
Personnel Records

1024.1 PURPOSE AND SCOPE

This policy defines the types of employee records maintained by the Department and outlines the requirements for disclosure of information contained in the records.

1024.2 DEPARTMENT FILE

The department file shall be maintained as a record of a person's employment/appointment with this department. The department file should contain, at a minimum:

- (a) Personal data, including photographs, marital status, names of immediate family members, educational and employment history or similar information. A photograph of the member should be permanently retained.
- (b) Election of employee benefits.
- (c) Personnel action reports reflecting assignments, promotions and other changes in employment/appointment status. These should be permanently retained.
- (d) Original performance evaluations. These should be permanently maintained.
- (e) Discipline records, including copies of sustained personnel complaints.
- (f) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment(s).
 - (a) Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment.
 - (b) Any member response shall be attached to and retained with the original adverse comment.
 - (c) If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the member's file.
- (g) Commendations and awards.
- (h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

1024.3 DIVISIONAL FILE

The Divisional File is separately maintained by an employee's supervisor(s) within an assigned division for the purpose of completing timely performance evaluations. The Divisional File should contain, but is not limited to, the following:

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1. Supervisor notes, information regarding corrective action (letters of counseling) and other materials intended to serve as a foundation for the completion of timely performance evaluations.
2. The supervisor may retain notes and copies of performance evaluations in the file for his/her own information. Notes of performance and training used for performance evaluations will be removed upon completion of the evaluation and resolution of any performance issues.

Once the performance evaluation form has been made final, all documents created during that evaluation period will be purged from the Divisional File. All files removed from the Divisional File will be considered "stale" but maintained in the employee's Personnel File as archived material. Stale Materials are maintained for records retention purposes, but will not be relied upon for future corrective or disciplinary matters.

1024.4 TRAINING FILE

An individual training file shall be maintained by the Training Sergeant for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

- (a) The involved member is responsible for providing the Training Sergeant or immediate supervisor with evidence of completed training/education in a timely manner.
- (b) The Training Sergeant or supervisor shall ensure that copies of such training records are placed in the member's training file.

1024.5 INTERNAL AFFAIRS FILE

The Professional Standards Unit (PSU) shall be the official record keeper for all allegations of employee misconduct, including all materials related to any such investigation. PSU, in conjunction with the Office of the Chief of Police, shall maintain exclusive control of any such files. Access to these files will be provided in accordance with **Policy 1004 - Internal Affairs (Professional Standards)**.

1024.6 MEDICAL FILE

Medical Files shall be maintained in the Office of the Chief separately from all other files and shall contain all documents relating to the employee's medical condition and history, including but not limited to the following:

- (a) Materials relating to medical leaves of absence.
- (b) Documents relating to Workers' Compensation claims.
- (c) Fitness for duty examinations, psychological and physical examinations, follow-up inquires and related documents.

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- (d) Medical release forms, doctor's slips, and attendance records, which relate to an employee's medical condition.
- (e) Any other documents or material, which reveals the employee's medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.

1024.7 SECURITY

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the City Manager, City Attorney or other attorneys or representatives of the City in connection with official business.

1024.7.1 REQUESTS FOR DISCLOSURE

All personnel records are considered public unless they are covered by specific disclosure statutes.

Private personnel records that are exempted from public disclosure may include:

- (a) Applications for public employment (RCW 42.56.250) to include confidential medical information such as employment psychology testing (WAC 139-07-030(3) and polygraph examination results, notes or findings.
- (b) Residential addresses and telephone numbers when held in a personnel file (RCW 42.56.250).
- (c) Performance evaluations, which do not discuss specific instances of misconduct.
- (d) Medical information.
- (e) Industrial insurance (Workers' Compensation) claim files and records (RCW 51.28.070).
- (f) Employee identification numbers.
- (g) Taxpayer information, such as tax withholding data (RCW 42.56.230(3)).

Records that are not covered by other specific disclosure exemption statutes must be made available for inspection and copying. This includes the following private personnel records:

- (a) Employee advancement or discipline reports.
- (b) Internal affairs complaints after such investigations have been completed, or are no longer under review or deliberation.
- (c) Departmental reports sent to the Washington State Criminal Justice Training Commission regarding the separation from employment of an officer.

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All requests for the disclosure of any information contained in any officer's personnel record shall be handled in accordance with applicable public records laws.

All requests for disclosure, which result in access to an employee's personnel file(s), must be approved by the Office of the Chief. Each request shall be logged in the corresponding file, and the effected employee will be notified of the request and/or disclosure prior to the release of any information. All such requests must be approved by the Office of the Chief. The Office of the Chief, or designee, will notify the employee via email.

1024.7.2 RELEASE OF INFORMATION

Except as provided by this policy, or pursuant to lawful process, no information contained in any personnel file shall be released without prior written consent of the involved officer, or written authorization of the Chief of Police or his/her designee.

1024.7.3 NOTICE TO MEMBER

Upon receipt of a request for information located exclusively in a member's personnel record, the Public Records Officer is responsible for providing notice to the member, the union representing the member, and to the requestor, that includes the following information (RCW 42.56.250):

- (a) The date of the request
- (b) The nature of the requested record relating to the member
- (c) That information in the record will be released if not exempt from disclosure at least 10 days from the date the notice is made
- (d) That the member may seek to enjoin release of the records under **RCW 42.56.540 (court protection of public records)**.

1024.8 EMPLOYEE RESPONSIBILITIES

Employees must provide the Department with personal data which will include:

- (a) Full name,
- (b) Residential address,
- (c) Telephone number,
- (d) Marital status; and
- (e) Person to be notified in an emergency.

Employees must notify the Office of the Chief of any change in the above information during the next business day after the change.

See attachment: [Change of personnel Information Form.pdf](#)

1024.9 EMPLOYEE ACCESS TO OWN FILE

Any employee may request access to his/her own personnel file(s) during the normal business hours of the individual(s) responsible for maintaining such file(s). The Department will then provide access to the files within a reasonable time frame. Access to any personnel file will be in

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accordance to RCW 49.12.250 – Employee inspection of personnel files/erroneous or disputed information.

Any employee seeking the removal of any item from his/her personnel file shall file a written request to the Chief of Police through the chain of command. The Department shall thereafter remove any such item if appropriate or provide the employee with a written explanation why the contested item will not be removed. If the contested item is not removed from the file, the employee's request and the Department's written response shall be retained with the contested item in the employee's personnel file (RCW 49.12.250).

Employees will be restricted from accessing files containing any of the following information:

- (a) Information obtained during their own background investigation.
- (b) Internal Affairs files as provided in **Policy 1004 - Internal Affairs (Professional Standards)**.

1024.10 RETENTION AND STALENESS

Personnel records for any peace officer or corrections officer must be retained for the duration of the officer's employment and a minimum of 10 years thereafter. Such records include all misconduct and equal employment opportunity complaints, progressive discipline imposed including written reprimands, supervisor coaching, suspensions, involuntary transfers, other disciplinary appeals and litigation records, and any other records needed to comply with the requirements set forth in RCW 43.101.095 and 43.101.135.

However, stale materials in personnel records will not be relied upon for future corrective or disciplinary matters according to the following schedule.

Investigations with formal discipline imposed	Stale after 6 years from the completion of the disciplinary actions
Investigations with sustained findings and no formal discipline	Stale after 6 years from final disposition
Investigations where the employee was exonerated, or charges were unfounded or not sustained	Not relied upon in future corrective action or disciplinary matters