

TITLE 1 GENERAL GOVERNMENT ADMINISTRATION
CHAPTER 19 LOCAL GOVERNMENT RECORDS RETENTION AND DISPOSITION SCHEDULES
(LGRRS)
PART 5 LGRRS, OFFICE OF THE COUNTY SHERIFF

1.19.5.1 ISSUING AGENCY: State Commission of Public Records - State Records Center and Archives
[1.19.5.1 NMAC - Rp, 1.19.5.1 NMAC, 04/24/2006]

1.19.5.2 SCOPE: county sheriff - local government
[1.19.5.2 NMAC - Rp, 1.19.5.2 NMAC, 04/24/2006]

1.19.5.3 STATUTORY AUTHORITY: Section 14-3-18 NMSA 1978. The administrator may advise and assist county and municipal officials in the formulation of programs for the disposition of public records maintained in county and municipal offices.
[1.19.5.3 NMAC - Rp, 1.19.5.3 NMAC, 04/24/2006]

1.19.5.4 DURATION: permanent
[1.19.5.4 NMAC - Rp, 1.19.5.4 NMAC, 04/24/2006]

1.19.5.5 EFFECTIVE DATE: April 24, 2006, unless a later date is cited at the end of a section.
[1.19.5.5 NMAC - Rp, 1.19.5.5 NMAC, 04/24/2006]

1.19.5.6 OBJECTIVE: To establish a records retention and disposition schedule for the orderly management and retirement of records created and maintained by county sheriff offices.
[1.19.5.6 NMAC - Rp, 1.19.5.6 NMAC, 04/24/2006]

1.19.5.7 DEFINITIONS:

- A. "Administrator"** means the state records administrator (Section 14-3-2 NMSA 1978).
- B. "Archives"** means the state archives of the commission of public records.
- C. "Disposition"** means final action that puts into effect the results of an appraisal decision for a series of records (i.e., transfer to archives or destruction).
- D. "Local government records retention and disposition schedule"** means rules adopted by the commission describing the records created and maintained by local government officials and establishing a timetable for their life cycle and providing authorization for their disposition.
- E. "Microphotography"** means the transfer of images onto film and electronic imaging or other information storage techniques that meet the performance guidelines for legal acceptance of public records produced by information system technologies pursuant to regulations adopted by the commission of public records.
- F. "Non-record"** means extra copies of documents kept solely for convenience of reference, stocks of publications, records not usually included within the scope of the official records of an agency or government entity, and library material intended only for reference or exhibition. The following specific types of materials are non-records: materials neither made nor received in pursuance of statutory requirements nor in connection with the functional responsibility of the officer or agency; extra copies of correspondence; preliminary drafts.
- G. "Public records"** means all books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics, made or received by any agency in pursuance of law or in connection with the transaction of public business and preserved, or appropriate for preservation, by the agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government, or because of the informational and historical value of data contained therein (Section 14-4-2 NMSA 1978).
- H. "Records custodian"** means any public officer responsible for the maintenance, care or keeping of a public body's records.
- I. "Records management"** means the systematic control of all records from creation or receipt through processing, distribution, maintenance and retrieval, to their ultimate disposition.
- J. "Retention"** means the period of time during which records must be maintained by an organization because they are needed for operational, legal, fiscal, historical or other purposes.
[1.19.5.7 NMAC - N, 04/24/2006]

1.19.5.8 ABBREVIATIONS AND ACRONYMS:

- A. "CFR" means code of federal regulations.
- B. "DOB" means date of birth.
- C. "NMAC" means New Mexico administrative code.
- D. "NMSA" means New Mexico statues annotated.
- E. "USC" means United States code.

