation, this form(s) is/are retained during the entire time of supervision and then destroyed only when the offender is terminated (discharged) from supervision.

Confidentiality:

Federal Laws:

42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records

45 C.F.R. Part 160 Privacy of Health Information 45 C.F.R. Part 164 Protected Health Care Records

Administrative Rules:

Wis. Admin Code § 309.39(7) Inmate Phone Calls

Wis. Admin Code § 332.17(7)(a-d) Lie Detector Disclosure of Test Information

Wis. Admin Code PAC § 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

State Statutes:

Wis. Stat. § 19.35(1)(am) Safety and Security Wis. Stat. § 19.36(8) Confidential Informant

Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information

Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
 Wis. Stat. § 71.78(1)(5)(6) Revenue Confidentiality Provisions Wis. Stat. § 118.125 Pupil Records
 Wis. Stat. § 146.82 Health Care Records
 Wis. Stat. § 146.83 Access to Patient Health Care Records Wis. Stat. § 165.79 DNA Analysis and Data Bank
 Wis. Stat. § 252 HIV Test Results
 Wis. Stat. § 905.03 Lawyer-Client Privilege Wis. Stat. § 905.09 Informant
 Wis. Stat. § 905.10 Identity of Informer
 Wis. Stat. § 938.78 Juvenile Records Wis. Stat. § 950.04(1v) Rights of Victims
 Wis. Stat. § 972.15 Pre-Sentence Investigation

Confidentiality of Records: Most records are not confidential and are open to public disclosure, however, there are exceptions. This retention schedule will identify any record series that may contain information required by law to be kept confidential or specifically required to be protected from public access, identifying the state or federal statute, administrative rule, or other legal authority that so requires. If in doubt as to whether or not a specific record, or content in that record, is confidential, check with your agency legal counsel. A record series should be identified as confidential even if not all records in the series contain confidential information and not all parts of records covered by the series are confidential.

RETENTION: EVENT (Termination date) and destroy confidential

<u>00080000.</u>	<u>SECURITY SHIFT REPORTS</u>	<u>CR+11</u>	<u>DEST</u>	<u>Y</u>
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This record series consists of documents related to reporting of activities during shifts in Wisconsin Prison System facilities.

Information recorded in these documents may include shift activity such as DOC staff working during a specific date and shift, any additional staff on the unit, such as HSU or maintenance personnel, the inmate name and DOC number to report cell movement, including movements for school, work or treatment programs, incidents involving DOC staff and/or inmates. These documents also record DOC staff sick or vacation for each unit, count times, cell searches, noteworthy events such as escapes, TLU placements, etc.

Note: Shift reporting log books would use RDA 147.

RETENTION: EVENT (Creation) + 11 years and destroy confidential

<u>00081000.</u>	<u>AGREEMENT ON DETAINERS-CERTIFICATE AND FINAL DISPOSITION</u>	<u>CR+2</u>	<u>DEST</u>	<u>Y</u>
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Wisconsin Statutes 976.05(1) provides for the expeditious and orderly disposition of charges and determinations and the proper status of any and all detainees based on untried indictments, information or complaints. The Department or Warden or other official having custody of the prisoner must promptly inform the prisoner of the source and content of the detainees and of the prisoner's right to make a request for final disposition.

The prisoner may request final disposition in Wisconsin Statutes 976.05(3) or the appropriate officer of the jurisdiction in which an untried indictment, information or complaint is pending, shall be entitled to have a prisoner against whom the officer had lodged a detainer and who is serving a term of imprisonment in any party state made available upon presentation of a request for temporary custody or availability to the appropriate authorities of the state in which the prisoner is incarcerated per Wisconsin Statute 976.05(4). In response to a request made under sub (3) or (4), the appropriate authority in the sending state shall offer to deliver temporary custody of the prisoner to the appropriate authority of the state where such an indictment, information or complaint is pending against such person in order that a speedy and efficient prosecution may be had.

RETENTION: EVENT (Creation) + 2 years and destroy

<u>00082000.</u>	<u>FRATERNIZATION POLICY - EXCEPTIONS</u>	<u>EVT+8</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: The records in this series are the exception request(s) from an employee based on the Fraternization Policy outlined in Executive Directive 16. This policy was developed to address in a consistent fashion any conflicts of interest that may arise between employees and the offenders they supervise. Relationships between Department of Corrections (Department) employees and persons under the supervision or custody of the Department may compromise the ability of employees to carry out their duties and responsibilities. In addition, the Department has the responsibility to protect its inmates, and offenders from improper relationships that may create conflicts of interest or felony prosecution. The policy outlines a procedure for employees to seek exceptions.

PURPOSE: When an employee reports a potential conflict or violation, the supervisor must obtain a request for an exception from the employee. The supervisor will forward the request along with any recommendations to the appropriate division administrator for preliminary approval or denial. The request is then sent to the Secretary's office for a final decision. Exceptions are granted only by the Department Secretary (or designee) after review of specific circumstances by supervisors and division administrators.

The Fraternization Policy requires employees to:

- Inform supervisors of any current relationship that may present possible conflicts of interest. Before beginning any relationship that may violate the policy, an employee must inform the supervisor.
- Report unanticipated, non-employer-direct contacts with inmates or offenders.
- Ensure that any unanticipated contacts are brief and business like.
- Request exceptions to the policy through the supervisor.

Supervisors must report the specifics of any employee contacts and exceptions requests to the appropriate division administrator. The Secretary (or designee) will review all requests and either grant or deny exceptions.

Supervisors shall ensure that each employee has read the Department Fraternization policy and the signed Acknowledgement of DOC

Fraternization Policy (Form DOC-1281) is placed in the personnel file and will be maintained according to the Human Resources General Records Schedule.

These records are to be maintained at the division level. All other copies are duplicates and can be destroyed when no longer needed or according to the Human Resource General Records Schedule for Official Personnel File or Supervisor Files.

Retention changed from Event+ 0 to Event+ 8 Years to match the Personnel File records retained under Human Resource General Records Schedule RDA HR000190 Official Personnel File.

FORMS include but are not limited to the following:
DOC-2270 Fraternalization Policy Exception Request

CONFIDENTIAL:

Wisconsin State Statutes:

Wis. Stat. § 19.31-19.39 Public Records

Wis. Stat. § 19.3S(1)(am) Safety and Security

Wis. Stat. § 19.36(8) Confidential Informant

Wis. Stat. § 48.78 Children's Code

Wis. Stat. § 950.04 (1v) Rights of Victims

Wis. Stat. § 938.78 Juvenile Records

See Confidentiality of Records section for further information and application of the balancing test.

RETENTION: EVENT (Closed: Employee leaves the Department of Corrections. If employee transfers to another division, the fraternization exception records should transfer with employee if applicable for that division) + 8 years and destroy confidential

<u>00083000.</u>	<u>LITIGATION FILES - ALL EXCEPT LEGAL COUNSEL FILES</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: Documents included in this record series may include, but are not limited to, complaints by any inmate/offender/employee and documents (medical files, conduct reports, p-files, etc.) relating to each complaint subject and/or any staff litigation case materials, staff lawsuits, grievances, arbitrations, Personnel Commission hearings, Notice of Claim, Writ of Habeas Corpus, Summons and Complaints, Petitions and Subpoenas, Writ of Mandamus, Writs of Certiorari, Section 1983 and other civil action lawsuits. These files may be kept in various offices throughout the Department as the content of the complainant can vary from an offender, inmate or staff person. Examples of these offices are Inmate Complaint Examiner, Human Resources, Registrar, etc.

PURPOSE: File material included in this series is needed to defend the Department regarding the subject of the case and to maintain a record for reference of the decision outcome. These files contain information gathered to support our case in the matter.

Note: The Office of Legal Counsel is exempted as that office has a separate RDA (RDA 9 Referral and Miscellaneous Litigation) for records of this nature.

FORMS include but are not to the following:

DOC-2316 Prisoner Litigation County Invoice

DOC-0029 Notice of Claim

DOC-0424 Claim for Witness Fees

Retention Justification. The DOC Litigation Files - All except Legal Counsel records are needed seven (7) years to align with other inmate and legal records related to this type. Our business and legal value of the record series provides for a longer retention of this record series.

CONFIDENTIAL:

Federal Laws:

42 C.F.R. Part 2 Confidentiality of alcohol and Drug Abuse Patient Records

45 C.F.R. Part 164 Protected Health Care Records

Wisconsin State Statutes:

Wis. Stat. § 19.31-19.39 Public Records

Wis. Stat. § 19.35(1)(am) Safety and Security

Wis. Stat. § 19.36(8) Confidential Informant

Wis. Stat. § 19.36(9) Plans or Specifications for State Buildings

Wis. Stat. § 48.396 Children's Code Records

Wis. Stat. § 48.78 Children's Code

Wis. Stat. § 48.981(7) Abused or neglected children and abused unborn children

Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information

Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records

Wis. Stat. § 69.20 Collection of Vital Statistics

Wis. Stat. § 71.78(1)(5)(6) Revenue Confidentiality Provisions

Wis. Stat. § 103.13 Employee Records

Wis. Stat. § 118.125 Pupil Records

Wis. Stat. § 146.82 Health Care Records

Wis. Stat. § 146.83 Access to Patient Health Care Records

Wis. Stat. § 165.79 DNA Analysis and Data Bank

Wis. Stat. § 230.13 Closed Records

Wis. Stat. § 252 HIV Test Results

Wis. Stat. § 301.03(1) General Corrections Authority

Wis. Stat. § 804.01 Discovery
 Wis. Stat. § 905.03 Lawyer-Client Privilege
 Wis. Stat. § 905.09 Informant
 Wis. Stat. § 905.10 Identity of Informer
 Wis. Stat. § 938.78 Juvenile Records
 Wis. Stat. § 950.04(1v) Rights of Victims
 Wis. Stat. § 968.26 John Doe Proceeding
 Wis. Stat. § 968.40 Grand Jury
 Wis. Stat. § 938.78 Confidentiality of Records
 Wis. Stat. § 972.15 Pre-Sentence Investigation
 Wisconsin Administrative Code:
 Wis. Admin. Code § DOC 309.39(7) Inmate Telephone Calls
 Wis. Admin. Code § DOC 332.17(7)(a-d) Lie Detector Disclosure of Test Information

RETENTION: EVENT (Date litigation is closed) + 7 years and destroy confidential

<u>00084000.</u>	<u>MENUS - INSTITUTION, FACILITIES, AND SCHOOLS</u>	<u>EVT+3</u>	<u>DEST</u>	<u>N</u>
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CONTENT: This record series contains menus for meals served in the Department of Corrections' institutions, facilities, and schools. These menus are reviewed for nutritional adequacy by a dietician.

PURPOSE: This record series documents menus that ensure the DOC provides meals in accordance with guidelines and the administration Federal Child Nutrition Programs offered in Wisconsin schools and childcare institutions.

In addition to Menu's that are produced by the Dietitian in Central Office, these may include but are not limited to the following DOC forms:

- DOC-2486 Menu Deviation Report
- DOC-2493 Computation Recipe Audit

Confidential: No

RETENTION: EVENT (Fiscal) + 4 years and destroy

<u>00085000.</u>	<u>FOOD MANAGEMENT CORRESPONDENCE FILE</u>	<u>EVT+3</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: This record series includes correspondence between the Food Management Section and other DOC Divisions, Institutions, facilities, and Schools, etc. relative to food management or other external communication.

PURPOSE: To maintain documentation of correspondence regarding food management.

Confidential: (Some of these records may contain confidential information)

Federal Laws:

- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
- 45 C.F.R. Part 160 Privacy of Health Information
- 45 C.F.R. Part 164 Protected Health Care Records
- 42 U.S.C Chapter 13 School Lunch Programs

State Statutes:

- Wis. Stat. § 19.35(1)(am) Safety and Security
- Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
- Wis. Stat. § 146.82 Health Care Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records
- Wis. Stat. § 905.03 Lawyer-Client Privilege
- Wis. Stat. § 938.78 Juvenile Records

Lifecycle Language: The official records in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidentially.

RETENTION: EVENT (Creation) + 3 years and destroy confidential

<u>00098000.</u>	<u>WHISTLEBLOWER / COMPLAINT FILES</u>	<u>EVT+11</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: This record series pertains to Department of Corrections (DOC) employee complaint case files. These are cases where an employee has disclosed information that he/she believes is 1) a violation of any state/federal law, rule or regulation; 2) mismanagement or abuse of authority in state or local government; 3) a substantial waste of public funds; or 4) a danger to public health or safety.

Note: records in this series are not moved to litigation files nor does this series include litigation records.

These records may contain, but are not limited to, the following:

- DOC-1324, DOC-2731 or equivalent
- Letters, memos, correspondence relating to the complaint
- Investigators contacts, interviews and reports

PURPOSE: These documents ensure compliance with the Whistle blower Act.

FORMS include, but are not limited, to the following:
 DOC-1324 Whistleblower Complaint
 DOC-2731 Whistleblower Disclosure Report

CONFIDENTIAL:

Federal Laws:
 5 C.F.R. Part 2302 Prohibited Personnel
 42 C.F.R. Part 2 Confidentiality of alcohol and Drug Abuse Patient Records
 45 C.F.R. Part 160 Privacy of Health Information
 45 C.F.R. Part 164 Protected Health Care Records

Wisconsin State Statutes:

Wis. Stat. § 19.35(1){am} Safety and Security
 Wis. Stat. § 19.36(8) Confidential Informant
 Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information
 Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
 Wis. Stat. § 71.78(1)(5)(6) Revenue Confidentiality Provisions
 Wis. Stat. § 118.125 Pupil Records
 Wis. Stat. § 146.82 Health Care Records
 Wis. Stat. § 146.83 Access to Patient Health Care Records
 Wis. Stat. § 165.79 DNA Analysis and Data Bank
 Wis. Stat. § 230 Employee Protection
 Wis. Stat. § 252 HIV Test Results
 Wis. Stat. § 905.03 Lawyer-Client Privilege
 Wis. Stat. § 905.09 Informant
 Wis. Stat. § 905.10 Identity of Informer
 Wis. Stat. § 938.78 Juvenile Records
 Wis. Stat. § 950.04(1v) Rights of Victims
 Wis. Stat. § 972.15 Pre-Sentence Investigation
 Wisconsin Administrative Code:
 Wis. Admin. Code § DOC 309.39(7) Inmate Phone Calls
 Wis. Admin. Code § DOC 332.17(7){a-d} Lie Detector Disclosure of Test Information
 Wis. Admin. Code § PAC 1.08(4)(f) Release Due to Extraordinary Health Condition or Age
 See Confidentiality of Records on page 2 above and application of the balancing test.

RETENTION: EVENT (Date Complaint File is closed) + 11 years and destroy confidential

00102000.	<u>TEMPORARY RELEASE ORDER</u>	<u>EVT+4</u>	<u>DEST</u>	<u>Y</u>
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Wisconsin Statute 304.115 and Wisconsin Administrative Code 325.08 allow the department to authorize the temporary release of inmates based on a number of criteria. Requirements to the release are outlined in DOC Code Administrative 325.09 and include the following:

- Inmate name and DOC number
- Name of staff person accompanying the inmate
- Date and time of departure and return to the institution or facility
- Criteria under DOC 325.08 Administrative upon which the release was ordered and the underlying facts upon which the order was made
- Conditions imposed under DOC 325.07
- Security precautions and security classifications

The Temporary Release Order, DOC-45 and WICS form IPTT016, or its equivalent, is completed each time an inmate is temporarily released from an institution or center. These forms document inmate movement under specified conditions.

There are transitory document from WICS utilized by transportation staff as documentation of inmate's temporary release from an institution or facility contain same information as above.

NOTE: The official copy of the Temporary Release Order is maintained in the institution/center security office. In the event another office generates a TRO, they may retain a copy for their convenience upon return of the offender/inmate. The records office may also retain a copy in the legal files for certain circumstances. All copies will be kept for four years and destroyed. Any other copies are convenience copies and can be destroyed when they are no longer needed.

With implementation of WICS (Wisconsin Integrated Corrections System) in the Summer of 2008, most of these forms are now electronic.

RETENTION: EVENT (Date inmate returned to institution or facility) + 4 years and destroy confidential

00103000.	<u>LEGAL AND WRIT CASE FILES</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: This record series consists of complaints and/or writs which are basically lawsuits initiated by inmates who are requesting judicial review of the parole decision by the Parole Commission. These may include the Writ or complaint; transcription of parole

review hearing; correspondence from the inmate and Attorney General's office; and copies from the inmate's social file (pre-sentence investigation, psychiatric evaluation, treatment progress notes, diagnostic summaries) and other documents declared confidential.

PURPOSE: The purpose of this record is to allow an inmate a judicial review of a Parole Commission decision.

Wisconsin Statutes outline provisions to inmates for a judicial review of issues. This is further defined in Wis. Stats. § 801.02, Commencement of Action (1) which states, "A civil action in which a personal judgment is sought is commenced as to any defendant when a summons and a complaint naming the person as defendant are filed with the court...". The statutes further delineate the types of actions in Wis. Stats. § 801.02(5) which states, "An action seeking a remedy available by certiorari, quo warranto, habeas corpus, mandamus or prohibition may be commenced under sub (1), by service of an appropriate original writ on the defendant named in the writ if a copy of the writ is filed forthwith, or by filing a complaint demanding and specifying the remedy..".

The forms include but are not limited to: None

CONFIDENTIAL:

Federal Laws:

- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
- 45 C.F.R. Part 160 Privacy of Health Information
- 45 C.F.R. Part 164 Protected Health Care Records

State Statutes:

- Wis. Stat. §19.35(1)(am) Safety and Security Wis. Stat. §19.36(8) Confidential Informant
- Wis. Stat. §51.30 Mental Health, Developmental Disabilities, and AODA Information
- Wis. Stat. §51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
- Wis. Stat. §71.78(1)(5)(6) Revenue Confidentiality Provisions Wis. Stat. §118.125 Pupil Records
- Wis. Stat. §146.82 Health Care Records
- Wis. Stat. §146.83 Access to Patient Health Care Records Wis. Stat. §165.79 DNA Analysis and Data Bank
- Wis. Stat. §252 HIV Test Results
- Wis. Stat. §905.03 Lawyer-Client Privilege Wis. Stat. §905.09 Informant
- Wis. Stat. §905.10 Identity of Informer
- Wis. Stat. §938.78 Juvenile Records
- Wis. Stat. §950.04(1v) Rights of Victims
- Wis. Stat. §972.15 Pre-Sentence Investigation

Administrative Rules:

- Wis. Admin Code Ch. 309.39(7) Inmate Phone Calls
- Wis. Admin Code Ch. 332.17(7)(a-d) Lie Detector Disclosure of Test Information
- Wis. Admin Code PAC Ch. 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

See Confidentiality of Records section below and application of the balancing test

RETENTION: EVENT (Date decision rendered, appeal decision rendered, denied, or withdrawn)

<u>00104000.</u>	<u>INMATE PHONE CALLS-ELECTRONIC RECORDING-NO INCIDENT</u>	<u>EVT+5</u>	<u>DEST</u>	<u>Y</u>
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This record series consists of electronically recorded telephone conversations initiated by inmates confined in Wisconsin State Correctional facilities. Information is indexed which may include Inmate PIN (Personal Identification Number), Date of Call, Time, and Telephone Number of the call, Duration of the call and Telephone Conversation.

Portions of this record series may be confidential under Wisconsin State Statutes 905.03 and 19.35(1), and disclosure is restricted in accordance with Wisconsin Administrative Code-DOC 309.39(7).

RETENTION: EVENT (Date of call) + 5 years and destroy confidential
Destruction may be accomplished by recording over existing/superseding data.

<u>00104A00.</u>	<u>INMATE PHONE CALLS-ELECTRONIC RECORDING-INCIDENT</u>	<u>EVT+11</u>	<u>DEST</u>	<u>Y</u>
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This record series consists of electronically recorded telephone conversations selected inmates confined in Wisconsin State Correctional facilities.

This records series consists of incidents captured and downloaded onto electronic media. This media provides documentation of recorded phone calls. Recordings with incidents are reviewed for purposes related to, but limited to, discipline, placement or transfer, and evidence in administrative and judicial proceedings.

Portions of this record series may be confidential under Wisconsin State Statutes 905.03 and 19.35(1), and disclosure is restricted in accordance with Wisconsin Administrative Code-DOC 309.39(7).

RETENTION: EVENT (All related proceedings, investigations, disciplinary and placement/transfer decisions have closed and other court related activity) + 11 years and destroy confidential

<u>00104B00.</u>	<u>INMATE PHONE CALLS-ELECTRONIC RECORDING-INADVERTENT RECORDING</u>	<u>EVT</u>	<u>DEST</u>	<u>Y</u>
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This record series consists of electronically recorded telephone conversations between inmates and their attorneys which have inadvertently been recorded. Inmate phone calls are typically recorded. See Schedules 104 and 104A. However, the DOC recognizes that calls between an inmate and his or her attorney are privileged and not subject to recording. Inmates are required to follow a

procedure to ensure that attorney calls are not recorded. Under rare circumstances, a call might be inadvertently recorded.

In the event that an inadvertent recording is made, this RDA provides the means to delete the recording as soon as discovery of the recording.

These recordings are confidential under Wisconsin State Statutes 905.03 and 19.35(1), and disclosure is restricted in accordance with Wisconsin Administrative Code-DOC 309.39(7).

RETENTION: EVENT (Discovery of recording) and destroy confidential

<u>00110000.</u>	<u>JUVENILE FIELD CASE FILES</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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The community corrections (Field) office creates and maintains the youth's standardized case file. The file is maintained in chronological order within 6 sections per the file format guidelines in the Case Management Manual. These records contain, but are not limited to the following:

SECTION 1 - Field Reports: victim notification alert, picture page, face sheet(s), apprehension request, apprehension cancellation, case transfer form, chronological logs, discharge/termination summary from alternate care facility, reports from alternate care facilities, family & home assessment (FHA), community supervision plan, delinquency family assessment, aftercare risk assessment, delinquency youth assessment, individual case plan, progress summary, notice of release from supervision, community supervision rules & conditions, release authorization, contact standards amendment.

SECTION 2 - Orders: court dispositional order, court order for extension of the dispositional order, department order (part A), extension petition, extension report.

