11. Law Enforcement

Law Enforcement records document the efforts of state agencies to protect the lives and property of the state's citizens and people who visit and work in the state as well as to supervise adults and juveniles sentenced after conviction for violations of North Carolina law. This function focuses on efforts to ensure compliance by individuals and organizations with laws; for the broader enforcement of regulations and codes to entities and organizations, see MONITORING AND COMPLIANCE. For court orders and process service, see LEGAL. Law enforcement records from the Office of the Governor are included under GOVERNANCE.

Table of contents (A comprehensive listing of all record types is available on the functional schedule documents page at https://archives.ncdcr.gov/documents/functional-schedule-state-agencies):

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An index for the entire functional schedule is available on the functional schedule documents page at https://archives.ncdcr.gov/documents/functional-schedule-state-agencies.

Few Law Enforcement records have archival value, although many record types have long retention periods (e.g., sex offender registries [RC No. 1126] should be retained in office permanently). The retention periods for many law enforcement records are triggered by the conclusion of a case or investigation; for this reason, it is best to organize Law Enforcement records chronologically according to these trigger events. For example, by doing so, in 2018 an agency could easily identify and destroy any confinement reports (RC No. 1115) that were completed before 2015.

Many Law Enforcement records are confidential, so great care should be taken to ensure that access is limited to those with proper authorization. The 1972 NC Court of Appeals decision in *Goble* v. *Bounds* (13 N.C. App. 579) affirmed that prison records of inmates are confidential and not subject to inspection by the public. General Statute § 132-1.4 specifies that records of criminal investigations conducted by public law enforcement agencies and records of criminal intelligence information compiled by public law enforcement agencies may only be released by order of a court of competent jurisdiction; it also lists the law enforcement and court records that are public, including information about persons arrested/charged/indicted as well as returned arrest and search warrants (see (c) and (k) for a complete list).

There may be court orders that override the authorization for destruction provided by this records schedule; in such cases, no destructions should occur.

These functional schedules apply to records in all media, unless otherwise specified. The State Archives of North Carolina recommends that agencies develop a file plan that documents the owners of record copies, internal definitions of reference value, and record formats. Information about the NC Public Records Act, confidentiality, destructions, audits and litigation actions, and electronic records can be found in the overview to the functional

scheduling initiative. (These documents are available on the state agency records management documents page at https://archives.ncdcr.gov/documents/state-agency-rm.) A key for the functional schedule along with definitions of important records management terms can be found in the glossary to this schedule.

11.1 Corrections Management

DEFINED: Activities conducted by the Department of Public Safety (DPS) related to the care, custody, and supervision of adults and juveniles sentenced to correctional facilities after conviction for violating North Carolina law. According to G.S. § 132-1.7, "specific security information or detailed plans, patterns, or practices associated with prison operations" are not public records. According to G.S. § 132-11, "juvenile, probationer, parolee, post-releasee, or prison inmate record[s], including medical and mental health records" are exempted from the time limitation on confidentiality of records. Additional confidentiality restrictions are cited below.

SEE ALSO: Records pertaining to the training provided to offenders are covered under EDUCATION. The financial records for work release funds are under FINANCIAL MANAGEMENT. Medical records for offenders are under HEALTHCARE. Records pertaining to juvenile offenders who are not placed in a DPS facility are held in the Juvenile Court Counselor's Case Records under LEGAL, as are expungements and appeals of inmate grievances. Commutations, pardons, and reprieves are under GOVERNANCE. Surveillance system reports and recordings are under RISK MANAGEMENT.

RC No.	Record Types	Description	Disposition Instructions	Citation
1111.10	Adult Offender Records SEE ALSO: Transition File (EDUCATION), Legal Case Records (LEGAL)	combined inmates records maintained by the Department of Public Safety; includes all prison, parole, and probation information, history cards, legal information, forms related to inmate control, incident reports, financial records, personal property inventories, transportation logs, visitor logs, work release funds, and other related records	RETAIN UNTIL: Release and conclusion of supervision PLUS: 10 years Ω THEN: Destroy	Authority G.S. § 148-74 G.S. § 148-76
1111.3		other inmate records maintained by DPS; includes classifications, communications, death, grievances, meals/menus, physical force documentation, and other related records	RETAIN UNTIL: Complete PLUS: 3 years THEN: Destroy	Retention 10A NCAC 14J .1723

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.
∞ See appendix for list of item numbers for records that should transfer to the State Archives.
Ω See appendix for list of item numbers for records that are temporarily stored at the State Records Center prior to destruction.