[1.19.5.8 NMAC - N, 04/24/2006]

1.19.5.9 INSTRUCTIONS:

- A. For records of a general administrative nature, refer to the GRRDS, General Administrative Records Retention and Disposition Schedule (For Use by Local Governments and Educational Institutions), 1.15.3 NMAC.
- B. For records of a financial nature, refer to the GRRDS, General Financial Records Retention and Disposition Schedule, 1.15.5 NMAC.
- C. For records of a personnel nature, refer to the GRRDS, General Personnel Records Retention and Disposition Schedule, 1.15.7 NMAC.
- D. For records of a medical nature, refer to the GRRDS, General Medical Records Retention and Disposition Schedule, 1.15.8 NMAC.
- E. Retention periods shall be extended until six months after all current or pending litigation, current claims, audit exceptions or court orders involving a record have been resolved or concluded.
- F. Descriptions of files are intended to be evocative, not complete. For example, there will always be some documents that are filed in a file that are not listed in the description, and similarly not every file will contain an example of each document listed in the description.
- G. Confidentiality is denoted for files likely to contain confidential materials, but files without a confidentiality note nonetheless may contain confidential or privileged materials, and failure to include an express confidentiality note in the description of a file does not waive the confidential or privileged nature of those materials. Refer questions concerning the confidentiality of a file or portions of a file to legal counsel for the agency.
- H. Access to confidential documents and files shall be only by authorization of the records custodian, or by court order, unless otherwise provided by statute. Release of confidential documents to law enforcement and other government agencies shall only be upon specific statutory authorization or court order.
- I. Records, papers or documents may be reformatted thorough microphotography. Such reformatted records shall be deemed to be an original record for all purposes, including introduction in evidence in all courts or administrative agencies (Sections 14-1-5 and 14-1-6 NMSA 1978).
- J. Public records placed on magnetic tapes, disks or other data processing media shall be retained for the length of time specified in records retention and disposition schedules and are subject to the same confidentiality and access restrictions as paper records. See also 1.13.70 NMAC, Performance Guidelines for the Legal Acceptance of Public Records Produced by Information Technology Systems.

[1.19.5.9 NMAC - N, 04/24/2006]

1.19.5.10 - 20 [RESERVED]

1.19.5.21 OATH OF OFFICE CERTIFICATE:

- A. **Program:** administrative services
- B. **Maintenance system:** local government preference
- C. **Description:** oath of office certificate for deputy sheriffs commissioned for service by Sheriff. Certificate may include deputy's name and signature, notary seal and signature, and sheriff's signature.
- D. **Retention:** one year after sheriff's term ends

[1.19.5.21 NMAC - Rp, 1.19.5.101 NMAC, 04/24/2006]

1.19.5.22 BOND RECEIPT BOOK:

- A. **Program:** administrative services
- B. **Maintenance system:** local government preference
- C. **Description:** records of cash or surety bond posted for inmate bail. Book may include entries of cash or surety amount, defendant name, fine, name of bonding person or entity, name of county personnel receiving cash or bond, receipt number, arrest number, arrest date, date bond posted, charges, name of arresting officer, etc.

D. Retention: six years after close of fiscal year in which most recent case closed
[1.19.5.22 NMAC - Rp, 1.19.5.108 NMAC, 04/24/2006]

1.19.5.23 WEEKLY BOND REPORT FILES:

A. Program: administrative services
B. Maintenance system: local government preference
C. Description: weekly reports submitted to the county finance department regarding cash bonds collected. File may include weekly ledger, receipt book, bond amount posted, monies received, listing of bonds paid, etc.

D. Retention: three years after close of fiscal year in which bond was posted
[1.19.5.23 NMAC - N, 04/24/2006]

1.19.5.24 EXTRADITION FILES:

A. Program: administrative services
B. Maintenance system: local government preference
C. Description: records concerning the extradition and transport of prisoners to other counties or states. File may include travel fax cover sheet, transport order, travel arrangements, request for airfare, travel quotes, request for car rental, memo for car rental, credit card information, etc.

D. Retention: three years after close of fiscal year in which extradition occurred.
E. Confidentiality: Portions of this record may be confidential per 5 USC Section 552a (i.e., social security number), Section 30-16-25 NMSA 1978 (i.e., credit card information).
[1.19.5.24 NMAC - Rp, 1.19.5.207 NMAC, 04/24/2006]

1.19.5.25 CRIME STATISTICS REPORTS:

A. Program: administrative services
B. Maintenance system: local government preference
C. Description: report summarizing activity handled by the county sheriff's office. Report may include number of service calls, felony cases, misdemeanor cases, citations and warrants issued, arrests, extraditions, subpoenas, writs of execution, notice of trials served, narcotic activity, amount of cash received, evidence collected, reserve deputies activity, number of animal control complaints, animal citations issued, animals impounded, internal investigations, transports, internal affairs issues, amount of evidence, cash received, etc.

