

**SAN DIEGO POLICE DEPARTMENT
ORDER**

DATE/TIME: MARCH 5, 2026 1700 HOURS
NUMBER: OR 26-09
SUBJECT: PROPER FORMAT OF DIVISIONAL PERSONNEL FILES
SCOPE: ALL MEMBERS OF THE DEPARTMENT
DEPARTMENT PROCEDURE AFFECTED: 5.08

Portions of this document are deemed by the San Diego Police Department to be exempt from public disclosure because the public interest served by not disclosing the information clearly outweighs the public interest served by disclosure, pursuant to California Government Code section 7922.000.

I. BACKGROUND

Section 832.8 of the Penal Code defines a personnel file as any file maintained by the employing agency under any employee's name, identification number, or any other system which separates one employee from another, containing records relating to personal data, medical history, election of employee benefits, advancement, appraisal, discipline, complaints, or investigations thereof which resulted in disciplinary action or any other information the disclosure of which would constitute an unwarranted invasion of personal privacy.

II. DEFINITIONS

Divisional personnel file - a working file for the short-term retention of informal documents pertaining to an employee's performance.

III. PROCEDURES

The employee's divisional personnel file shall be maintained as such:

- A. Divisional personnel file must be a two-tab file folder
 - 1. The **LEFT** side of the folder shall contain the following documents, in the following order, (from top to bottom):
 - a. Standardized Purge Form (PD-129PE);

- b. Emergency Notification Form (PD-958) (Sealed in an envelope);
- c. Department Procedure 1.20 – Overtime Compensation Acknowledgement of Receipt;
- d. Original copy of the performance plan for current rank/classification document signed by the employee.
 - (1) Refer to City of San Diego Personnel Regulations Index Code: G-7A, for further details regarding Performance Plans.

2. The **RIGHT** side of the folder shall contain the following documents, in the following order (from top to bottom):

- a. Performance evaluations (e.g. quarterly, annual), if probationary evaluations, (up to the completion of probation for the previous one year only);
 - (1) Prior to purging the Performance evaluation / probationary evaluations, the supervisors should confirm with HR they have received a copy.
- b. Certificates and commendations (if applicable) for one year from the date of issuance;
 - (2) Prior to purging the item(s), supervisors should confirm with HR they have received a copy.
- a. Miscellaneous documents (if applicable) (e.g. Inspection reports, PD-599, Missed call notices, informal/citizen Commendations, non-permanent documents);
- b. Informal Discipline: Written Counseling (Note of Counseling), Written Warnings (if applicable):

B. The employee's divisional personnel file shall be maintained by the employee's command and, upon the employee's transfer to another PD assignment.

- 1. Upon the employee's transfer to another PD assignment, this file shall be hand carried to the appropriate command within fourteen days of the date of transfer of the employee.
- 2. Upon transferring to another City Department or upon leaving employment, this file shall be hand carried to Police HR as soon as possible.
- 3. Department personnel shall not use the interoffice mail system to transfer these files.

IV. PURGING OF FILES

- A. The employee's divisional personnel file shall be purged annually on the employee's employment anniversary date. The Standardized Purge Form (PD-129PE) shall be filed on the left side of the folder and will be used to record purging dates. Example of items to be purged are: (e.g. Inspection reports, PD-599, Missed call notices, informal/citizen Commendations, non-permanent documents);
- B. The employee's divisional personnel file shall contain documents that are less than one-year-old that are required to be purged when an employee's anniversary date occurs; and,
- C. The employee's divisional personnel file shall contain documents with a retention period of one year, **except for the following:**
 - 1. The original performance plan;
 - 2. Department Procedure 1.20 – Overtime Compensation Acknowledgement of Receipt;
 - 3. Emergency Notification Information form; and,
 - 4. For sworn personnel: Written Counseling (Notes of Counseling) and Written Warnings and personnel investigations completed by the employee's command that result in no written disciplinary action will be maintained using the following guidelines:
 - a. These documents must be maintained with all associated attachments in the employee's divisional personnel file for **FOUR** years from the date of investigation, pursuant to Government Code section 12946.
 - (1) Government Code section 12946, which states, in part, that it shall be an unlawful practice for employers to...fail to maintain and preserve any and all applications, personnel, membership, or employment referral records and files for a minimum period of four years after the records and files are initially created or received, or for employers to fail to retain personnel files of applicants or terminated employees for a minimum period of four years after the date of the employment action taken.”
 - (2) This includes lower-level discipline (e.g., Notes of Counseling and Written Warnings) being kept in the employees' divisional file, **which must remain in the file and not be destroyed for**

at least four years from the date of issuance. No items meeting the above criteria shall be disposed of without the express consent of the Deputy Director of Human Resources, or their designee.

- b. The employee shall read and sign the disciplinary documents and/or the personnel investigation.
- c. After one year, the disciplinary documents for sworn personnel and personnel investigations for sworn personnel shall be sealed by the command and maintained in the employee's divisional personnel file for **THREE** additional years.
 - (1) The sealed envelope shall be marked with the appropriate date for destruction.
 - (2) It shall not be opened except by judicial order, Police Human Resources, or a Police Legal Advisor, and only in the event the officer is the subject of litigation.

Effective immediately, all Divisional Personnel Files will follow the above format. These changes need to be completed by (Redacted – record exempt), to prepare for the upcoming departmental audit cycle.

Department Procedure 5.08 will be updated to reflect this order.

If you have any questions, please contact Inspection and Control Unit at **(Redacted – record exempt)**

Please read at squad conferences and give a copy to all personnel.