SECTION 3 - Disciplinary Proceedings: aftercare revocation notice, revocation hearing request, violation investigation report, aftercare administrative detention, detention notice & appeal, aftercare revocation report, department revocation order, AWOL report, type 2 sanction/administrative detention, type 2 violation report, termination of type 2 community supervision report, sanction violation report, health screening, department order (part B), statement, order to detain, cancellation of order to detain.

SECTION 4 - Institutional Material: sex offender registration form, institution investigation report, institution face sheet, assessment & evaluation reports, current status report, department order containing youth's broad goals per OJOR, progress summaries, institution school reports, individual case plans, Lifework Education Portfolio checklist

SECTION 5 - Miscellaneous Forms: Title IV-E forms (not used after October 2006), social security card or copy, interstate compact forms (home evaluation report, progress report cover sheet, interstate compact application, parole or probation investigation request, report of sending state to receiving state, consent for voluntary return of runaway, absconder or escapee, travel permit), miscellaneous letters, foster care application, disbursement orders, telephone installation form, purchase of service form and bills (copies), UA reports, request for certified copy of birth certificate, copy of birth certificate, youth restitution & debt collection, MA certification, confidential information release, youth reports.

SECTION 6 - County Materials: information regarding juvenile and family prior to commitment, county court reports, substitute care staffing form, court order waiving youth into adult court, computer printout-log of youth's previous dispositions prior to commitment.

PURPOSE: These records are maintained per Wis. Stats. And are required for documenting offender adjustment/progress through various programs including supervision, treatment and education, and the legal aspects affecting the duration of supervision, necessary for quality assurance activities and response to the Department's needs. Per Wisconsin statutes 938.34(4m), 938.357(4)(5)(e), 938.366 and 938.505, the Department has the authority and duty to protect, train, discipline, treat and confine a child who is placed in a secured correctional facility.

Not all forms are included in every youth's file.

NOTE: Closed is when the "T" number is issued. Active and inactive files are alphabetical, closed files are numerical by "T" number.

RETENTION: EVENT (Closed/terminated/death) +7 years and destroy confidential

<u>00110B00.</u>	<u>JUVENILE INSTITUTION SOCIAL SERVICES CASE FILES</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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CONTENTS: The institution's Information Processing Center (IPC) creates and maintains the youth's standardized social services file. The file is maintained in chronological order within 6 sections per the file format guidelines in the Case Management Manual. These records contain, but are not limited to the following:

SECTION 1 - Legal Papers: victim notification alert, picture page, youth restitution and debt collection form, face sheet(s), dispositional order, court petition, request for extension, DNA form, sex offender registration form.

SECTION 2 - Reports: Chronological History Sheet, status table, individual case plan (ICP), Assessment & Evaluation Report (AER), admission dialogue (in JJIS), education evaluation report (EER), family & home assessment (FHA), progress summary, aftercare risk assessment, delinquency youth assessment, delinquency family assessment, department orders, action needed request, aftercare revocation packets, termination of Type 2 community supervision packets, administrative hearing decisions, release dialogue (in JJIS).

SECTION 3: Correspondence: memos and letters to and from the institution such as correspondence to Sheriffs, order to detain, correspondence to judges, notice of release/transfer to community supervision, notice of discharge of youth from secured correctional facility, inter-institution memos between staff, AWOL prosecution letters to district attorney.

SECTION 4 - Pre-Institution material such as prior placement discharge summaries, police reports, old field court reports.

SECTION 5 - Miscellaneous: Commitments to intermediate or short term programs, apprehension requests, cancellation of apprehension requests, juvenile off grounds request, furlough request, Lifework Education Portfolio checklist, trial visit to parental home agreement, community supervision rules and conditions, special community supervision conditions, recommendation for administrative action (case transfers), interstate compact application & agreement, record requests and responses to requests, juvenile release authorization, notices of hearings, writs, temporary physical custody, subpoenas, etc., request for certified copy of birth certificate, copy of birth certificate, copy of application for social security card, copy of social security card, all referrals except Clinical Services.

SECTION 6 - Disciplinary Papers: notice of disciplinary hearing rights and waiver, major disciplinary hearing reasons & evidence forms, notice of placement in pre-hearing security, conduct report-DJC,.

PURPOSE: These records are maintained per Wis. Stats. and are required for documenting offender adjustment/progress through various programs including supervision, treatment and education, and the legal aspects affecting the duration of supervision, necessary for quality assurance activities and response to the Department's needs. Per Wisconsin Statutes 938.34(4m), 938.357(4) (5)(e), 938.366 and 938.505, the Department has the authority and duty to protect, train, discipline, treat and confine a child who is placed in a secured correctional facility.

Not all forms are included in every youth's file.

NOTE: Closed is when the "T" number is issued. Active and inactive files are alphabetical, closed files are numerical by "T" number.

RETENTION: EVENT (Closed/terminated/death) + 7 years and destroy confidential

<u>00110C00.</u>	<u>OJOR CASE FILES</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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CONTENTS: These records contain, but are not limited to, face sheets, department orders, correspondence, victim/witness notification, court dispositional orders, notice of release/transfer, juvenile release authorization, OJOR progress review reports, termination of type 2 community supervision, (including supporting documentation such as copies of police reports), transfer notices, sexual predator notices, information transmittal and/or request for action.

PURPOSE: The Joint Planning & Review Committee (JPRC) meets after the institutionalized youth has completed the Assessment & Evaluation process to establish the youth's initial broad goals and to discuss ideas regarding the youth's community supervision plan. At subsequent meetings, the JPRC reviews the youth's individual case plan, progress summaries and Lifework Education Portfolio checklist to determine if the youth's goals need modification OJOR issues the formal department order via JJIS regarding the decision about the youth. These records are maintained per Wis. Stats. and are required for documenting offender adjustment/progress through various programs including supervision, treatment and education, and the legal aspects affecting the duration of supervision, necessary for quality assurance activities and response to the Department's needs. Per Wisconsin statutes 938.34(4m), 938.357(4)(5)(e), 938.366 and 938.505, the Department has the authority and duty to protect, train, discipline, treat and confine a child who is placed in a secured correctional facility.

Not all forms are included in every youth's file.

NOTE: Closed is when the "T" number is issued. Active files, inactive files, and closed files are alphabetical.

RETENTION: EVENT (Closed/terminated/death) + 7 years and destroy confidential

<u>00113000.</u>	<u>INMATE/OFFENDER PROPERTY RECORDS/FILES</u>	<u>EVT+5</u>	<u>DEST</u>	<u>Y</u>
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This record series is for use with, but not limited to DOC-236, DOC-237, DOC-1080, DOC-1303, DOC-1416 or equivalent.

These files contain a complete inventory and disposition of an offender's personal property while he/she is incarcerated in a Wisconsin correctional facility. The property inventory form includes offender's name, DOC #, date and a property checklist. These forms are used by the admitting institution or facility and when the offenders are transferred or released. Whenever an inmate receives or disposes of property, he/she receives a property receipt/disposition form with a detailed description of each item. All forms are dated and signed by the inmate and a staff member. Files may also contain copies of correspondence related to property issues.

To maintain an accurate accounting for the receipt, disposal or destruction of inmate property while he/she is incarcerated in the Wisconsin adult institution system. These files can be used by unit officers to determine property ownership when an inmate is placed in temporary lock up and during random room searches of double occupancy rooms/cells.

Refer to Administrative Code 309.

RETENTION: EVENT (Date offender is released from an institution or facility) + 5 years and destroy confidential

<u>00114000.</u>	<u>WORK TRAINING RECORDS</u>	<u>EVT+5</u>	<u>DEST</u>	<u>N</u>
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Record series consists of reports relating to the inmate's employment and training programs in the Bureau of Correctional Industries. Files may include, but are not limited to: employment applications, interview report, employment performance evaluations, signed receipt of work rules and discipline policy, copies of payroll information and updates, employment termination/completion papers, classification specialist report detailing work history, job descriptions.

RETENTION: EVENT (Last day of work or release from DOC) + 5 years and destroy

00115000.	<u>INMATE ACCOUNT FILES</u>	<u>EVT+6</u>	<u>DEST</u>	<u>Y</u>
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Contents: This record series contains information pertaining to a specific Inmate Trust Fund Account. The files may contain but are not limited to the following information:

- Disbursement requests (DOC-184 or its equivalent)
- Trust account transactions
- Account balances
- Canteen purchases and order slips
- Court orders pertaining to trust account transactions
- Misc. Inmate correspondence
- Outside saving account statements and transaction data
- Final close out statements

These files are maintained for auditing purposes, account transaction verification and problem resolution. The files are considered closed when the final close out statement is issued.

RETENTION: EVENT (Closed/terminated/death) + 6 fiscal years and destroy confidential

00121000.	<u>INMATE COMPLAINT REVIEW SYSTEM RECORDS</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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Purpose: The purpose of the Inmate Complaint Review System (ICRS) is to afford inmates in institutions and centers a process by which grievances may be expeditiously raised, investigated and decided.

To allow inmates to raise in an orderly fashion issues regarding department policies, rules, living conditions, and employee actions that personally affect the inmate or institution environment, including civil rights claims.

To provide the department an opportunity to resolve the issue before an inmate commences a civil action or special proceeding.

To encourage communication between inmates and employees.

To review and explain correctional policy or practice to inmates and employees.

To identify errors and deficiencies in correctional policy or practice.

Inmate complaints are initiated locally at each adult institution. Rejected complaints are completed at the ICE level and are appealable by the appropriate reviewing authority (i.e. warden or bureau director of health services or correctional enterprises). That decision is final. The remaining complaints are addressed at the ICE level with a recommendation that is forwarded to the appropriate RA. The RA renders the final decision on the inmate complaint. Inmates may appeal a complaint decision to the Corrections Complaint Examiner (CCE). The CCE makes recommendation on the appealed complaint that is forwarded to the Office of the Secretary (OOS). The OOS designee renders the final decision on the inmate appeal.

The forms include but are not limited to:

- DOC-400 Inmate Complaint
- DOC-400S Inmate Complaint Spanish
- DOC-400B Inmate Complaint/Appeal (Continued)
- DOC-400BS Inmate Complaint/Appeal (Continued) Spanish
- DOC 405 Offender Complaint Appeal
- DOC 405S Offender Complaint Appeal
- DOC-2182 Request for Review of Rejected Complaint
- DOC-2182S Request for Review of Rejected Complaint Spanish

Contents: The Inmate Complaint Tracking System (ICTS) is an automated system used by Institution Complaint Examiners (ICE), Reviewing Authorities (RA), Corrections Complaint Examiners (CCE), and Department of Corrections Office of the Secretary (OOS) in processing, tracking, addressing and communicating decisions regarding inmate complaints. Paper submissions from inmates and documentation gathered for investigation are scanned and saved into the electronic system (ICTS). This system consists of electronic scanned complaint submissions, scanned or saved evidentiary documents, data entry system, generated electronic forms, and generated reports containing tracking information.

Life cycle Language: The official record in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stats § 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed [confidentially].

Event is the date the file is closed. This could be at the Inmate Complaint, Appeal or Rejection stage depending upon the inmate's decision to move this through the process.

CONFIDENTIAL:

Federal Laws:

42 C.F.R. Part 2 Confidentiality of alcohol and Drug Abuse Patient Records

45 C.F.R. Part 160 Privacy of Health Information

45 C.F.R. Part 164 Protected Health Care Records

State Statutes:

Wis. Stat. §19.35(1)(am) Safety and Security

Wis. Stat. §19.36(8) Confidential Informant

Wis. Stat. §51.30 Mental Health, Developmental Disabilities, and ADDA Information

Wis. Stat. §51.47 Alcohol and Other Drug Abuse (ADDA) Treatment Records

Wis. Stat. §71.78(1),(5),(6) Confidentiality Provisions
 Wis. Stat. §118.125 Pupil Records
 Wis. Stat. §146.82 Confidentiality of Patient Health Care Records
 Wis. Stat. §146.83 Access to Patient Health Care Records
 Wis. Stat. §165.79 DNA Analysis and Data Bank
 Wis. Stat. §252 HIV Test Results
 Wis. Stat. §905.03 Lawyer-Client Privilege
 Wis. Stat. §905.09 Informant
 Wis. Stat. §905.10 Identity of Informer
 Wis. Stat. §938.78 Juvenile Records
 Wis. Stat. §950.04(1v) Rights of Victims
 Wis. Stat. §972.15 Pre-Sentence Investigation
 Administrative Rules:
 Wis. Admin Code § DOC 309.39(7) Inmate Phone Calls
 Wis. Admin Code § DOC 310.16 Confidentiality
 Wis. Admin Code § DOC 332.17(7)(a-d) Lie Detector Disclosure of Test Information
 Wis. Admin Code § PAC 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

RETENTION: EVENT (Date file is closed) + 7 years and destroy confidential

<u>00124000.</u>	<u>VINEWATCH</u>	<u>EVT</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: Victim registration and notification history database records are stored off-site for the Wisconsin Department of Corrections (DOC) by Appriss, Inc. a company specializing in victim information services. Three computerized application have been developed by Appriss, Inc. for Wisconsin's Office of Victim Services and Programs (OVSP). All three applications use the victim registration data and are also supported by DOC offender data, which is extracted from DOC offender-based systems on a daily basis and transferred to Appriss, Inc. A description of the three applications is provided, below:

VINE - a phone-based service where victims, Victim/Witness Coordinators, and OVSP staff may receive current information on an offender's status and location. VINE also provides information to the general public regarding offenders required to register with the Sex Offender Registry. VINE stands for Victims Information and Notification Everyday.

VOICE - a customized web-based system where victims, victim/witness coordinators, OVSP staff, and others (e.g., DOJ, district attorneys, DOC Monitoring Center, Parole Commission, DOC Sex Offender Registry Program, and DOC Cashier's Unit) may receive current information on an offender's status and location. Victims also have access to their personal contact information and notification preferences. VOICE stands for Visual Offender Information Center.

VINEWatch - a web-based system for OVSP staff use. VINEWatch is the administrative application that replaced PENS (Parole Eligibility Notification System, noted in RDA #124A), a computer application hosted at DOC from 1989 through the rollout of VINEWatch in Phase 2 of the Victim Web site project in December 2003). VINEWatch allows OVSP staff to enter and store victim registration information and to generate notification letters regarding specific offender events, and to retain a history of victim notification letters.

PURPOSE - The victim web site and database allows victims to receive notification letters, or to inquire, either by phone or via the internet, about the current status of an offender under WI DOC supervision and to register for notification upon a change in status.

NOTE - Existing victim registration and notice history data was converted to this system from the PENS system, in addition to copying the data to tape for storage at the Department of Administration (DOA) DET Tap library.

Records will be deleted when a request is made by the victim to remove their information from the system, or if the OVSP verifies that the enrolled victim is deceased.

RETENTION: EVENT (Request made by victim to remove their information from the system or OVSP verifies that the enrolled victim is deceased) and destroy confidential

<u>00125000.</u>	<u>HIGH RISK PROFILE</u>	<u>EVT+5</u>	<u>DEST</u>	<u>Y</u>
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This record is related to inmates incarcerated in the Wisconsin State Prison System who are considered to pose a threat/risk to the safety and security of DOC staff, facilities, other inmates and the public.

For use with, but not limited to DOC 2117-High Risk Profile.

This record contains history of inmate conduct while incarcerated, in the community, other correctional facilities (other states/jails), and past and present offense history.

RETENTION: EVENT (Date inmate reaches Maximum Discharge Date) + 5 years and destroy confidential

<u>00132000.</u>	<u>LEGAL PROGRAM</u>	<u>EVT+3</u>	<u>DEST</u>	<u>Y</u>
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Purpose: This record series identifies the retention period and disposition for records no longer needed by the Office of Legal Counsel for the legal program it operates for the Department of Corrections. The event that initiates the start of the retention time period is when a record no longer is needed by the legal program office.

Content: The series pertains to records for legal professional services, management, operation, and administration. Legal professional

service records include subject files of non-appointed staff. Management, operation, and administration records include general office files. This series does not pertain to a record under the scope of a general records schedule, such as activity and production reports (e.g. ADM00001, ADM00001A), calendars and schedules (e.g. ADM00004, ADM00005), correspondence (e.g. ADM00009, ADM00010, ADM00011), staff notices or communications (e.g. ADM00015), agency organization (e.g. ADM00017, ADM00020, ADM00021), policies and procedures (e.g. ADM00023), teams, projects or workgroups (e.g. ADM00027, ADM00028, ADM00030), forms management (e.g. ADM00101), library operations (e.g. ADM00111), records management (e.g. ADM00130, ADM00133, ADM00134), budget records (e.g. BUD00025), and fiscal and accounting records (e.g. FIS00010, FIS00011, FIS00020).

Lifecycle Language: The official record in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stats § 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed [confidentially].

Confidentiality: Records in this series may include confidential or personally identifiable information. For example, a subject file may include attorney work product under Wis. Stat § 804.01 (2) (c), and copies of confidential records under Wis. Stat § 905.03. Some, but not all records, may include personally identifiable information as defined in Wis. Stat § 19.62 (5), such as a record containing personally identifiable information about an office official or employee. Personally identifiable information is incidental to the primary purpose for which the record series was created.

Retention & Disposition: The Department retains records for 3 years after a record is no longer needed by the legal program with destruction there- after. The Department retains records for 3 years to comport with similar subject file, management, operation, and administration record schedules.

RETENTION: EVENT (No longer needed) + 3 years and destroy confidential

00133000.	COMMUNITY CORRECTIONS EMPLOYMENT PROGRAM (CCEP) PAYROLL	EVT+7	DEST	Y
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Purpose: The purpose of this record series is to document employment eligibility, job placement, hours worked, and payroll for offenders. Participation in the program helps offenders to acquire meaningful jobs upon release.

Contents: This record series consists of payroll-related records for offenders who are participating in the Community Corrections Employment Programs (CCEP). The program was formerly known as Transitional Employment Program (TEP) Participants. The content of each file may include the following, but is not limited to:

- W-4 Employee's Withholding Allowance Certificate
- Form 1-9 Employment Eligibility Verification
- DOC-257 Status Report Community Corrections Employment Program (New Placements, Holds, -Terminations)
- DOC-1792 Bi-Weekly Work Experience Evaluation I Time Card - CCEP
- DOA-6149 Wage Assignment Action Notice
- Copies of employer verification of earnings faxed to Centralized Document Processing regarding -BadgerCare and FoodShare applications

Lifecycle Language: The official record in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidentially.

Retention & Disposition: Event is termination from employment.

CONFIDENTIAL:

Federal Laws:

- 28 C.F.R. Ch. I, Pt. 20 Criminal Justice information
- 5 U.S.C. § 552a Privacy Act of 1974
- 18 U.S.C. § 2721 Drivers Privacy Protection Act
- 42 U.S.C. §§ 405(c)(2)(C)(i), Section 205(c)(2)(C), x and xi - Social Security Protection Act of 2010
- 42 U.S.C. § 12101 Americans with Disabilities Act 1990
- P.L. 111-318 (S. 3789) Social Security Number Protection Act of 2010

State Statutes:

- Wis. Stat. § 19.36(10) Employee Personnel Records
- Wis. Stat. § 103.13(6) Records Open to Employees, Exceptions
- Wis. Stat. § 230.13 Closed records
- Wis. Stat. ch. 343 Operators' License

Confidentiality of Records: Most records are not confidential and are open to public disclosure, however, there are exceptions. This retention schedule will identify any record series that may contain information required by law to be kept confidential or specifically required to be protected from public access, identifying the state or federal statute, administrative rule, or other legal authority that so requires. If in doubt as to whether or not a specific record, or content in that record, is confidential, check with your agency legal counsel. A record series should be identified as confidential even if not all records in the series contain confidential information and not all parts of records covered by the series are confidential.

RETENTION: EVENT (Termination from employment) + 7 years and destroy confidential

00144000.	OFFICER SCHEDULES	CR+11	DEST	Y
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This records series may include, but is not limited to DOC 26-32-Additional Hours of Work OTS Hiring Sheet, DOC 629-Absent List, DOC 647-Report of Absence, DOC 723-Overtime Call-In Sheet and reports generated from ScheduleSoft.

This record series consists of documents related to scheduling of security staff. These documents are used to record security staffs shift schedules, sick calls/absences, hiring for overtime, requests for time off, leave selection requests, leave requests, and shift exchanges.

NOTE: ScheduleSoft is the electronic data program that DOC now uses for scheduling of officers at correctional facilities.

RETENTION: EVENT (Creation) + 11 years and destroy confidential

<u>00145000.</u>	<u>KEY CONTROL RECORDS</u>	<u>CR+11</u>	<u>DEST</u>	<u>Y</u>
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These records contain various DOC forms used for tracking and control of keys within the institutions and facilities. These forms include, but are not limited to DOC-876-Key Replacement Request, DOC-671-Key Control Card, DOC-672-Key Distribution, DOC-1593-Key Request (DJC), DOC 1593A-Key Request Multiple (DAI), DOC-2207-Offender Key Control DOC-2064-Key Request/Transfer/Removal, DOC-1978-Key Ring Modification Request, DOC 2082-Key Request (DAI). Additional information contained in these records include employee names, location of key storage, key numbers, serial numbers, brand of keys, purpose of key, and inmate room numbers.

These records reflect a complete and accurate listing of all institution or facility keys, including the locks they operate. Supervisory staff uses these records to identify and monitor key inventories and usage. These records document all key records/key inventory for a given institution or facility, including spare keys, grandmaster keys, paracentric keys, and padlock keys, as well as what locations the keys are stored within the institutions or facilities.

The chit system is also utilized to track which employee has had which key(s) in their possession for their job duties. These records also maintain records of what keys are requested and if that request was granted or denied.

Key records may also be retained on computer files, as well as hard copy files. Both mediums have the same retention period.

RETENTION: EVENT (Creation) + 11 years and destroy confidential

<u>00146000.</u>	<u>TOOL REPORTS</u>	<u>CR+11</u>	<u>DEST</u>	<u>Y</u>
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These records include, but are not limited to various DOC forms used for the tracking and control of tools within the institutions and facilities. Forms that may be included in this series are DOC 1110-Tool Receiving Report, DOC 1112-Tool Turn-In Receipt, DOC 1113-Lost Tool Report, DOC 1108-Class A Tools, DOC 1109-Class B Tools, and DOC 1111-Monthly Tool Report.

The Department is required to document the use of all tools for inventory control compliance per the Department of Corrections Administrative Code 306 and DAI policy. Records in this series document a running inventory of tools used by various departments throughout the institution or facility. These records assist to establish an effective control plan to ensure that all tools within the institution or facility are used and stored in a safe and secure manner, and to inform all staff of the requirements and methods of supervising tool use and accountability.