D. Retention:
(1) **Monthly report:** one calendar year from date annual report published
(2) **Annual report:** five years from calendar year in which published
[1.19.5.25 NMAC - N, 04/24/2006]

1.19.5.26 EQUIPMENT ISSUANCE LOG:

A. Program: administrative services
B. Maintenance system: local government preference
C. Description: record concerning equipment assigned to each sheriff deputy. Log may include deputy name, equipment issued, serial number, badge number, tazer number, date issued, etc.

D. Retention: one year after equipment returned
[1.19.5.26 NMAC - N, 04/24/2006]

1.19.5.27 - 37 [RESERVED]

1.19.5.38 INTERNAL AFFAIRS CASE FILES:

A. Program: internal investigations
B. Maintenance system: local government preference
C. Description: records documenting complaints against officers or civilian employees and results of subsequent investigations. File may include the complaint (e.g., officer involved shooting, misuse of office, etc), sustained findings, tapes or transcriptions of hearings, staff inspection order, order to appear, evidence (e.g., tapes, videos, reports, photographs, etc.), copies of police reports, medical releases, investigation summary, chain of command reviews, case reviews, case recommendations, sheriff's determination, determination notification copy, etc.

D. Retention:

(1) **Disciplinary action taken:** three years after officer leaves department

(2) **Disciplinary action dismissed:** three years after date of incident

E. Confidential: Portions of these records may be confidential per Section 29-10-4 NMSA 1978 (i.e., arrest record information), Section 14-2-1 NMSA 1978 (i.e., open investigation file), Section 14-6-1 NMSA 1978 (i.e., medical information).

[1.19.5.38 NMAC - Rp, 1.19.5.401 NMAC, 04/24/2006]

1.19.5.39 - 49 [RESERVED]

1.19.5.50 CRIMINAL HISTORY RECORDS:

A. Program: law enforcement

B. Maintenance system: local government preference

C. Description: records of complete cumulative history on any subject arrested for a crime by the sheriff's department. Portions of this record may be input into the *criminal history* system, the *national crime information center* system and the *New Mexico criminal justice and history information* system. File may include name of suspect, DOB, social security number, physical description, federal bureau of investigation number, address, employment, marital status, education, date of arrests or releases, mug shots, fingerprints, facts surrounding investigation, final court disposition, etc.

D. Retention:

(1) **Adult records:** five years after final court disposition

(2) **Juvenile records:** five years after final court disposition or until subject reaches 22 years of age, whichever comes first

E. Confidentiality: Portions of this record may be confidential per 5 USC Section 552a (i.e., social security number).

[1.19.5.50 NMAC - Rp, 1.19.5.102 NMAC, 04/24/2006]

[The current record series number for New Mexico *criminal justice information* system is 1.18.790.151 NMAC]

1.19.5.51 CRIMINAL HISTORY SYSTEM:

A. Program: law enforcement

B. Maintenance system: local government preference

C. Description: system used to track all incident and arrest reports filed by county sheriff deputies. Data may include name, date of birth, social security number, physical description, federal bureau of investigation number, address, employment, marital status, education, date of arrests or releases, mug shots, fingerprints, facts surrounding investigation, final disposition, etc.

D. Retention:

(1) **Adult records:** five years after final court disposition

(2) **Juvenile records:** five years after final court disposition or until subject reaches 22 years of age, whichever comes first

E. Hardcopy input documents: All documents used as input for *criminal history system* are filed in incident reports *criminal history records*, *arrest reports* and *animal citation file*.

F. Hardcopy output documents: Because this is a data-based system, ad hoc reports may be generated upon request. Some documents generated by this system include *united crime reporting report*, *eighteen and under arrested report*, *persons arrested report*, *property stolen report*, *arson report*, *hate crime report*, *law enforcement officer killed or assaulted report*, *homicide report*, *domestic violence report*, *driving while intoxicated (DWI) report*, *homicide report*, *criminal sexual penetration report*, *dispatch sheet*, staff reviews, etc.

