455-JUSTICE

Dept # *Department Name*

RDA #	*RDA Title*	*Retention*	*Disposition*	*PII*

00006000. **CORRESPONDENCE - GENERAL** **EVT+10** **DEST** **Y**

The Department of Justice (DOJ) receives mail and electronic correspondence, which is reviewed and to which responses are sent if deemed appropriate. This RDA covers the correspondence, DOJ's response, and any related records. Examples of such correspondence include citizens advocating or opining on a particular issue and general inquiries.

This RDA covers correspondence unrelated to specific matters for which RDAs exist. These types of correspondence include those that concern issues or request services outside DOJ's statutory authority or with which DOJ cannot assist. Correspondence related to specific matters, such as investigations or litigation, are retained in the appropriate file pursuant to the relevant RDA; correspondence pertaining to open government matters are retained under separate RDAs. The Administrative and Related Records General Records Schedule addresses correspondence records but none of them meet the DOJ requirement of 10 years.

The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat.§§ 19.35(l)(a); 19.36(1); 950.04(lv)(ag) & (dr); 950.04(2w)(dm). This list is necessarily non-exclusive and intended for illustration only.

RETENTION: EVENT (Date correspondence received) + 10 years and Destroy Confidential

00007000. **OPINIONS OF ATTORNEY GENERAL** **P** **PERM** **N**

Pursuant to Wis. Stat. § 165.015(1), the legislature or head of any department of state government may request an opinion of the Attorney General on all questions of law. Opinions may also be requested by district attorneys under Wis. Stat. § 165.25(3), within the guidelines set forth in the Preface to 62 Op. Atty Gen. (1973).

These records include the final opinions which are distributed pursuant to Wis. Stat. § 35.84. The development materials including the request for an opinion, declination of any request, related correspondence, and other material created or used in the drafting of the opinion will be maintained under RDA #7A.

These records must be retained permanently as they are historically significant, they may serve as the basis for Department of Justice (DOJ) advice and guidance, and they may be used by DOJ as reference material regarding a particular issue.

RETENTION: PERMANENT

00007A00. **OPINIONS OF ATTORNEY GENERAL - DEVELOPMENT MATERIALS** **EVT+20** **DEST** **N**

Pursuant to Wis. Stat. § 165.015(1), the legislature or head of any department of state government may request an opinion of the Attorney General on all questions of law. Opinions may also be requested by district attorneys under Wis. Stat. § 165.25(3), within the guidelines set forth in the Preface to 62 Op. Atty Gen. (1973).

These records include, but are not limited to, the request for an opinion, declination of any request, related correspondence, and other material created or used in the drafting of the opinion. The opinion itself will be maintained under RDA #7.

Records may contain confidential information to which access is protected pursuant to Wis. Stat. §§ 804.01(2)(c) and 905.03(2).

Event: (1) issuance of an opinion; or (2) the declination of the request.

RETENTION: EVENT + 20 YEARS AND DESTROY CONFIDENTIAL

00012000. **CASE FILES** **EVT+11** **DEST** **Y**

Case files of Assistant Attorneys General in the Division of Legal Services (DLS). These files include, but are not limited to: legal documents (i.e. interrogatories, pleadings, motions, and stipulations/orders), subpoenas, writs, findings, legal research, correspondence, reports, newspaper clippings, briefs and appendices, exhibits, and transcripts. These files are governed by Wis. Stat. § 165.25(7).

These records may consist of documents received by DLS in electronic format or received in paper format. The official record may be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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. Original paper format documents required to be maintained in that format by any other law will be maintained as such other laws require.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(1)(a); 19.36(1); 19.36(2), 19.36 (4), 19.36(5), 19.36(8), 19.36(13), 48.396 & 48.78, 51.30, 118.125, 146.82, 905.03, 950.04(1v)(ag) & (dr), 950.04(2w)(dm), 938.396 & 938.78, 968.26, 968.40, and FERPA and HIPAA. This list is necessarily non-exclusive and intended for

illustration only.

Records for case files – historically significant matters; case files – special; case files – special – long term; major felony convictions – not historically significant (other than class A felonies); major felony convictions – historically significant (other than class A felonies); class A felonies – not historically significant; class A felonies – historically significant; and major felony Investigations – unsolved/uncharged/incomplete are managed under RDAs 13, 14, 14A, 34, 34A, 35, 35A, and 36, respectively.

RETENTION: EVENT (case closed & direct appeal period exhausted) + 11 years and destroy confidential

00012A00. BANKRUPTCY - RECORDS HAVING STATE INTEREST **EVT+11** **DEST** **Y**

This record series consists of bankruptcy case-related documents received by Assistant Attorneys General in the Division of Legal Services. The series contains: (1) every Notice of Case Filing received by Assistant Attorneys General, and (2) all other bankruptcy case-related documents.

The records in this series include legal filings (e.g. notices, motions,stipulations, requests for discovery and response to discovery requests, applications for various types of judicialrelief, plans of reorganization, briefs, exhibits,and court orders), as well as writs, legal research, correspondence, reports, newspaper clippings, and transcripts. Some materials within these files may be confidential based on attorney-client privilege and/or attorney work product doctrine pursuant to Wis. Stats § 905.03 and Wis. Newspress, Inc. v. Sch. Dist. Of Sheboygan Falls, 199 Wis. 2d 768, 782-83,546 N.W.2d 143 (1996).

This RDA is promulgated pursuant to Wis. Stat. § 165.25(7).

RETENTION: EVENT (Case closure) + 11 years and destroy confidential

00013000. CASE FILES-HISTORICALLY SIGNIFICANT **EVT+11** **SHSW** **Y**

These records contain historically significant, precedent setting case files of the Division of Legal Services. These files are governed by Wis. Stat. § 165.25(7).

Historically significant case files may include, but are not limited to, Indian treaties, environmental issues, civil rights, labor relations, misconduct by public officials, and defense of state programs that have constitutional dimension. Examples of historically significant cases include, but are not limited to, cases that garner unusual public and/or media attention, cases
that result in particularly significant legal precedents, cases that involve an especially large monetary judgment or settlement, or cases that otherwise present significant social, economic or policy issues.

Supervising attorneys and/or the division administrator will determine which cases are historically significant. Historically significant cases will be retained separately from routine cases.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(l)(a); 19.36(1); 51.30; 118.25; 148.82; 905.03; 950.04(lv)(ag) & (dr); 950.04(2w)(dm). This list is necessarily non-exclusive and intended for illustration only.

RETENTION: EVENT (Case closure) + 11 years and transfer to State Archives (WHS)

00014000. CASE FILES - SPECIAL **EVT+20** **DEST** **Y**

This record series consists of civil and criminal case files that, for statutory or other reasons, should be retained for longer than 11 years (retention period set for routine case files; see RDA #12: Case Files, but do not merit classification as historically significant under RDA #13: Case Files-Historically Significant). Examples of special cases include, but are not limited to, cases that result in judgments or settlements that must be enforced over an extended period, cases that involve an issue of governmental operations of ongoing concern to a state agency, or
criminal cases where the sentences may exceed 11 years but are less than 20 years.

Special case files may include, but are not limited to: court filings, discovery requests and responses, evidentiary materials, subpoenas, court orders, correspondence, settlement agreements and other types of agreements, legal research, reports, newspaper clippings, trial-related materials including exhibits, and transcripts.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(l)(a); 19.36(1); 51.30; 118.25; 148.82; 905.03; 950.04(lv)(ag) & (dr); 950.04(2w)(dm). This list is necessarily non-exclusive and intended for illustration only.

RETENTION: EVENT (Closure of file) + 20 years and destroy confidential

00014A00. CASE FILES - SPECIAL - LONG TERM **EVT+75** **SHSW** **Y**

This record series consists of civil and criminal case files that, for statutory or other reasons, should be retained for longer than 11 years (retention period set for routine case files; see RDA #12: Case Files, but do not merit classification as historically significant under RDA #13: Case Files-Historically Significant). Examples of special cases include, but are not limited to, cases that result in judgments or settlements that must be enforced over an extended period of time, cases that involve an issue of governmental operations of ongoing concern to a state
agency, or criminal cases where the sentences may exceed 20 years.

Special case files may include, but are not limited to: court filings, discovery requests and responses, evidentiary materials, subpoenas, court orders, correspondence, settlement agreements and other types of agreements, legal research, reports, newspaper clippings, trial-related materials including exhibits, and transcripts.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(l)(a); 19.36(1); 51.30; 118.25; 148.82; 905.03; 950.04(lv)(ag) & (dr); 950.04(2w)(dm). This list is necessarily non-exclusive and intended for illustration only.