RETENTION: EVENT (Creation) + 11 years and destroy confidential

<u>00147000.</u>	<u>LOG BOOKS (SECURITY)</u>	<u>EVT+11</u>	<u>DEST</u>	<u>Y</u>
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Typically, these records consist of any bound generic books. Information recorded in these log books may include, but is not limited to, the shift activity such as DOC staff working during a specific date and shift, any additional staff on the unit, such as HSU or maintenance personnel, the inmate name and DOC number to report cell movement, including movements for school, work or treatment programs, incidents involving DOC staff and/or inmates. These log books may also record DOC staff sick for each unit, count times, cell searches, noteworthy events such as escapes, TLU placements, etc.

These log books are used to create a written record of events or shift activity occurring in a unit during every shift. Entries are made at various times throughout the day. Information recorded in the log books are used by staff working the subsequent shift to review occurrences from the previous shift, as well as other institution or facility staff for various reasons, such as for litigation purposes.

RETENTION: EVENT (Last entry in log book) + 11 years and destroy confidential

<u>00148000.</u>	<u>CORRESPONDENCE - SECURITY</u>	<u>CR+11</u>	<u>DEST</u>	<u>Y</u>
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This record series includes but is not limited to DOC 761-Information/Interview Request; general correspondence/memos generated by the security office addressed to staff and/or inmates.

This record series documents information that is shared between staff and other offices within the institution or facility and the responses provided to them by the security office.

RETENTION: EVENT (Creation) + 11 years and destroy confidential

<u>00149000.</u>	<u>CONFIDENTIAL INFORMANT STATEMENTS</u>	<u>EVT+11</u>	<u>DEST</u>	<u>Y</u>
<p>For use with DOC 78-Confidential Informant Statement.</p> <p>This form document statements and information used by security staff for investigatory purposes in determining violations of institution or facility policies and procedures. These statements are useful to help ensure the security of the institution or facility as well as the protection of institution or facility staff and the inmates housed there. This record may be used in summary reports, which provide further information regarding criminal behavior conducted within the institution or facility (i.e. gang activity, riot attempts, etc.)</p> <p>At no time should these records or copies of these records be filed outside of the security office, or in the social services or legal files. The identification of the informants remains confidential to protect the individuals from any retaliation.</p> <p>Administrative Code DOC 303 and 310, provides directive to the procedures, regarding due process, inmate complaints, and confidential informant statements.</p> <p>RETENTION: EVENT (Conclusion of investigation, litigation, due process or any other court related activity) + 11 years and destroy confidential</p>				

<u>00150000.</u>	<u>TLU RECORDS</u>	<u>EVT+11</u>	<u>DEST</u>	<u>Y</u>
<p>For use with, but not limited to DOC 153-TLU/Unassigned Status Log, DOC 67-TLU Placement and DOC 68-TLU Review.</p> <p>These records list inmates in temporary lock up listing inmate name DOC number, reason for placement, facility, date placed in and removed from lock up, site of transfer, due process date, program review data, and disposition. These records are used for budget purposes to help plan for additional space while monitoring the number of lock ups that occur during any given month.</p> <p>RETENTION: EVENT (Date released from TLU) + 11 years and destroy confidential</p>				

<u>00151000.</u>	<u>SEARCH OF OFFENDER / INMATE RECORDS</u>	<u>CR+11</u>	<u>DEST</u>	<u>Y</u>
<p>For use with, but not limited to DOC-1523A, DOC-1523B, DOC-142 and databases.</p> <p>This records series is used to document date, time, type of search , results and staff performing the search. These records are useful to determine staff performance, record contraband and for use as a matter of record for inmate complaint resolution and/or further litigation.</p> <p>Administrative Code DOC 303, 306 and DAI policy dictate that search documentation be completed and maintained.</p> <p>RETENTION: EVENT (Creation) + 11 years and destroy confidential</p>				

<u>00152000.</u>	<u>VISITOR NOTIFICATIONS</u>	<u>EVT+0/1</u>	<u>DEST</u>	<u>Y</u>
<p>Entrance memorandum indicating name of visitor, affiliation, date of entrance, person to contact, area to visit, purpose and special instructions or items to be allowed into the institutions/center.</p> <p>For use with, but not limited to security forms such as DOC 1267/1267A-Visitor Notification.</p> <p>These documents are used to record visitors to the institutions and to notify security and lobby staff of a visitor's scheduled arrival or authorization to visit the institutions/center, who to notify upon their arrival and who authorized the visitor's access.</p> <p>RETENTION: EVENT (Date of visit) + 30 days and destroy confidential</p>				

<u>00153000.</u>	<u>URINALYSIS (UA) RECORDS</u>	<u>EVT+6</u>	<u>DEST</u>	<u>Y</u>
<p>Purpose: The purpose of these records is to document the retention period and disposition for urinalysis (UA) records created or received by divisions of the Department of Corrections (DOC). Results and confirmation of urinalysis tests are retained in the event of any discrepancies, history of previous drug levels, litigation, etc.</p> <p>Contents: This record series consists of positive or negative urinalysis results for urine samples received by the DOC. The UA screening is initially completed by DOC and selected positive samples are sent to a contracted outside vendor for confirmation. Testing may be conducted for various reasons: based on the needs of a treatment case plan; random per the UA Random Batch Process; or for specific inmate, offender, or juvenile where there may be concerns. Any UA tests done for medical purposes will be retained under the Bureau of Health Services (BHS) Records Retention Schedule, RDA #153.</p> <p>This records series may include, but is not limited to:</p> <ul style="list-style-type: none"> • DOC-0106 UA Confidential Waiver • DOC-0142 UA Report Form • DOC-1496 On-Site Drug/Alcohol Screening Test Results and Chain of Evidence Forms - Records received or generated on vendor forms may also be part of this record series. • DOC-2817 Urinalysis Refrigerator Log 				

Lifecycle Language: The official record in this series may be transferred to, or maintained in, electronic/digital format for the full retention period. To comply with Wis. Stat. § 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidentially.

Confidentiality:

Federal Laws:

- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
- 45 C.F.R. Part 160 Privacy of Health Information
- 45 C.F.R. Part 164 Protected Health Care Records 45 U.S.C. Part 290 Confidentiality of Records

State Statutes:

- Wis. Stat. § 19.35(1)(am) Safety and Security
- Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse Treatment Records
- Wis. Stat. § 146.82 Health Care Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records

Confidentiality of Records: Most records are not confidential and are open to public disclosure, however, there are exceptions. This retention schedule will identify any record series that may contain information required by law to be kept confidential or specifically required to be protected from public access, identifying the state or federal statute, administrative rule, or other legal authority that so requires. If in doubt as to whether or not a specific record, or content in that record, is confidential, check with your agency legal counsel. A record series should be identified as confidential even if not all records in the series contain confidential information and not all parts of records covered by the series are confidential.

RETENTION: EVENT (Date of collection) + 6 years and destroy confidential

<u>00157000.</u>	<u>NON-DELIVERY OF MAIL</u>	<u>CR+11</u>	<u>DEST</u>	<u>Y</u>
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This document lists the mail or item(s) received, reason(s) for denial, the sender, and the intended recipient of the mail/item. For use with, but not limited to DOC-243, Notice of Non-Delivery of Mail.

To provide notification to the inmate of the mail or item(s) received through the mail, indicating the reasons for non-delivery. The form provides the inmate an opportunity to express their wishes in disposal of the mail or item(s) and informs the inmate their right to appeal to the decision for the non-delivery.

Department of Corrections Administrative Code 309.05 lends directive to the procedures regarding inmate mail.

RETENTION: EVENT (Creation) + 11 years and destroy confidential

<u>00158000.</u>	<u>OFFENDER ACTIVITY RECORDS</u>	<u>EVT+11</u>	<u>DEST</u>	<u>Y</u>
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For use with, but non limited to DOC-1587-Segregation Offender Activity Sheet, DOC-802-Segregation Unit Report, DOC 1008-Area Pass Log, DOC 689-Pass Area (Offender.), etc. This record series documents DOC staff contact and comments regarding activity of inmates.

This record series documents an inmate's activities, movement and/or status. Included in these records is date and time of activity/movement, inmate/offender name, DOC number, and unit assignment/status. Inmate activity refers to movement in the institution, movement off the unit and different activities offered while housed in segregation, including showers, medication delivery, treatment, recreation, religion, education, etc.

This record series documentation of inmate movement and activity to ensure safety through written and verbal communication between staff for each shift on a daily basis.

RDA 158 and RDA 199 have been combined into this records series.

RETENTION: EVENT (Date of movement, or last entry on log) + 11 years and destroy confidential

<u>00159000.</u>	<u>OFFENDER / INMATE / JUVENILE DIET RECORDS</u>	<u>EVT+3</u>	<u>DEST</u>	<u>Y</u>
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PURPOSE: The records provide the information and documentation that supports special diet orders provided to offenders, inmates or juveniles within the institutions, facilities and schools.

CONTENT: This record series covers records maintained regarding offender dietitian consult, modified or religious diets and may include notice of special diet orders or requests, acknowledgments, consent/refusal, allergy, intolerance and other special diet records.

These include, but are not limited to, the following forms:

DOC-1836 Diet Order Acknowledgment - Male
 DOC-1836A Diet Order Acknowledgment - Female
 DOC-2167 Religious Diet Request
 DOC-2671 Dietitian Consult Request
 DOC-3334 Modified Diet Order
 DOC-3341 Modified Diet Consent I Refusal
 DOC-3341 S Modified Diet Consent I Refusal - Spanish
 DOC-3518 Food Allergy Intolerance Diet Interview

Confidential: (Some of these records may contain confidential information)

Federal Laws:

42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
 45 C.F.R. Part 160 Privacy of Health Information
 45 C.F.R. Part 164 Protected Health Care Records

State Statutes:

Wis. Stat. § 19.35(1)(am) Safety and Security
 Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
 Wis. Stat. § 146.82 Health Care Records
 Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information
 Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
 Wis. Stat. § 146.82 Health Care Records
 Wis. Stat. § 146.83 Access to Patient Health Care Records Wis. Stat. § 938.78 Juvenile Records

Lifecycle Language: The official records in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidentially.

RETENTION: EVENT (Date diet is canceled, terminated, changed or the inmate/juvenile is discharged or terminated from the institution, facility, or school) + 3 years and destroy confidential

00160000. DIVISION OF ADULT INSTITUTIONS (DAI) AND DIVISION OF JUVENILE CORRECTIONS (DJC) PSYCHOLOGICAL SERVICES UNIT RECORDS (PSU) - AODA ENVELOPE FOR DAI INMATES WHO PARTICIPATE IN AODA TREATMENT. EVT+60 DEST Y

CONTENT: This record series consists of individually identifying confidential documents filed in the Psychological Services Unit Record, created by Division of Adult Institutions and Division of Juvenile Corrections for offenders residing in DAI or DJC facilities who are identified by the DOC as sex offenders. It also includes the Psychological Services Unit Record - AODA envelope for DAI inmates who participate in AODA treatment. The records include individually identifiable information protected by Wisconsin and federal confidentiality laws.

PURPOSE: The records document the identified mental health needs of offenders, and the services provided to those offenders by mental health providers. The records assist in the appropriate delivery of mental health care to offenders.

JUSTIFICATION: The records pertaining to sex offenders must be retained longer than the records for non-sex offenders due to the relevance for a ch. 980 proceeding if an offender returns to the correctional system.

The forms include but are not limited to: See DAI Policy 500.50.02, attachments 1 and 1A describing the contents of the PSU Record.

CONFIDENTIAL:

Federal Laws:

21 C.F.R. Part 1304 Records and Reports of Registrants
 21 C.F.R. Part 1305 Orders for Schedule I and II Controlled Substances
 21 C.F.R. Part 1317 Disposal of Controlled Substances
 42 C.F.R. Part 2 Confidentiality of alcohol and Drug Abuse Patient Records
 45 C.F.R. Part 160 General Administrative Requirements
 45 C.F.R. Part 164 Security and Privacy

Wisconsin State Statutes:

Wis. Stat. § 51.30 Records
 Wis. Stat. § 51.47 Alcohol and Other Drug Abuse Treatment Records
 Wis. Stat. § 146.38 Health Care Services Review, Confidentiality of Information
 Wis. Stat. § 146.82 Confidentiality of Patient Health Care Records
 Wis. Stat. § 146.83 Access to Patient Health Care Records
 Wis. Stat. § 252.15 Restrictions of Use of an HIV Test
 Wis. Stat. § 303.388 Prisoner Medical Records
 Wis. Stat. §938.78 Confidentiality of Records
 Wis. Stat. §950.04(1V) Rights of Victims
 Wis. Stat CH. 961 Uniform Controlled Substances Act
 Wis. Stat. §972.15 Presentence Investigation

Wisconsin Administrative Code:

Wis. Admin Code § DHS 92.08 Criminal Commitments

Wis. Admin. Code Ch. Med 17 Standards for Dispensing and Prescribing Drugs
 Wis. Admin Code Ch. Phar 7 Pharmacy Practice
 Wis. Admin Code Ch. Phar 8 Requirements for Controlled Substances

See Confidentiality of Records on page 2 of paper file and application of the balancing test.

RETENTION: EVENT (Date of release from DAI incarceration or DJC Commitment or termination of DCC supervision) + 60 years and destroy confidential

00164000.	BUREAU OF HEALTH SERVICES (BHS), DIVISION OF ADULT INSTITUTIONS (I	EVT+7	DEST	Y
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CONTENT: This record series consists of agendas, minutes, and reports of BHS, DAI and DJC Committees that relate to the delivery of health care of offenders, including but not limited to BHS Policy and Procedure Committee, BHS Pharmacy and Therapeutics Committee, and BHS Continuous Quality Improvement Committee, and DAI and DJC facility committees that meet to discuss various health-care delivery issues

PURPOSE: The agenda, minutes, and reports document issues discussed, and decisions made by committees that address various matters related to the delivery of health care.

JUSTIFICATION: The DOC has reviewed ADM00026 and found that the retention of Event + 5 years is not long enough for the legal and business purposes of the DOC.

The forms include but are not limited to: None

CONFIDENTIAL: These records do not routinely include individually identifying protect health information regarding offenders. However, if minutes or reports include such information, the document would be confidential.

Confidential:

Federal Laws:

- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
- 45 C.F.R. Part 160 General Administrative Requirements
- 45 C.F.R. Part 164 Security and Privacy

Wisconsin State Statutes:

- Wis. Stat. § 51.30 Records
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse Treatment Records
- Wis. Stat. § 146.38 Health Care Services Review, Confidentiality of Information
- Wis. Stat. § 146.82 Confidentiality of Patient Health Care Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records
- Wis. Stat. § 252.15 Restrictions of Use of an HIV Test
- Wis. Stat. § 303.388 Prisoner Medical Records
- Wis. Stat. §938.78 Confidentiality of Records
- Wis. Stat. §950.04(1V) Rights of Victims
- Wis. Stat. §972.15 Presentence Investigation

Wisconsin Administrative Code:

- Wis. Admin Code § DHS 92.08 Criminal Commitments

See Confidentiality of Records on page 2 of paper copy and application of the balancing test.

RETENTION: EVENT (Date of document) + 7 years and destroy confidential

00169000.	MEDICATION OCCURRENCE REPORTS	EVT+10	DEST	Y
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CONTENT: This record series consists of official DOC forms completed pursuant to DAI Policy 500.80.16, Medication Occurrence Reporting, used to report and investigate a preventable event that may cause or lead to inappropriate medication use or potential patient harm. Central Pharmacy Services, Health Service Unit Managers and Bureau of Health Service Central Office management, and DOC Security staff all may be involved, depending on the nature of the occurrence. The official forms are maintained in a Medication Occurrence Report File at Central Pharmacy Services.

PURPOSE: The purpose of the record series is to track and investigate medication occurrences that occur at any point in the process of prescribing medication, filling prescriptions and dispensing medication.

The forms include but are not limited to:

- DOC-3340 Medication Occurrence Report
- DOC-3340A Central Pharmacy Occurrence Report

Confidential:

Federal Laws:

- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records

State Statutes:

- Wis. Stat. §51.30 Mental Health, Developmental Disabilities, and AODA Information

Wis. Stat. §51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
 Wis. Stat. §146.83 Access to Patient Health Care Records
 Administrative Rules:
 Wis. Admin Code PAC Ch. 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

See Confidentiality of Records on page 2 above and application of the balancing test.

RETENTION: EVENT (Date of document) + 10 years and destroy confidential

<u>00175000.</u>	<u>INMATE PAYROLL</u>	<u>EVT+5</u>	<u>DEST</u>	<u>N</u>
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Internal statistical and narrative reports created by an agency on the routine operations and functions of a fiscal office. Includes weekly, monthly and quarterly reports for operations, management analysis and planning.

RETENTION: EVENT (Inmate no longer employed or no longer incarcerated) + 5 years and destroy

<u>00183000.</u>	<u>FOOD SERVICE STAFFING RECORDS</u>	<u>EVT+3</u>	<u>DEST</u>	<u>N</u>
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PURPOSE: These lists, rosters, detail sign in/sign out records are used to destroy. account for population movement, work assignments, and accountability of food service staffing needs.

CONTENT: This record series covers records that detail the offenders, inmates, or juveniles that are assigned to work in the food service area.

These include, but are not limited to, the following forms:
 DOC-766A Kitchen Out Count
 DOC-1486A Wisconsin Secure Program Facility Food Service Sign-In/Sign-Out Log
 DOC-14868 Facility Sign-In I Sign-Out Log

Lifecycle Language: The official records in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed.

RETENTION: EVENT (Creation) + 3 years and destroy

<u>00184000.</u>	<u>SEX OFFENDER CASE FILE</u>	<u>EVT+60</u>	<u>DEST</u>	<u>Y</u>
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Purpose: The reason for creation of this record series is to document activity and actions regarding a sex offender under supervision with the Division of Community Corrections (DCC).

Retention Period Justification: An offender in this record series has been flagged as a "Sex Offender" by Sex Offender Program staff based on various factors, to include the offense statute of his/her conviction, underlying conduct was sexually motivated, conviction of sex crime in another state or jurisdiction, etc. It has been requested by Wisconsin Department of Justice (DOJ) to retain these records an extended time in order to have documents in the event of proceedings relating to Wis. Stat. ch. 980 Sexually Violent Person Commitments.

Contents: This record series consists of forms of each case file and may include, but is not limited to, the sections listed on Electronic Case Records Manual (ECRM) Case File Setup.

Section 1: Case Activity Record: records related to offender's social history including face sheet, probation social investigation, rules of community supervision, Intake/discharge records, prior record listing, unified case plan, and conditions/supervised release rules.

Section 2: Court Documents: court records related to probation, parole, extended supervision, intensive supervision, judgment of conviction, supervised release and early discharge.

Section 3: Violation Investigation Documents: documents related to violations, warrants, apprehension requests, situation alerts, and absconder locator information.

Section 4: Confidential Documents and Release of Information: records related to health information, victim information, treatment information, and referral for services.

Section 5: Miscellaneous Supervision Forms: supervision documents including travel permit, Interstate Compact documents, electronic monitoring enrollment, home visit waiver, and employment services programs.

Section 6: Miscellaneous Correspondence: correspondence sent to or received from the offender.

Section 7: Institution Documents: documents related to an offender's previous incarceration in a Department of Corrections (DOC) facility including parole planning information, release plan information, sentence information, visitor lists, and financial documentation.

Section 8: Revocation Documents: documents related to an offender's revocation from supervision including hearing notices, revocation order and warrant, subpoenas, and revocation summary reports.

Section 9: Offender Report Forms: DOC-8 (Report). Information gathered on the form includes changes to address, employment, police contact, and education status. (This section of the DCC Offender Case File is retained in accordance with RDA 184A).

Section 10: Sex Offender Documents: documents related to sex offender risk assessment, release notification, registration form, disclosure questionnaire, residence assessment, activity request, registration non-compliance investigation, registrant information /home visit, evaluation report, notice of Wis. Stat. § 301.475 on school premises, and registry update.

Section 11: Offender Financial Information: documents related to an offender's payment for supervision fees, court ordered obligations, wage assignments and payment ledgers.

Lifecycle Language: The official record in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidentially.

Retention & Disposition: Event is the termination date defined as the date the offender is terminated from supervision or court ordered discharge. RDA 186 defines retention for a deceased sex offender.

Confidentiality:

Federal Laws:

- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
- 45 C.F.R. Part 160 Privacy of Health Information 45 C.F.R. Part 164 Protected Health Care Records
- Administrative Rules:**
- Wis. Admin Code § 309.39(7) Inmate Phone Calls
- Wis. Admin Code § 332.17(7)(a-d) Lie Detector Disclosure of Test Information
- Wis. Admin Code PAC § 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

State Statutes:

- Wis. Stat. § 19.35(1)(am) Safety and Security Wis. Stat. § 19.36(8) Confidential Informant
- Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
- Wis. Stat. § 71.78(1)(5)(6) Revenue Confidentiality Provisions Wis. Stat. § 118.125 Pupil Records
- Wis. Stat. § 146.82 Health Care Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records Wis. Stat. § 165.79 DNA Analysis and Data Bank
- Wis. Stat. § 252 HIV Test Results
- Wis. Stat. § 905.03 Lawyer-Client Privilege Wis. Stat. § 905.09 Informant
- Wis. Stat. § 905.10 Identity of Informer Wis. Stat. § 938.78 Juvenile Records Wis. Stat. § 950.04(1v) Rights of Victims
- Wis. Stat. § 972.15 Pre-Sentence Investigation

Confidentiality of Records: Most records are not confidential and are open to public disclosure, however, there are exceptions. This retention schedule will identify any record series that may contain information required by law to be kept confidential or specifically required to be protected from public access, identifying the state or federal statute, administrative rule, or other legal authority that so requires. If in doubt as to whether or not a specific record, or content in that record, is confidential, check with your agency legal counsel. A record series should be identified as confidential even if not all records in the series contain confidential information and not all parts of records covered by the series are confidential.

RETENTION: EVENT (termination date) + 60 years and destroy confidential

<u>00184A00.</u>	<u>SEX OFFENDER REPORT FORM (DOC-8)</u>	<u>EVT</u>	<u>DEST</u>	<u>Y</u>
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Purpose: The reason for creation of this record series is to document changes to address, employment, education status, police contact, vehicle change, income change, and payment submission for the sex offender while under supervision with the Division of Community Corrections (DCC).