G. Confidentiality: Portions of this record may be confidential per 5 USC Section 552a (i.e., social security number).

[1.19.5.51 NMAC - N, 04/24/2006]

1.19.5.52 INCIDENT REPORTS:

A. Program: law enforcement

B. Maintenance system: local government preference

C. Description: records concerning felonies or misdemeanors committed and relevant information surrounding the incident. Portions of this record may be input into the *criminal history* system the *national crime information center* system, and the *New Mexico criminal justice and history information* system. Report may include incident type, case number, national crime information center entry date, incident code, investigative

information, incident location, incident date, time, reporting area complaint, victim, suspect, social security number, vehicle and witness information, arrest date, narrative, etc.

D. Retention:

- (1) **Adult records:** five years after final court disposition
- (2) **Juvenile records:** five years after final court disposition or until subject reaches 22 years of age,

whichever comes first

E. Confidentiality: Portions of this record may be confidential per 5 USC Section 552a (i.e., social security number).

[1.19.5.52 NMAC - Rp, 1.19.5.103 NMAC, 04/24/2006]

[The current record series number for New Mexico *criminal justice information* system is 1.18.790.151 NMAC]

1.19.5.53 ARREST REPORTS:

A. Program: law enforcement

B. Maintenance system: local government preference

C. Description: records concerning the arrest and booking of suspects. Portions of this record may be input into the *criminal history* system, the *national crime information center* system, and the *New Mexico criminal justice and history information* system. Report may include subject name, social security number, arrest number, physical characteristics, arrest date and time, arrest location, arresting officer name, charges, etc.

D. Retention:

- (1) **Adult records:** five years after final court disposition
- (2) **Juvenile records:** five years after final court disposition or until subject reaches 22 years of age,

whichever comes first

E. Confidentiality: Portions of this record may be confidential per 5 USC Section 552a (i.e., social security number).

[1.19.5.53 NMAC - Rp, 1.19.5.104 NMAC, 04/24/2006]

[The current record series number for New Mexico *criminal justice information* system is 1.18.790.151 NMAC]

1.19.5.54 UNIFORM TRAFFIC CITATION:

A. Program: law enforcement

B. Maintenance system: local government preference

C. Description: records concerning uniform traffic citations issued by sheriff's deputies. . Portions of this record may be input into the *criminal history* system, the *national crime information center* system, and the *New Mexico criminal justice and history information* system. Citation may include citation number, subject name, address, city, state, name of person charged, social security number, physical description, DOB, gender; car registration number, year, state, make, type of vehicle involved, state, drivers license number; section number and offense charged, date and time of arrest, arresting officers signature, identification number, conditions existing at the time of violation, notice to appear information, penalty assessment notice, warning notice, etc.

D. Retention: five years from date citation issued

E. Confidentiality: Portions of this record may be confidential per 5 USC Section 552a (i.e., social security number)

[1.19.5.54 NMAC - Rp, 1.19.5.109 NMAC, 04/24/2006]

[The current record series number for New Mexico *criminal justice information* system is 1.18.790.151 NMAC]

1.19.5.55 UNIFORM ACCIDENT REPORTS:

A. Program: law enforcement

B. Maintenance system: local government preference

C. Description: records concerning the investigation of vehicle accidents. Report may include date and time of accident, location, persons involved, social security number, vehicles involved, vehicle or property damage, injury codes, seat belt codes, witness information, road and weather conditions, contributing factors, driver or pedestrian sobriety or physical condition, diagrams, etc Serves as input to the criminal history system.

D. Retention: five years after date of accident

E. Confidentiality: Portions of this record may be confidential per 5 USC Section 552a (i.e., social security number).

[1.19.5.55 NMAC - Rp, 1.19.5.110 NMAC, 04/24/2006]

1.19.5.56 BACKGROUND CHECK REQUEST:

- A. **Program:** law enforcement
 - B. **Maintenance system:** local government preference
 - C. **Description:** records concerning background checks on individuals for employment or volunteer purposes. Request may include the written request, name, alias, DOB, arrest record, request for incident report, social security number, name of requesting entity, etc.
 - D. **Retention:** two years after background check released
 - E. **Confidentiality:** Portions of this record may be confidential per 5 USC Section 552a (i.e., social security number).
- [1.19.5.56 NMAC - N, 04/24/2006]