RETENTION: EVENT (Closure of file) + 75 years and transfer to State Archives (WHS)

00034000. CASE FILES-MAJOR FELONY CONVICTIONS - NOT HISTORICALLY SIGNIFICA EVT+75 DEST Y

These records contain major felony criminal (other than Class A felonies covered by RDA 35 and 35A, and historically significant major felonies covered by RDA 34A and not under RDA 13) case files of the Division of Legal Services. It is necessary to retain these files for longer periods for federal statutory (28 U.S.C. § 2254) reasons, as well as to ensure the files are available should a prisoner challenge his/her conviction by filing a writ of habeas corpus in federal court. The files contain the documents necessary to respond to a writ of habeas corpus, which can be filed as long as an individual is in custody, including the time an individual is on probation, parole, or extended supervision. These files must be retained for a period sufficient to cover the potential lengthy sentences imposed for these serious offenses.

Major felony criminal files may include, but are not limited to, cases involving convictions for sexual assault, armed robbery, burglary, kidnapping, and other crimes in which substantial sentences for single offenses or substantial consecutive sentences or substantial periods
of consecutive probation, parole or extended supervision are imposed. Supervising attorneys will determine which cases require this longer retention, based upon sentence structure and nature of the offense.

Confidentiality provisions that may apply to specific cases include, among others: Wis. Stat. §§ 19.36(2) (certain law enforcement records), 19.36 (4) (computer programs), 19.36(5) (trade secrets), 19.36(8) (law enforcement informants), 19.36(13) (financial identifying data), 48.396 & 48.78 (children's code), 51.30 (mental health treatment records, also HIPAA), 118.125 (pupil records, also FERPA), 146.82 (patient health care records, also HIPAA), 950.04(1v)(ag) & (dr) (crime victim rights), 950.04(2w)(dm) (crime witness rights), 938.396 & 938.78 (Juvenile Justice code), 968.26 (John Doe), 968.40 (grand jury), 905.03 (attorney client privilege) attorney work product, and law enforcement sensitive information or other information not subject to disclosure under the Wis. Stat. § 19.35(1)(a) public records law balancing test.

RETENTION: EVENT (Case Closure) + 75 years and destroy confidential

00034A00. CASE FILES-MAJOR FELONY CONVICTIONS-HISTORICALLY SIGNIFICANT(O EVT+75 SHSW Y

These records contain major felony criminal (other than Class A felonies covered by RDA 35 and 35A, and non-historically significant major felonies covered by RDA 34 and not under RDA 13) case files of the Division of Legal Services. It is necessary to retain these files for longer periods of time for federal statutory (28 U.S.C. § 2254) reasons, as well as to ensure the files are Available should a prisoner challenge his/her conviction by filing a writ of habeas corpus in federal court. The files contain the documents necessary to respond to a writ of habeas corpus, which can be filed as long as an individual is in custody, including the time an individual is on probation, parole, or extended supervision. These files must be retained for a period sufficient to cover the potential lengthy sentences imposed for these serious offenses. Major felony criminal files may include, but are not limited to, cases involving convictions for sexual assault, armed robbery, burglary, kidnapping, and other crimes in which substantial sentences for single offenses or substantial consecutive sentences or substantial periods of consecutive probation, parole or extended supervision are imposed.

Confidentiality provisions that may apply to specific cases include, among others: Wis. Stat. §§ 19.36(2) (certain law enforcement records), 19.36 (4) (computer programs), 19.36(5) (trade secrets), 19.36(8) (law enforcement informants), 19.36(13) (financial identifying data), 48.396 & 48.78 (children's code), 51.30 (mental health treatment records, also HIPAA), 118.125 (pupil records, also FERPA), 146.82 (patient health care records, also HIPAA), 950.04(1v)(ag) & (dr) (crime victim rights), 950.04(2w)(dm) (crime witness rights), 938.396 & 938.78 (Juvenile Justice code), 968.26 (John Doe), 968.40 (grand jury), 905.03 (attorney client privilege) attorney work
product, and law enforcement sensitive information or other information not subject to disclosure under the Wis. Stat. § 19.35(1)(a) public records law balancing test.

Supervising attorneys will determine if the case may have possible historical significance.

RETENTION: EVENT (Case closure) + 75 years and transfer to State Archives (WHS)

00035000. CASE FILES-CLASS A FELONIES - NOT HISTORICALLY SIGNIFICANT EVT+75 DEST Y

These records contain Class A felony criminal case files of the Division of Legal Services (other than historically significant Class A felonies covered by RDA 35A, and major felonies other than Class A felonies covered by RDAs 34 and 34A and not under RDA 13). It is necessary to retain these files for longer periods for federal statutory (28 U.S.C. § 2254) reasons, as well as to ensure the files are available should a prisoner challenge his/her conviction by filing a writ of habeas corpus in federal court. The files contain the documents necessary to respond to a writ of habeas corpus, which can be filed as long as an individual is in custody, including the time an individual is on probation, parole, or extended supervision. These files must be retained for a period sufficient to cover the potential lengthy sentences imposed for these serious offenses.

Class A felony criminal files may include, but are not limited to, cases involving convictions for first-degree intentional homicide, partial birth abortion, first-degree sexual assault, and other crimes in which substantial sentences for single offenses or substantial consecutive sentences or substantial periods of consecutive probation, parole or extended supervision are imposed.

Confidentiality provisions that may apply to specific cases include, among others: Wis. Stat. §§ 19.36(2) (certain law enforcement records), 19.36 (4) (computer programs), 19.36(5) (trade secrets), 19.36(8) (law enforcement informants), 19.36(13) (financial identifying data), 48.396 & 48.78 (children's code), 51.30 (mental health treatment records, also HIPAA), 118.125 (pupil records, also FERPA), 146.82 (patient health care records, also HIPAA), 950.04(1v)(ag) & (dr) (crime victim rights), 950.04(2w)(dm) (crime witness rights), 938.396 & 938.78 (Juvenile Justice code), 968.26 (John Doe), 968.40 (grand jury), 905.03 (attorney client privilege) attorney work
product, and law enforcement sensitive information or other information not subject to disclosure under the Wis. Stat. § 19.35(1)(a) public records law balancing test.

Supervising attorneys will determine if the case may have possible historical significance.

RETENTION: EVENT (Case closure) + 75 years and destroy confidential

00035A00. CASE FILES-CLASS A FELONIES-HISTORICALLY SIGNIFICANT EVT+75 SHSW Y

These records contain Class A felony criminal case files of the Division of Legal Services (other than non-historically significant Class A felonies covered by RDA 35 and not under RDA 13). It is necessary to retain these files for longer periods for federal statutory (28 U.S.C. § 2254) reasons, as well as to ensure the files are available should a prisoner challenge his/her conviction by filing a writ of habeas corpus in federal court. The files contain the documents necessary to respond to a writ of habeas corpus, which can be filed as long as an individual is in custody, including the time an individual is on probation, parole, or extended supervision. These files must be retained for a period sufficient to cover the potential lengthy sentences imposed for these serious offenses.

Class A felony criminal files may include, but are not limited to, cases involving convictions for first-degree intentional homicide, partial birth abortion, first-degree sexual assault, and other crimes in which substantial sentences for single offenses or substantial consecutive sentences or substantial periods of consecutive probation, parole or extended supervision are imposed.

Confidentiality provisions that may apply to specific cases include, among others: Wis. Stat. §§ 19.36(2) (certain law enforcement records), 19.36 (4) (computer programs), 19.36(5) (trade secrets), 19.36(8) (law enforcement informants), 19.36(13) (financial identifying data), 48.396 & 48.78 (children's code), 51.30 (mental health treatment records, also HIPAA), 118.125 (pupil records, also FERPA), 146.82 (patient health care records, also HIPAA), 950.04(1v)(ag) & (dr) (crime victim rights), 950.04(2w)(dm) (crime witness rights), 938.396 & 938.78 (Juvenile Justice code), 968.26 (John Doe), 968.40 (grand jury), 905.03 (attorney client privilege) attorney work
product, and law enforcement sensitive information or other information not subject to disclosure under the Wis. Stat. § 19.35(1)(a) public records law balancing test. Supervising attorneys will determine if the case may have possible historical significance.

RETENTION: EVENT (Case closure) + 75 years and transfer to State Archives (WHS)

00036000. MAJOR FELONY INVESTIGATIONS-UNSOLVED/ UNCHARGED OR INCOMPLE EVT+75 DEST Y

These records contain prosecutor files (and John Doe/grand jury materials) of unsolved, uncharged, or incomplete major criminal investigations. These files must be retained in order to preserve all pertinent information relating to major unsolved crimes in the event new evidence should come to light allowing criminal charges to be issued within the statute of limitations per Wis. Stat. § 939.74. John Doe and grand jury materials are often kept in the custody of the prosecutor's office and must be retained pursuant to court order and subject to further order of the courts per Wis. Stat. § 968.26 and 968.40.