Content: This record series consist of "Report" forms, (DOC-8), for each offender placed under the supervision of the DCC. Information gathered on the form includes change of address, employment, police contact, and education status. The form is completed by the offender and is retained in the DCC Offender Case File, Section 9. This form is utilized during supervision of offender, and information from this form is then entered into Department of Corrections (DOC) electronic system for long-term retention. The form is used as a means to gather this information for data entry.

Lifecycle Language: The official record in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidentially.

Retention & Disposition: Event is termination date defined as the date that the offender is terminated from supervision, court ordered discharge, or death. This RDA authorizes destruction of these report forms when the offender is terminated from supervision as the offender can no longer be disciplined or revoked based on the signature on the form.

Retention Justification: Retention is Event +O Years and Destroy Confidential. This record is retained throughout the offender's supervision. For example, if an offender is court ordered to a two-year term of probation, this form(s) is/are retained during the entire time of supervision and then destroyed only when the offender is terminated (discharged) from supervision.

Confidentiality:

Federal Laws:

42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
 45 C.F.R. Part 160 Privacy of Health Information 45 C.F.R. Part 164 Protected Health Care Records

Administrative Rules:

Wis. Admin Code § 309.39(7) Inmate Phone Calls
 Wis. Admin Code § 332.17(7)(a-d) Lie Detector Disclosure of Test Information
 Wis. Admin Code PAC § 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

State Statutes:

Wis. Stat. § 19.35(1)(am) Safety and Security Wis. Stat. § 19.36(8) Confidential Informant
 Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information
 Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
 Wis. Stat. § 71.78(1)(5)(6) Revenue Confidentiality Provisions Wis. Stat. § 118.125 Pupil Records
 Wis. Stat. § 146.82 Health Care Records
 Wis. Stat. § 146.83 Access to Patient Health Care Records Wis. Stat. § 165.79 DNA Analysis and Data Bank
 Wis. Stat. § 252 HIV Test Results
 Wis. Stat. § 905.03 Lawyer-Client Privilege Wis. Stat. § 905.09 Informant
 Wis. Stat. § 905.10 Identity of Informer Wis. Stat. § 938.78 Juvenile Records Wis. Stat. § 950.04(1v) Rights of Victims
 Wis. Stat. § 972.15 Pre-Sentence Investigation

Confidentiality of Records: Most records are not confidential and are open to public disclosure, however, there are exceptions. This retention schedule will identify any record series that may contain information required by law to be kept confidential or specifically required to be protected from public access, identifying the state or federal statute, administrative rule, or other legal authority that so requires. If in doubt as to whether or not a specific record, or content in that record, is confidential, check with your agency legal counsel. A record series should be identified as confidential even if not all records in the series contain confidential information and not all parts of records covered by the series are confidential.

RETENTION: EVENT (termination date) and destroy confidential

00185000.	CHAPTER 980, SEXUALLY VIOLENT PERSON COMMITMENTS, FORENSIC EV, EVT+60	DEST	Y
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CONTENT: These paper and electronic files are created and maintained in the Chapter 980 Forensic Evaluation Unit for Division of Adult Institutions or Division of Juvenile Corrections offenders involved in the Ch. 980, Sexually Violent Person Commitment, process after the completion of an End of Confinement Review Board (ECRB) report or DJC Sexually Violent Persons Act Committee report that refers the offender for a Special Purpose Evaluation (SPE) by a Ch. 980 Unit psychologist.

Documents may include but are not limited to the following: ECRB Report, SPE Report, notes of the evaluating psychologist, Pre-Sentence Investigation reports, Judgments of Conviction, criminal complaints, district attorney and law enforcement records, and other records obtained from the Division of Adult Institutions, Division of Community Correction and/or the Division of Juvenile Corrections.

Only the Special Purpose Evaluation Report including attachments to that report, and the notes of the evaluating psychologist are retained for an offender who is not referred to the Department of Justice for possible commitment under Chapter 980.

PURPOSE: The purpose of these files is to assist the assigned Chapter 980 Unit psychologist to complete the Special Purpose Evaluation that determines whether to refer the offender to the Department of Justice for possible commitment. The files are retained after the referral decision to document the rationale for the decision and for subsequent evaluation(s).

JUSTIFICATION: These records require a lengthy retention due to their relevance for a ch 980 proceeding if an offender returns to the correctional system.

The forms include but are not limited to:

- DOC-1490 End of Confinement Review Board Case Review Summary and Disposition
- DOC-2364 Static 99/Rapid Risk Assessment for Sexual Offense Recidivism Scoring Sheet
- DOC-2296 Minnesota Sex Offender Screening Tool
- DOC-2295 Special Purpose Evaluation Report
- DOC-3497 SPE Notice of Examination
- DOC-1163K Chapter 980 Authorization for Disclosure of AODA Information

Confidential:

Federal Laws:

42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
 45 C.F.R. Part 160 General Administrative Requirements
 45 C.F.R. Part 164 Security and Privacy

Wisconsin State Statutes:

Wis. Stat. § 51.30 Records
 Wis. Stat. § 51.47 Alcohol and Other Drug Abuse Treatment Records
 Wis. Stat. § 146.82 Confidentiality of Patient Health Care Records
 Wis. Stat. § 146.83 Access to Patient Health Care Records
 Wis. Stat. § 252.15 Restrictions of Use of an HIV Test
 Wis. Stat. § 303.388 Prisoner Medical Records

Wis. Stat. §938.78 Confidentiality of Records
 Wis. Stat Ch. 961 Uniform Controlled Substances Act
 Wis. Stat. §972.15 Presentence Investigation
 Wisconsin Administrative Code:
 Wis. Admin code § DHS 92.08 Criminal Commitments

RETENTION: EVENT (Date of completion of End of Confinement Review Board (ECRB) review) + 60 years and destroy confidential

<u>00185A00.</u>	<u>CHAPTER 980, SEXUALLY VIOLENT PERSON COMMITMENTS, BUREAU OF H</u>	<u>EVT+60</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: This paper and electronic records series consists of documents that track a DAI offender's progress through the Ch. 980 legal process. Prior to the release from incarceration, DOC determines whether an offender, designated as a sex offender, meets the criteria for referral for civil commitment. A member of the End of Confinement Review Board (ECRB) reviews existing relevant records, and creates records related to the ch. 980 process to recommend whether the offender should be referred for an evaluation by a forensic psychologist, referred to as a Special Purpose Evaluation. Results of the SPE determine whether the DOC refers the inmate to the Department of Justice for possible commitment under Ch. 980.

PURPOSE: This record series documents the DOC's compliance with the requirements of Ch. 980, for inmates identified as sex offenders.

The forms include but are not limited to:

- DOC-1490 End of Confinement Review Board Case Review Summary and Disposition
- DOC-2364 Static 99/Rapid Risk Assessment for Sexual Offense Recidivism Scoring Sheet
- DOC-2296 Minnesota Sex Offender Screening Tool
- DOC-2295 Special Purpose Evaluation Report
- DOC-3497 Notice of Examination
- DOC-1163K CH. 980 Authorization for Disclosure of AODA Information

Confidential:

- Federal Laws:
- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
 - 45 C.F.R. Part 160 General Administrative Requirements
 - 45 C.F.R. Part 164 Security and Privacy

Wisconsin State Statutes:

- Wis. Stat. § 51.30 Records
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse Treatment Records
- Wis. Stat. § 146.82 Confidentiality of Patient Health Care Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records
- Wis. Stat. § 252.15 Restrictions of Use of an HIV Test
- Wis. Stat. § 303.388 Prisoner Medical Records
- Wis. Stat. §938.78 Confidentiality of Records
- Wis. Stat Ch. 961 Uniform Controlled Substances Act
- Wis. Stat. §972.15 Presentence Investigation

Wisconsin Administrative Code:

- Wis. Admin code § DHS 92.08 Criminal Commitments

See Confidentiality of Records on page 2 of paper file and application of the balancing test.

RETENTION: EVENT (Date that End of Confinement Review Board (ECRB) determines that inmate found not to meet criteria for civil confinement) + 60 years and destroy confidential

<u>00186000.</u>	<u>SEX OFFENDER CASE FILE (DECEASED)</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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Purpose: The reason for creation of this record series is to document activity and actions regarding a sex offender under supervision with the Division of Community Corrections (DCC).

Retention Period Justification: An offender in this record series has been flagged as a "Sex Offender" by Sex Offender Program staff based on various factors, to include the offense statute of his/her conviction, underlying conduct was sexually motivated, conviction of sex crime in another state or jurisdiction, etc. This is similar to RDA 184, except the sex offender has been identified as deceased and this file will not be needed for the extended retention for proceedings relating to Wis. Stat. ch. 980 Sexually Violent Person Commitments.

Contents: This record series consists of forms of each case file and may include, but is not limited to, the sections listed on Electronic Case Records Manual (ECRM) Case File Setup.

Section 1: Case Activity Record: records related to offender's social history including face sheet, probation social investigation, rules of community supervision, intake/discharge records, prior record listing, unified case plan, and conditions/supervised release rules.

Section 2: Court Documents: court records related to probation, parole, extended supervision, intensive supervision, judgment of conviction, supervised release and early discharge.

Section 3: Violation Investigation Documents: documents related to violations, warrants, apprehension requests, situation alerts, and

absconder locator information.

Section 4: Confidential Documents and Release of Information: records related to health information, victim information, treatment information, and referral for services.

Section 5: Miscellaneous Supervision Forms: supervision documents including travel permit, Interstate Compact documents, electronic monitoring enrollment, home visit waiver, and employment services programs.

Section 6: Miscellaneous Correspondence: correspondence sent to or received from the offender.

Section 7: Institution Documents: documents related to an offender's previous incarceration in a Department of Corrections (DOC) facility including parole planning information, release plan information, sentence information, visitor lists, and financial documentation.

Section 8: Revocation Documents: documents related to an offender's revocation from supervision including hearing notices, revocation order and warrant, subpoenas, and revocation summary reports.

Section 9: Offender Report Forms: DOC-8 (Report). Information gathered on the form includes changes to address, employment, police contact, and education status. (This section of the DCC Offender Case File is retained in accordance with RDA 184A).

Section 10: Sex Offender Documents: documents related to sex offender risk assessment, release notification, registration form, disclosure questionnaire, residence assessment, activity request, registration non-compliance investigation, registrant information /home visit, evaluation report, notice of Wis.Stat. § 301.475 on school premises, and registry update.

Section 11: Offender Financial Information: documents related to an offender's payment for supervision fees, court ordered obligations, wage assignments and payment ledgers.

Lifecycle Language: The official record in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidentially.

Retention & Disposition: Event is the date of death. Confidentiality:

Federal Laws:

42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
 45 C.F.R. Part 160 Privacy of Health Information 45 C.F.R. Part 164 Protected Health Care Records

Administrative Rules:

Wis. Admin Code § 309.39(7) Inmate Phone Calls
 Wis. Admin Code § 332.17(7)(a-d) Lie Detector Disclosure of Test Information
 Wis. Admin Code PAC § 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

State Statutes:

Wis. Stat. § 19.35(1)(am) Safety and Security Wis. Stat. § 19.36(8) Confidential Informant
 Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information
 Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
 Wis. Stat. § 71.78(1)(5)(6) Revenue Confidentiality Provisions Wis. Stat. § 118.125 Pupil Records
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 Wis. Stat. § 252 HIV Test Results
 Wis. Stat. § 905.03 Lawyer-Client Privilege Wis. Stat. § 905.09 Informant
 Wis. Stat. § 905.10 Identity of Informer Wis. Stat. § 938.78 Juvenile Records Wis. Stat. § 950.04(1v) Rights of Victims
 Wis. Stat. § 972.15 Pre-Sentence Investigation

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RETENTION: EVENT (date of death) + 7 years and destroy confidential

<u>00187000.</u>	<u>CALL-IN CHECK RECORDS</u>	<u>CR+1</u>	<u>DEST</u>	<u>Y</u>
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For use with, but not limited to DOC 2225-Call-In Check Sheet, DOC-2226A and DOC-1559.

This records series is used to maintain a record wellness checks and safety for third shift staff. Staff is required to call in every hour beginning at 10:30 p.m. through 5:30 a.m. to report their status.

RETENTION: EVENT (Creation) + 1 year and destroy confidential

<u>00188000.</u>	<u>USE OF FORCE RECORDS</u>	<u>EVT+11</u>	<u>DEST</u>	<u>Y</u>
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The Department of Corrections has a policy that dictates the recording of use of force situations. (DAI Policy 306.07.01 (Use of Force))

For use with, but not limited to incidents captured and downloaded onto electronic media, DOC 1960-Use of Force Review, DOC 110-Investigation of Firearm Discharge, review checklists, after action reviews and corrective action plans, working copies of incident.

This records series consists of documents and electronic recordings regarding planned and unplanned use of force incidents. These records are reviewed by security supervisors for, but not limited to, training purposes litigation, and due process hearings.

RETENTION: EVENT (Defined as review of tape after use of force to determine if other action needs to be taken, training, litigation, due process hearing, or date of recording, which ever is later) + 11 years and destroy confidential

<u>00189000.</u>	<u>SECURITY INSPECTION RECORDS</u>	<u>CR+3</u>	<u>DEST</u>	<u>Y</u>
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This record series consists of forms used for inspections within Wisconsin Prison System facilities. For use with, but not limited to DOC 1455-Cell Inspection Card, DOC 0932-Unit Sanitation Inspection, DOC 1273-Room Inspection Check List, DOC 1301-Room Inspection Checklist, DOC 1426-Room Inspection 1, DOC 1426A-Room Inspection 2, DOC 714-Room Inspection Log.

This record series ensures inmate cells and facility areas are in compliance with the standards set forth in the Corrections Administrative Code 306 and DAI Policy.

Entry into and inspections of all areas of DAI facilities conducted by a DOC staff member at any time. The institution or facility shall maintain a written record of all inspections.

RETENTION: EVENT (Creation) + 2 years and destroy confidential

<u>00190000.</u>	<u>FOOD MANAGEMENT COST, MENU, NUTRITION, AND MEAL PATTERNS INPU</u>	<u>EVT+3</u>	<u>DEST</u>	<u>Y</u>
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Purpose: These records serve to track project and meal costs for input to the budget.

CONTENT: This record series covers inputs and outputs used to make meal cost projections, menus, nutrition, and meal patterns for DOC institutions, facilities and schools. Budget information is submitted to the Office of Budget and Facilities Management to combine with expected institution population figures to produce the total dollars to budget for food. These records include Department of Administration (DOA) inflation factor memos as well as other food service reports and data. In addition these records include menus, nutrition, meal patterns and other various data related to Food Management.

Confidential: (Some of these records may contain confidential information)

Federal Laws:
45 C.F.R. Part 160 Privacy of Health Information 45 C.F.R. Part 164 Protected Health Care Records

State Statutes:
Wis. Stat. § 19.35(1)(am) Safety and Security Wis. Stat. § 146.82 Health Care Records
Wis. Stat. § 146.83 Access to Patient Health Care Records Wis. Stat. § 938.78 Juvenile Records

Lifecycle Language: The official records in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed.

RETENTION: EVENT (Creation) + 3 years and destroy confidential

<u>00191000.</u>	<u>FEDERAL AND STATE FOOD PROGRAM RECORDS</u>	<u>EVT+3</u>	<u>DEST</u>	<u>N</u>
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PURPOSE: These records are required for participation in any federal or state food program and document the program participation.

CONTENT: These records series are required for participation in the National School Lunch Program, USDA Commodity Program, and any other Food Participation Programs provided by the federal, state or local government agencies.

The schools in the Division of Juvenile Corrections are eligible to participate in specific food programs to receive commodities for residents under the age of 21.

The USDA Commodity program within Wisconsin is administered by the Department of Public Instruction (DPI). The School Lunch Program is administered by DPI on behalf of the Federal Government. These include the After School Snack Program, School Breakfast Program, and Child Nutrition Programs.

These include, but are not limited to, the following:

- Correspondence with program staff
- Application and application agreements
- Meal counts
- Compliance reports
- Inventories of commodities received, utilized and on hand
- Notice of allocation and receipt or equivalent
- Audits
- Program review status reports
- Reimbursement claims
- Cash revenues reports

- Cash expenditures report

Lifecycle Language: The official records in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed.

RETENTION: EVENT (Creation) + 3 years and destroy

<u>00191A00.</u>	<u>FEDERAL AND STATE FOOD PROGRAM INPUTS AND OUTPUTS</u>	<u>EVT+3</u>	<u>DEST</u>	<u>N</u>
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PURPOSE: Data is entered to these records in order for the DOC to be able to produce outputs used in reporting to the programs.

CONTENT: This records series consists of the inputs and outputs for any and all federal or state food program utilized to track food commodities received by the United States Department of Agriculture (USDA), donated commodities value distributed to institutional school lunch programs and Charitable Correctional Commodities Program.

Lifecycle Language: The official records in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed.

RETENTION: EVENT (Creation) + 3 years and destroy

<u>00195000.</u>	<u>LOGS BOOKS - FOOD SERVICES</u>	<u>EVT+3</u>	<u>DEST</u>	<u>Y</u>
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PURPOSE: These records serve as a reference, and are used for documentation purpose in the event of an audit, lawsuit, or inmate complaints.

CONTENT: These are the daily logs or log books maintained in Food Management that document cafeteria and production activities that are completed each day within the institution, facilities and schools. These logs include but are not limited to entries that include meals served, headcount, notices, repairs, activities, incidents, messages, and major events.

Confidential: (Some of these records may contain confidential information)

Federal Laws:

42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records 45 C.F.R. Part 160 Privacy of Health Information
45 C.F.R. Part 164 Protected Health Care Records 42 U.S.C Chapter 13 School Lunch Programs

State Statutes:

Wis. Stat. § 19.35(1)(am) Safety and Security
Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information
Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
Wis. Stat. § 71.78(1)(5)(6) Revenue Confidentiality Provisions
Wis. Stat. § 146.82 Health Care Records
Wis. Stat. § 146.83 Access to Patient Health Care Records
Wis. Stat. § 905.03 Lawyer-Client Privilege
Wis. Stat. § 938.78 Juvenile Records

Lifecycle Language: The official records in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidentially.

RETENTION: EVENT (Creation) + 3 years and destroy confidential

<u>00196000.</u>	<u>INVENTORY - SHARPS, DISHWARE AND UTENSILS</u>	<u>EVT+0/6</u>	<u>DEST</u>	<u>N</u>
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PURPOSE: These inventories are utilized for reordering and can be used as a security check.

CONTENT: This series is an inventory of all sharps (knives and other items potentially dangerous items), dishware and utensils currently in the storeroom and in use in the food service areas in the institution, facilities and schools.

These include, but are not limited to, the following forms:

DOC-1461 Daily Sharp Count - Food Service
DOC-1461 B Daily Sharp Count - Food Service WSPF
DOC-1461C Daily Sharp Count - Food Service - DACC

Lifecycle Language: The official records in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed.

RETENTION: EVENT (Creation) + 6 months and destroy

<u>00198000.</u>	<u>SAFETY, SANITATION, AND SECURITY INSPECTIONS, CHECKLISTS OR LOGS</u>	<u>EVT+3</u>	<u>DEST</u>	<u>N</u>
<p>PURPOSE: These records serve as a reference, and are used for documentation or inmate complaints. destroy. purpose in the event of an audit, lawsuit, or inmate complaints.</p> <p>CONTENT: These checklists or logs monitor and report the safety, security, and sanitation in the cafeterias, servery, and kitchens for institutions, facilities and schools. They document the sanitary conditions in food preparation, storage, and/or serving areas.</p> <p>In addition, the checklists are reminders for security and daily routine activities. This includes, but is not limited to, sanitation, temperatures, food quality, portions, personnel appearance, and food storage.</p> <p>These include, but are not limited to, the following forms:</p> <p>DOC-1838 Living Unit Temperature Log DOC-2171 Daily Food And Equipment Temp Log DOC-2171A De-Central Daily Food & Equipment Temp Log DOC-2172 Daily Food Temperature Log DOC-2172A Food Cooling Log DOC-2173 Monthly Dish Machine Temperature Log DOC-2174 Monthly Cooler Freezer Temp Log DOC-2174A Food Service Cooler/Freezer/Dry Storage Temperature Log DOC-2175 Monthly Milk Dispenser Temperature Log DOC-2222 Food Service Audit (FSM 204) DOC-2332 Thermometer Calibration Record</p> <p>Lifecycle Language: The official records in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed.</p> <p>RETENTION: EVENT (Creation) + 3 years and destroy</p>				
<u>00200000.</u>	<u>COUNT SLIPS</u>	<u>CR+1</u>	<u>DEST</u>	<u>N</u>
<p>To include any and all approved official count forms, to included DOC-648, Master Count; DOC-898, Count Slip; DOC-959, Daily Population Count; and all other forms utilized by Department of Corrections facilities to document institution or facility unit count. Count is held at various times throughout the day/24 hour period.</p> <p>These records provide an actual body count of inmates on each unit of an institution or facility. Count slips are used for formal count, which is forwarded to Central Office.</p> <p>RETENTION: EVENT (Creation) + 1 year and destroy</p>				
<u>00201000.</u>	<u>SECURITY HEARING RECORDS</u>	<u>EVT+1</u>	<u>DEST</u>	<u>Y</u>
<p>This records series consists of working files for each inmate that is used for reference during the time the inmate is incarcerated in the Wisconsin state prison system. These files can contain security copies of records related to conduct reports, administrative confinement hearings and other related documents. Additional records may also be retained in these files depending upon the needs of the institution or facility.</p> <p>These records are accessed by the security office staff, supervisors, unit managers, PRC and ICE. These records are used to preserve and track on inmate compliance, non-compliance, and dispositions when the rules of the institutions or facilities are violated. These records also ensure the safety of DOC staff, facilities, and inmates through enforcement of the established policies and procedures of the Wisconsin state prison system.</p> <p>RETENTION: EVENT (Maximum discharge date of inmate) + 1 year and destroy confidential</p>				
<u>00202000.</u>	<u>RESTRICTED RECORDS / FILES - SECURITY</u>	<u>CR+11</u>	<u>DEST</u>	<u>Y</u>
<p>These records consist of a confidential file for inmates incarcerated in the Wisconsin State Prison System. These files contain confidential security records such as evidence, contraband, or other restricted gang related material. These records will be forwarded to the security office by the adjustment committee when there is a finding of guilt.</p> <p>These records are used for reference and as evidence to ensure the safety of DOC staff, facilities, and inmates through enforcement of the established policies and procedures of the Wisconsin State Prison System. These records are also used to respond to lawsuits, appeals, writs, complaints, and/or requests from other institutions, facilities and/or agencies.</p> <p>RETENTION: EVENT (Conclusion of investigation, litigation, due process or any other court related activity) + 11 years and destroy confidential</p>				
<u>00204000.</u>	<u>BUREAU OF HEALTH SERVICES (BHS) CENTRAL OFFICE INMATE PATIENT I</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>

CONTENT: This record series consists of folders for individual inmate patients that are maintained in the BHS Central Office that contains letters from inmate patients and other individual about inmate patients, and responses by Central Office staff to those letters. The folders also include forms relating to decisions made by Central Office health care providers such as the Mental Health Screen for Wisconsin Secure Detention Facility, Non-formulary Drug Requests, and Prior Authorization for Therapeutic Level of Care.