RC No.	Record Types	Description	Disposition Instructions	Citation
1112.<	Correctional Facilities Security Recordings	surveillance system reports and recordings of Department of Public Safety correctional facilities	RETAIN UNTIL: Complete PLUS: 30 days THEN: Destroy* *NOTE: Records that become part of a case file should be handled according to those disposition instructions.*	Confidentiality G.S. § 132-1.7(a1)
1113.A	Death Row Inmate Jackets	records maintained by the Department of Public Safety concerning inmates sentenced to death who are executed or otherwise die while on death row; includes commitment information, death row investigation, correspondence, and recommendations of the Parole Commission	PERMANENT (archival) ∞	
1114.10$_1$	Juvenile Offender Records SEE ALSO: Cumulative Record, Services to Students with Disabilities, Transition File (EDUCATION)	petitions and juvenile court orders, secure custody orders, admission sheets, inventory sheets, medical records, daily behavior reports, room check logs, accident/injury reports, special management reports, runaway reports, incident reports, release orders and forms, and other related records for juveniles placed in Department of Public Safety detention centers	RETAIN UNTIL: Juvenile reaches 18 years of age PLUS: 10 years Ω THEN: Destroy	Confidentiality G.S. § 7B-3100
1114.10$_2$		commitment data forms, court orders, transfer summaries, conditional release forms, final discharge forms, and other related records for juveniles placed in DPS youth development centers	RETAIN UNTIL: Juvenile reaches 18 years of age PLUS: 10 years Ω THEN: Destroy	Confidentiality G.S. § 7B-3100

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.
∞ See appendix for list of item numbers for records that should transfer to the State Archives.
Ω See appendix for list of item numbers for records that are temporarily stored at the State Records Center prior to destruction.

RC No.	Record Types	Description	Disposition Instructions	Citation
1115.3	Offender Management Records	confinement reports, inspections, population lists, and other related operational records for Department of Public Safety facilities	RETAIN UNTIL: Complete PLUS: 3 years THEN: Destroy*	Confidentiality G.S. § 132-1.7(a1)
1115.6		Prison Rape Elimination Act (PREA) – allegation, investigation, and incident review records documenting investigations into allegations of sexual abuse or sexual harassment	RETAIN UNTIL: Separation PLUS: 6 years THEN: Destroy* *NOTE: If a minor is involved in the incident, records should be retained until the minor reaches age 30.*	Authority 28 CFR Part 115
1115.10		Prison Rape Elimination Act (PREA) – aggregated data for every allegation of sexual abuse at DPS lockups	RETAIN UNTIL: Complete PLUS: 10 years THEN: Destroy	Authority 28 CFR Part 115.187 Retention 28 CFR 115.189(d)
1116.2	Probation Supervision Records	records maintained by the Department of Public Safety concerning out-of-state post-release supervisions for juvenile offenders	RETAIN UNTIL: Closed PLUS: 2 years THEN: Destroy	Confidentiality G.S. § 7B-3001 G.S. § 7B-3100
1117.3	Safekeeper Records	records maintained by the Department of Public Safety regarding prisoners held in state facilities on behalf of county or municipal jails	RETAIN UNTIL: Release or transfer PLUS: 3 years THEN: Destroy	

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.
∞ See appendix for list of item numbers for records that should transfer to the State Archives.
Ω See appendix for list of item numbers for records that are temporarily stored at the State Records Center prior to destruction.

11.2 Crime Prevention

DEFINED: Activities concerning efforts to create safer communities by addressing the causes of crime and reducing opportunities for crimes to occur.

NOTE: Records that become part of a case file should be handled according to those disposition instructions.

SEE ALSO: Criminal Investigations. Records concerning the implementation of court orders (e.g., writs, warrants) are under LEGAL. Gun permits are covered under MONITORING AND COMPLIANCE. Community safety programming is under PUBLIC RELATIONS.

