

# Agenda Report

**TO:** City Council

**DATE:** February 5, 2001

**Through:** Public Safety Committee

**FROM:** City Manager

**SUBJECT:** Destruction of Pasadena Police Department Internal Affairs Records

**RECOMMENDATION:**

It is recommended that the City Council adopt a resolution authorizing the Chief of Police to destroy Internal Affairs files regarding investigations concluded in 1991 through 1995.

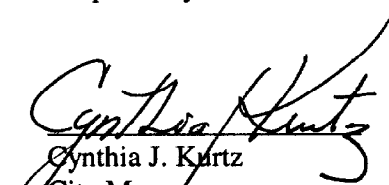
**BACKGROUND:**

Government Code 34090 requires that the City Council approve by resolution the destruction of files by the City in circumstances, which apply, to records of Internal Affairs investigations maintained by the Police Department. Evidence Code 1045 requires such records to be kept for only five years. The statutory requirement that these records be maintained in confidence by the Internal Affairs section places a premium on controlled confidential storage in that unit. As a consequence, it is necessary periodically to destroy old records. The Police Department maintains statistical records, which reflect the investigative files to be destroyed; however, there is no longer space to retain all the investigatory documents for investigations completed between 1991 and 1995. The Police Department will maintain all internal investigations, regardless of age, involving allegations of Sexual Misconduct, Integrity and Officer Involved Shootings. The Chief of Police and the City Attorney have reviewed the affected files to assure that no pending matters are involved and that no prejudice will result from the destruction of these files.

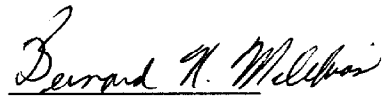
**FISCAL IMPACT:**

Cost for the destruction of records is included in the Police Department's approved operating budget.

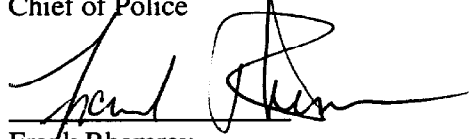
Respectfully submitted,

  
Cynthia J. Kurtz  
City Manager

Concurrence:



Bernard K. Melekian  
Chief of Police

  
Frank Rhemrev  
Assistant City Attorney

Prepared by:



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