PURPOSE: The purpose of the record series is to document decisions of Central Office health providers regarding certain types of patient care, and to track correspondence received by and responded to by Central Office staff.

The forms include but are not limited to:

- DOC-2056 Mental Health Screen for Wisconsin Secure Program Facility
- DOC-3447 Non-Formulary Drug Request
- DOC-3436 Prior Authorization for Non-Urgent Care
- DOC-3436A Prior Authorization for Therapeutic Level of Care

Confidential:

Federal Laws:

- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
- 45 C.F.R. Part 160 General Administrative Requirements
- 45 C.F.R. Part 164 Security and Privacy

Wisconsin State Statutes:

- Wis. Stat. § 51.30 Records
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse Treatment Records
- Wis. Stat. § 146.38 Health Care Services Review, Confidentiality of Information
- Wis. Stat. § 146.82 Confidentiality of Patient Health Care Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records
- Wis. Stat. § 252.15 Restrictions of Use of an HIV Test
- Wis. Stat. § 303.388 Prisoner Medical Records
- Wis. Stat. §938.78 Confidentiality of Records

Wisconsin Administrative Code:

- Wis. Admin Code § DHS 92.08 Criminal Commitments

See Confidentiality of Records on page 2 of paper file and application of the balancing test.

RETENTION: EVENT (Date issue is resolved or service provided) + 7 years and destroy confidential

00205000.	<u>BUREAU OF HEALTH SERVICES (BHS) STAFF TRAINING MATERIALS</u>	<u>EVT+7</u>	<u>DEST</u>	<u>N</u>
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CONTENT: This record series consists of training-related materials, such as PowerPoint presentations and other training modules, produced and approved by BHS for regularly scheduled training of health care and non-health care staff to educate them about DOC health care operations. Training modules address relevant laws, policies and procedures, protocols, treatment guidelines, and other health related concerns. The training materials are updated, as needed, when business practices change for legal and health care reasons.

PURPOSE: BHS uses the training materials to educate DOC staff about their legal responsibilities and business practices related to caring for offenders, and to fulfill DOC training requirements such as pre-service for correctional officers, orientation for BHS employees, agent basic training, and department-wide confidentiality training.

JUSTIFICATION: The DOC considered Administrative GRS RDA ADM00012 Training/Course Materials and determined that the retention of this one (Event and Destroy - Event is superseded or no longer needed) is not long enough for the DOC BHS business need. These BHS Training records are needed to document changes in procedures, protocols, treatment guidelines and other health related concerns due to the nature of our business needs and potential litigation risk.

The forms include but are not limited to:

No specific training forms are used, but blank examples of various DOC forms related to the training topics may be included in the training modules in order to instruct attendees on how to complete the forms.

CONFIDENTIAL: None

RETENTION: EVENT (Date superseded) + 7 years and destroy

00207000.	<u>BUREAU OF HEALTH SERVICES (BHS) AND DIVISION OF JUVENILE CORREC</u>	<u>CR+7</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: This record series consists of paper and electronic documents that track the performance by DAI and DJC health care staff of required routine work duties. Examples include: Health Services Unit appointment books; forms that track medication inventories; weekly lists of Ch. 980 (Sexually Violent Person Commitment) eligible inmates and notification letters; audits of the quality of health care records and implementation of health care related policies and procedures, protocols and treatment guidelines; collection of data such as monthly dental procedures; and sick call logs.

The documents may include information about one or more offenders, which are not filed in the offender's Health Care Record. Some documents may include individually identifiable health information protected by Wisconsin and federal confidentiality laws.

PURPOSE: Completion of the work process related documents assists employees to track performance of their job duties. Review of

the documents assists the BHS to assess compliance of employees with required business practices, and decide whether to make changes in business practices to enhance compliance.

The forms include but are not limited to:

- DEA Controlled Substance Perpetual Inventory-HSU Medication Room (DOC-3246A)
- DEA Controlled Substance Perpetual Inventory-Point of Delivery (DOC-3246B)
- Optometry Clinic Log (DOC-3117)
- Appointment List (DOC-3123)
- Health Care Record Management Tool (DOC-3253)
- DCI Hemodialysis Monthly Summary (DOC-3486)
- Daily Dental Hygienist Procedures (DOC-3477)

CONFIDENTIAL:

Federal Laws:

- 21 C.F.R. Part 1304 Records and Reports of Registrants
- 21 C.F.R. Part 1305 Orders for Schedule I and II Controlled Substances
- 21 C.F.R. Part 1317 Disposal of Controlled Substances
- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
- 45 C.F.R. Part 160 General Administrative Requirements
- 45 C.F.R. Part 164 Security and Privacy

Wisconsin State Statutes:

- Wis. Stat. § 51.30 Records
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse Treatment Records
- Wis. Stat. § 146.38 Health Care Services Review, Confidentiality of Information
- Wis. Stat. § 146.82 Confidentiality of Patient Health Care Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records
- Wis. Stat. § 252.15 Restrictions of Use of an HIV Test
- Wis. Stat. § 303.388 Prisoner Medical Records
- Wis. Stat. § 938.78 Confidentiality of Records
- Wis. Stat. Ch. 961 Uniform Controlled Substances Act

Wisconsin Administrative Code:

- Wis. Admin. Code Ch. Med 17 Standards for Dispensing and Prescribing Drugs
- Wis. Admin Code Ch. Phar 7 Pharmacy Practice
- Wis. Admin Code Ch. Phar 8 Requirements for Controlled Substances

RETENTION: EVENT (Creation) + 7 years and destroy confidential

<u>00209000.</u>	<u>ADULT INSTITUTION CASE FILES - SEX OFFENDER</u>	<u>EVT+60</u>	<u>DEST</u>	<u>Y</u>
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This record series consists of files for each offender placed in an adult correctional facility under the authority of the Department of Corrections. The contents of each offender case file include four separate folders consisting of social service, legal, visitor, and education files. A case file is created for each new admission to an adult correctional facility unless a previously created case file has yet to reach discharge/termination.

NOTE: An offender in this records series has been flagged as a "Sex Offender" by Sex Offender Program staff based on various factors, to include the offense statute of his/her conviction, underlying conduct was sexually motivated, conviction of sex crime in another state or jurisdiction, etc. It has been requested by Wisconsin DOJ to retain these records an extended time in order to have documents in the event of Chapter 980 proceedings.

Social Service File: The Social Service file has a defined filing order which includes the left inner file folder and the right inner file folder.

The left side of the social service file contains records related to the commitment & admission process, the assessment & evaluation process, parole and release information.

The right side of the social service file consists of six separate "Sections" and the Confidential Envelope.

The 6 sections* are:

- Section 1 - Chronological Recordings
- Section 2 - Inmate Visiting Information
- Section 3 - Correspondence
- Section 4 - Miscellaneous
- Section 5 - Adult Conduct Reports
- Section 6 - Sentencing Transcripts

* The sections and Confidential Envelope may not contain documents due to non-existence of documents.

Legal File: The Legal file contains various records that consist of legal documents necessary for the Department of Corrections to incarcerate an inmate.

The left side of the file contains the following:

Judgment of Convictions, Court Orders, Revocation Order and Warrants, Sentence Computations, Notice of Sentence Data, Offender

Conduct Record, legal correspondence, and Offender Data.

The right side of the legal file contains the following:

Fingerprints, detainer and notification information, orders to produce, release and discharge documents.

Visitor Information File: The Visitor Information file contains various documents related to the process of approving or denying potential inmate visitors. The documents in this will contain PII and confidential information regarding potential inmate visitors.

Education File: This file contains testing and evaluation records for inmates which may include Test of Adult Basic Education (TABE) test scores, student progress reports, HSED/GED test results, certificates of completion, and evaluation records.

Note: This file does not include the Special Education file.

Forms included in these sections include but are not limited to:

A detailed list of these forms that may be included in these files is listed on Addendum A* (Social Service, Legal File, and Visitor Information File).

* For current listing, please check ROP E-14 - Institution Case File Format, Content, and Documentation.

Justification: These records document an inmate's activity, movement, conduct, education, and many more items listed above. These files are needed in the event that the offender is deemed to be reviewed under Chapter 980 proceedings. The Wisconsin Department of Justice and DOC staff needs files from previous incarcerations to determine if there is a need for Chapter 980 proceedings.

Confidential:

Federal Laws: See hard copy

State Statutes: See hard copy

Administrative Rules: See hard copy

RETENTION: EVENT (Termination date: the date the offender is terminated, direct discharge from institution or court ordered discharge) + 60 years and destroy confidential

<u>00210000.</u>	<u>ADULT INSTITUTION CASE FILES - SEX OFFENDER (DECEASED)</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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NOTE: THIS IS SIMILAR TO RDA 209, EXCEPT THAT THE OFFENDER HAS BEEN IDENTIFIED AS DECEASED AND THIS FILE WILL NOT BE NEEDED FOR THE EXTENDED RETENTION OF RDA 209 AS THE OFFENDER WILL NOT BE CONSIDERED FOR CHAPTER 980 STATUS.

THIS RECORD SERIES CONSISTS OF FILES FOR EACH OFFENDER PLACED IN AN ADULT CORRECTIONAL FACILITY UNDER THE AUTHORITY OF THE DEPARTMENT OF CORRECTIONS. THE CONTENTS OF EACH OFFENDER CASE FILE INCLUDE FOUR SEPARATE FOLDERS CONSISTING OF SOCIAL SERVICE, LEGAL, VISITOR, AND EDUCATION FILES. A CASE FILE IS CREATED FOR EACH NEW ADMISSION TO AN ADULT CORRECTIONAL FACILITY UNLESS A NOTE: This is similar to RDA 209, except that the offender has been identified as deceased and this file will not be needed for the extended retention of RDA 209 as the offender will not be considered for Chapter 980 status.

This record series consists of files for each offender placed in an adult correctional facility under the authority of the Department of Corrections. The contents of each offender case file include four separate folders consisting of social service, legal, visitor, and education files. A case file is created for each new admission to an adult correctional facility unless a previously created case file has yet to reach discharge/termination.

NOTE: An offender in this record series has been flagged as a "Sex Offender" by Sex Offender Program staff based on various factors, to include the offense statute of his/her conviction, underlying conduct was sexually motivated, conviction of sex crime in another state or jurisdiction, etc.

Social Service File: The Social Service file has a defined filing order which includes the left inner file folder and the right inner file folder.

The left side of the social service file contains records related to the commitment & admission process, the assessment & evaluation process, parole and release information.

The right side of the social service file consists of six separate "sections" and the confidential envelope.

The 6 sections* are:

- Section 1 - Chronological Recordings
- Section 2 - Inmate Visiting Information
- Section 3 - Correspondence
- Section 4 - Miscellaneous
- Section 5 - Adult Conduct Reports
- Section 6 - Sentencing Transcripts

* The sections are Confidential Envelope may not contain documents due to non-existence of documents.

Legal File: The legal file contains various records that consists of legal documents necessary for the Department of Corrections to incarcerate an inmate.

The left side of the file contains the following:

Judgment of Convictions, Court Orders, Revocation Order and Warrants, Sentence Computations, Notice of Sentence Data, Offender Conduct Record, legal correspondence, and Offender Data.

The right side of the legal file contains the following:

Fingerprints, detainer and notification information, orders to produce, release and discharge documents.

Visitor Information File: The Visitor Information file contains various documents related to the process of approving of denying potential inmate visitors. the documents in this will contain PII and confidential information regarding potential inmate visitors.

Education File: This file contains testing and evaluation records for inmate which may include Test of Adult Basic Education (TABE) test scores, student progress reports, HSED/GED test results, certificates of completion, and evaluation records.

Note: This file does not include the Special Education file.

Forms included in these sections include but are not limited to:

A detailed list of these forms that may be included in these files is listed in Addendum A* (Social Service, Legal File, and Visitor Information File).

* For current listing, please check ROP E-14 - Institution Case File Format, Content, and Documentation.

Confidential:

Federal Laws: See hard copy

State Statutes: See hard copy

Administrative Rules: See hard copy

RETENTION: EVENT (Termination date: date the offender is terminated, direct discharge from institution, court ordered discharge, or death) + 7 years and destroy confidential

<u>00212000.</u>	<u>BUREAU OF HEALTH SERVICES (BHS) CENTRAL OFFICE MORTALITY REVIEW</u>	<u>EVT+11</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: This record series maintained in the Bureau of Health Services Central Office consists of individual identifying confidential documents related to the investigation of the death of an offender while in a Division of Adult Institutions or Division of Juvenile Corrections facility, as required by Executive Directive 58, DOC Committee on Inmate and Youth Deaths (COYD). The records include copies of documents from the decedent's Health Care Record, summaries of relevant documents in the Health Care Record official forms completed by DOC employees for the investigation at the facility at which the offender was residing at the time of death, and forms and reports completed by the COYD. Death certificates and copies of reports by medical examiners and coroners may also be included.

PURPOSE: This record series documents the compliance by the DOC with Executive Directive 58 regarding the death of an offender, and provides a vehicle for developing recommendations to improve the quality of health care provided by the DOC.

The forms include but are not limited to:

- DOC-3356 Inmate/Youth Death Review-Institution/Facility
- DOC-3356A Inmate/Youth Death Review - Medical Director
- DOC-3356B Inmate/Youth Death Review - Nursing Coordinator
- DOC-3356C Inmate/Youth Death Review - Mental Health Director
- DOC-3356D Inmate/Youth Death Review - Committee
- DOC-3356E Inmate/Youth Death Review - Palliative Care Program

CONFIDENTIAL:

Federal laws:

- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
- 45 C.F.R. Part 160 General Administrative Requirements
- 45 C.F.R. Part 164 Security and Privacy

Wisconsin State Statutes:

- Wis. Stat. § 51.30 Records
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse Treatment Records
- Wis. Stat. § 146.38 Health Care Services Review, Confidentiality of Information
- Wis. Stat. § 146.82 Confidentiality of Patient Health Care Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records
- Wis. Stat. § 252.15 Restrictions of Use of an HIV Test
- Wis. Stat. § 303.388 Prisoner Medical Records
- Wis. Stat. §938.78 Confidentiality of Records
- Wis. Stat Ch. 961 Uniform Controlled Substances Act
- Wis. Stat. §972.15 Presentence Investigation

Wisconsin Administrative Code:

- Wis. Admin Code § DHS 92.08 Criminal Commitments
- Wis. Admin. Code Ch. Med 17 Standards for Dispensing and Prescribing Drugs
- Wis. Admin code Ch. Phar 7 Pharmacy Practice
- Wis. Admin Code Ch. Phar 8 Requirements for Controlled Substances

See Confidentiality of Records on page 2 of paper copy and application of balancing test.

RETENTION: EVENT (Date that review is completed, closed or revised) + 11 years and destroy confidential

<u>00214000.</u>	<u>COST AND ESTIMATES</u>	<u>FIS+3</u>	<u>DEST</u>	<u>N</u>
	Reports of various operations throughout the industries. Used to establish an estimated cost of production and to establish selling price.			
	RETENTION: EVENT (Fiscal year) + 3 years and destroy			
<u>00215000.</u>	<u>CAD DRAWINGS</u>	<u>CR+25</u>	<u>DEST</u>	<u>N</u>
	Computer assisted drawings with specific products referenced by project number.			
	RETENTION: EVENT (Creation) + 25 years and destroy confidential			
<u>00216000.</u>	<u>SALES ORDERS - PAPER</u>	<u>CR+3</u>	<u>DEST</u>	<u>N</u>
	Itemized list of products and services provided to customers, This includes descriptions, quantity sold, amounts, customer name and numbers, etc. These records arranged numerically.			
	RETENTION: EVENT (Creation) + 3 years and destroy confidential			
<u>00217000.</u>	<u>SALES ORDERS - ELECTRONIC SCANNED COPIES</u>	<u>CR+25</u>	<u>DEST</u>	<u>N</u>
	Software program generates sales order number. This becomes the official record once the paper record has been scanned and destroyed.			
	RETENTION: EVENT (Creation) + 25 years and destroy			
<u>00218000.</u>	<u>SALES COMMISSION</u>	<u>FIS+3</u>	<u>DEST</u>	<u>N</u>
	Quarterly employee compensation of sales documents.			
	RETENTION: EVENT (Fiscal year) + 3 years and destroy			
<u>00219000.</u>	<u>SHIPPING ORDERS</u>	<u>FIS+3</u>	<u>DEST</u>	<u>N</u>
	Acknowledgement on an order for each shipment leaving the industry. Used to support invoices and contains information concerning quantity, description, shipment, etc.			
	RETENTION: EVENT (Fiscal year) + 3 years and destroy			
<u>00220000.</u>	<u>DAIRY CATTLE REGISTRY CERTIFICATES</u>	<u>EVT+20</u>	<u>DEST</u>	<u>N</u>
	Office certificates from Holstein-Friesian Association of America showing registry number, birth date, and ancestry.			
	RETENTION: EVENT (Date sold/death and destroy) + 20 years and destroy			
<u>00221000.</u>	<u>INDIVIDUAL LIFETIME COW PERFORMANCE RECORDS</u>	<u>EVT+12</u>	<u>DEST</u>	<u>N</u>
	Show the performance of each cow such as milk and offspring production and an accumulative record of milk, test, butterfat, and calves produced by each cow in state herds.			
	RETENTION: EVENT (Date sold/death) + 12 years and destroy			
<u>00222000.</u>	<u>HIR PRODUCTION BOOKS</u>	<u>EVT+20</u>	<u>DEST</u>	<u>N</u>
	Records for herd showing monthly milk, test, and fat for each milking cow.			
	RETENTION: EVENT (Date sold/death) + 20 years and destroy			
<u>00223000.</u>	<u>DAIRY AND CREAMERY MONTHLY REPORTS</u>	<u>EVT+3</u>	<u>DEST</u>	<u>N</u>
	Monthly Dairy and Creamery reports indicating milk cost, commodities on hand, issued and received, etc.			
	RETENTION: EVENT+ 3 years and destroy			
<u>00224000.</u>	<u>LAUNDRY LOAD SHEETS</u>	<u>CR+1</u>	<u>DEST</u>	<u>N</u>

Lists with basket numbers that include the total weight, ton and net of each basket of laundry shipped to each customer.

RETENTION: EVENT (Creation) + 1 year and destroy

<u>00225000.</u>	<u>PRINTING JOB JACKETS</u>	<u>CR+3</u>	<u>DEST</u>	<u>N</u>
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Envelopes containing samples of work to be completed, copy of work and job card indicating material, time in production and cost record.

RETENTION: EVENT (Creation) + 3 years and destroy

<u>00226000.</u>	<u>LICENSE PLATE SUMMARY</u>	<u>CR+3</u>	<u>DEST</u>	<u>N</u>
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Summary of single license plates shipped. Accumulated from daily production report and used for future production.

RETENTION: EVENT (Creation) + 3 years and destroy

<u>00227000.</u>	<u>PAROLE HEARING RECORDINGS</u>	<u>EVT+0/6</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: This record series consists of recordings of inmate parole/earned release hearing. These recordings include an introduction by the commissioner; commissioner's name; date and place of hearing; tape number; materials located in the Institution Case File that have been reviewed prior to hearing; inmate name and DOC#.

PURPOSE: The purpose of this record is to record the proceedings of an inmate's parole/earned release hearing.

Each recording has a pre-assigned number and may contain more than one (1) inmate's hearing. The commissioner conducting the hearing is responsible for recording the hearing.

The forms include but are not limited to: None

CONFIDENTIAL:

Federal Laws:

42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
 45 C.F.R. Part 160 Privacy of Health Information
 45 C.F.R. Part 164 Protected Health Care Records

State Statutes:

Wis. Stat. §19.35(1)(am) Safety and Security Wis. Stat. § 19.36(8) Confidential Informant
 Wis. Stat. §51.30 Mental Health, Developmental Disabilities, and AODA Information
 Wis. Stat. §51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
 Wis. Stat. §71.78(1)(5)(6) Revenue Confidentiality Provisions Wis. Stat. § 118.125 Pupil Records
 Wis. Stat. §146.82 Health Care Records
 Wis. Stat. §146.83 Access to Patient Health Care Records
 Wis. Stat. §165.79 DNA Analysis and Data Bank Wis. Stat. §252 HIV Test Results
 Wis. Stat. §905.03 Lawyer-Client Privilege Wis. Stat. §905.09 Informant
 Wis. Stat. §905.10 Identity of Informer Wis. Stat. §938.78 Juvenile Records Wis. Stat. §950.04(1v) Rights of Victims
 Wis. Stat. §972.15 Pre-Sentence Investigation

Administrative Rules:

Wis. Admin Code Ch. 309.39(7) Inmate Phone Calls
 Wis. Admin Code Ch. 332.17(7)(a-d) Lie Detector Disclosure of Test Information
 Wis. Admin Code PAC Ch. 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

See Confidentiality of Records section below and application of the balancing test

RETENTION: EVENT (Date of hearing) + 6 months and destroy confidential

<u>00228000.</u>	<u>MENTAL HEALTH RECORDS FOR SEX OFFENDERS</u>	<u>EVT+60</u>	<u>DEST</u>	<u>Y</u>
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Purpose: The purpose of this record series is to ensure delivery of and document mental health care services to sex offenders under the supervision of the Division of Community Corrections (DCC).