RC No.	Record Types	Description	Disposition Instructions	Citation
1121.5	Agent Records	records that facilitate the work of agents involved in crime prevention activities	RETAIN UNTIL: Superseded/Obsolete PLUS: 5 years THEN: Destroy	Confidentiality G.S. § 20-39.1
1122.S	Analysis Records	activity reports, field observations, intelligence reports, investigative reports, surveillance, and other related records	RETAIN UNTIL: Superseded/Obsolete THEN: Destroy	Confidentiality G.S. § 132-1.4 G.S. § 132-1.7(a2) Authority/ Confidentiality/ Retention 28 CFR 23.20
1123.<	Communications Records	computer-aided dispatch (CAD), radio logs, and alarm call responses; also includes 911 recordings, messages, and database	RETAIN UNTIL: Complete PLUS: 30 days THEN: Destroy* *NOTE: Records that become part of a case file should be handled according to those disposition instructions*	Confidentiality G.S. § 132-1.5 Retention G.S. § 132-1.4(i) *NOTE: See G.S. §132-1.4(c) for a definition of which records can be made public.*

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.
∞ See appendix for list of item numbers for records that should transfer to the State Archives.
Ω See appendix for list of item numbers for records that are temporarily stored at the State Records Center prior to destruction.

RC No.	Record Types	Description	Disposition Instructions	Citation
1124.<	Incident Reports	reports of non-emergency incidents received electronically or via telephone	RETAIN UNTIL: Complete PLUS: 30 days THEN: Destroy* *NOTE: Records that become part of a case file should be handled according to those disposition instructions.*	
1125.P	Interstate Identification Index (III) System (administered according to the National Crime Prevention and Privacy Compact)	fingerprint and photograph records maintained by the State Bureau of Investigation	PERMANENT	Confidentiality G.S. § 143B-981 (Article IV) Retention G.S. § 7B-2102(e)
1125.<		fingerprint and photograph records maintained by the SBI of juveniles when a decision is made not to file a petition, the court does not find probable cause, or the court does not adjudicate the juvenile delinquent	RETAIN UNTIL: Decision THEN: Destroy	
1125.2		criminal history checks conducted by the SBI (on behalf of other agencies) that are not part of criminal investigations	RETAIN UNTIL: Complete PLUS: 2 years THEN: Destroy	
1126.P	Offender Registries	records maintained by the Department of Public Safety documenting the registration of sex and kidnapping offenders; includes name, sex, address, physical description, picture, conviction date, offense for which registration was required, the sentence imposed as a result of the conviction, and registration status	PERMANENT	Authority G.S. § 14-208.14 G.S. § 14-208.15 Retention G.S. § 14-208.13

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.
∞ See appendix for list of item numbers for records that should transfer to the State Archives.
Ω See appendix for list of item numbers for records that are temporarily stored at the State Records Center prior to destruction.

11.3 Criminal Investigations

DEFINED: Activities concerning investigations of suspected or actual violations of the law.

NOTE: According to General Statute § 132-1.4, records of criminal investigations conducted by public law enforcement agencies and records of criminal intelligence information compiled by public law enforcement agencies may only be released by order of a court of competent jurisdiction. See G.S. § 132-1.4(c) for a definition of records that should be accessible to the public.

SEE ALSO: Investigations that do not involve criminal charges are under MONITORING AND COMPLIANCE. Security recordings of the workplace are under RISK MANAGEMENT.

RC No.	Record Types	Description	Disposition Instructions	Citation
1131.3	Accident Reports SEE ALSO: Law Enforcement Case Records (below)	reports by state law enforcement and peace officers concerning accident investigations that do not lead to criminal charges	RETAIN UNTIL: Complete PLUS: 3 years THEN: Destroy*	
1132.3	Contraband and Seized Property Records	inventories, receipts, and disposition records; also includes records concerning asset forfeiture	RETAIN UNTIL: Final disposition of property PLUS: 3 years THEN: Destroy	
1133.R	Crime Reports	includes National Incident-Based Reporting System and Uniform Crime Reporting System	RETAIN UNTIL: Reference value ends THEN: Destroy Agency Policy: _____	
1134.P	Disposition of Charges	reports from the court system maintained by the State Bureau of Investigation	PERMANENT	Authority G.S. § 15A Article 86

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.
∞ See appendix for list of item numbers for records that should transfer to the State Archives.
Ω See appendix for list of item numbers for records that are temporarily stored at the State Records Center prior to destruction.