Confidentiality provisions that may apply to specific cases include, among others: Wis. Stat. §§ 19.36(2) (certain law enforcement records), 19.36 (4) (computer programs), 19.36(5) (trade secrets), 19.36(8) (law enforcement informants), 19.36(13) (financial identifying data), 48.396 & 48.78 (children's code), 51.30 (mental health treatment records, also HIPAA), 118.125 (pupil records, also FERPA), 146.82 (patient health care records, also HIPAA), 950.04(1v)(ag) &
(dr) (crime victim rights), 950.04(2w)(dm) (crime witness rights), 938.396 & 938.78 (Juvenile Justice code), 968.26 (John Doe), 968.40 (grand jury), 905.06 (attorney client privilege) attorney work product, and law enforcement sensitive information or other information not subject to disclosure under the Wis. Stat. § 19.35(1)(a) public records law balancing test.

Supervising attorneys will determine the cases that require this longer retention, based upon
pertinent statue of limitations and the nature of the offense.

RETENTION: EVENT (Case closure) + 75 years and destroy confidential

00054000. LEGAL CASE FILES - SPECIAL - CRIMINAL FELONY - 35 YEARS - INTERMEDI EVT+35 DEST Y

Felony criminal case files of the Division of Legal Services, which, for Federal Statutory (28 U.S.C. § 2254) reasons and the likelihood a prisoner could file actions challenging a conviction by writ of Habeas Corpus in Federal Courts, must be retained longer than the 11 year retention set for routine case files and the 20 year retention set for special case files but less than the 50 year retention set for major felony
convictions.

A Writ of Habeas Corpus can be filed as long as an individual is in custody, which includes the time an individual is on probation or parole. These Class A Felony criminal files will include the documents required to respond to a Writ of Habeas Corpus in the Federal Courts.

Supervising attorneys will determine the Class A Felony cases that require this retention period based upon sentence structure.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(l)(a) (public

records law, balancing test); 19.36(1) (public records law, application of other laws); 19.36(2) (public records law, law enforcement records); 19.36(4) (public records law, computer programs); 19.36(5) (public records law, trade secrets); 19.36(8) (public records law enforcement informants); 19.36(10) (public records law, employee personnel records); 19.36(13) (public records law, financial identifying information); 48.396 (Children's Code, records); 48.78 (Children's Code, confidentiality of records); 51.30 (mental health treatment records); HIPAA (health care records - federal); 118.125 (pupil records); FERPA (pupil records - federal); 146.82 (health care records); 165. 79 (Crime Laboratory privilege); 804.01(2)(c)1 (attorney work product); 938.396 (Juvenile Justice Code, records); 938. 78 (Juvenile Justice Code, confidentiality of records); 950.04(lv)(ag) & (dr) (crime victim rights); 950.04(2w)(dm) (crime witness rights); 968.26 (John Doe); 968.40 (grand jury); 905.03(2) (lawyer-client privilege).

RETENTION: EVENT (Closed) + 35 years and destroy confidential

00063000. LEGAL CASE FILES-SPECIAL-CRIMINAL FELONY-50 YEARS **EVT+50** **DEST** **Y**

An agency review identified major felony criminal case files (other than Class A felonies covered by RDAs 35 and 35A) of the Division of Legal Services for which retention periods covered by existing RDAs are not appropriate. A 50 year retention period is required for these case files as it is necessary to retain these files for longer periods for federal statutory (28 U.S.C. § 2254) reasons, as well as to ensure the files are available should a prisoner challenge his or her conviction by filing a writ of habeas corpus in federal court. These files will contain the documents necessary to respond to a writ of habeas corpus, which can be filed as long as an individual is in custody including the time an individual is on probation, parole, or extended supervision. These files must be retained for a period sufficient to cover the potential lengthy sentences imposed for these serious offenses.

These major felony criminal files will include, but are not limited to, cases involving convictions for sexual assault, armed robbery, burglary, kidnapping, and other crimes in which substantial sentences for single offenses or substantial consecutive sentences or substantial periods of consecutive probation, parole or extended supervision are imposed.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(l)(a) (public records law, balancing test); 19.36(1) (public records law, application of other laws); 19.36(2) (public records law, law enforcement records); 19.36(4) (public records law, computer programs); 19.36(5) (public records law, trade secrets); 19.36(8) (public records law enforcement informants); 19.36(10) (public records law, employee personnel records); 19.36(13) (public records law, financial identifying information); 48.396 (Children's Code, records); 48.78 (Children's Code, confidentiality of records); 51.30 (mental health treatment records); HIPAA (health care records - federal); 118.125 (pupil records); FERPA (pupil records - federal); 146.82 (health care records); 165.79 (Crime Laboratory privilege); 804.01(2)(c)l (attorney work product); 938.396 (Juvenile Justice Code, records); 938.78 (Juvenile Justice Code, confidentiality of records); 950.04(lv)(ag) & (dr) (crime victim rights); 950.04(2w)(dm) (crime witness rights); 968.26 (John Doe); 968.40 (grand jury); 905.03(2) (lawyer-client privilege).

Supervising attorneys will determine which cases require this 50 year retention, based upon sentence structure and nature of the offense. They will also determine if the case may have possible historical significance; such historically significant cases will be covered by RDA 63A.

RETENTION: EVENT (Closed) + 50 years and destroy confidential

00063A00. LEGAL CASE FILES-SPECIAL-CRIMINAL FELONY-50 YEARS-HISTORICALLY S **EVT+50** **SHSW** **Y**

An agency review identified major felony criminal case files (other than Class A felonies covered by RDAs 35 and 35A) of the Division of Legal Services for which retention periods covered by existing RDAs are not appropriate. A 50 year retention period is required for these case files as it is necessary to retain these files for longer periods for federal statutory (28 U.S.C. § 2254) reasons, as well as to ensure the files are available should a prisoner challenge his or her conviction by filing a writ of habeas corpus in federal court. These files will contain the documents necessary to respond to a writ of habeas corpus, which can be filed as long as an individual is in custody including the time an individual is on probation, parole, or extended supervision. These files must be retained for a period sufficient to cover the potential lengthy sentences imposed for these serious offenses.

These major felony criminal files will include, but are not limited to, cases involving convictions for sexual assault, armed robbery, burglary, kidnapping, and other crimes in which substantial sentences for single offenses or substantial consecutive sentences or substantial periods of consecutive probation, parole or extended supervision are imposed.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(l)(a) (public records law, balancing test); 19.36(1) (public records law, application of other laws); 19.36(2) (public records law, law enforcement records); 19.36(4) (public records law, computer programs); 19.36(5) (public records law, trade secrets); 19.36(8) (public records law enforcement informants); 19.36(10) (public records law, employee personnel records); 19.36(13) (public records law, financial identifying information); 48.396 (Children's Code, records); 48.78 (Children's Code, confidentiality of records); 51.30 (mental health treatment records); HIPAA (health care records - federal); 118.125 (pupil records); FERPA (pupil records - federal); 146.82 (health care records); 165.79 (Crime Laboratory privilege); 804.01(2)(c)l (attorney work product); 938.396 (Juvenile Justice Code, records); 938.78 (Juvenile Justice Code, confidentiality of records); 950.04(lv)(ag) & (dr) (crime victim rights); 950.04(2w)(dm) (crime witness rights); 968.26 (John Doe); 968.40 (grand jury); 905.03(2) (lawyer-client privilege).

Supervising attorneys will determine which cases require this 50 year retention, based upon sentence structure and nature of the offense. They will also determine if the case may have possible historical significance; cases that do not will be covered by RDA 63.

RETENTION: EVENT (Closed) + 50 years and transfer to State Archives (WHS)

00070000. CONFERENCE, SEMINAR, AND TRAINING MATERIALS **CR+8** **DEST** **N**

The Department of Justice (DOJ), including but not limited to its Division of Legal Services (DLS) and Office of Open Government, provide training and seminars for state and local agencies, law enforcement, the legal community, and others. These trainings and

seminars encompass a wide range of topics from civil law, criminal law, and ethics, among others.

The covered records include presentation materials and handouts used during educational conferences, continuing legal education (CLE) courses, and other trainings. Examples include, but are not limited to, the DOJ DLS Statewide Prosecutors Education and Training (SPET) program and DOJ-sponsored CLEs.

These materials are updated and revised as needed, but older materials retain value to DOJ as reference materials. The Administrative and Related Records General Records Schedule ADM 453's retention does not meet DOJ's needs, and it requires training related to licensure or certification must be retained under a program-specific RDA. These records were identified during an agency review.

The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(l)(a); 19.36; 905.03(2). This list is necessarily non-exclusive and intended for illustration only.

RETENTION: EVENT (Creation) + 8 years and destroy confidential

00073000. **FORENSIC ANALYSIS RESULTS - OUTSIDE AGENCY ASSISTS** **EVT+3** **DEST** **Y**

DCI's Digital Forensic Unit (DFU) provides digital forensic analysis services in connection with criminal investigations for DCI cases or in assisting other Wisconsin law enforcement agencies for their cases (outside agency "assists"). This includes investigations led by Wisconsin's Internet Crimes Against Children (ICAC) Task Force, which is administered through DCI. Criminal forensic examiners analyze digital evidence (e.g., contents of an individual's personal computer hard drive or cellular telephone). An agency review identified the need for a retention schedule for these records.