1.19.5.57 RELEASE ORDER FILES:

- A. **Program:** law enforcement
 - B. **Maintenance system:** local government preference
 - C. **Description:** records concerning the authorized release order of inmates from custody by the sheriff's office. Portions of this record may be input into the *criminal history* system the *national crime information center* system, and the *New Mexico criminal justice and history information* system. File may include bench warrant, name of booking authority, amount of bond, *release of custody* form, *bond acceptance* form (name, date, address, city, state), court services docket sheet, etc.
 - D. **Retention:**
 - (1) **Adult records:** five years after final court disposition
 - (2) **Juvenile records:** five years after final court disposition or until subject reaches 22 years of age, whichever comes first
 - E. **Confidentiality:** Portions of this record may be confidential per 5 USC Section 552a (i.e., social security number).
- [1.19.5.57 NMAC - Rp, 1.19.5.204 NMAC, 04/24/2006]
 [The current record series number for New Mexico *criminal justice information* system is 1.18.790.151 NMAC]

1.19.5.58 COURT PROCESSES OF SERVICE FILES:

- A. **Program:** court services
 - B. **Maintenance system:** local government preference
 - C. **Description:** records documenting civil and criminal processes served. File may include citations, subpoenas, notices, injunction, warrants, executions, etc.
 - D. **Retention:** three years after date of service
 - E. **Confidentiality:** Portions of record may be confidential pursuant, but not limited to 5 USC, Section 552a (i.e., social security number), Section 29-10-4 NMSA 1978 (i.e., arrest records) and Section 14-2-1 NMSA 1978 (i.e., "law enforcement records that reveal confidential sources, methods, information or individuals accused but not charged with a crime").
- [1.19.5.58 NMAC - N, 04/19/2010]

1.19.5.59 - 68 [RESERVED]

1.19.5.69 VIDEO OR VOICE RECORDINGS:

- A. **Program:** evidence
 - B. **Maintenance system:** local government preference
 - C. **Description:** records concerning surveillance, evidentiary footage or recordings of all facilities. Record may include footage or recordings of jail booking area, entrance or exit areas, parking areas, driving while intoxicated arrests, interviews, any criminal incident, etc.
 - D. **Retention:**
 - (1) **Routine surveillance or recordings:** 30 days after date created
 - (2) **Incident surveillance or recordings:** 60 days after investigation closed
- [1.19.5.69 NMAC - Rp, 1.19.5.105 NMAC, 04/24/2006]
 [If investigation evolves into a court proceeding, then the case recordings are incorporated into the investigation file]

1.19.5.70 PROPERTY RECORD FORMS:

- A. **Program:** evidence
- B. **Maintenance system:** local government preference

C. Description: records concerning property or evidence that is seized or found. Record may include: evidence tag or lost and found tag (date and time acquired, date and time item placed in evidence area, case number, offense, place of occurrence, area, item type, name DOB, telephone number, address, officer remarks, article description, serial number, controlled substance weight, officer name, employee number, officer's signature, value, item location, investigative unit referred to, property disposition information, name of officer placing evidence in evidence area), chain of custody, etc.

D. Retention:

- (1) **Guns:** one year after final disposition of case
- (2) **Lost and found:** 90 days after acquired, [then sent to New Mexico state police for auction]
- (3) **All other material:** 60 days after final disposition of case

[1.19.5.70 NMAC - Rp, 1.19.5.106 NMAC, 04/24/2006]

1.19.5.71 DISTRICT ATTORNEY DISPOSITION FORMS:

A. Program: evidence

B. Maintenance system: local government preference

C. Description: records concerning the final disposition of court cases. Portions of this record may be input into the *criminal history* system the *national crime information center* system, and the *New Mexico criminal justice and history information* system. Form may include case number, name of persons involved, DOB, social security number, date case closed, final disposition of case, district attorney name, police agency, sentence, indictment, release date, etc.

D. Retention: one year after date of final disposition of case

E. Confidentiality: Portions of this record may be confidential per 5 USC Section 552a (i.e., social security number).

[1.19.5.71 NMAC - N, 04/24/2006]

[The current record series number for New Mexico *criminal justice information* system is 1.18.790.151 NMAC]

1.19.5.72 - 82 [RESERVED]

1.19.5.83 RADIO OR TELEPHONE RECORDING SYSTEM:

A. Program: radio dispatch

B. Maintenance system: local government preference

C. Description: system used to track all incoming and outgoing radio or telephone calls received for the county sheriff's office and animal control. Recordings may include name of person calling, address, telephone number, reason for call, date and time of call, name of responding officer, unit number, dispatcher name, etc.

