



SUPPLEMENTAL MEMO

TO: HONORABLE CITY COUNCIL
Oakland, California

FROM: Office Of The City Clerk

DATE: April 11, 2024

RE: ADOPT A RESOLUTION APPROVING A RECORDS RETENTION SCHEDULE FOR PREVIOUSLY OMITTED OAKLAND POLICE DEPARTMENT (OPD) AND COMMUNITY POLICE REVIEW AGENCY (CPRA) RECORDS AND OTHER ERRONEOUSLY OMITTED REVISIONS; MODIFYING TO THE EXTENT NECESSARY RESOLUTION NO. 90117 C.M.S. TO EXPRESSLY INCORPORATE THESE AMENDMENTS; AND REAFFIRMING THE AUTHORITY AND ROLE OF THE CITY CLERK TO (1) REVIEW AND APPROVE REQUESTS FOR THE DELETION AND/OR DESTRUCTION OF CITY RECORDS; AND (2) TO REVIEW AND AMEND THE RECORDS RETENTION SCHEDULE ON A PERIODIC BASIS WITHOUT RETURNING TO COUNCIL

Honorable President Fortunato Bas and Members of The City Council:

This supplemental memo describes the changes between the Records Retention Schedule passed by the City Council on February 20, 2024 (Exhibit B to Resolution 90117, C.M.S.) and the version before the Council on April 16, 2024, which is attached to the legislation as Exhibit B-Updated.

This memo is provided as a courtesy only. Any discrepancies between this memo and the Records Retention Schedule attached as Exhibit B-Updated are unintentional. In the event of any discrepancies, the actual legislation set forth in Exhibit B-Updated shall govern.

Record No.	Notes
5	Record No. 5 is now 5(a) and 5(b). OPD has its own category from the rest of the City.
9(b)	Increased from 20 years to the point at which the policy is superseded plus 50 years.
12	Adds clarification that "complaints of misconduct by OPD go to OPD Internal Affairs.
14(b)	Increased to "Current Year" + 20 years
21	Correction made at 2/20 Council Meeting from 4 years to permanent.
25	Erroneously omitted from prior version. Record No. 25 is now 25(a) and 25(b) to distinguish between routine legal advice and opinions and significant/notable advice and opinions.
26	Erroneously omitted from prior version. Increased from 2 years to permanent.
45-47	Increased from "While Active" + 20 years to "Closed" + 20 years.

To: Honorable Members Of The City Council

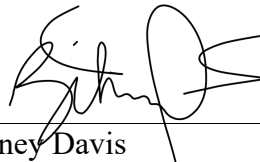
Office Of The City Clerk

Subject: Approve A Records Retention Schedule For Previously Omitted OPD, CPRA Records & Other Erroneously Omitted Revisions

Date: April 11, 2024

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67	Increases retention period from 7 years to 10 years.
71	No change. Included as originally presented to Council on 2/20/24.
84	Edited to confirm police background checks are covered in Record No. 85(b)
85(b)	No change. Included as originally presented to Council on 2/20/24.
86(b)	No change. Included as originally presented to Council on 2/20/24.
105	Adds DUI case files to this category; increased from "While Active" + 10 years to "Closed" + 10 years.
106-110	No change. Included as originally presented to Council on 2/20/24.
111	Changed from "Final Resolution" + 2 years to "Closed" + 2 years.
112	Increased from "While Active" + 20 years to "Closed" + 20 years.
113	Added sex crimes to records description and title otherwise no change.
114	Added bicycle and pedestrian stops to the title. Reduced to 2Y from 3Y.
115	Increased from "While Active" + 2 years to "Closed" + 2 years.
116	Description modified to clarify application to all use of force files; title changed from Police Case Files - Officer Involved Shootings to Police case files - Officer Use of Force; increased from "While Active" + 20 years to "Permanent."
117	No change. Included as originally presented to Council on 2/20/24.
118	Increased from "While Active" + 2 years to "Closed" + 5 years.
119	No change. Included as originally presented to Council on 2/20/24.
120	Increased from "While Active" + 20 years to "Closed" + 20 years.
121	No change. Included as originally presented to Council on 2/20/24.
122	Defers to current OPD policy; 2 years for body cam and 5 days for drone recordings subject to specific exceptions per DGO I-15 F-2 (BWC) and DGO I-25 (drone recordings).
123-125	No change. Included as originally presented to Council on 2/20/24.
126	Increased from "Life" + 5 years to "Life" + 10 years.
131	Exception revised for clarity.
143	New category. Currently held at 5Y unsustained and 15Y sustained under OPD schedule. Increases to Permanent.
144	New category. Increased to "Closed" + 20 years.



Britney Davis

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City Of Oakland