Retention Period Justification: An offender in this record series has been flagged as a "Sex Offender" by Sex Offender Program staff based on various factors, to include the offense statute of his/her conviction, underlying conduct was sexually motivated, conviction of sex crime in another state or jurisdiction, etc. It has been requested by Wisconsin Department of Justice (DOJ) to retain these records an extended time in order to have documents in the event of proceedings relating to Wis. Stat. ch. 980 Sexually Violent Person Commitments.

Contents: This record series consists of individually identifiable confidential documents relating to a sex offender completed by a DCC

Mental Health provider (psychologist or psychiatrist), or by a person under the direction of a mental health care provider, and filed in the official DCC Mental Health Record maintained for each sex offender under the supervision of the DCC.

The content of each file may include the following, but not limited to:

- POC-0034 Notice of Privacy Practices
- DOC-0223A Psychological Report DCC
- DOC-1163A Authorization for Use and Disclosure of Protected Health Information (PHI)
- DOC-1923 Limits of Confidentiality of Health Information
- DOC-2601 Referral for Mental Health Services
- DOC-2718 HIPAA Breach Report by Employee
- DOC-3011 Fees for Copies of Health Care Records
- DOC-3335 Request for Protected Health Information for Ongoing Treatment, Payment or Health Care Operations

- DOC-3342 Disclosure of PHI Without Patient Authorization
- DOC-3484 Request by Current Patient for Amendment/Correction of Protected Health Information (PHI)

- DOC-3484A Request by Former Patient for Amendment/Correction of Protected Health Information (PHI)

- DOC-3487 Request by Current Patient for Restriction on Use/Disclosure of PHI
- DOC-3487A Request by Former Patient for Restriction on Use/Disclosure of PHI
- DOC-3488 Request for Alternative Communication of PHI
- DOC-3489 Request for Accounting of Disclosures of PHI
- DOC-3491 Acknowledgment of Receipt of Notice of DCC Privacy Practices
- DOC-3498 Informed Consent for Psychological Services Provided by Intern-Student

- DOC-3669 DCC Mental Health Record - Envelope
- DOC-3671 DCC Psychological Services Contact DCC Psychological Services Summary
- DOC-3672 DCC Psychological Services Summary
- DOC-2465 Informed Consent: Sex Offender Treatment Evaluation
- DOC-2473 Sex Offender Treatment Evaluation Attitudes Questionnaire
- DOC-2473S Sex Offender Treatment Evaluation: Attitudes Questionnaire - Spanish Version
- DOC-2474 Brief Sexual History Questionnaire
- DOC-2474S Brief Sexual History Questionnaire - Spanish Version
- DOC-2652 Sex Offender Evaluation Report - DCC
- DOC-3472 Mental Health Screening Interview
- DOC-3770 Informed Consent for Psychological Evaluation
- DOC-3776 Sex Offender Treatment Evaluation - Male
- DOC-3776A Sex Offender Treatment Evaluation - Female

- RETENTION: EVENT (Termination from DCC Supervision) + 60 years and destroy confidential
- DOC-3776B Sex Offender Treatment Evaluation-Abbreviated
- DOC-3776C Sex Offender Treatment Evaluation Males With Only Child Pornography Convictions
- DOC-3776D Sex Offender Treatment Evaluation - Males (Adaptive)
- DOC-3777 Sex Offender Program Report - Male
- DOC-3777A Sex Offender Program Report - Female
- DOC-3777A Sex Offender Program Report Adaptive - Males

Lifecycle Language: The official record in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidentially.

Retention & Disposition: Event is the termination date defined as the date the sex offender is terminated from supervision or court ordered discharge.

Confidentiality:

Federal Laws:

- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
 - 45 C.F.R. Part 160 Privacy of Health Information 45 C.F.R. Part 164 Protected Health Care Records
- Administrative Rules:
- Wis. Admin Code § 309.39(7) Inmate Phone Calls
 - Wis. Admin Code § 332.17(7)(a-d) Lie Detector Disclosure of Test Information
 - Wis. Admin Code PAC § 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

State Statutes:

- Wis. Stat. § 19.35(1)(am) Safety and Security Wis. Stat. § 19.36(8) Confidential Informant
- Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
- Wis. Stat. § 71.78(1)(5)(6) Revenue Confidentiality Provisions Wis. Stat. § 118.125 Pupil Records
- Wis. Stat. § 146.82 Health Care Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records Wis. Stat. § 165.79 DNA Analysis and Data Bank
- Wis. Stat. § 252 HIV Test Results

Wis. Stat. § 905.03 Lawyer-Client Privilege Wis. Stat. § 905.09 Informant
 Wis. Stat. § 905.10 Identity of Informer Wis. Stat. § 938.78 Juvenile Records Wis. Stat. § 950.04(1v) Rights of Victims
 Wis. Stat. § 972.15 Pre-Sentence Investigation

Confidentiality of Records: Most records are not confidential and are open to public disclosure, however, there are exceptions. This retention schedule will identify any record series that may contain information required by law to be kept confidential or specifically required to be protected from public access, identifying the state or federal statute, administrative rule, or other legal authority that so requires. If in doubt as to whether or not a specific record, or content in that record, is confidential, check with your agency legal counsel. A record series should be identified as confidential even if not all records in the series contain confidential information and not all parts of records covered by the series are confidential.

RETENTION: EVENT (termination date) + 60 years and destroy confidential

00229000.	<u>MENTAL HEALTH RECORDS FOR NON SEX OFFENDERS</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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Purpose: The purpose of this record series is to ensure delivery of and document mental health care services to non sex offenders under the supervision of the Division of Community Corrections (DCC).

Contents: This record series consists of individually identifiable confidential documents relating to an offender completed by a DCC Mental Health provider (psychologist or psychiatrist), or by a person under the direction of a mental health care provider, and filed in the official DCC Mental Health Record maintained for each offender under the supervision of the DCC.

The content of each file may include the following, but not limited to:

- POC-0034 Notice of Privacy Practices
- DOC-0223A Psychological Report DCC
- DOC-1163A Authorization for Use and Disclosure of Protected Health Information (PHI)
- DOC-1923 Limits of Confidentiality of Health Information
- DOC-2601 Referral for Mental Health Services
- DOC-2718 HIPAA Breach Report by Employee
- DOC-3011 Fees for Copies of Health Care Records
- DOC-3335 Request for Protected Health Information for Ongoing Treatment, Payment or Health Care Operations

- DOC-3342 Disclosure of PHI Without Patient Authorization
- DOC-3484 Request by Current Patient for Amendment/Correction of Protected Health Information (PHI)
- DOC-3484A Request by Former Patient for Amendment/Correction of Protected Health Information (PHI)
- DOC-3487 Request by Current Patient for Restriction on Use/Disclosure of PHI
- DOC-3487A Request by Former Patient for Restriction on Use/Disclosure of PHI
- DOC-3488 Request for Alternative Communication of PHI
- DOC-3489 Request for Accounting of Disclosures of PHI
- DOC-3491 Acknowledgment of Receipt of Notice of DCC Privacy Practices
- DOC-3498 Informed Consent for Psychological Services Provided by Intern-Student

- DOC-3669 DCC Mental Health Record - Envelope
- DOC-3671 DCC Psychological Services Contact DCC Psychological Services Summary
- DOC-3672 DCC Psychological Services Summary

Lifecycle Language: The official record in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidentially.

Retention & Disposition: Event is the termination date defined as the date the offender is terminated from supervision or court ordered discharge.

Confidentiality:

Federal Laws:

- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
- 45 C.F.R. Part 160 Privacy of Health Information 45 C.F.R. Part 164 Protected Health Care Records

Administrative Rules:

- Wis. Admin Code § 309.39(7) Inmate Phone Calls
- Wis. Admin Code § 332.17(7)(a-d) Lie Detector Disclosure of Test Information
- Wis. Admin Code PAC § 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

State Statutes:

- Wis. Stat. § 19.35(1)(am) Safety and Security Wis. Stat. § 19.36(8) Confidential Informant
- Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
- Wis. Stat. § 71.78(1)(5)(6) Revenue Confidentiality Provisions Wis. Stat. § 118.125 Pupil Records
- Wis. Stat. § 146.82 Health Care Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records Wis. Stat. § 165.79 DNA Analysis and Data Bank
- Wis. Stat. § 252 HIV Test Results
- Wis. Stat. § 905.03 Lawyer-Client Privilege Wis. Stat. § 905.09 Informant

Wis. Stat. § 905.10 Identity of Informer Wis. Stat. § 938.78 Juvenile Records Wis. Stat. § 950.04(1v) Rights of Victims
 Wis. Stat. § 972.15 Pre-Sentence Investigation

Confidentiality of Records: Most records are not confidential and are open to public disclosure, however, there are exceptions. This retention schedule will identify any record series that may contain information required by law to be kept confidential or specifically required to be protected from public access, identifying the state or federal statute, administrative rule, or other legal authority that so requires. If in doubt as to whether or not a specific record, or content in that record, is confidential, check with your agency legal counsel. A record series should be identified as confidential even if not all records in the series contain confidential information and not all parts of records covered by the series are confidential.

RETENTION: EVENT (Termination of DCC supervision) + 7 years and destroy confidential

<u>00230000.</u>	<u>OBSERVATION, CONTROL SEGREGATION, AND RESTRAINT PLACEMENT D</u>	<u>EVT+11</u>	<u>DEST</u>	<u>Y</u>
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DOC-112 Observation of Offender, DOC-112A Observation of Offender - Continued, DOC-111 Review of Placement of Offender in Restraints; This record series documents placement details when an offender is placed in clinical observation, medical observation, control segregation and when mechanical restraints are used to confine an offender to his/her bed.

These records are used to record details of placement and checks on offenders as mandated by Administrative Code DOC 306 and DOC 311. The documents show the time of the check, the staff member completing the check and the activity or behavior of the offender at the time of the check. This provides information for medical, clinical and/or security staff conducting review of the placement when determining if the placement remains necessary.

The DOC-112 and DOC-112A were incorrectly grouped in RDA 150 with TLU Logs. These are now separated.

RETENTION: EVENT (After the date these documents have been reviewed or the date the offender has been removed from Observation, Control Segregation, or Restraints) + 11 years and destroy

<u>00231000.</u>	<u>EMPLOYEE HEALTH - ANNUAL TUBERCULOSIS SCREENING AND TESTING</u>	<u>EVT+8</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: This record series consist of documents relating to employer provided TB Skin testing and screening, consents/refusals by employees, test results, and authorizations for disclosure of results.

PURPOSE: This record series enables the DOC to keep track of the annual TB testing and screening provided to employees who have been determined to work in environments that present a risk of exposure to TB, and results of the TB tests.

The forms include but are not limited to:

- DOC-3190 Employee TB Skin Testing Consent & Record
- DOC-3455 Employee TB Test Results
- DOC-1163A Authorization for Use and Disclosure of Protected Health Information

CONFIDENTIAL:

- Federal Laws:
 - 29 C.F.R. § 1904.11 Reporting Criteria for Work/Related Tuberculosis
 - 45 C.F.R. Part 164 Security and Privacy
- Wisconsin State Statutes:
 - Wis. Stat. § 146.82 Confidentiality of Patient Health Care Records
 - Wis. Stat. § 146.83 Access to Patient Health Care Records

See confidentiality of Records on page 2 of paper file and application of the balancing test.

RETENTION: EVENT (Date of test or test reading) + 8 years and destroy confidential

<u>00232000.</u>	<u>EMPLOYEE HEALTH - HEPATITIS B VACCINATIONS</u>	<u>EVT+30</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: This record series consist of documents that track the offer by the employer to provide Hepatitis B vaccinations to employees, consent or refusal by employees and documentation of the administration of the Hepatitis B vaccinations.

PURPOSE: This record series enables the DOC to keep track of the offer to administer Hepatitis B vaccinations to employees, whether the employee consented or refused the vaccinations, and the record of administration of the vaccinations.

The forms include but are not limited to:

- DOC-3458 Employee Hepatitis B Vaccine Status
- DOC-3368 Employee Hepatitis B Vaccine Consent
- DOC-3369 Employee Medical History – Hepatitis Vaccine
- DOC-1163a Authorization for Use and Disclosure of Protected Health Information

CONFIDENTIAL:

- Federal Laws:
 - 29 C.F.R. § 1910.1030 App A., Blood Borne Pathogens
 - 45 C.F.R. Part 160 General Administrative Requirements
 - 45 C.F.R. Part 164 Security and Privacy
- Wisconsin State Statutes:
 - Wis. Stat. § 146.82 Confidentiality of Patient Health Care Records

Wis. Stat. § 146.83 Access to Patient Health Care Records

See Confidentiality of Records on page 2 of paper file and applications of the balancing test.

RETENTION: EVENT (Date of termination of employment) + 30 years and destroy confidential

<u>00233000.</u>	<u>OFFENDER RESTRICTION / PRECAUTION RECORDS</u>	<u>CR+11</u>	<u>DEST</u>	<u>Y</u>
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These records consist of restrictions/precautions on inmates when placed in segregation. These records contain offender name, DOC number, date, supervisor name making placement, conduct or incident report number, restriction placement duration, reason for placement, specific restrictions and security precautions, and previous/current restrictions.

These records are used to give notice to the inmate and staff working in the segregation units of restrictions and/or security precautions put in place and the duration.

For use with, but not limited to DOC-2297, Offender Restriction/Precaution Notice.

RETENTION: EVENT (Creation) + 11 years and destroy confidential

<u>00234000.</u>	<u>MAIL READ LOGS</u>	<u>CR+11</u>	<u>DEST</u>	<u>Y</u>
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These records list the mail or item(s) being reviewed, reason(s) for reading mail or item(s), type of item, the sender and the intended recipient of the mail/item and whether item is being allowed. For use with, but not limited to DOC-240, Mail Read Log.

To document mail or item(s) received through the mail and the reasons for being reviewed. The form provides institution wardens and center superintendents a summary of mail/items being reviewed in mailrooms.

Department of Corrections Administrative Code 309.05 lends directive to the procedures regarding inmate mail.

RETENTION: EVENT (Creation) + 11 years and destroy confidential

<u>00235000.</u>	<u>PRISON RAPE ELIMINATION ACT (PREA) CASE FILE</u>	<u>EVT+5</u>	<u>DEST</u>	<u>Y</u>
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Purpose: The purpose of this records series is to ensure the department conducts an administrative investigation into allegations of sexual abuse and sexual harassment in confinement in accordance with the National Prison Rape Elimination Act (PREA). The Prison Rape Elimination Act (PREA) Office is responsible for conducting or overseeing investigations of alleged sexual abuse and sexual harassment in confinement. These records may include investigations of inmates, offenders, youth, and DOC employees, volunteers, and/or contractors.

Contents: This record series contains sexual abuse and sexual harassment administrative investigation files, which are required to conform to PREA and DOC policy.

The forms may include but are not limited to:

- DOC-9 Adult Conduct Report
- DOC-9A Adult Conduct Report (Continued)
- DOC-67 Notice of Offender Placed in Temporary Lockup
- DOC-78 Confidential Informant Statement
- DOC-78A Summary of Confidential Informant Statement(s)
- DOC-82A Offender on Offender Assaults
- DOC-239 Order to Forward Mail
- DOC-1163A Authorization for Use and Disclosure of Protected Health Information (PHI)
- DOC-1271 Employee Disciplinary Investigation
- DOC-1445 Evidence/Property Chain of Custody
- DOC-1843 Conduct Report - DJC
- DOC-2135 DAI Investigations - Confidential
- DOC-2416 PREA Investigation Time Record
- DOC-2666 OSO PREA Investigation Tracking and Number Request
- DOC-2666A OSO PREA Investigation Disposition
- Medical Exam records from local hospital
- Photographs

Life cycle Language: The official record in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stats § 16.61(7) and 137.20 for authenticity, (l)accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed [confidentially].

Event is defined as the date the alleged suspect is terminated/discharged/death or other court ordered release from confinement that concludes his/her incarceration OR the date the alleged suspect ends (termination/resignation/retirement, etc.) his/her employment with the Department of Corrections, whichever is later. Although the investigation is complete and closed the retention of PREA records mandate retention until event plus 5 years.

Note that these files are to be retained after the investigation may be closed after this is completed; these records are required to be retained until after the inmate is released from direct discharge, death, or final termination. This does not include extended supervision

or ES status.

CONFIDENTIAL:

Federal Laws:

- 28 C.F.R. Pt. 115 Non-disclosure of confidential or private information
- 42 C.F.R. Pt. 2 Confidentiality of alcohol and Drug Abuse Patient Records
- 45 C.F.R. Pt. 160 Privacy of Health Information
- 45 C.F.R. Pt. 164 Protected Health Care Records

State Statutes:

- Wis. Stat. § 19.35(1)(am) Safety and Security
- Wis. Stat. § 19.36(8) Confidential Informant
- Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
- Wis. Stat. § 71.78(1),(5),(6) Confidentiality Provisions
- Wis. Stat. § 118.125 Pupil Records
- Wis. Stat. § 146.82 Confidentiality of Patient Health Care Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records
- Wis. Stat. § 165.79 DNA Analysis and Data Bank
- Wis. Stat. § 252 HIV Test Results
- Wis. Stat. § 303.388 Prisoner Medical Records
- Wis. Stat. § 905.03 Lawyer-Client Privilege
- Wis. Stat. § 905.09 Informant
- Wis. Stat. § 905.10 Identity of Informer
- Wis. Stat. § 938.78 Juvenile Records
- Wis. Stat. § 950.04(1v) Rights of Victims
- Wis. Stat. § 972.15 Pre-Sentence Investigation

Administrative Rules:

- Wis. Admin. Code § DOC 309.39(7) Inmate Phone Calls
- Wis. Admin. Code § DOC 310.16 Confidentiality
- Wis. Admin. Code § DOC 332.17(7)(a-d) Lie Detector Disclosure of Test Information
- Wis. Admin. Code § DHS 92.08 Criminal Commitments
- Wis. Admin. Code § PAC 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

Confidentiality of Records: Most records are not confidential and are open to public disclosure, however, there are exceptions. This retention schedule will identify any record series that may contain information required by law to be kept confidential or specifically required to be protected from public access, identifying the state or federal statute, administrative rule, or other legal authority that so requires. If in doubt as to whether or not a specific record, or content in that record, is confidential, check with your agency legal counsel. A record series should be identified as confidential even if not all records in the series contain confidential information and not all parts of records covered by the series are confidential.

RETENTION: EVENT (Date the alleged suspect is terminated/discharged/death) + 5 years and destroy confidential

<u>00236000.</u>	<u>PRIVACY BREACH INCIDENT CASE FILE</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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Purpose: The purpose of the record is to efficiently and effectively receive, mitigate, review and respond to reports of potential privacy breach incidents of Department of Corrections (DOC) confidential information, which do not involve alleged breaches of offender/inmate/juvenile protected health information regulated by the Health Insurance Portability and Accountability Act (HIPAA). The record is guided by DOC privacy policies and procedure.

Contents: The Privacy Breach Incident Case File begins when an incident is reported using the DOC-2721 or some other formal mechanism, and proceeds through various stages which may include, but are not limited to, fact-finding, mitigation efforts, communications, formal reviews, formal determinations, after action reports, and dispositions that result in notification to individuals affected by the incident. The file may include any items pertinent to the review of reported incident, such as breached items or documents and other material relevant to the reported incident.

The forms include but are not limited to:

DOC-2721 Privacy Breach Incident without PHI (Protected Health Information) Report by Supervisor

Lifecycle Language: The official record in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stats § 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed [confidentially].

Event is the date the Privacy Breach Incident Case File is closed. The file is closed when either a final report is completed, or notification(s) to individual(s) affected by the incident is completed, whichever takes longer.

CONFIDENTIAL:

Federal Laws:

- 28 C.F.R. Ch. I, Pt. 20 Criminal Justice Information
- 34 C.F.R. § 99 Family Educational and Privacy Act (FERPA)
- 5 U.S.C. § 552a Privacy Act of 1974
- 18 U.S.C. § 1028 Federal ID Theft Assumption and Deterrence Act
- 20 U.S.C. § 1232g Family Educational Rights and Privacy Act (FERPA)
- 29 U.S.C. Ch. 28 Family Medical Leave Act

42 U.S.C. §§ 405(c)(2)(C)(i), Section 205(c)(2)(C), x and xi - Social Security Protection Act of 2010
 42 U.S.C. § 12101 Americans with Disabilities Act 1990
 P.L. 111-318 (S. 3789) Social Security Number Protection Act of 2010 State Statutes:
 Wis. Stat. § 19.36(10) Employee Personnel Records
 Wis. Stat. § 103.13(6) Records Open to Employees, Exceptions
 Wis. Stat. § 118.125 Pupil Records
 Wis. Stat. § 134.98 Wisconsin Data Breach Notification
 Wis. Stat. § 230.13 Closed records
 Wis. Stat. § 938.78 Juvenile Records
 Wis. Stat. § 972.15 Pre-Sentence Investigation
 Administrative Rules: None

RETENTION: EVENT (File closure: final report is completed, or notification(s) to individual(s) affected by the incident is completed, whichever takes longer) + 7 years and destroy confidential

<u>00237000.</u>	<u>DEPARTMENTAL INTERNAL POLICIES AND PROCEDURES</u>	<u>EVT+60</u>	<u>DEST</u>	<u>N</u>
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CONTENT: Internal Policies and Procedures include a variety of orders, instructions, policies, procedures and how to execute business within the Department of Corrections. These can be issued by program areas or by a central authority. This record series consists of official record for internal directives or orders designed to advise staff of policy and procedure which must be followed and require specific action.

PURPOSE: These records are utilized to document the Department of Correction's policy for the State of Wisconsin. These policies provide clear, concise direction to staff and indicate direction and instruction that is essential for consistent and predictable department operations. These also include required and prohibited actions, notify staff of new addresses and phone numbers of contacts, and keep them up to date on other actions affecting the Division. These provide details about what to do, what not to do, and who does it.

They also affect overall direction for the department, establish a governing principle that mandates or constrains actions has department wide application, change infrequently and set the course for the foreseeable future and ensure compliance or help enhance the department's mission.

Executive Directives are approved through the Office of the Secretary. Policies and Procedures are written by program areas.

Note these may be called but not limited to:

Administrative Directives, Executive Directives, DAI policies, and/or Institution or Facilities Procedures, DAI Security Internal Management Procedures (SIMPS)

The below RDAs in other General Records Schedules will not be used for DOC Internal Policies and Procedures:

RDA FAC00001
 RDA ADM00008

The DOC has considered the Administrative General Records Scheduled - RDA-ADM00023 Internal Policy and Procedures and found that this record series is not long enough for our business and legal needs.