D. Retention: three years after date of call

E. Input: information regarding calls entered into system manually

F. Hardcopy output documents: Because this is a data-based system, recordings may be generated upon request. Recordings may be requested by responding officer for court case, attorneys or the public and may be filed with investigative portion of *incident* reports.

[1.19.5.83 NMAC - Rp, 1.19.5.111 NMAC, 04/24/2006]

1.19.5.84 - 90 [RESERVED]

1.19.5.91 ANIMAL CONFINEMENT AGREEMENT FILES:

A. Program: animal control

B. Maintenance system: local government preference

C. Description: records concerning animals picked up for aggressive behavior by animal control officers. File may include name and address of owner, animal information, name and address of victim, time of bite, date and time of incident, nature and location of wound, where animal is to be confined, and date of release of animal, etc.

D. Retention: five years from date animal released to owner, animal shelter or game warden

[1.19.5.91 NMAC - N, 04/24/2006]

1.19.5.92 ANIMAL OFFENSE REPORTS:

A. Program: animal control

B. Maintenance system: local government preference

C. Description: records concerning investigation of animal complaint received from general public. Report may include date, time of pick up, type of animal, color, reason for pick up, case number, complainants name and address, time complaint received, time officer dispatched, written complaint, incident and report number, etc.

D. Retention: five years after case closed
[1.19.5.92 NMAC - N, 04/24/2006]

1.19.5.93 ANIMAL CUSTODY CARDS:

A. Program: animal control
B. Maintenance system: local government preference
C. Description: records concerning the release of the animal by owner to animal control. Card may include case number, officer name, impound location, time of impound, type of animal, breed, color, gender, age, license number, rabies tag number, owner's name, address, signature, reason for release, rabies number, release form, etc.

D. Retention: one year from date release signed
[1.19.5.93 NMAC - N, 04/24/2006]

1.19.5.94 ANIMAL TRAP LOAN AGREEMENTS:

A. Program: animal control
B. Maintenance system: local government preference
C. Description: records concerning the tracking of humane animal traps loaned to the general public. Agreement may include borrower's name, address, date, time, signature, etc.

D. Retention: one year from date of agreement
[1.19.5.94 NMAC - N, 04/24/2006]

1.19.5.95 ANIMAL LICENSE REGISTRATION FORMS:

A. Program: animal control
B. Maintenance system: local government preference
C. Description: records concerning the registration of all dogs in the county. Form may include owner name, address, telephone number, dog name, tag license number, rabies tag number, etc.

D. Retention: three years after date license issued
[1.19.5.95 NMAC - N, 04/24/2006]

1.19.5.96 ANIMAL CITATION FILES:

A. Program: animal control
B. Maintenance system: local government preference
C. Description: records concerning animal control citations issued to animal owners. Portions of this record are used as input into the *criminal history* system. File may include *violation citation* form (owners name, address, social security number, date of birth, telephone number, place of employment, ordinance number, remarks, officer name, signature, identification number, date signed, and notice to appear), *dispatch* form, etc.

D. Retention:
(1) **Citations:** three years after citation issued
(2) **All other documents:** 30 days after information entered into *criminal history system*
[1.19.5.96 NMAC - N, 04/24/2006]

1.19.5.97 NOTICE OF DISMISSAL FORMS:

A. Program: animal control
B. Maintenance system: local government preference
C. Description: records concerning court dismissal of animal criminal complaints. Portions of this record are used as input into the *criminal history* system. Form may include notice of dismissal of criminal complaint form (defendant name, case number, prosecutor name, date dismissed, judge's name), etc.