For DCI cases, forensic analysis results and reports documenting DFU analysis activity are filed in DCI investigative case files, which are retained pursuant to the applicable RDA (see RD As #37 and 37 A). DCI does not create investigative case files for assists to outside law enforcement agencies. Forensic analysis results for assists to outside law enforcement agencies are provided to the requesting agency and retained pursuant to that agency's records retention schedules; DCI has no long-term need for such records. Additionally, DFU analysis results contain computer content of private citizens or companies and may contain personally identifiable or financially identifiable information, purely personal content, or illicit content.

Event is the date DCI provides the forensic analysis results to the requesting law enforcement agency.

These files are governed by Wis. Stat. § 165.25(7). Records may contain information that is confidential pursuant to: Wis. Stat. §§ 19.35(1)(a); 19.36(1); 19.36(2); 19.36(4), 19.36(5), 19.36(8); 19.36(10); 19.36(13); 48.396; 48.78; 51.30; HIPAA; 118.125; FERPA; 146.82; 938.396; 938.78; 950.04(1 v)(ag) & (dr); 950.04(2w)(dm); 968.26; and 968.40.

RETENTION: EVENT + 3 years and destroy confidential

Dept # /101/ Department Name CIVIL LITIGATION

RDA # RDA Title Retention Disposition PII

00011000. **CHARITABLE FOUNDATION REPORTS** **EVT+4** **DEST** **N**

Financial statements of charitable foundations filed annually with the Internal Revenue Service on form 990PF are required by IRC 26 § 6033(C)(3) to also be filed with the State Attorney General. Once the IRS reviews the reports they receive, they send them to Marquette Memorial Library in Milwaukee, the official depository for U.S. IRS tax returns (990s). The Wisconsin Department of Justice receives the reports at the same time the IRS is sent a report.

The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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 (Received) + 4 years and destroy

00057000. **SHARED CIVIL LAW ENFORCEMENT INVESTIGATION RECORDS** **EVT+0/1** **DEST** **Y**

As part of its investigation of violations of Wisconsin’s consumer protection and antitrust laws, the Department of Justice obtains records from federal agencies such as the Federal Trade Commission and Consumer Financial Protection Bureau, as well as from law enforcement agencies in other states. Such records typically include business documents obtained pursuant to a federal or state subpoena or civil investigative demand.

Access to such records is essential to the Division's investigations and is especially common in multistate investigations in which Wisconsin participates. Federal and other State agencies condition the Department's access to such records upon the Department's assurance that it will maintain their confidentiality, consistent with state law. Federal and other State agencies also typically condition the Department's access to these records upon a promise by the Department to return or destroy the records upon the conclusion of the Department's investigation, or the conclusion of litigation, including any appeals, arising from such an investigation. The Department will destroy or return the records 30 days after the conclusion of the relevant investigation or litigation as required by the providing entity. These records also may constitute joint attorney work product.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(l)(a); 19.36(1) & (2); 51.30; 118.25; 148.82; 905.03; 950.04(lv)(ag) & (dr); 950.04(2w)(dm). This list is necessarily non-exclusive and intended for illustration only.

RETENTION: EVENT (Conclusion of investigation or litigation) + 30 days and destroy confidential

Dept # /113/ Department Name OFFICE OF OPEN GOVERNMENT

RDA # RDA Title Retention Disposition PII

00065000. PUBLIC RECORDS - OPEN MEETINGS (PROM) HELP LINE RECORDS EVT+3 DEST Y

Pursuant to Wis.Stat. §§ 19.39 and 19.98, any person may request advice from the Attorney General as to the applicability of the open meetings law and the public records law under any circumstances.The Office of Open Government (OOG) manages a Public Records-Open Meetings (PROM) help tine to facilitate this.Calls may be received from anyone including potential DOJ clients.

Typically, individuals call the PROM help line number, and the calls are logged into DOJ's case management system according to the name of the caller (individual's may also reach DOJ via another phone number or email.) An assistant attorney general contacts the individual to provide information and advice and then closes the PROM entry in the case management system. Phone calls, emails, or related documents are logged in the case management entry for that PROM call prior to closure. The PROM call entry is also closed if DOJ is unable to connect with the caller. Individuals with more complex issues, or who wish to file a complaint, are asked to submit the issue in writing. Most written questions and complaints are filed and retained as correspondence pursuant to DOJ RDA # 000-06-000.

Occasionally, previous PROM entries are accessed for reference, but generally, they hove no long-term value..This retention period matches the retention period for public records requests and responses under ADM00022. These records were identified during an agency review.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(1)(a) (public records law, balancing test); 19.35(1)(am) (public records law, requester's personally identifiable information); 19.36 (public records law, limitations upon access); 804.01(2)(c)l (attorney work product); 905.03(2) (lawyer-client privilege). PROM calls may involve a wide variety of issues, and this list is necessarily non-exclusive and intended for illustration only.

RETENTION: EVENT (Entry closed) + 3 years and destroy confidential

00071000. CORRESPONDENCE - OPEN GOVERNMENT - GENERAL EVT+10 DEST Y

The Wisconsin Open Meetings Law and the Wisconsin Public Records Law both provide that any person may request advice from the Attorney General as to the applicability of those laws under any circumstances, and the Attorney General has enforcement authority under both laws. These inquiries and enforcement requests are generally reviewed by the Department of Justice (DOJ) Office of Open Government. The need for an RDA for open government correspondence was identified during an agency review. This RDA covers the correspondence, DOrs response, and any related records. (Records related to enforcement actions are retained under the relevant civil litigation case file RDA.)

These records may be used by DOJ as reference material. Ce1iain correspondence, deemed of longer-term value or as having historical significance, are retained under RDA #72. Supervising attorneys will determine which correspondence files fall within this category based on the facts and issues presented in the correspondence. The Administrative and Related Records General Records Schedule addresses correspondence records but none of them meet the DOJ requirement of 10 years.

The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(l)(a); 19.36(!); 950.04(lv)(ag) & (dr); 950.04(2w)(dm). This list is necessarily non-exclusive and intended for illustration only.

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

00072000. CORRESPONDENCE - OPEN GOVERNMENT - HISTORICALLY SIGNIFICANT P PERM Y

The Wisconsin Open Meetings Law and the Wisconsin Public Records Law both provide that any person may request advice from the Attorney General as to the applicability of those laws under any circumstances, and the Attorney General has enforcement authority under both laws. These inquiries and enforcement requests arc generally reviewed by the Department of Justice (DOJ) Office of Open Government. The need for an RDA for open government correspondence was identified during an agency review. This RDA covers the correspondence, DOrs response, and any related records. (Records related to enforcement actions are retained under the relevant civil litigation case file RDA.)

These records must be retained permanently as they are used by DOJ as reference material or as the basis for longRstanding DOJ advice regarding a particular issue. Such correspondence is often cited in DOJ's Open Meetings Law and Public Records Law compliance guides. Supervising attorneys will determine which correspondence files fall within this category based on the facts and issues presented in the correspondence. All other open government correspondence is retained under RDA # 71. The Administrative and Related Records General Records Schedule addresses correspondence records but none of them meet the DOJ requirement of 10 years.

The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ !9.35(1)(a); 19-36(1); 950.04(1v)(ag) & (dr); 950.04(2w)(dm). This list is necessarily non-exclusive and intended for illustrntion only.

RETENTION: PERMANENT

00015000. CASE FILES - STANDARD EVT+20 DEST Y

Case files of the Wisconsin State Crime Laboratories (WSCL), which include, but are not limited to, referrals, photo work orders, photographs, drawings, receipts of evidence, analysts work papers, reports of laboratory findings, records of disposition of evidence, certifications, court appearance notices, and related correspondence. Standard case files are those cases that will be adjudicated within a shorter time frame and are cases that are not related to homicides, rapes, or cases involving minors.

These records exist and are created in paper and electronic form. It is anticipated that existing paper records will be scanned and stored in the Department's computerized document storage application at some future time. The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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. Paper records that reach the end of their retention period without being scanned into the Department's computerized document storage application will be destroyed confidentially.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. § 165.79 (evidence privileged).

*Laboratories record file closed as the Administrative Review date of each case. An Administrative Review is the final review of a WSCL report performed by an authorized designee of the Wisconsin Attorney General for the purposes of certifying Confidential Reports of Laboratory Findings. This review occurs just prior to report distribution to the customer that is usually the case submitting law enforcement agency.