RC No.	Record Types	Description	Disposition Instructions	Citation
1135.5	Evidence Management Records	records documenting the intake, management, and disposition of property seized by the agency as evidence or for safekeeping *NOTE: Does not include the actual evidence, which should be managed in accordance with applicable federal, state or local law, court order, and/or agency policy.*	RETAIN UNTIL: Disposition of relevant case or property PLUS: 5 years THEN: Destroy	
1136.P	Laboratory Case Records	records concerning cases examined in a crime laboratory; includes reports, notes, charts, and other related records	PERMANENT	Confidentiality G.S. § 132-1.4
1137.20	Law Enforcement Case Records *Note: Felony cases must be retained until solved. Unsolved misdemeanor cases that are not malicious may be destroyed after 3 years.*	reports, correspondence, interviews, and other related records for felony cases	RETAIN UNTIL: Disposition of case and exhaustion of any appeals PLUS: 20 years Ω THEN: Destroy	Confidentiality G.S. § 132-1.4
1137.5		reports, correspondence, interviews, and other related records for tax enforcement cases investigated by the Department of Revenue	RETAIN UNTIL: Disposition of case and exhaustion of any appeals PLUS: 5 years THEN: Destroy	
1137.3		reports, correspondence, interviews, and other related records for misdemeanor cases	RETAIN UNTIL: Disposition of case and exhaustion of any appeals PLUS: 3 years THEN: Destroy	

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.
∞ See appendix for list of item numbers for records that should transfer to the State Archives.
Ω See appendix for list of item numbers for records that are temporarily stored at the State Records Center prior to destruction.

RC No.	Record Types	Description	Disposition Instructions	Citation
1138.<	Law Enforcement Recordings SEE ALSO: Law Enforcement Case Records (above), Automatic License Plate Reader System (below), Workplace Security Records (RISK MANAGEMENT)	recordings by law enforcement officers and peace officers that are not known to have captured a unique or unusual incident or action from which litigation or criminal prosecution is expected or likely to result; includes body-worn cameras, dashboard cameras, and fixed cameras	RETAIN UNTIL: Complete PLUS: 30 days THEN: Destroy* *NOTE: Records that become part of a case file should be handled according to those disposition instructions.*	Confidentiality G.S. § 132-1.4A

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.
∞ See appendix for list of item numbers for records that should transfer to the State Archives.
Ω See appendix for list of item numbers for records that are temporarily stored at the State Records Center prior to destruction.

11.4 Executive Protection and Special Security Event Services

DEFINED: Activities concerning efforts of the State Bureau of Investigation, the General Assembly Police, the State Capitol Police, the State Highway Patrol, and other State law enforcement officers to protect the health and well-being of high-level government officials and people who visit and work in North Carolina.

SEE ALSO: Permits issued for events on State property are under ASSET MANAGEMENT.

RC No.	Record Types	Description	Disposition Instructions	Citation
1141.1	Event Forms	forms and reports concerning security and transportation for the Governor, First Spouse, and Lieutenant Governor and for special events	RETAIN UNTIL: Complete PLUS: 1 year THEN: Destroy	Confidentiality G.S. § 132-1.7(a)
1142.1	Security Arrangements	itineraries, travel arrangements, and other related records for VIPs needing protective services	RETAIN UNTIL: Complete PLUS: 1 year THEN: Destroy	Confidentiality G.S. § 132-1.7(a)

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.
∞ See appendix for list of item numbers for records that should transfer to the State Archives.
Ω See appendix for list of item numbers for records that are temporarily stored at the State Records Center prior to destruction.

11.5 Fugitive and Criminal Apprehension and Other Searches

DEFINED: Activities concerning searches for missing persons, runaways, fugitives, and persons suspected of criminal activity.

