

Adult File Retention Policy



Effective: March 1, 2019
From: Diana Becton, District Attorney

Case Type

File Retention

Felony Cases

Homicide (charged)	Do Not Destroy
Life (charged)	Do Not Destroy
Sexual Assault (charged) * see criteria	Do Not Destroy
Three Strikes (charged)	Do Not Destroy
Gang	25 Years From Disposition
Domestic Violence / Elder Abuse	15 Years From Disposition
Asset Forfeiture	5 Years From Disposition
All Other Felony Cases	10 Years From Disposition

Misdemeanor Cases

Sexual Assault (charged)	Do Not Destroy
Domestic Violence / Elder Abuse	15 Years From Disposition
Child Abuse	10 Years From Disposition
All Other Misdemeanor Cases	3 Years From Disposition

Mental Health Cases (NGI)

Do Not Destroy

Special Operations Division Cases

Environmental	Do Not Destroy
Auto Fraud	10 Years From Disposition
Civil Consumer	10 Years From Disposition
Consumer Complaints	10 Years From Last Complaint
Disability and Healthcare	10 Years From Disposition
Life and Annuity	10 Years From Disposition
Organized Auto	10 Years From Disposition
Welfare Fraud	10 Years From Disposition
Worker's Compensation Fraud	10 Years From Disposition
SOD / Real Estate / CNSPR Criminal	
Felony	10 Years From Disposition
Misdemeanor	4 Years From Disposition

Adult File Retention Policy

No Charges Filed (NCF)

Felony	Current Year Plus 3 Years
Misdemeanor	Current Year Plus 2 Years
Homicide	Do Not Destroy
Sexual Assault (Life)	Do Not Destroy
Sexual Assault (Felony / Misd)	Current Year Plus 40 Years
Domestic Violence / Elder (Felony / Misd)	Current Year Plus 10 Years
Special Operations Division	
Public Corruption / Brown Act	Current Year Plus 10 Years
Insurance Fraud	Current Year Plus 4 Years
SOD Criminal	
Felony	Current Year Plus 4 Years
Misdemeanor	Current Year Plus 3 Years

Appeals (Follow Case Type)

Decisions	2 Years
Writs	2 Years
Appeals	1 Year

* Sexual Assault Charge Criteria

– Any of the following charges listed, then the case is considered SAU and are not to be purged

<i>PC 207</i>	<i>PC 261(a)</i>	<i>PC 266i</i>	<i>PC 288</i>	<i>PC 311.11</i>
<i>PC 209</i>	<i>PC 261.5</i>	<i>PC 266j</i>	<i>PC 288a</i>	<i>PC 314.1</i>
<i>PC 220</i>	<i>PC 262(a)(1)</i>	<i>PC 269</i>	<i>PC 288.5</i>	<i>PC 647.6</i>
<i>PC 243.4</i>	<i>PC 264.1</i>	<i>PC 273ab</i>	<i>PC 288.7</i>	
<i>PC 261</i>	<i>PC 266h</i>	<i>PC 286</i>	<i>PC 289</i>	