RETENTION: EVENT (Date of Administrative Review) + 20 years and destroy confidential

00016000. CASE FILES - SPECIAL EVT+75 DEST Y

Wisconsin State Crime Laboratories case files, which include, but are not limited to, referrals, photo work orders, photographs, drawings, receipts of evidence, analysts work papers, reports of laboratory findings, case information contained in the Laboratory Information Management System (LIMS), records of disposition of evidence, certifications, court appearance notices, and related correspondence. Special case files may include, but are not limited to, homicides, sexual assaults, cases involving minors, and cases involving fugitives from justice. Special cases may involve ongoing criminal investigations on unsolved crimes which may be charged later, are subject to legal review, and may have additional evidence submissions. Supervisors or Managers will determine whether a file should be maintained as a special case file.

These records exist and are created in paper and electronic form. It is anticipated that existing paper records will be scanned and stored in the Department's computerized document storage application at some future time. The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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. Paper records that reach the end of their retention period without being

scanned into the Department's computerized document storage application will be destroyed confidentially.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. § 165.79 (evidence privileged).

The 75 year retention is established to ensure record availability pursuant to Wisconsin Supreme Court Rules Chapter 72 (retention and maintenance of court records).

RETENTION: EVENT (File closed) + 75 years and destroy confidential

00046000. QUALITY ASSURANCE SUPPORTING DOCUMENTATION CR+20 DEST N

The Wisconsin State Crime Laboratories retain quality assurance records in order to satisfy requirements for accreditation by a forensic science accrediting body. ANSI National Accrediting Board (ANAB) is the current accrediting body.

Accreditation assessments occur once every 4 years under the current accreditation program. Documentation on compliance with accreditation criteria and corrective actions taken to come into compliance are the standard practice for this process. Because of potential requirements for later legal proceedings, the Wisconsin State Crime Laboratories plans to retain all quality assurance records related to this accreditation process and quality issues that arise. The Wisconsin State Crime Laboratories is occasionally requested to provide documentation related to accreditation assessments on standard and special cases through public records requests or the discovery process.

These records exist and continue to be created in paper and electronic form. It is anticipated that existing paper records will be scanned and stored in the Department's computerized document storage application at some future time. The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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. Paper records that reach the end of their retention period without being scanned into the Department's computerized document storage application will be destroyed confidentially by a documented and witnessed shredding process.

RETENTION: EVENT (Creation) + 20 years and destroy confidential

00060000. STATUTORILY REQUIRED CRIMINAL JUSTICE DATA P PERM Y

Criminal justice data that is statutorily required to be collected, including, but not limited to, sexual assault, homicide, arson, use-of-force, court, arrest, search warrant, and treatment alternatives and diversion participation data. The data are stored in DOJ databases, and the use-of-force data are also forwarded to the FBI.

Permanent retention of the data is required because the data are needed to conduct longitudinal analyses. There are varying start dates to these various types of data; the earliest crime data are from 1997.

Records may contain personally identifiable information and other information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(1)(a); 19.35(1)(am); 19.36(1); 19.36(2); 51.30; and 146.82.

RETENTION: PERMANENT

00074000. RESEARCH AND STATISTICAL PROJECT RECORDS EVT+3 DEST Y

DOJ's Bureau of Justice Infmmation and Analysis (BJIA) conducts research and analysis on a wide variety of criminal justice issues and collects records, including data, as part of those projects. This RDA covers these collected records or raw data which fo1m the source material for the final products of these projects. The records reflecting the final products and results of the research and analysis projects are retained under Admin 402 and Admin 403. Those records schedules do not address DOJ's retention and disposition requirements for the underlying source material project records, which do not hold long-term value to DOJ. DOJ identified the need for this RDA following an agency review.

The records include those collected and generated by the research and statistical projects---other than records reflecting the results of the projects---conducted by DOJ as well as records generated outside DOJ but collected and used for the research and statistical projects conducted by DOJ. The records include, but are not limited to, writings, recordings, data files, statistical records, law enforcement records, or criminal case records.

Federal regulations (28 CFR Part 22) prohibit the disclosure of information identifiable to a private person that was collected as part of research or statistical project. Additionally, records may contain information that is confidential or to which access is protected pursuant

to Wis. Stat. §§ 19.35(l)(a); 19.36(1); 19.36(2); 19.36(4); 19.36(5); 19.36(8); 19.36(10); 19.36(13); 48.396; 48.78; 51.30; HIPAA; 118.125; FERPA; 146.82; 165. 79; 804.01(2)(c)l; 905.03(2); 938.396; 938.78; 950.04(lv)(ag) & (dr); 950.04(2w)(dm); 968.26; 968.40. This list is necessarily non-exclusive and intended for illustration only.

RETENTION: EVENT (End of project) + 3 years and destroy confidential

00003000. FINGERPRINT CARDS - MASTER **P** **PERM** **Y**

Prior to the implementation of the Automated Fingerprint Identification System (AFIS), a paper ID form DJ-LE-241 or its equivalent, commonly referred to as a Fingerprint Card, was submitted to CIB pursuant to Wis. Stat. §§ 165.83 and 165.84 to provide fingerprints and other identifying information on persons arrested or taken into custody in Wisconsin. Since implementing AFIS, it stores the electronic fingerprint submissions provided under these same statutes according to the fingerprint system of identification standards established by the Director of the FBI. AFIS maintains the best set of fingerprints electronically as the master file. Paper fingerprint cards
received prior to AFIS implementation have been scanned into electronic format and stored in AFIS along with electronically submitted fingerprints.

The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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.

It is the Crime Information Bureau's policy that all electronically held fingerprints will be held permanently, with the following exception: If a person is released from custody without charge or cleared of a reported offense through court proceedings, and requests removal pursuant to Wis. Stat. § 164.84(1), the fingerprint card is returned to the person and/or removed from AFIS. This includes all electronically submitted and scanned fingerprints cards.

Confidentially provisions that may apply to specific records include Wis. Stat. § 938.396.

RETENTION: Permanent

00004A00. COMPUTERIZED CRIMINAL HISTORY RECORD **P** **PERM** **Y**

The Computerized Criminal History (CCH) is an electronic file kept pursuant to Wis. Stat. §§ 165.83 and 164.84 of the criminal histories of all persons arrested or taken into custody by Wisconsin law enforcement agencies. The file contains State Identification Number (SID),
name, aliases, sex, race, birthdate, and other identifying information submitted by an agency. The CCH file is accessed by criminal justice and law enforcement agencies authorized to run a check for prior criminal activity on a person arrested or taken into custody. In addition, the criminal history is also used by non-law enforcement personnel for caregiver background checks and by the general publicfor criminal history reports.

The information obtained from the Fingerprint Card, DJ-LE-241, or its equivalent, is entered into the criminal history database after the fingerprint impressions have been searched against the Automated Fingerprint Identification System (AFIS) database. Information may be submitted electronically or in paper format. The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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.

It is the Crime Information Bureau's policy that all electronically held fingerprints be held permanently with the following exception: If a person is released from custody without charge or cleared of a reported offense through court proceedings, and requests removal pursuant to Wis. Stat. § 164.84(1), the fingerprint card is returned to the person and/or removed from AFIS. This includes all electronically submitted and scanned fingerprints cards.

Confidentially provisions that may apply to specific records include Wis. Stat. § 938.396.

RETENTION: Permanent

00040000. LAW ENFORCEMENT AGENCIES-TIME SYSTEM CORRESPONDENCE **CR+7** **DEST** **Y**

The Crime Information Bureau (CIB) operates and manages a computerized telecommunications system (TIME-Transaction Information for Management and Enforcement), which provides law enforcement agencies with real-time information for: state and national wanted, missing, and unidentified persons; stolen/wanted motor vehicles; stolen and identifiable property; driver and vehicle

registration data; and criminal history record information. CIB also serves as the state repository for criminal history record information, including fingerprint identification information. The law enforcement agencies indicated above have record files that contain TIME system correspondence from the director of CIB and include audit reports, correspondence, training, training certificates, etc.

The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications are electronically stored and the quality of these images is acceptable. After scanning and verification, the paper records are destroyed confidentially by a documented and witnessed shredding process. Paper records that reach the end of their retention period without being scanned into the Department's computerized document storage application are destroyed confidentially.

These records are confidential. CIB is required to maintain strict compliance with all federal and state laws and regulations relating to the collection, storage, or dissemination of criminal justice information and Criminal History Record Information (CHRI). The exchange shall comply with all rules, procedures and policies adopted by the FBI/NCIC Advisory Policy Board and rules found in Title 28, Code of Federal Regulations, Part 20. See also Wis. Stat. §§ 19.35(1)(a), and 19.36(1) and (2).