SEE ALSO: Any forms or reports related to searches conducted by law enforcement officers pursuant to a warrant are included in Law Enforcement Case Records. Searches conducted incident to an inspection are under MONITORING AND COMPLIANCE. Extradition case records and rewards overseen by the Office of the Governor are under GOVERNANCE.

RC No.	Record Types	Description	Disposition Instructions	Citation
1151.R	All-Points Bulletins	information distributed to law enforcement personnel providing details of a suspected criminal or stolen vehicle	RETAIN UNTIL: Reference value ends THEN: Destroy Agency Policy: _____	
1152.5	Arrest Records	records produced when a person is taken into custody; includes Miranda affidavits, fingerprints, photographs, arrest reports, and other related records	RETAIN UNTIL: Complete PLUS: 5 years THEN: Destroy* *NOTE: Records that become part of a case file should be handled according to those disposition instructions.*	
1153.5	Missing Persons Records	alerts issued by the State Highway Patrol; includes AMBER, Blue, and Silver alerts	RETAIN UNTIL: Resolution PLUS: 5 years THEN: Destroy	
1154.3	Rewards File SEE ALSO: Extraditions (GOVERNANCE)	records concerning rewards offered by the agency for the apprehension of a fugitive from justice	RETAIN UNTIL: Resolution PLUS: 3 years THEN: Destroy	

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.
∞ See appendix for list of item numbers for records that should transfer to the State Archives.
Ω See appendix for list of item numbers for records that are temporarily stored at the State Records Center prior to destruction.

RC No.	Record Types	Description	Disposition Instructions	Citation
1155.1 1/2	Runaways File	records in the Department of Public Safety concerning runaways, absconders, and escapees returned to North Carolina from another state or located in North Carolina and returned to the home (demanding) state; includes secure custody order, voluntary return agreement requisition, travel plans, and other related records	RETAIN UNTIL: Juvenile reaches age 18 PLUS: 18 months THEN: Destroy	Authority Interstate Compact on Juveniles Confidentiality G.S. § 7B-3001 G.S. § 7B-3100

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.
∞ See appendix for list of item numbers for records that should transfer to the State Archives.
Ω See appendix for list of item numbers for records that are temporarily stored at the State Records Center prior to destruction.

11.6 Traffic Safety

DEFINED: Activities concerning efforts to ensure the safety, security, and efficiency of transportation and infrastructure networks, facilities, and vehicles.

NOTE: Records that become part of a case file should be handled according to those disposition instructions.

SEE ALSO: Criminal Investigations. Traffic cameras and license plate readers for toll roads are under INFRASTRUCTURE MANAGEMENT, as are incident management assistance records. Citations that lead to a court appearance are under LEGAL. Agency copies of accident reports involving State vehicles are under RISK MANAGEMENT.

RC No.	Record Types	Description	Disposition Instructions	Citation
1161. <	Automatic License Plate Reader System SEE ALSO: Traffic Cameras and Radio Frequency Readers (INFRASTRUCTURE MANAGEMENT)	captured plate data obtained by an automatic license plate reader system, operated by or on behalf of a law enforcement agency for law enforcement purposes	RETAIN UNTIL: Captured PLUS: 90 days THEN: Destroy	Confidentiality/ Retention G.S. § 20-183.32
1162.5	Collision Reports SEE ALSO: Incident Management Assistance Records (INFRASTRUCTURE MANAGEMENT)	investigations surrounding accidents that involve vehicles along with pedestrians, cyclists, animals, or other objects	RETAIN UNTIL: Resolution PLUS: 5 years THEN: Destroy*	
1163.1	Escorts Records	records concerning law enforcement escorts for house moves, over-width and over-height loads, processions, and other related records	RETAIN UNTIL: Complete PLUS: 1 year THEN: Destroy	
1164.2	Traffic Citations and Warnings	includes voided citations and warnings that do not require a fine or court appearance	RETAIN UNTIL: Complete PLUS: 2 years THEN: Destroy	

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.
∞ See appendix for list of item numbers for records that should transfer to the State Archives.
Ω See appendix for list of item numbers for records that are temporarily stored at the State Records Center prior to destruction.

Records That Will Transfer to the State Records Center

1111.10 Adult Offender Records: Transfer to the State Records Center after 3 years (see below for more specific triggers). Records will be held for agency 7 additional years and then destroyed.