Justification for retention: The DOC has a few records series it retains surrounding offender/inmate records, which have 60-year retentions. These internal policies and procedures may have an effect on programs, policies, and procedures that were followed during a specific timeframe, therefore we request to retain the policies in place at the time, to ensure reference if needed. The 60-year retention was derived as the length of time of the longest record series related to offender/inmate program, treatment and other items.

CONFIDENTIAL:

Wisconsin State Statutes:

- Wis. Stat. § 19.31- 19.39 Public Records
- Wis. Stat. § 19.35(l)(am) Safety and Security
- Wis. Stat. § 19.36(9) Plans or Specifications for State Buildings

Wisconsin Administrative Code:

- Wis. Admin. Code § DOC 332.17(7)(a-d) Lie Detector Disclosure of Test Information

RETENTION: EVENT (Date approved or effective date) + 60 years and destroy confidential

<u>00238000.</u>	<u>SUBJECT FILE - USED FOR POSITIONS EXCEPT APPOINTED STAFF OR EQU</u>	<u>EVT</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: These subject files contain specific subject areas relating to departmental issues.

PURPOSE: Subject files are used as a guideline or reference by staff.

Note: Many items in a subject file are copies and are not considered a record, however if the original record is destroyed in accordance with the RDA, this copy may then become the agency record. Do not retain copies longer than necessary.

FORMS: No forms for this RDA

Note: This RDA does not apply to correspondence or other business records, please see appropriate RDAs in the Statewide General Records schedules or DOC specific RDA.

The DOC considered ADM00030, however this record series is for "Appointed Staff or Equivalent Positions" with the records

transferred to the Wisconsin Historical Society. As there is no general records schedule for a Subject File record series for those offices, bureaus, and program, it has been determined that the DOC is in need of a record series for this type of record. Many offices, program areas, bureaus, and staff maintain subject files.

CONFIDENTIAL: None

RETENTION: EVENT (Date superseded or no longer needed for reference) and destroy confidential

<u>00239000.</u>	<u>ADULT INSTITUTION CASE FILES - ICC AND IGA</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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This record series consists of files for each offender placed in an audit correctional facility under the authority of the Department of Corrections under the Interstate Corrections Compact (ICC) or Intergovernmental Agreement (IGA). The contents of each offender case file include four separate folders consisting of social service, legal, visitor, and education files. As case file is created for each new admission to an adult correctional facility under IGA or ICC.

Social Service File: The Social Service file has a defined filing order which includes the left inner file folder and the right inner file folder.

The left side of social service file contains records related to the commitment & admission process, the assessment & evaluation process, parole and release information.

The right side of the social service file consists of six separate "Sections" and the Confidential Envelope.

The 6 sections* are:

- Section 1 - Chronological Recordings
- Section 2 - Inmate Visiting Information
- Section 3 - Correspondence
- Section 4 - Miscellaneous
- Section 5 - Adult Conduct Reports
- Section 6 - Sentencing Transcripts

*The sections and Confidential Envelope may not contain documents due to non-existence of documents.

Legal file: The legal file contains various records that consist of legal documents necessary for the Department of Corrections to incarcerate an inmate.

The left side of the file contains the following:

Judgment of Convictions, Court Orders, Revocation Order and Warrants, Sentence Computations, Notice of Sentence Data, Offender Conduct Record, legal correspondence, and Offender Data.

The right side of the legal file contains the following:

Fingerprints, detainer and notification information, orders to produce, release and discharge documents.

Visitor Information File: The Visitor Information file contains various documents related to the process of approving or denying potential inmate visitors. The documents in this will contain PII and confidential information regarding potential inmate visitors.

Education File: This file contains testing and evaluation records for inmates which may include Test of Adult Basic Education (TABE) test scores, student progress reports, HSED/GED test results, certificates of completion, and evaluation records.

Note: This file does not include the Special Education file.

Forms included in these sections include but are not limited to:

A detailed list of these forms that may be included in these files is listed on Addendum A* (Social Service, Legal File, and Visitor Information File)

* For current listing, please check ROP E-14 - Institution Case File Format, Content, and Documentation.

CONFIDENTIAL:

Federal Laws: See hard copy

State Statutes: See hard copy

Administrative Rules: See hard copy

RETENTION: EVENT (Date that HTE offender is returned to the sending state's custody without plan to return OR death) + 7 YEARS and destroy confidential

<u>00240000.</u>	<u>MOVEMENT OF POPULATION</u>	<u>EVT+100</u>	<u>DEST</u>	<u>Y</u>
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This record series consists of logs of all offenders admitted and released at each facility. These documents can be either handwritten or typed on paper forms, of computerized forms.

The forms include but are not limited to: DOC-733 Movement of Population, DOC-910 Movement of Population, and IPTR154

Movement of Population.

These logs contain offender names, DOC numbers, date of movement, time of movement, sending location, receiving location, reason for movement (court, medical, transfer to and from another facility).

These records are utilized to document and identify trends in inmate population. Information identified would include increases and decreases in inmate population, inmate demographics and committing offenses.

Justification:

The life span of a person can be up to 100 years and the department has offenders that receive sentences of that length, so in order to allow verification of custody in a prison, the movement of population is needed as a backup to our data systems. Our data systems only date back to 1983 and the extended retention period ensures the retention of prison custody records related to any person who falls within the 100-year life span.

Confidential:

Federal Laws:

- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
- 45 C.F.R. Part 160 Privacy of Health Information
- 45 C.F.R. Part 164 Protected Health Care Records

State Statutes:

- Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records

Administrative Rules:

- Wis. Admin Code PAC Ch. 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

See Confidentiality of Records section below and application of balancing test.

RETENTION: EVENT (Date of movement) + 100 years and destroy confidential

<u>00241000.</u>	<u>TRANSFER FILE CHECK-IN LOGS</u>	<u>EVT+2</u>	<u>DEST</u>	<u>Y</u>
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This record series consists of logs of all offender files received for offenders that have transferred into a facility. These logs are used to document the receipt of files and track follow up upon non-receipt.

These logs contain offender names, DOC numbers, date of movement, sending location, files received.

Confidential:

Federal Laws:

- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records

State Statutes:

- Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records

Administrative rules:

- Wis. Admin code PAC Ch. 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

See Confidentiality of Records section below and application of the balancing test.

RETENTION: EVENT (Date offender transfers into the facility) + 2 years and destroy confidential

<u>00242000.</u>	<u>OFFENDER FILE TRANSFER LISTS</u>	<u>EVT+0/1</u>	<u>DEST</u>	<u>Y</u>
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This record series consists of lists of all offender files sent from one facility to another.

The forms include but are not limited to: DOC-239 Offender File Transfer List

Confidential:

Federal Laws:

- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records

State Statutes:

- Wis. Stat § 51.30 Mental Health, Developmental Disabilities
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records

Administrative Rules:

- Wis. Admin Code PAC Ch. 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

See Confidentiality of Records section below and application of the balancing test.

RETENTION: EVENT (Date file transfers out of facility) + 1 month and destroy confidential

<u>00243000.</u>	<u>PHARMACY OPERATIONS RECORDS - GENERAL</u>	<u>CR+1</u>	<u>DEST</u>	<u>N</u>
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CONTENT: This record series consists of all documents relating to general pharmacy operations that are not related to the purchase, dispensing, or destruction of federally controlled substances.

This includes documents such as but not limited to Wholesaler/Supplier invoices (non-controlled substances) dispensing system quarterly reports, clinical updates and communication, general drug inventories, pharmacy reclamation reports, or any general pharmacy reports related to operation, budget, education created on an ad-hoc basis.

The records do not include protected health information about individual inmate patients or DJC youth and are not protected under confidentiality of law.

PURPOSE: These records are used to purchase, maintain, analyze, educate, or deliver pharmaceutical services provided by Bureau of Health Services (BHS) -- Central Pharmacy.

The forms include but are not limited to:
 DOC-3651 Blank Prescription Drug Stock Dispensing Label
 DOC-3651A Blank Prescription Pre-Pack Label

CONFIDENTIAL: None

RETENTION: EVENT (Creation) + 1 year and destroy

<u>00244000.</u>	<u>PHARMACY PRESCRIPTION RECORDS</u>	<u>CR+6</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: This record series includes all documents related to the receipt, processing, filling, refilling, and storage of prescription information, and the complete electronic prescription record contained within the pharmacy dispensing system. This record includes documents such as but not limited to: Prescriber's Orders (DC-3023) and variants, Controlled Substance Prescription Blank (DOC-92A), a complete prescription history of all prescriptions processed by Bureau of Health Services (BHS) -- Central Pharmacy contained within the pharmacy dispensing system and all hard copy prescription records created by BHS -- Central Pharmacy.

PURPOSE: These records are created to maintain a complete accurate, and confidential receipt and dispensing record for all prescriptions processed by BHS -- Central Pharmacy.

The forms include but are not limited to:
 DOC-3-23 Prescriber's Orders and variants of this form
 DOC-92A Controlled Substance Prescription Blank

CONFIDENTIAL:
 Federal laws:
 21 C.F.R. Part 1304 Records and Reports of Registrants
 21 C.F.R. Part 1305 Orders for Schedule I and II Controlled Substances
 21 C.F.R. Part 1317 Disposal of Controlled Substances
 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
 45 C.F.R. Part 160 General Administrative Requirements
 45 C.F.R. Part 164 Security and Privacy
 Wisconsin State Statutes:
 Wis. Stat. § 51.30 Records
 Wis. Stat. § 51.47 Alcohol and Other Drug Abuse Treatment Records
 Wis. Stat. § 146.38 Health Care Services Review, Confidentiality of Information
 Wis. Stat. § 146.82 Confidentiality of Patient Health Care Records
 Wis. Stat. § 146.83 Access to Patient Health Care Records
 Wis. Stat. § 252.15 Restrictions of Use of AN HIV Test
 Wis. Stat. § 303.388 Prisoner Medical Records
 Wis. Stat. §938.78 Confidentiality of Records
 Wis. Stat Ch. 961 Uniform Controlled Substances Act
 Wisconsin Administrative Code:
 Wis. Admin. Code Ch. Med 17 Standards for Dispensing and Prescribing Drugs
 Wis. Admin code Ch. Phar 7 Pharmacy Practice
 Wis. Admin code Ch. Phar 8 Requirements for Controlled Substances

RETENTION: EVENT (Creation) + 6 years and destroy confidential

<u>00245000.</u>	<u>PHARMACY OPERATIONS RECORDS - CONTROLLED SUBSTANCES</u>	<u>CR+5</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: This record series consist of all documents related to the purchase, inventory, dispensing, or destruction of federally controlled substances stored at BHS – Central Pharmacy or any DOC Correctional Institution or Center HSU.

This record includes documents such as but not limited to: Wholesaler/Supplier controlled substance invoices (Central Pharmacy/HSU official record – not the original which is retained in fiscal), controlled substance inventory reports, Class II and III Delivery Verification (DOC-3719 and DOC-3720), executed electronic DEA Form 222, Reverse Distributor reports. The records do not include protected health information about individual inmate patients and are not protected under confidentiality of law.

PURPOSE: The purpose of these records are to maintain a complete and accurate record of all controlled substances received, dispensed or destroyed during the course of business at BHS – central Pharmacy or any DOC correctional institution or Center HSU.

The forms include but are not limited to:

- DOC-3719 Class II Medication Deliver Verification
- DOC-3720 Class III, IV, V Medication Delivery Verification
- DOC-3499 Controlled Substance inventory Log
- DEA FORM 222 U.S. Official Order Forms – Schedules I & II

CONFIDENTIAL:

Federal Laws:

- 21 C.F.R. Part 1304 Records and Reports of Registrants
- 21 C.F.R. Part 1305 Orders for Schedule I and II Controlled Substances
- 21 C.F.R. Part 1317 Disposal of Controlled Substances
- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
- 45 C.F.R. Part 160 General Administrative Requirements
- 45 C.F.R. Part 164 Security and Privacy

Wisconsin State Statutes:

- Wis. Stat. § 51.30 Records
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse Treatment Records
- Wis. Stat. § 146.38 Health Care Services Review, Confidentiality of Information
- Wis. Stat. § 146.82 Confidentiality of Patient Health Care Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records
- Wis. Stat. § 252.15 Restrictions of Use of AN HIV Test
- Wis. Stat. § 303.388 Prisoner Medical Records
- Wis. Stat. §938.78 Confidentiality of Records
- Wis. Stat Ch. 961 Uniform Controlled Substances Act

Wisconsin Administrative Code:

- Wis. Admin. Code Ch. Med 17 Standards for Dispensing and Prescribing Drugs
- Wis. Admin Code Ch. Phar 7 Pharmacy Practice
- Wis. Admin Code Ch. Phar 8 Requirements for Controlled Substances

See Confidentiality of Records on page 2 of paper file and application of the balancing test.

RETENTION: EVENT (Creation) + 5 years and destroy confidential

<u>00245A00.</u>	<u>PHARMACY OPERATIONS RECORDS - CONTROLLED SUBSTANCES POWER</u>	<u>EVT+5</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: This paper record series consists of the Power of Attorney (POA) for Drug Enforcement Agency (DEA) Forms 222 and Electronic Orders (DOC-3656).

PURPOSE: The purpose of these records is to authorize the attorney-in-fact to execute applications for DEA Form 222 and to sign orders for Schedule I or II controlled substances whether these orders are on DEA Form 222 or electronic in accordance with 21 U.S.C. 828 and 21 CFR Part 1305 Orders for Schedule I and II Controlled Substances.

NOTE: 21 C.F.R. 1305 governs records related to the execution of DEA Form 222 or electronic. The POA is maintained on site and remains in effect until revoked.

The forms include but are not limited to:

- DEA Form 222 U.S. Official Order Forms - Schedules I & II

CONFIDENTIAL:

Federal Laws:

- 21 C.F.R. Part 1304 Records and Reports of Registrants
- 21 C.F.R. Part 1305 Orders for Schedule I and II Controlled Substances
- 21 C.F.R. Part 1317 Disposal of Controlled Substances
- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
- 45 C.F.R. Part 160 General Administrative Requirements
- 45 C.F.R. Part 164 Security and Privacy

Wisconsin State Statutes:

- Wis. Stat. § 51.30 Records
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse Treatment Records
- Wis. Stat. § 146.38 Health Care Services Review, Confidentiality of Information
- Wis. Stat. § 146.82 Confidentiality of Patient Health Care Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records
- Wis. Stat. § 252.15 Restrictions of Use of an HIV Test
- Wis. Stat. § 303.388 Prisoner Medical Records
- Wis. Stat. §938.78 Confidentiality of Records

Wis. Stat. Ch. 961 Uniform Controlled Substances Act

Wisconsin Administrative Code:

- Wis. Admin. Code Ch. Med 17 Standards for Dispensing and Prescribing Drugs
- Wis. Admin Code Ch. Phar 7 Pharmacy Practice
- Wis. Admin Code Ch. Phar 8 Requirements for Controlled Substances

See Confidentiality of Records on page 2 above and application of the balancing test.

RETENTION: EVENT (Date of revocation) + 5 years and destroy confidential

<u>00247000.</u>	<u>PRE-SENTENCE INVESTIGATION (PSI) - NOT SENTENCED TO DOC</u>	<u>EVT+2</u>	<u>DEST</u>	<u>Y</u>
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Purpose: The reason for creation of this record series is to document activity and actions obtained or created during the Pre-Sentence Investigation (PSI) process with the Division of Community Corrections (DCC).

Contents: This record series consists of records for defendants sentenced to a straight jail term and/or not placed on/or under the supervision of the Department of Corrections (DOC) upon sentencing after completion of a Pre-Sentence Investigation. The content of each case file may include, but is not limited to, the below sections.

The forms include, but are not limited to, forms listed on Electronic Case Records Manual (ECRM) Case File Setup.

Section 2: Court Documents: court records related to probation, parole, extended supervision, intensive supervision, judgment of conviction, supervised release and early discharge.

Section 4: Confidential Documents and Release of Information: records related to health information, victim information, treatment information, and referral for services.

Section 6: Miscellaneous Correspondence: correspondence sent to, or received from, the offender.

Lifecycle Language: The official record in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidentially.

Retention & Disposition: Event is defined as the date of the sentence hearing.

Confidentiality:

Federal Laws:

- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
- 45 C.F.R. Part 160 Privacy of Health Information 45 C.F.R. Part 164 Protected Health Care Records

Administrative Rules:

- Wis. Admin Code § 309.39(7) Inmate Phone Calls
- Wis. Admin Code § 332.17(7)(a-d) Lie Detector Disclosure of Test Information
- Wis. Admin Code PAC § 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

State Statutes:

- Wis. Stat. § 19.35(1)(am) Safety and Security Wis. Stat. § 19.36(8) Confidential Informant
- Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information Wis. Stat. §51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
- Wis. Stat. § 71.78(1)(5)(6) Revenue Confidentiality Provisions Wis. Stat. § 118.125 Pupil Records
- Wis. Stat. § 146.82 Health Care Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records Wis. Stat. § 165.79 DNA Analysis and Data Bank
- Wis. Stat. § 252 HIV Test Results
- Wis. Stat. § 905.03 Lawyer-Client Privilege Wis. Stat. § 905.09 Informant
- Wis. Stat. § 905.10 Identity of Informer Wis. Stat. § 938.78 Juvenile Records Wis. Stat. § 950.04(1v) Rights of Victims
- Wis. Stat. § 972.15 Pre-Sentence Investigation

Confidentiality of Records: Most records are not confidential and are open to public disclosure, however, there are exceptions. This retention schedule will identify any record series that may contain information required by law to be kept confidential or specifically required to be protected from public access, identifying the state or federal statute, administrative rule, or other legal authority that so requires. If in doubt as to whether or not a specific record, or content in that record, is confidential, check with your agency legal counsel. A record series should be identified as confidential even if not all records in the series contain confidential information and not all parts of records covered by the series are confidential.

RETENTION: EVENT (date of sentence hearing) + 2 years and destroy confidential

<u>00248000.</u>	<u>SEX OFFENDER REGISTRANT FILE</u>	<u>EVT+60</u>	<u>DEST</u>	<u>Y</u>
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Purpose: The reason for creation of this record series is to retain documentation of activity and actions and be able to provide

evidence, in the event of the need, for confidential exchange of information with law enforcement or other agencies. This documentation is gathered during the registration period with the Division of Community Corrections (DCC) in compliance of Wis. Stat. § 301.45.

Retention Period Justification: An offender in this record series has been flagged as a "Sex Offender" by Sex Offender Program staff based on various factors, to include the offense statute of his/her conviction, underlying conduct was sexually motivated, conviction of sex crime in another state or jurisdiction, etc. It has been requested by Wisconsin Department of Justice (DOJ) to retain these records an extended time in order to have documents in the event of proceedings relating to Wis. Stat. ch. 980 Sexually Violent Person Commitments.

Contents: This record series consists of, but is not limited to, DOC-1759 Sex Offender Registration, DOC-1796 Annual Sex Offender Registration, DOC-2287 Sex Offender Registrant Information Home Visit, DOC-2705 Sex Offender Registry Update (obsolete) and correspondence for those individuals who are required to register with the Wisconsin Sex Offender Registry.

Lifecycle Language: The official record in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidentially.

Retention & Disposition: Event is the termination date defined as the date the sex offender is terminated from registration.

Confidentiality:

Federal Laws:

42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
 45 C.F.R. Part 160 Privacy of Health Information 45 C.F.R. Part 164 Protected Health Care Records
 Administrative Rules:
 Wis. Admin Code § 309.39(7) Inmate Phone Calls
 Wis. Admin Code § 332.17(7)(a-d) Lie Detector Disclosure of Test Information
 Wis. Admin Code PAC § 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

State Statutes:

Wis. Stat. § 19.35(1)(am) Safety and Security Wis. Stat. § 19.36(8) Confidential Informant
 Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information
 Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
 Wis. Stat. § 71.78(1)(5)(6) Revenue Confidentiality Provisions Wis. Stat. § 118.125 Pupil Records
 Wis. Stat. § 146.82 Health Care Records
 Wis. Stat. § 146.83 Access to Patient Health Care Records Wis. Stat. § 165.79 DNA Analysis and Data Bank
 Wis. Stat. § 252 HIV Test Results
 Wis. Stat. § 905.03 Lawyer-Client Privilege Wis. Stat. § 905.09 Informant
 Wis. Stat. § 905.10 Identity of Informer Wis. Stat. § 938.78 Juvenile Records Wis. Stat. § 950.04(1v) Rights of Victims
 Wis. Stat. § 972.15 Pre-Sentence Investigation

Confidentiality of Records: Most records are not confidential and are open to public disclosure, however, there are exceptions. This retention schedule will identify any record series that may contain information required by law to be kept confidential or specifically required to be protected from public access, identifying the state or federal statute, administrative rule, or other legal authority that so requires. If in doubt as to whether or not a specific record, or content in that record, is confidential, check with your agency legal counsel. A record series should be identified as confidential even if not all records in the series contain confidential information and not all parts of records covered by the series are confidential.

RETENTION: EVENT (termination date) + 60 years and destroy confidential

<u>00249000.</u>	<u>SEX OFFENDER REGISTRANT FILE (DECEASED)</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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Purpose: The reason for creation of this record series is to retain documentation of activity and actions and be able to provide evidence, in the event of the need, for confidential exchange of information with law enforcement or other agencies. This documentation is gathered during the registration period with the Division of Community Corrections (DCC) in compliance of Wis. Stat. § 301.45.

Retention Period Justification: An offender in this record series has been flagged as a "Sex Offender" by Sex Offender Program staff based on various factors, to include the offense statute of his/her conviction, underlying conduct was sexually motivated, conviction of sex crime in another state or jurisdiction, etc. This is similar to RDA 248, except the sex offender has been identified as deceased and this file will not be needed for the extended retention for proceedings relating to Wis. Stat. ch. 980 Sexually Violent Person Commitments.

Contents: This record series consists of, but is not limited to, DOC-1759 Sex Offender Registration, DOC-1796 Annual Sex Offender Registration, DOC-2287 Sex Offender Registrant Information Home Visit, DOC-2705 Sex Offender Registry Update (obsolete) and correspondence for those individuals who are required to register with the Wisconsin Sex Offender Registry.

Lifecycle Language: The official record in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is

acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidentially.