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

00050000. CONCEALED CARRY - LICENSE APPLICATIONS AND RELATED DOCUMENTS EVT+7 DEST Y

Pursuant to Wis. Stat. § 175.60, the Depattment of Justice (DOJ) shall issue licenses to carry a concealed weapon to any individual that is not disqualified. The concealed carry license program includes the following processes: receiving applications, assigning application numbers, processing of applications that include a background check to determine eligibility, denial of applications, issuing license numbers, ongoing receipt and review of updated comt information, change of address or name notifications, requests for replacement licenses, revocations, suspensions and renewals. In addition, pursuant to Wis. Stat. § 175.49, the DOJ may issue certifications to carry a concealed weapon by former federal law enforcement officers and former out-of-state law enforcement officers, and includes the same processes as described for the concealed carry license.

DOJ is required to maintain, control, and restrict access to the concealed carry license and certificate information pursuant to Wis. Stat. § 175 .60(12) and (12g).

The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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 (expiration of license) + 7 years and destroy confidential

00058000. HANDGUN HOTLINE RELATED RECORDS EVT+75 DEST Y

Pursuant to Wis. Stat. §§ 175.35 and 941.29, Crime Information Bureau (CIB) conducts firearm restriction checks on individuals attempting to purchase a handgun in the State of Wisconsin. CIB's Handgun Hotline program includes the following processes: receiving paper and electronic handgun purchase requests and forms, obtaining paper and electronic court documents, and assigning approval or denial numbers. Individuals denied the purchase of a handgun may appeal the denial decision.

All paper documentation received is scanned, stored in CIB's computerized document storage application, and maintained electronically. CIB maintains and controls access to the records associated with the handgun purchase requests, denials and appeals of handgun purchase requests pursuant to Wis. Stat. § 175.35 and Wis. Admin. Code ch. JUS 10.

The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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.

Confidentially provisions that may apply to specific records include Wis. Stat. § 175.35(2k).

RETENTION: EVENT (Denial / appeal process completed) + 75 years and destroy confidential

00048000. LAW ENFORCEMENT, JAIL AND SECURE JUVENILE DETENTION OFFICER RE EVT+30 DEST Y

These records identify the certification, employment and training status of law enforcement, jail, and secure detention officers. They include reports from employers and from training academies to verify that the standards established by the Law Enforcement Standards Board in compliance with Wis. Stats. § 165.85 and Wisconsin Administrative Code Chapter LES 2, have been achieved. Records may contain educational transcripts, medical records, and criminal history reports.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(1)(a); 19.36(1); 19.36(2); 19.36(10)(a)-(d); 118.125; 146.82; HIPAA; FERPA.
This list is necessarily non-exclusive and intended for illustration only.

RETENTION: Event (Termination of employment) + 30 years and destroy confidential

00049000. **RECERTIFICATION TRAINING RECORDS** **EVT+5** **DEST** **Y**

The Law Enforcement Standards Board is responsible for establishing and making training and education available to persons who seek to become law enforcement, tribal law enforcement, jail, or juvenile detention officers pursuant to Wis. Stat. § 165.85. There is also a requirement that officers complete recertification training on an annual basis.

The records covered include reports from employers and training academies verifying completion of recertification training.

The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ l 9.35(l)(a); 19.36; 19.36(1); 19.36(2); 19.36(1 O)(a). This list is necessarily non-exclusive and intended for illustration only.

RETENTION: EVENT (Date records received) + 5 years and destroy confidential

00059000. **LAW ENFORCEMENT STANDARDS BOARD CERTIFIED INSTRUCTOR RECOR** **EVT+7** **DEST** **Y**

These records identify the instructor certification of qualified applicants by the Law Enforcement Standards Board (LESB) to instruct preparatory law enforcement, jail, and secure juvenile detention officer training topics. They include applications, certificates, letters of recommendation, and correspondence verifying that the instructor certification standards of the LESB set forth in Wisconsin Administrative Code Chapter LES 4 have been achieved. Records
may contain educational transcripts.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(1)(a); 19.36(1); 19.36(2); 19.36(10)(a)-(d); 118.125; 146.82; HIPAA; FERPA.
This list is necessarily non-exclusive and intended for illustration only.

RETENTION: EVENT (instructor certification expiration) + 7 years and destroy confidential

00037000. **INVESTIGATIVE FILES** **EVT+50** **SHSW** **Y**

The Division of Criminal Investigation (DCI) investigates alleged violations of Wisconsin statutes involving narcotics and other controlled substances, criminal anti-trust, arson, financial crimes, public corruption, and general criminal statutes. Investigations may result in judicial action, while some are determined to lack investigative merit, are unfounded, or unsubstantiated. Case files may include legal documents, subpoenas, writs, findings, correspondence, reports, briefs, and related materials.

Case files also include unsolved crimes, confidential informant records, and cases that may be relevant decades after the investigations conclude. It is necessary to retain the files for an extended period for federal statutory (28 U.S.C. § 2254) reasons and to ensure the files are available if a prisoner files a writ of habeas corpus, which can be filed while a prisoner is in custody, including probation, parole, or extended supervision. The files must be retained for a period sufficient to cover potentially lengthy sentences.

These records are governed by Wis. Stat. § 165.25(7) and may contain information that is confidential pursuant to: Wis. Stat. §§ 19.35(1)(a); 19.36(1); 19.36(2); 19.36(4), 19.36(5), 19.36(8); 19.36(10); 19.36(13); 48.396; 48.78; 51.30; HIPAA; 118.125; FERPA; 146.82; 938.396; 938.78; 950.04(1v)(ag) & (dr); 950.04(2w)(dm); 968.26; and 968.40. This list is necessarily non-exclusive and intended for illustration only.

The official record may be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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.

Internet Crimes Against Children (ICAC) Task Force investigative case files are governed by RDA 37A.

RETENTION: EVENT (case closed & appeal period exhausted) + 50 years and transfer to State Archives (WHS)

RDA #	RDA Title	Retention	Disposition	PII

00037A00. INTERNET CRIMES AGAINST CHILDREN (ICAC) INVESTIGATIVE FILES **EVT+50** **DEST** **Y**

The Division of Criminal Investigation (DCI) investigates alleged violations of Wisconsin statutes involving narcotics and other controlled substances, criminal anti-trust, arson, financial crimes, public corruption, and general criminal statutes. This includes investigations, involving sensitive crimes, led by Wisconsin's Internet Crimes Against Children (ICAC) Task Force, which is administered through DCI. Investigations may result in judicial action, while some are determined to lack investigative merit, are unfounded, or unsubstantiated. Case files may include legal documents, subpoenas, writs, findings, correspondence, reports, briefs, and
related materials.

Case files also include unsolved crimes, confidential informant records, and cases that may be relevant decades after the investigations conclude. It is necessary to retain the files for an extended period for federal statutory (28 U.S.C. § 2254) reasons and to ensure the files
are available if a prisoner files a writ of habeas corpus, which can be filed while a prisoner is in custody, including probation, parole, or extended supervision. The files must be retained for a period sufficient to cover potentially lengthy sentences.

These records are governed by Wis. Stat. § 165.25(7) and may contain information that is confidential pursuant to: Wis. Stat. §§ 19.35(1)(a); 19.36(1); 19.36(2); 19.36(4), 19.36(5), 19.36(8); 19.36(10); 19.36(13); 48.396; 48.78; 51.30; HIPAA; 118.125; FERPA; 146.82; 938.396; 938.78; 950.04(1v)(ag) & (dr); 950.04(2w)(dm); 968.26; and 968.40. This list is necessarily non-exclusive and intended for illustration only.

The official record may be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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 (case closed & appeal period exhausted) + 50 years and destroy confidential

00061000. BACKGROUND CHECKS INVESTIGATIVE FILES - OTHER AGENCIES **EVT+0/1** **DEST** **Y**

Other state agencies often request the Department of Justice (DOJ) Division of Criminal Investigation to conduct background check investigations of applicants. Once the investigation is completed and the final report is delivered to the requesting agency, DOJ has no need for the final report or related investigative records. This record series includes the final report that is delivered to the requesting agency as well as all other records related to DOJ's background check investigation that are not delivered to the requesting agency. A new RDA addresses a need for a more efficient disposition of these records of short-term usefulness to DOJ.

Human Resources General Schedule HROOOO17 (Criminal Background Checks and Fingerprint Documentation) has a minimum retention period of event plus six and one half years, and DOJ RDA #00037000 (Investigative Files) has a minimum retention period of 50 years. Background check investigative files for other agencies differ in that they have no value to DOJ once the background check investigation is complete and the final report is delivered to the requesting agency. Requesting agencies retain the final report pursuant to their respective record retention schedules. A fifteen day retention time period ensures the final report is successfully delivered to the requesting agency prior to the disposition of the background check investigative file.

Records may contain information that is confidential pursuant to Wis. Stat. §§ 19.36(1) (public records law, application of other laws); 19.36(2) (public records law, law enforcement records); 19.36(10) (public records law, employee personnel records); 19.36 (13) (public records law, financial identifying information); 48.396 (Children's Code, records); 48.78 (Children's Code, confidentiality of records); 51.30 (mental health treatment records; HIPAA (health care records - federal); 118.125 (pupil records); FERPA A (pupil records - federal); 146.82 (health care records); 938.396 (Juvenile Justice Code, records); 938.78 (Juvenile Justice Code, confidentiality of records); and 19.35(l)(a) (public records law balancing test).