Agency	Series Title	Item Number
Department of Public Safety	Adult Probation and Parole Case File (after closing of case)	638
	Combined Inmates Records File (after release)	632
	Presentence Diagnostic Case File (after completion of case study)	671

1113.A Death Row Inmate Jackets: Transfer to the State Records Center when reference value ends for immediate transfer to the custody of the Archives.

Agency	Series Title	Item Number
Department of Public Safety	Death Row Inmate Jacket (Capital Case) File	667

1114.10 Juvenile Offender Records: Transfer to the State Records Center when juvenile reaches 18 years of age. Records will be held for agency 10 additional years and then destroyed.

Agency	Series Title	Item Number
Department of Public Safety	Detention Centers Juvenile File	2244
	Youth Development Centers Main File	2229

1137.20 Case Records: Transfer to the State Records Center 3 years after case is closed. Records will be held for agency 17 additional years and then destroyed.

Agency	Series Title	Item Number
Department of Agriculture and Consumer Services	Forestry Administration Cases File	24173
Department of Insurance	Fraud Investigations File	3403
Department of the Secretary of State	Securities Division Closed Investigation Cases File	3840

The RC No. listed beside each Record Type is found on the functional schedule; the Item Number is a tracking number that is used only for records that are stored at the State Records Center.

Glossary

Audit

The Society of American Archivists *Glossary of Archival and Records Terminology* defines an audit as "an independent review and examination of records and activities to test for compliance with established policies or standards, often with recommendations for changes in controls or procedures."[1] The North Carolina Office of the State Auditor defines three types of audits that can be performed for state agencies[2]:

- Financial Statement Audits that "determine whether an agency's financial statements are fairly presented"
- Performance/Financial Related Audits that "provide independent and objective appraisals of agency management practices and operational results"
- Information Systems Audits that "evaluate risks relevant to information systems assets and assess controls in place to reduce or mitigate these risks"

Many state agencies also have an internal auditor's office that is responsible for assessing whether agency employees, units, and business operations are in compliance with applicable federal and state laws and regulations, as well as agency policies and procedures. Some agencies are also responsible for auditing work of external organizations, including consultants and subrecipients. Agencies in receipt of funding from outside sources may be subject to audits to verify the appropriate expenditure of these funds. Audits may be performed on a routine recurring basis; they also may be prompted by concerns reported to the State Auditor's Hotline.

Historical Value

The term historical value is used interchangeably with archival value. The Society of American Archivists *Glossary of Archival and Records Terminology* defines it as "the importance or usefulness of records that justifies their continued preservation because of the enduring administrative, legal, fiscal, or evidential information they contain."[3] Two criteria for determining historical value are inherent interest and extraordinary documentation:

- Inherent interest is created by non-routine events, by the involvement of famous parties, and by compelling contexts. For instance, foreclosure proceedings from the 1930s have high historical value because they date from the era of the Great Depression.
- Extraordinary documentation is found in records that shed light on political, public, or social history. For instance, the records from the replevin case that returned the Bill of Rights to North Carolina hold more historical value than most property case files because of the political history intertwined with this case.

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[1] Richard Pearce-Moses, *A Glossary of Archival and Records Terminology* (2005)
[2] https://www.ncauditor.net/pub42/TypesOfAudits.aspx
[3] *A Glossary of Archival and Records Terminology*

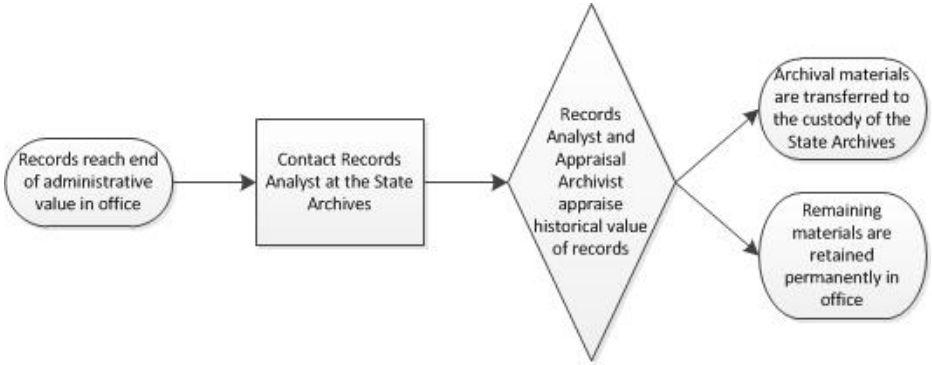
The State Archives of North Carolina (SANC) has further elaborated selection criteria that help distinguish records with archival value:

- Do they protect the rights and property of citizens?
- Do they have a long-term impact on citizens?
- Do they document the core functions of an agency?
- Do they document high-level decision-making that shapes an agency's policies or initiatives?
- Do they summarize an agency's activities?

Records with historical value are identified with one of three designations in the Disposition Instructions:

- PERMANENT: These records will be retained in office permanently.

- PERMANENT (appraisal required): When these records no longer have administrative value in office, the agency will contact the Government Records Section so the records can be appraised by a records analyst and an appraisal archivist. These individuals will determine whether the records should be retained in office permanently or transferred to the custody of the State Archives of North Carolina.



- PERMANENT (archival): These records will transfer to the State Records Center so they can be transferred to the custody of the State Archives of North Carolina.

Record Copy

A record copy is defined as "the single copy of a document, often the original, that is designated as the official copy for reference and preservation."[4] The record copy is the one whose retention and disposition is mandated by these functional schedules; all additional copies are considered reference or access copies and can be destroyed when their usefulness expires. In some cases, postings to social media may be unofficial copies of information that is captured elsewhere as a record copy (e.g., a press release about an upcoming agency event that is copied to various social media platforms). Appropriately retaining record copies and disposing of reference copies requires agencies to designate clearly what position or office is required to maintain an official record for the duration of its designated retention period. To facilitate this process, SANC has provided a sample file plan for agency use (available on the state agency records management page at

[4] Ibid.

https://archives.ncdcr.gov/documents/state-agency-rm). In identified cases where records overlap between state agencies, SANC has specified on the schedules which agency is considered the record owner.

Record Custody

The agency that creates or receives a record is the legal custodian of that record and responsibility for fulfilling any retention requirements and public records requests. If an agency transfers records to the State Records Center for temporary storage prior to destruction, those records remain in the legal custody of the originating agency. Any records requests must be authorized by the originating agency, and ultimate destruction must also be authorized by that agency. If an agency transfers archival records to the State Records Center, once those records have been accessioned by the State Archives, their legal custody transfers to the State Archives. From that point forward, all records requests should be channeled through the State Archives. In a few instances, records transfer to the State Records Center to be held in permanent security storage (indicated by a © on the functional schedule); in these cases, the records remain in the legal custody of the originating agency.

Reference Value

The disposition instruction to destroy in office when reference value ends is usually applied to records that were not created by the recipient. Reference files include materials that have no regulatory authority for the recipient and are received from outside the agency or from other units within the agency; subject files containing informational copies of records organized by areas of interest; and reference copies of records where another individual or agency is responsible for maintaining the record copy. The agency is given the discretion to determine how long these records should be retained before destruction, and this decision should be documented in a file plan or other policy so that all members of the agency can be consistent in their handling of these records.

Transitory Records

Transitory records are defined as "record[s] that [have] little or no documentary or evidential value and that need not be set aside for future use."[5] North Carolina has a broad definition of public records. However, the Department of Natural and Cultural Resources recognizes that some records may have little or no long-term documentary or evidential value to the creating agency. These records are often called "transitory records." They may be disposed of according to the guidance below. However, all public employees should be familiar with the *Functional Schedule for North Carolina State Agencies* and any other applicable guidelines for their office. If there is a required retention period for these records, that requirement must be followed. When in doubt about whether a record is transitory or whether it has special significance or importance, retain the record in question and seek guidance from the analyst assigned to your agency.

[5] Ibid.

Routing slips and transmittal sheets adding no information to that contained in the transmitted material have minimal value after the material has been successfully transmitted. These records may be destroyed or otherwise disposed of after receipt of the material has been confirmed. Similarly, "while you were out" slips, memory aids, and other records requesting follow-up actions (including voicemails and calendar invites) have minimal value once the official action these records are supporting has been completed and documented. These records may be destroyed or otherwise disposed of once the action has been resolved.