D. Retention: one year after notice of dismissal received by animal control
[1.19.5.97 NMAC - N, 04/24/2006]

1.19.5.98 - 108 [RESERVED]

1.19.5.109 INMATE FILES:

- A. Program:** county jail
- B. Maintenance system:** local government preference
- C. Description:** records concerning inmates incarcerated at the county jail. Portions of file are used as input into the *inmate management system*. File may include *booking authority* form, *inmate data* sheet, *classification and housing separation profile* form (date, booking number, file number, race, DOB, age, sex, inmates name, citizenship, religious preference, educational history, confinement history, primary factors for classification and separation of inmates, officer signature, housing assignment, cell number), *initial custody assessment* form, (severity of current offense, offense history, escape history, disciplinary history, alcohol or drug abuse, stability factors, scale summary and recommendations), social security number, offense, arraignment information, probable cause statement, criminal complaints, served warrants, medical clearance, property inventory, bond information sheet, extradition information, date of commitment, arresting agency, copy of arrest report, amount of bond, release orders, segregation information, trustee information, protective custody information, date released, judgment and sentence orders, copy of release orders, fingerprints, mug shots, etc.
- D. Retention:** ten years from date of release
- E. Confidentiality:** Portions of this record may be confidential per 5 USC Section 552a (i.e., social security number); Section 14-6-1 NMSA 1978 (i.e., medical information).
[1.19.5.109 NMAC - Rp, 1.19.5.127 NMAC, 04/24/2006]

1.19.5.110 INMATE MANAGEMENT SYSTEM:

- A. Program:** county jail
- B. Maintenance system:** local government preference
- C. Description:** system used to track and monitor number of incoming and outgoing inmates at the county jail. Data may include inmate name, address, telephone number, date of birth, emergency contact, classification, mug shots, fingerprints, social security number, prior arrests, releases, offense, judgment and sentence, medical information, etc.
- D. Retention:** ten years from date of release
- E. Hardcopy input documents:** all documents used as input for *inmate management system* are entered from the *inmate file*; those documents may include the *classification and housing profile*, *arrest* report, inmate information sheet, jail incidents, etc.
- F. Hardcopy output documents:** Because this is a data-based system, ad hoc reports may be generated upon request.
- G. Confidentiality:** Portions of this record may be confidential per 5 USC Section 552a (i.e., social security number), Section 14-6-1 NMSA 1978 (i.e., medical information).
[1.19.5.110 NMAC - N, 04/24/2006]

1.19.5.111 TEMPORARY INMATE FILES:

- A. Program:** county jail
- B. Maintenance system:** local government preference
- C. Description:** records concerning state prisoners housed temporarily at the county jail and inmates that are held less than forty eight hours. File may include name of inmate, DOB, property inventory sheet, length of sentence, offense committed, corrections classification pending transfer log, etc.
- D. Retention:** ten years from date of transfer or release
- E. Confidentiality:** Portions of this record may be confidential per 5 USC Section 552a (i.e., social security number).
[1.19.5.111 NMAC - N, 04/24/2006]

1.19.5.112 INMATE TELEPHONE SYSTEM:

- A. Program:** county jail
- B. Maintenance system:** local government preference
- C. Description:** records concerning recordings of telephone calls made by inmates. Data may include inmate name, telephone number called, date, time of call, verbatim recording, etc.
- D. Retention:** six months after date of call
- E. Input:** outgoing calls are automatically recorded and maintained electronically
- F. Hardcopy output documents:** Because this is a data-based system, recordings may be generated upon request for up to six months from date of call
[1.19.5.112 NMAC - N, 04/24/2006]

[If investigation evolves into a court proceeding then the case recordings are incorporated into the investigation file]

1.19.5.113 JAIL INCIDENT REPORTS:

- A. Program:** county jail
- B. Maintenance system:** local government preference
- C. Description:** records concerning incidents involving correctional officers or inmates. File may include name of inmate or correctional officer involved, date of incident, description of incident, disciplinary action taken, etc.
- D. Retention:** four years after date of final action
[1.19.5.113 NMAC - N, 04/24/2006]
[Copy placed in correctional officer personnel file or inmate file]

1.19.5.114 JAIL VISITORS LOG:

- A. Program:** county jail
- B. Maintenance system:** local government preference
- C. Description:** log of daily visitors to facility. Log may include visitor name, address, driver's license number, inmate name, badge number, date, relationship to inmate, time in, time out, date, officer on duty, etc.
- D. Retention:** three years from close of calendar year in which created
[1.19.5.114 NMAC - N, 04/24/2006]

HISTORY OF 1.19.5 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives:
SRC Rule No. 94-02, Records Retention and Disposition Schedule for Office of the County Sheriff, 7-29-94.

History of Repealed Material:

1.19.5 NMAC, LGRRDS Office of the County Sheriff filed 12/07/2001 - Repealed 04/24/2006