RETENTION: EVENT (Background check investigation closed) + 15 days and destroy confidential

00062A00. YOUTH AT RISK FOR SEX TRAFFICKING (YRST) RECORDS - HIGH **EVT+7** **DEST** **Y**

DOJ's Crime Information Bureau receives missing person reports that are entered by law enforcement into the National Crime Information Center (NCIC). Those reports are shared electronically with WSIC and entered into the Youth at High-Risk for Sex Trafficking (YRST) database, which contains data for all missing persons . The retention periods for this information are desired as the data will assist human trafficking investigations that have adult victims (to age 25) who were considered high risk as juveniles (as determined by specific criteria) .

*Once a missing person report is cancelled, related records will be retained as follows:
- For high-risk individuals, the later of the following:
  - o Seven (7) years after the individual attains the age of 18 years, or
  - o Thirteen (13) months

(Retention for all other individuals covered by RDA 62B.)

Records may contain information that is confidential pursuant to Wis. Stat. §§ 938.396 (Juvenile Justice Code, records); 938.78 (Juvenile Justice Code, confidentiality of records); 19.36(1) (public records law, application of other laws); 19.36(2) (public records law, law enforcement records) ; 48.396 (Children's Code, records); 48.78 (Children's Code, confidentiality of records); 51.30 (mental health treatment records; 146.82 (health care records); HIPAA (health care records - federal); 118.125 (pupil records); FERPA (pupil records - federal); and 19.35(l)(a) (public records law balancing test).

RETENTION: EVENT (Missing person report cancelled) + 7 years and destroy confidential

00062B00. YOUTH AT RISK FOR SEX TRAFFICKING (YRST) RECORDS - ALL OTHER **EVT+1/1** **DEST** **Y**

DOJ's Crime Information Bureau receives missing person reports that are entered by law enforcement into the National Crime Information Center (NCIC). Those reports are shared electronically with WSIC and entered into the Youth at High-Risk for Sex Trafficking (YRST) database, which contains data for all missing persons. The retention periods for this information are desired as the data will assist human trafficking investigations that have adult victims (to age 25) who were considered high risk as juveniles (as determined by specific criteria).

*Once a missing person report is cancelled, related records will be retained as follows:
- For all other individuals, the later of the following:
  - o The individual attains the age of 18 years, or
  - o Thirteen (13) months

(Retention for high-risk individuals covered by RDA 62A.)

Records may contain information that is confidential pursuant to Wis. Stat. §§ 938.396 (Juvenile Justice Code, records); 938.78 (Juvenile Justice Code, confidentiality of records); 19.36(1) (public records law, application of other laws); 19.36(2) (public records law, law enforcement records); 48.396 (Children's Code, records); 48.78 (Children's Code, confidentiality of records); 51.30 (mental health treatment records; 146.82 (health care records); HIPAA (health care records -federal); 118.125 (pupil records); FERPA (pupil records - federal); and l 9.35(l)(a) (public records law balancing test).

RETENTION: EVENT (Missing person report cancelled) + 13 months and destroy confidential

Dept # /302/ Department Name OFFICE OF SCHOOL SAFETY

RDA # RDA Title Retention Disposition PII

00066000. SPEAK UP, SPEAK OUT WISCONSIN - ADMINISTRATIVE INQUIRIES, RESPON **EVT+5** **DEST** **Y**

The Office of School Safety (OSS) operates the Speak Up, Speak Out Wisconsin resource center, which receives both administrative inquiries and tips from schools, school officials, teachers, students, and the general public related to the safety, security, and well-being of students, teachers, and schools. Contacts are received via telephone, email, website, and phone app. Once received, OSS staff respond to administrative inquiries. OSS analysts trained in threat assessment review tips and forward them to the school, school district, and/or law enforcement.

Administrative inquiries do not involve specific school safety issues; examples include requests for technical assistance and policy or program questions. Long-term retention of administrative inquiries and OSS responses is not beneficial to OSS. Tips, which may be made confidentially, receive their own file in which recorded calls and other tip records are saved; administrative inquiries are not associated with a tip file. Retention of the tips is beneficial to OSS as a reference and law enforcement tool. Tips referred to schools, school districts, and law enforcement may be retained by those authorities pursuant to their retention schedules.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(l)(a) (public records law, balancing test); 19.35(1)(am) (public records law, requester's personally identifiable information); 19.36 (public records law, limitations upon access); 19.36(8) (public records law, identities of law enforcement informants); 48.396 (Children's Code, records); 48.78 (Children's Code, confidentiality of records); 51.30 (mental health treatment records); 118.125 (pupil records); FERPA (pupil records – federal); 146.82 (health care records); HIPAA (health care records – federal); 938.396 (Juvenile Justice Code, records); 938.78 (Juvenile Justice Code, confidentiality of records). This list is necessarily non-exclusive and intended for illustration only.

RETENTION: EVENT (Date inquiry received) + 5 years and destroy confidential

00068000. SCHOOL SAFETY PLANS **EVT+5** **DEST** **Y**

Pursuant to Wis. Stat.§ 118.07(4)(a), every school in Wisconsin, public and private, is required to have a school safety plan. Pursuant to Wis. Stat.§ 118.07(e), schools are required to file a copy of their school safety plans with the Wisconsin Department of Justice (DOJ) Office of School Safety (OSS). OSS receives school safety plans from every school building in the state. Each school is required to submit their plans before January 1 of each year. An agency review identified the need for a retention schedule for these records.

School safety plans include procedures for emergency prevention and mitigation, preparedness, response, and recovery for incidents such as school violence, bomb threats, fire, intruders, and weather-related emergencies. Along with the school safety plans, schools must submit information regarding required safety drills, school safety training, and on-site safety assessments. The plans may contain personally identifiable information of school personnel, but generally, not students.

Since schools are required to submit their plans each year, OSS has no long-term need to retain plans that have been superseded.

The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(l)(a); 19.36; 19.36(l); 19.36(2); 19.36(9); 19.36(10)(a). This list is necessarily non-exclusive and intended for illustration only.

RETENTION: EVENT (plan superseded) + 5 years and destroy confidential

00076000. **BEHAVIORAL THREAT ASSESSMENT AND MANAGEMENT APPLICATION DA** **EVT+0/1** **DEST** **Y**

Behavioral Threat Assessment and Management (BTAM) helps school BTAM teams gather and analyze data regarding student behavioral threats. The Department of Justice (DOJ) Office of School Safety (OSS) provides a web-based application for use by school BTAM teams as they complete the BTAM process.

School BTAM teams open a session in the application and input data into forms that are stored for the duration of the session. Data includes the subject student's demographics, behaviors, and communications; interviews with the subject student, parents, teachers, witnesses, and others; other sources of relevant information such as academic records, social media, law enforcement records, and court records; and documentation of the analysis of the collected information, including the level of concern and an intervention plan.

DOJ OSS has no use for, and does not have access to, the inputted data. When the BTAM process is complete, school BTAM teams download the forms and close the session. The downloaded forms are retained by the relevant school district and become part of the subject student's educational records. The application is new, and DOJ identified these records after agency review.

Event is the date the school BTAM team closes the session.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(l)(a); 19.35(1)(am); 19.36; 19.36(8); 48.396; 48.78; 51.30; 118.125; FERPA; 146.82; HIPAA; 938.396; 938.78. This list is necessarily nonexclusive and intended for illustration only.

RETENTION: EVENT + 1 DAY AND DESTROY CONFIDENTIAL

00001000. **CRIME VICTIM CLAIM FILE - AWARD** **EVT+20** **DEST** **Y**

The Department of Justice, Office of Crime Victim Services administers the Crime Victim Compensation program pursuant to Wis. Stat. ch. 949, which provides financial aid to victims of crime. A claim file is created for each application received by the Department. The file may contain any of the following: victim application, DJ-CVC-1 or its equivalent; law enforcement, medical, and investigative reports; hearing summary; employment verification; copies of bills of claimant; insurance company detail of payments; correspondence; worksheets of claim process; notice of award; and record of payments.

The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ l 9.35(1)(a); 19.36(1); 146.82; 905.03; 938.396; 950.04(1v)(ag) & (dr); 950.04(2w)(dm). This list is necessarily non-exclusive and intended for illustration only.

RETENTION: EVENT (Claim File Opened) + 20 years and destroy confidential

00002000. **CRIME VICTIM CLAIM FILE - DENIAL** **EVT+5** **DEST** **Y**

The Department of Justice, Office of Crime Victim Services administers the Crime Victim Compensation program pursuant to Wis. Stat. ch. 949, which provides financial aid to victims of crime. A claim file is created for each application received by the department. The file may contain any of the following: victim application, DJ-CVC-1 or its equivalent; law enforcement, medical, and investigative repo1ts; hearing summaiy; employment verification; copies of bills of claimant; insurance company detail of payments; correspondence. If a claim is denied, the claimant has 30 days to file an appeal with the department and 60 days to file with the court.