Drafts and working papers, including notes and calculations, are materials gathered or created to assist in the creation of another record. All drafts and working papers are public records subject to all provisions of General Statute § 132, but many of them have minimal value after the final version of the record has been approved and may be destroyed after final approval if they are no longer necessary to support the analysis or conclusions of the official record. Drafts and working documents that may be destroyed after final approval include:

- Drafts and working papers for internal and external policies
- Drafts and working papers for internal administrative reports, such as daily and monthly activity reports;
- Drafts and working papers for internal, non-policy-level documents, such as informal workflows and manuals; and
- Drafts and working papers for presentations, workshops, and other explanations of agency policy that is already formally documented.

Forms used solely to create, update, or modify records in an electronic medium may be destroyed in office after completion of data entry and after all verification and quality control procedures, as long as these records are not required for audit or legal purposes. However, if the forms contain any analog components that are necessary to validate the information contained on them (e.g., a signature or notary's seal), they should be retained according to the disposition instructions for the records series encompassing the forms' function.

Key

– symbol designating that records in this series may be confidential or may include confidential information

RC No. – a unique identifying number assigned to each record type for ease of reference

Function No.	Sub-function No.	Record Type No.	Retention Abbreviation
15	4	5	A

The example above indicates the numbering scheme for Speeches (1545.A):

- Public Relations is the 15th function
- Marketing and Publicity is the 4th sub-function under Public Relations
- Speeches are the 5th record type under Marketing and Publicity
- Retention abbreviations provide a quick method of identifying the retention requirement for a particular record:

A	transfer to the State Archives
P	retain in office permanently or contact the State Archives for appraisal
R	destroy in office when reference value ends *(NOTE: Agencies must establish internal policies to ensure consistency in retention and destructions.)*
S	destroy in office when superseded or obsolete
T	transfer completed record to another record series
<	retention period shorter than 1 year
	any numerical designation indicates the number of years the record should be retained

Record Types – groupings of records that are "created, received, or used in the same activity."[1]

Description – a description of the records, often including the types of records that can be frequently found in that series

Disposition Instructions – instructions dictating the length of time a series must be retained, and how the office should dispose of those records after that time (either by destruction or transfer to the State Archives). For any records that will transfer to the State Records

[1] Richard Pearce-Moses, *A Glossary of Archival and Records Terminology* (2005)

Center, either for temporary storage or for transfer to the State Archives, consult the Appendix for the item number that is necessary to track these records. ***Note***: No destruction of records may take place if litigation or audits are pending or reasonably anticipated.

This border on the right and left of the Description and Disposition Instruction cells indicates a record that belongs to a particular agency, as identified in the Description. If other agencies possess copies of this record, they are reference copies that can be discarded when their reference value ends.

Citation – a listing of references to statutes, laws, and codes related to the records series. Citations can include Authorities (governing the creation of records), Confidentiality (limiting access to public records), and Retention (setting a retention period).

- CFR = citation from the Code of Federal Regulations
- G.S. = citation from the North Carolina General Statutes
- USC = citation from the United States Code

The Disposition Instructions include a number of triggers that begin the retention period:

- Adoption of plan: With a record such as a strategic plan, the retention period begins as soon as the plan is adopted by the governing body.
- Closed: With a record such as an investigation, the retention period begins once the case is closed.
- Complete: With a record such as a report, the retention period begins once the report has been finalized.
- Execution of plan: With a record such as a business plan, the retention period begins once the plan has been carried out.
- Reference value ends: Once the content of a record is no longer useful or significant, it can be destroyed. This disposition is usually applied to records that were not created by the agency.
- Service ends: With a record relating to an elected or appointed office, the retention period begins once the term of service ends.
- Superseded or Obsolete: With any record that is produced in versions, an older version can be destroyed when the new version is received.

Several symbols are used within the disposition instructions:

∞ archival records that should transfer to the State Archives for permanent retention

archival records that will transfer to the State Archives in an electronic format

Ω records that transfer to the State Records Center for temporary storage before destruction

© records that transfer to the State Records Center for permanent security storage