Retention & Disposition: Event is the date of death. Confidentiality:

Federal Laws:

- 42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
- 45 C.F.R. Part 160 Privacy of Health Information 45 C.F.R. Part 164 Protected Health Care Records

Administrative Rules:

- Wis. Admin Code § 309.39(7) Inmate Phone Calls
- Wis. Admin Code § 332.17(7)(a-d) Lie Detector Disclosure of Test Information
- Wis. Admin Code PAC § 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

State Statutes:

- Wis. Stat. § 19.35(1)(am) Safety and Security Wis. Stat. § 19.36(8) Confidential Informant
- Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA Information
- Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
- Wis. Stat. § 71.78(1)(5)(6) Revenue Confidentiality Provisions Wis. Stat. § 118.125 Pupil Records
- Wis. Stat. § 146.82 Health Care Records
- Wis. Stat. § 146.83 Access to Patient Health Care Records Wis. Stat. § 165.79 DNA Analysis and Data Bank
- Wis. Stat. § 252 HIV Test Results
- Wis. Stat. § 905.03 Lawyer-Client Privilege Wis. Stat. § 905.09 Informant
- Wis. Stat. § 905.10 Identity of Informer Wis. Stat. § 938.78 Juvenile Records Wis. Stat. § 950.04(1v) Rights of Victims
- Wis. Stat. § 972.15 Pre-Sentence Investigation

Confidentiality of Records: Most records are not confidential and are open to public disclosure, however, there are exceptions. This retention schedule will identify any record series that may contain information required by law to be kept confidential or specifically required to be protected from public access, identifying the state or federal statute, administrative rule, or other legal authority that so requires. If in doubt as to whether or not a specific record, or content in that record, is confidential, check with your agency legal counsel. A record series should be identified as confidential even if not all records in the series contain confidential information and not all parts of records covered by the series are confidential.

RETENTION: EVENT (date of death) + 7 years and destroy confidential

<u>00250000.</u>	<u>MENTAL HEALTH RECORDS FOR SEX OFFENDERS (DECEASED)</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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Purpose: The reason for creation of this record series is to ensure delivery of and document mental health care services to sex offenders under the supervision of the Division of Community Corrections (DCC).

Retention Period Justification: An offender in this record series has been flagged as a "Sex Offender" by Sex Offender Program staff based on various factors, to include the offense statute of his/her conviction, underlying conduct was sexually motivated, conviction of sex crime in another state or jurisdiction, etc. This is similar to RDA 228, except the sex offender has been identified as deceased and this file will not be needed for the extended retention for proceedings relating to Wis. Stat. ch. 980 Sexually Violent Person Commitments.

Contents: This record series consists of individually identifiable confidential documents relating to a sex offender completed by a DCC Mental Health provider (psychologist or psychiatrist), or by a person under the direction of a mental health care provider, and filed in the official DCC Mental Health Record maintained for each sex offender under the supervision of the DCC.

The content of each file may include the following, but not limited to:

- POC-0034 Notice of Privacy Practices
- DOC-0223A Psychological Report DCC
- DOC-1163A Authorization for Use and Disclosure of Protected Health Information (PHI)
- DOC-1923 Limits of Confidentiality of Health Information
- DOC-2601 Referral for Mental Health Services
- DOC-2718 HIPAA Breach Report by Employee
- DOC-3011 Fees for Copies of Health Care Records
- DOC-3335 Request for Protected Health Information for Ongoing Treatment, Payment or Health Care Operations
- DOC-3342 Disclosure of PHI Without Patient Authorization
- DOC-3484 Request by Current Patient for Amendment/Correction of Protected Health Information (PHI)
- DOC-3484A Request by Former Patient for Amendment/Correction of Protected Health Information (PHI)
- DOC-3487 Request by Current Patient for Restriction on Use/Disclosure of PHI
- DOC-3487A Request by Former Patient for Restriction on Use/Disclosure of PHI
- DOC-3488 Request for Alternative Communication of PHI
- DOC-3489 Request for Accounting of Disclosures of PHI
- DOC-3491 Acknowledgment of Receipt of Notice of DOC Privacy Practices
- DOC-3498 Informed Consent for Psychological Services Provided by Intern-Student
- DOC-3669 DCC Mental Health Record - Envelope
- DOC-3671 DCC Psychological Services Contact DCC Psychological Services Summary

DOC-3672	DCC Psychological Services Summary
DOC-2465	Informed Consent: Sex Offender Treatment Evaluation
DOC-2473	Sex Offender Treatment Evaluation Attitudes Questionnaire
DOC-2473S	Sex Offender Treatment Evaluation: Attitudes Questionnaire - Spanish Version
DOC-2474	Brief Sexual History Questionnaire
DOC-2474S	Brief Sexual History Questionnaire - Spanish Version
DOC-2652	Sex Offender Evaluation Report - DCC
DOC-3472	Mental Health Screening Interview
DOC-3770	Informed Consent for Psychological Evaluation
DOC-3776	Sex Offender Treatment Evaluation - Male
DOC-3776A	Sex Offender Treatment Evaluation - Female
DOC-3776B	Sex Offender Treatment Evaluation-Abbreviated
DOC-3776C	Sex Offender Treatment Evaluation Males With Only Child Pornography Convictions
DOC-3776D	Sex Offender Treatment Evaluation - Males (Adaptive)
DOC-3777	Sex Offender Program Report - Male
DOC-3777A	Sex Offender Program Report - Female
DOC-3777A	Sex Offender Program Report Adaptive - Males

Lifecycle Language: The official record in this series may be transferred to or maintained in electronic/digital format for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents may be imaged or reformatted and subject to review, to ensure the images are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidentially.

Retention & Disposition: Event is the date of death.

Confidentiality:

Federal Laws:

42 C.F.R. Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records
 45 C.F.R. Part 160 Privacy of Health Information 45 C.F.R. Part 164 Protected Health Care Records

Administrative Rules:

Wis. Admin Code § 309.39(7) Inmate Phone Calls
 Wis. Adm in Code § 332.17(7)(a-d) Lie Detector Disclosure of Test Information
 Wis. Admin Code PAC § 1.08(4)(f) Release Due to Extraordinary Health Condition or Age

State Statutes:

Wis. Stat. § 19.35(1)(am) Safety and Security Wis. Stat. § 19.36(8) Confidential Informant
 Wis. Stat. § 51.30 Mental Health, Developmental Disabilities, and AODA information
 Wis. Stat. § 51.47 Alcohol and Other Drug Abuse (AODA) Treatment Records
 Wis. Stat. § 71.78(1)(5)(6) Revenue Confidentiality Provisions
 Wis. Stat. § 118.125 Pupil Records
 Wis. Stat. § 146.82 Health Care Records
 Wis. Stat. § 146.83 Access to Patient Health Care Records
 Wis. Stat. § 165.79 DNA Analysis and Data Bank
 Wis. Stat. § 252 HIV Test Results
 Wis. Stat. § 905.03 Lawyer-Client Privilege
 Wis. Stat. § 905.09 Informant
 Wis. Stat. § 905.10 Identity of Informer
 Wis. Stat. § 938.78 Juvenile Records
 Wis. Stat. § 950.04(1v) Rights of Victims
 Wis. Stat. § 972.15 Pre-Sentence Investigation

Confidentiality of Records: Most records are not confidential and are open to public disclosure, however, there are exceptions. This retention schedule will identify any record series that may contain information required by law to be kept confidential or specifically required to be protected from public access, identifying the state or federal statute, administrative rule, or other legal authority that so requires. If in doubt as to whether or not a specific record, or content in that record, is confidential, check with your agency legal counsel. A record series should be identified as confidential even if not all records in the series contain confidential information and not all parts of records covered by the series are confidential.

RETENTION: EVENT (date of death) + 7 years and destroy confidential

<u>00320000.</u>	<u>DJC SEX OFFENDER FIELD FILES</u>	<u>EVT+60</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: The records are individual-specific files of DJC-supervised youth required to register with the Wisconsin Sex Offender Registry. The files may contain but are not limited to documents such as court orders, assessments, disciplinary proceedings, treatment plans, reports from service providers, sex offender registration forms, travel permits, and copies of police reports.

PURPOSE: These files are created in the course of supervising a youth identified as a sex offender. The purpose of retaining the documents is to provide evidence of a youth's compliance with treatment and supervision within the community and his/her adjustment to release. The records are retained in the event of the need for confidential exchange of information with law enforcement or other agencies at a later date during the youth's registration period (i.e. 60 years).

RDA #	RDA Title	Retention	Disposition	PII
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RETENTION: EVENT (Closed/terminated/death) + 60 years and destroy confidential

<u>00347000.</u>	<u>SPRITE PARTICIPANT CARD CATALOG</u>	<u>CR+7</u>	<u>DEST</u>	<u>Y</u>
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Purpose: This record series identifies the retention period and disposition for Support, Perseverance, Respect, Initiative, Teamwork, Education (SPRITE) Participant Card Catalog records. These records were created by the Department of Corrections since 1996 as a way to track juvenile participants in the SPRITE program. There are prior records in this set from the Department of Health Services that date from 1978 - 1996.

Content: This card catalog contains a 3 x 5 file card for every juvenile that has participated in the SPRITE program. Information on the file card includes: name, J-number, institution, home address, phone number, birth date, race, county agent, and committing offense. These cards are filed alphabetically for quick reference.

Retention & Disposition: This RDA was previously considered a permanent record as they may be used for research purposes. It has been determined that these records are not utilized for research. The record was reviewed and it was determined that this record does not need to be retained longer than 7 years from creation. This amendment is submitted to. both close the record and lower the retention. The SPRITE Program ceased June 2011. These records have not been created since the close of the program.

CONFIDENTIAL:

State Statutes:

Wis. Stat. § 938.78 Juvenile Records

RETENTION: EVENT(Creation) + 7 years and destroy confidential

Dept #: /650/ Department Name: JUVENILE INSTITUTIONS CENTRAL OFFICE

RDA #	RDA Title	Retention	Disposition	PII
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<u>00319000.</u>	<u>RECORDS OF NON-DJC YOUTH IN JCIs</u>	<u>EVT+1</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: Records consist of individual-specific files containing forms related to a youth's temporary placement in a secured juvenile correctional institution (JCI). The DOC forms included in the file pertain to a youth's status at admission (health screening, violation report, intake forms), his/her conduct while in the institution, and the circumstances of the youth's release. Records do not include documents related to youth committed by a court to the Department of Corrections for secure correctional facility placement, which are covered by other RDAs.

PURPOSE: Records are retained in order to respond to questions about when a particular youth was placed in a JCI, the purpose of the placement, the youth's treatment and behavior during placement, and the circumstances of the youth's release.

RETENTION: EVENT (Released) + 1 year and destroy confidential

<u>00333000.</u>	<u>INSTITUTION COMPLAINT LOGS AND FILES</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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PURPOSE: The juvenile care institutions must keep a record of complaints, including youth names, complaint numbers, subject of complaint and disposition. The complaint process allows youth to raise questions about correctional policies that directly affect them, encourages communication between youth and staff, allow youth who believe they have been treated unfairly to challenge staff decisions, process or policy, to correct errors in correctional policy through the exchange of ideas, and to reduce frustration among youth about conditions at the institution in which they reside. DOC 380 of the Wisconsin Administrative Code covers the complaint procedures DOC/DJC must follow.

CONTENT: The complaint log may include, but not limited to, forms DOC-2051 Youth Complaint: Institution, DOC-2052 Complaint Mediator's Report, DOC=2053 Superintendent Decision on Youth Complaint, and DOC-2054 Appeal to Administrator and Decision. A youth may file a complaint about residential programs, application of rules, division policies, conditions, procedures or other matters or incidents, or procedures used by hearing officers under DOC 373.72, 373.73, and 373.76 to 373.78 (WI Code). The complaint mediator would resolve the complaint informally with the youth, or refer the complaint to the Superintendent's office for formal resolution. A youth may file an appeal regarding a superintendent's decision. Some types of complaints, regarding retaliation, abuse by staff, breach of confidentiality, or procedures used by a hearing officer during a disciplinary hearing may be filed directly with the superintendent's office. Each complaint/appeal is assigned a number when received.

RETENTION: EVENT (After final decision/superseded) + 7 years and destroy confidential

<u>00334000.</u>	<u>FIELD COMPLAINT LOGS AND FILES</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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PURPOSE: The field agent offices must keep a record of complaints, including youth names, complaint numbers, subject of complaint and disposition. The complaint process allows youth to raise questions regarding a decision that affects their supervision, encourages communication between youth and staff, and to resolve problems that occur during supervision in an orderly and consistent manner. DOC 393 of the Wisconsin Administrative Code covers the complaint procedures DOC/DJC must follow for aftercare youth and DOC 396 covers Type 2 youth.

CONTENT: The complaint log may include, but not limited to, forms DOC-2179 Complaint by Youth on Community Supervision, DOC-2180 Agent Statement and Supervisor Decision on Youth Complaint, DOC-2181 Youth Appeal to Regional Chief and Decision, and DOC-2054 Appeal to Administrator and Decision. A youth may file a written complaint with his/her agent when a youth disagrees with a decision the agent has made that directly affects the youth and his supervision. The Aftercare agent would file his reason for the decision about which the youth has complained and the field supervisor issues a decision to resolve the complaint. An Aftercare youth may file an appeal regarding a field supervisor's decision with the Regional Chief. The Type 2 agent must attempt to reach an informal resolution with the youth. A type 2 youth may appeal the decision with the administrator's office.

RETENTION: EVENT (Final decision/superseded) + 7 years and destroy confidential

00342000. **INTERSTATE COMPACT ON JUVENILES (ICJ) - DATABASE** **EVT+5** **DEST** **Y**

PURPOSE: To keep a record of juveniles on runaway, escapee or absconder status to and from other states and on transfer to and from other states per the federal Interstate Compact on Juveniles (ICJ).

CONTENT: This database includes but is not limited to the following information: juvenile's name, date of birth, sending and receiving states, offense, length of terms in custody, and name and address of person(s) with whom the juvenile is living.

This database is currently maintained in a Microsoft Access file.

NOTE: Closed is defined as reaching inactive date or maximum discharge date as determined by sentencing court (date entered in compact).

This RDA supersedes Department of Health and Social Services/Division of Youth Services/Office of Management and Budget/#883 1993.

RETENTION: EVENT (Closed/terminated/death) + 5 years and destroy confidential

00342A00. **INTERSTATE COMPACT ON JUVENILES -REFERRAL PACKETS AND INPUT D** **EVT+5** **DEST** **Y**

PURPOSE: To keep a record of juveniles on runaway, escapee or absconder status to and from other states and on transfer to and from other states per the federal Interstate Compact on Juveniles (ICJ).

CONTENT: Documents include referral packets from other states for juvenile probationers and parolees who are being transferred to Wisconsin. The referral packets include but are not limited to DOC-9004 Form IV ICJ Parole or Probation Investigation Request, DOC-9001A Form IA-VI ICJ Application for Services & Waiver, cover letter, social and legal history, petition(s) related to adjudication(s), signed court orders, rules and conditions of aftercare (parole), school information (including grades, attendance, progress reports, etc.), arrest reports, medical or psychological information, and other supplemental information. Other documents include, but are not limited to, DOC-9007 Home Evaluation Report/Reply to Case Transfer Request, DOC-9008 Progress Report Cover Sheet, DOC-9003 Form III Consent for Voluntary Return of Runaway, Absconder or Escapee, or DOC-1783 Violation Report. The DOC-1941 Progress Summary must be completed in JJIS by the agent quarterly.

NOTE: After entering information into a MS-Access database, the packets are sent to the field agents to investigate and recommend or not recommend supervision The Compact Administrator accepts or rejects supervision.

This RDA supersedes Department of Health and Social Services/Division of Youth Services/Office of Management and Budget/#883A 1993.

RETENTION: EVENT (Closed/terminated/death) + 5 years and destroy confidential

00342B00. **INTERSTATE COMPACT ON JUVENILES (ICJ) - DATABASE - ANNUAL REPOR** **EVT+10** **SHSW** **N**

PURPOSE: The purpose of this database (currently maintained in MS-Access) is to keep a record of juveniles on transfer to and from other states and on runaway, escapee or absconder status to and from other states. The annual report produced from this database is used to report the number of runaways, escapees and absconder within a given period of time.

CONTENT: This record series includes, but is not limited to, the 3-page annual reports to the Association of Juvenile Compact Administrators, which are either e-mailed or faxed.

This RDA supersedes Department of Health and Social Services/Division of Youth Services/Office of Management and Budget/#883B 1993.

RETENTION: EVENT (Closed/terminated/death) + 10 years and transfer to State Historical Society

00343000. **INTERSTATE COMPACT ON JUVENILES (ICJ) - REQUISITIONS** **EVT+3** **DEST** **Y**

PURPOSE: To order the return of a juvenile who is a runaway, escapee or absconder who will not return to Wisconsin voluntarily. Per statute 938.991 "One copy of the requisition shall be filed with the Compact Administrator of the demanding state, there to remain on file subject to the provisions of law governing records of the court."

CONTENT: This record series includes, but is not limited to, court orders as set forth in Interstate Compact on Juveniles (ICJ) State Statute 938.991, Articles IV and V, DOC-9002 Requisition for Escapee or Absconder/Juvenile Charged with being delinquent, Adjudication/Disposition Order, and the rules of supervision.

RDA #	RDA Title	Retention	Disposition	PII
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This RDA supersedes Department of Health and Social Services/Division of Youth Services/Office of Management and Budget/#884 1993.

RETENTION: EVENT (Closed/terminated/death) + 3 years and destroy confidential

<u>00354000.</u>	<u>FOSTER GRANDPARENT PROGRAM PERSONNEL RECORDS</u>	<u>EVT+8</u>	<u>DEST</u>	<u>Y</u>
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The Foster Grandparent Program (FGP) is funded yearly by a federal grant to the state Department of Health & Family Services (DHFS). DHFS runs the program in various DHFS and DOC sites, and there is a Memorandum of Understanding agreement between DHFS & DOC that establishes a grant budget for DOC's foster grandparent program in the juvenile institutions. The Department of Corrections-submits claims to DHFS for reimbursement of various FGP-related expenses. DHFS also pays stipends to the volunteers. The documents kept are determined by federal record-keeping requirements. The forms include DHFS forms and DOC forms.

CONTENTS: An institution personnel record is maintained on each foster grandparent volunteer who participates in the program. Information in this record may include but is not limited to: name, address, social security number, physician contact, pertinent medical information, emergency contact person, beneficiary, service stats, annual income evaluation, volunteer hours, mileage records, and volunteer meals. Also, each FGP volunteer is required to submit a yearly verification that he/she has been OK'd for participation by his/her physician that the institution keeps in the volunteer's P-file.

PURPOSE: Reference, and to conform to federal grant record-keeping requirements.

CLOSED DEFINITION: Closed is defined as FGP volunteer leaves program or program is suspended/transferred to another site.

NOTE: Due to the nature of the information kept in the records, the records would be considered confidential.

RETENTION: EVENT (Closed/terminated/death) + 8 years and destroy confidential

<u>00359000.</u>	<u>JUVENILES WITH ADULT CORRECTIONAL STATUS CASE FILES</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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SITUATION: A juvenile age 15 or younger is sentenced by the adult criminal court under a Judgment of Conviction (JOC), and due to his/her age, is placed in a juvenile institution (JCI) to begin serving his/her sentence. At a later date, the youth is transferred to an adult institution to serve the rest of his/her sentence. The case file is not assigned a T-number when the youth leaves the JCI, because no juvenile supervision is terminated, and the adult case termination may be many years in the future. The Division of Adult Institutions (DAI) requests copies be sent to it of the progress summaries and other reports from the social services files for the adult case files.

PURPOSE: To set a timeframe for retention and disposition of the social services portion of the case file that remains at JCI. Since there is no DJC T-number, RDA-110 does not apply. The JCI does not receive a T-number from DAI either.

CONTENTS: These records contain but are not limited to the following: chronological summary, face sheet, Department Orders, admission examination, staff recommendations. Social worker reports, youth counselor reports, inventory of personal property, progress summary, general correspondence, social investigation summary, case history review, admission investigation, court orders, conduct reports, and discipline reports.

NOTE: Closed is when the youth is transferred to the adult system. Active and inactive files are alphabetical.

RETENTION: EVENT (Closed/terminated/death) + 7 years and destroy confidential

<u>00379000.</u>	<u>DJC AGENCY & STAFF ASSIGNMENTS</u>	<u>EVT+10</u>	<u>DEST</u>	<u>Y</u>
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CONTENT: This record series includes, but is not limited to, institution name, staff person name and user ID, assignment date and end of assignment date (referred to as expiry date) as well as offender name, DOC-number, birth date, community placement, a case status. Juvenile clients not assigned a field agent yet will have a "pending record" status until the agent assignment is recorded. The pending record status occurs either when a youth is first admitted to the institution, which creates a reminder notice to the field to assign an agent when appropriate, or when a youth is transferred from one field unit to another. JJIS "suggests" agent assignments based on predefined rules in the system though a different agent name can be chosen. Agent reassignments can also be done.

PURPOSE: The juvenile justice information system (JJIS) includes various staff assignment, such as the assignment of social worker, field agent, OJOR reviewer, designated institution office operations assistant, youth counselor, or any other staff position specifically assigned to a youth, including non-DOC staff such as a county social worker. Agent assignment are deactivated by using the "Termination of Supervision" screen when the need for an agent ends. JJIS users can do inquiries on caseloads, agent assignment, or assignment histories. Reports available include the Staff Assignments Report, and Active Clients Report. Inquiries and reports can be printed at any time, as needed as working copies.

RETENTION: EVENT (Closed/terminated/death) + 10 years and destroy confidential

Dept #: /685/

Department Name: DIV OF JUVENILE CORRECTIONS SCHOOL RECORDS

<u>RDA #</u>	<u>RDA Title</u>	<u>Retention</u>	<u>Disposition</u>	<u>PII</u>
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<u>00112000.</u>	<u>SCHOOL TRANSCRIPTS</u>	<u>EVT+75</u>	<u>DEST</u>	<u>Y</u>
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CONTENTS: School transcripts indicate courses taken and grades earned prior to, and during commitment with the Department of Corrections.

PURPOSE: These records document a student's progress and achievement regarding their educational background during supervision.

NOTE: These transcripts are confidential, but they may be transferred between the Division's institutions and schools. Closed is upon T number assignment.

RETENTION: EVENT (Closed/terminated/death) + 75 years and destroy confidential