

## SAN DIEGO POLICE DEPARTMENT ORDER

**DATE/TIME:** JANUARY 27, 2023 1545 HOURS  
**NUMBER:** 22-04  
**SUBJECT:** CITYWIDE E-MAIL RETENTION SCHEDULE COMPLIANCE  
**SCOPE:** ALL MEMBERS OF THE DEPARTMENT

**DEPARTMENT PROCEDURE AFFECTED:**

---

**Portions of this document are deemed by the San Diego Police Department to be records of security procedures and are exempt from disclosure under the California Public Records Act (CPRA), Government Code Section 7923.600**

**Effective February 1, 2023**, the City of San Diego (CoSD) will adopt a five-year e-mail retention schedule. After the five-year period, e-mails will be purged from the system and no longer retained, unless the person requiring retention retains it prior to the end of five years. The Department's email system (e.g., Outlook) is not a records storage system and email messages that are deemed City or Department records shall be stored outside of the email system, in the OpenText computer system, to prevent unintentional deletion when required for litigation.

With the new policy, City Council also approved an update to the City Master Records Schedule to store email messages that are deemed City or Department records electronically, for a retention period of 10 years from the creation date (Five years in the email system and extended to an additional five years in OpenText). However, if an email is deemed to be a record that is required to be retained for longer than 10 years, it will remain the employee's responsibility to retain the record according to the applicable records series of the Department's Retention File Plan (DRFP).

**NOTE: This five-year retention is retroactive. Therefore, all Department personnel are advised that any information that must be retained and took place before April 1, 2018, shall be converted to Open Text** Department personnel who are, or have been, notified regarding specific City or Department email production or retention, via subpoena, court order, or contact by the City Attorney's Office, shall follow these steps:

1. Department employees shall contact the Requested Information Unit (RIU) immediately. RIU personnel will facilitate the extraction of the specific emails and provide retention of the emails, via OpenText, if not previously saved in a different format.

2. Emails that are determined to be City or Department Records with a retention period of 10 years or less must be moved over to the OpenText system, via RIU or the Records Unit.
3. Email Records with a retention period of more than 10 years must instead be printed out and retained according to the MRS and the City Clerk's Administrative Guidelines, by contacting the Records Unit.

Additionally, the Police Department has different standards by which it must collect and vet emails for adjudication and prosecution, including CLETS and DOJ standards. As such, the following procedures shall be updated in Department Procedures 1.26 and 6.04 :

A. Retention of e-mails for evidentiary purposes

1. E-mails that are related to a specific case (e.g., statements, updated theft loss lists, etc.), or part of a series with associated case numbers, and provide evidentiary benefit shall be copied and uploaded to NetRMS as an attachment to the case.
  - a. Sexual Assault, Child Abuse, and Homicide related e-mails shall be retained on the NetRMS case. The retention schedule of these cases will dictate the retention of the e-mails unless pending litigation extends the retention schedule of the documents.
  - b. This directive is not meant for emails related to a specific case but that do not provide any evidentiary value, (i.e., correspondence between the prosecution, the public defender's office, a patrol officer, or another investigator).
2. E-mails that are not already attached to NetRMS and are designated as related to specific lawsuits, subpoenas, or other litigation shall be saved and retained on the City of San Diego's dedicated application, Open Text. If a Department member is served a subpoena related to pending litigation that will be adjudicated for longer than the five-year retention of the emails, that member shall, upon receipt of the subpoena, contact the RIU for further directions.
  - a. Designated members of the RIU and the Records Unit are the only employees who shall have access to upload any email documents to the Open Text storage application.
  - b. OpenText shall not be used to store documents and other digital items that are not related to pending litigation, a litigation hold, a court order, or a subpoena.

B. Training

1. Each City department has a records coordinator who is assisting designated employees with training information and questions.

2. Department personnel who are designated to be trained will be notified by email and provided notification of training through SuccessFactors. The training is titled “Electronic Storage of City Email Records”.
3. Those that are required to attend training should be aware of the following restrictions:
  - a. Designated employees must complete the training and receive a Completion Certificate.
  - b. Course credit may not register if the trainee fast-forwarded throughout a part of the course, or because the trainee left the training unattended for over 20 minutes. In both cases, one will be able to get to the end of the course, including taking the quiz, but credit will not be given.
  - c. If you access the course many times and fast-forward on your last attempt, credit would also not be given by Success Factors.

If you have any questions, please contact the SDPD Help Desk at **(Deleted – records of security)**.

---

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