The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(1)(a); 19.36(1);

146.82; 905.03; 938.396; 950.04(1v)(ag) & (dr); 950.04(2w)(dm). This list is necessarily non-exclusive and intended for illustration only.

RETENTION: EVENT (Claim File Opened) + 5 years and destroy confidential

00041000. DOMESTIC ABUSE DATA FILES FIS+10 DEST Y

Under Wis. Stat. § 968.075(9), district attorneys are required to annually report domestic abuse law enforcement responses, arrests, prosecutions, and convictions to the Wisconsin Department of Justice. In order to comply with this requirement, staff of the Wisconsin's District Attorney Information Technology (DA IT) Program extract data annually from PROTECT (PROsecutor TEchnology for Case Tracking)—a case management system used by district attorneys in Wisconsin—and provide it to the Bureau of Justice Information and Analysis (BJIA) at the Wisconsin Department of Justice. The data provided include only those incidents reported to district attorneys' offices by law enforcement, which are entered, and flagged, as domestic cases by staff with district attorneys' offices.

RETENTION: EVENT (Fiscal) + 10 years and destroy confidential

00044000. VICTIM OF CRIME ACT (VOCA) SUBGRANTS EVT+7 DEST Y

The Department of Justice is the designated agency in the state for the administration of Victim of Crime Act (VOCA) funding received from the U.S. Department of Justice Office of Justice Programs Office for Victims of Crime. VOCA subgrants are provided to private non-profit and public agencies to support direct services to victims of crime.

The subgrant file may include contracts, modifications, financial reimbursement requests, payment records, documents related to monitoring, programmatic reports, and related correspondence.

Pursuant to federal auditing purposes, all grant records must be retained for a period of seven (7) years following the end of the project period.

The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19 .35(1)(a); 19.36(1); 19.36(13). This list is necessarily non-exclusive and intended for illustration only.

RETENTION: EVENT (End of project period) + 7 years and destroy Confidential

00051000. SEXUAL ASSAULT VICTIM SERVICES (SAVS) GRANTS EVT+7 DEST Y

The Department of Justice is responsible for providing Sexual Assault Victim Services (SA VS) grants to eligible organizations to provide services for sexual assault victims pursuant to Wis. Stat.§ 165.93.

A grant file is created for each grantee and will contain records related to the award and administration of the grant including grant applications, award letters, grant agreements/contracts, budgets, narrative and fiscal reports, and other related correspondence.

Pursuant to federal auditing requirements, all grant records are to be retained for a period of seven (7) years following the end of the project period.

The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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.

Records may contain information that is confidential or to which access is protected pursuant to Wis. Stat. §§ 19.35(1)(a); 19.36(1); 19.36(13). This list is necessarily non-exclusive and intended for illustration only.

RETENTION: EVENT (End of project period) + 7 years and destroy confidential

00052000. VICTIM RESOURCE CENTER (VRC) CASE FILES EVT+10 DEST Y

The Victim Resource Center (YRC) assists victims of crime with information, referrals, and questions regarding their crime victim and witness rights. Services provided by the VRC include: information and referrals for crime victims; informational materials and training on victim rights; victim appellate notification services; assistance with understanding and participating in the criminal justice system; receiving and addressing rights complaints; and early crime-response assistance. The YRC also provides a toll-free number to provide crime victims and witnesses with information and referral to available services, crisis counseling and emotional support, and assistance in securing resources and protection, pursuant to Wis. Stat. § 950.08.

VRC records may contain information related to services provided to crime victims and witnesses in a case investigated and/or prosecuted by the department; information from a crime victim regarding a problem or complaint and documentation of the efforts the department made to resolve the matter; personal contact information, crime victim impact information, restitution requests an<l related correspondence. The records may also contain records pertaining to the Victim Appellate Notification Services.

Official records created after April of2020 will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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.

Records may contain information that is confidential or to which access is protected pursuant to Wisconsin Const. art. I, § 9m; Wis. Stat. §§ 19.35(1)(a); 19.36(1); 19.36(2); 19.36(8); 19.36(10); 19.36(13); 19.85(1); 48.396; 48.78; 51.30; HIPAA; 146.82; 804.01(2)(c)l; 905.03(2); 938.396; 938.78; 950.04(1v)(ag) & (dr); 950.04(2w)(dm). This list is necessarily non-exclusive and intended for illustration only.

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

00053000. VICTIM WITNESS PROGRAMS FILES EVT+10 DEST N

Pursuant to Wis. § Stat. 950.06, the Depa1tment of Justice shall review and approve the implementation and operation of Wisconsin's county victim witness assistance programs. The Department shall also determine the level of services for which a county can be reimbursed by the state. The Victim Witness Program Plan will be approved as outlined in JUS 12.02.

Records may contain related correspondence, financial reimbursement rep01ts and documentation, and annual county reports which are all related to the provision of services and program administration.

RETENTION: EVENT (Approval of Victim Witness Plan) + 10 years and destroy

00056000. SEXUAL ASSAULT FORENSIC EXAM (SAFE) PROVIDERS FIS+5 DEST N

Pursuant to Wis Stat. § 949.20, any health care provider who conducts an examination to gather evidence regarding a sex offense may apply to the Department of Justice (DOJ) for reimbursement for the examination costs, with some exceptions.

A file is set up for each health care provider and will contain records relating to applications for payment and payments made to that health care provider for the year. Files may contain applications, itemized medical bills, payment documentation, and correspondence with the health care provider.

Any personally identifiable information of the victim who received the examination is confidential under Wis. Stat. § 949.36 unless written consent is provided for release. Patient health care records are confidential under Wis. Stat. § 146.82 and the federal Health Insurance Portability and Accountability Act (HIPAA).

Retention reduced to 5 years as there is no statute, grant, or law requiring a 10-year retention, and there are no historical records explaining why the original 10-year timeframe was chosen.

RETENTION: EVENT (Fiscal) + 10 years and destroy confidential

00067000. SAFE AT HOME (SAH) PARTICIPANT FILES EVT+10 DEST Y

Safe at Home (SAH) is a statewide address confidentiality program that provides victims of actual or threatened domestic abuse, child abuse, sexual abuse, stalking, or trafficking, or those who simply fear for their physical safety, with a legal substitute address to be used for both public and private purposes pursuant to Wis. Stat. §165.68. Enrollment in SAH allows pmiicipants to use and receive mail at an assigned address in lieu of their actual address. SAH forwards mail from the assigned address to participants' actual addresses free of charge. The intent of SAH is for those who fear for their safety to be able to maintain a private, confidential home, work, or school address.

SAH records contain private and/or confidential information, including participant names, addresses, phone numbers, and email addresses. Participant files may also include court documents, correspondence, and affidavits.

Official records created after January of 2022 will be maintained electronically for the full retention period. The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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.

Records may contain information that is confidential, or to which access is protected, pursuant to Wis. Stat.§§ 19.35(l)(a); 19.36(1); 146.82; I65.68(4)(d)l.; 905.03. This list is necessarily non-exclusive and intended for illustration only.

RETENTION: EVENT (Disenrollment from SAH) + 10 years and destroy confidential

00069000. CRIME VICTIM RIGHTS BOARD P PERM Y

The Wisconsin Crime Victims Rights Board (CVRB) is the state's victim rights enforcement body. It is an independent quasi-judicial body with a limited administrative attachment to the Wisconsin Department of Justice.

The records created and maintained by the CVRB include those regarding its meetings, including closed sessions, complaints, and investigations into alleged violations of crime victims' rights. Records include, but are not limited to, meeting minutes, probable cause determinations, final decisions, repo1ts, transcripts, medical records, body camera recordings, audio recordings, sworn statements from public officials and public employees, and communications with the CVRB's legal counsel. An agency review identified the need for a retention schedule for these records.

These records must be retained permanently as they are used as reference material. Consequently, the retention period set by Administrative and Related Records General Records Schedule ADM 25 does not meet the CVRB's needs.

The official record will be maintained electronically 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 will be imaged or reformatted and subject to review, to ensure the images of these applications 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.

Records may contain infmmation that is confidential or to which access is protected pursuant to Wis. Stat.§§ 19.35(l)(a); 19.36(1); 19.36(2); 19.36(8); 19.36(10); 19.36(13); 19.85(1); 48.396; 48.78; 51.30; HIPAA; 146.82; l; 804.01(2)(c)l; 938.396; 938.78; 950.04(1v)(ag) & (dr); 950.04(2w)(dm); 905,03(2). This list is necessarily non-exclusive and intended for illustration only.

RETENTION: PERMANENT