



Stephanie Kienzle &lt;stephanie.kienzle@gmail.com&gt;

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**Question re Public Records**

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**RecMgt** <RecMgt@dos.myflorida.com>  
To: Stephanie Kienzle <stephanie.kienzle@gmail.com>

Thu, Dec 21, 2017 at 10:01 AM

Good morning, Stephanie,

In terms of Florida records management retention in general, *Florida Statutes* Section 257.36 establishes that public agencies in Florida are required to follow records retention schedules established by the Division of Library and Information Services. Those schedules are available on our website.

Different general records schedules apply to different types of agencies: the GS1-SL is used by every agency in the state, but law enforcement agencies use that in conjunction with the GS2, which covers records specific to their work, including internal investigation records.

As to how long those records must be kept – there are several records series that might apply. Retention requirements will be dictated by the type of information being documented (screenshots are from GS2 pp. 13-14):

**INTERNAL INVESTIGATION RECORDS: FINAL ACTION SUMMARY****Item #59**

This record series serves as the final action summary of investigations of allegations of employee or officer misconduct and/or violation of law enforcement agency regulations or orders, state or federal statutes, or local ordinances. Investigations may also cover discharge of firearms or other use of physical force. The completed investigation file is scheduled separately based on the nature of the outcome (sustained formal, sustained informal, or not sustained/unfounded/exonerated). The statement of final action may take many forms, including a memorandum, correspondence, logs, or reports. See also "INTERNAL INVESTIGATION RECORDS: SUSTAINED FORMAL," "INTERNAL INVESTIGATION RECORDS: SUSTAINED INFORMAL," "INTERNAL INVESTIGATION RECORDS: NOT SUSTAINED/UNFOUNDED/EXONERATED," and "PHYSICAL FORCE RECORDS."

**RETENTION:** Retain as long as the Personnel File.

**INTERNAL INVESTIGATION RECORDS: NOT SUSTAINED/UNFOUNDED/EXONERATED****Item #136**

This record series documents the investigation of allegations of employee or officer misconduct and/or violation of law enforcement agency regulations or orders, state or federal statutes, or local ordinances. Investigations may also cover discharge of firearms or other use of physical force. These records document cases in which the charges were determined to be unsustained or unfounded or the employee or officer was exonerated. The series may include, but is not limited to, statements by the employee, witnesses, and the person filing the complaint. See also "INTERNAL INVESTIGATION RECORDS: FINAL ACTION SUMMARY," "INTERNAL INVESTIGATION RECORDS: SUSTAINED FORMAL," "INTERNAL INVESTIGATION RECORDS: SUSTAINED INFORMAL," and "PHYSICAL FORCE RECORDS." For investigative records of the Office of Inspector General, see *General Records Schedule GS1-SL for State and Local Government Agencies*, Item #351, "INVESTIGATIVE RECORDS: INSPECTOR GENERAL."

**RETENTION:** 1 anniversary year after final disposition.

**INTERNAL INVESTIGATION RECORDS: SUSTAINED FORMAL****Item #134**

This record series documents the investigation of allegations of employee or officer misconduct and/or violation of law enforcement agency regulations or orders, state or federal statutes, or local ordinances. Investigations may also cover discharge of firearms or other use of physical force. These records document cases in which the charges were sustained and formal discipline administered. "Formal discipline" shall be defined as including demotions, removals, suspensions, or similar action. The series may include, but is not limited to, statements by the employee, witnesses, and the person filing the complaint. See also "INTERNAL INVESTIGATION RECORDS: FINAL ACTION SUMMARY," "INTERNAL INVESTIGATION RECORDS: NOT SUSTAINED/UNFOUNDED/EXONERATED," "INTERNAL INVESTIGATION RECORDS: SUSTAINED INFORMAL," and "PHYSICAL FORCE RECORDS." For investigative records of the Office of Inspector General, see *General Records Schedule GS1-SL for State and Local Government Agencies*, Item #351, "INVESTIGATIVE RECORDS: INSPECTOR GENERAL."

**RETENTION:** 5 anniversary years after final disposition.

**INTERNAL INVESTIGATION RECORDS: SUSTAINED INFORMAL****Item #135**

This record series documents the investigation of allegations of employee or officer misconduct and/or violation of law enforcement agency regulations or orders, state or federal statutes, or local ordinances. Investigations may also cover discharge of firearms or other use of physical force. These records document cases in which the charges were sustained and informal discipline administered. "Informal discipline" shall be defined as including written or verbal reprimands, memoranda, or similar action. The series may include, but is not limited to, statements by the employee, witnesses, and the person filing the complaint. See also "INTERNAL INVESTIGATION RECORDS: FINAL ACTION SUMMARY," "INTERNAL INVESTIGATION RECORDS: NOT SUSTAINED/UNFOUNDED/EXONERATED," "INTERNAL INVESTIGATION RECORDS: SUSTAINED FORMAL," and "PHYSICAL FORCE RECORDS." For investigative records of the Office of Inspector General, see *General*

*Records Schedule GS1-SL for State and Local Government Agencies*, Item #351, "INVESTIGATIVE RECORDS: INSPECTOR GENERAL."

**RETENTION:** 3 anniversary years after final disposition.

I hope this helps! Please don't hesitate to let us know if we can be of any further assistance.

Best,

Amber Pepe

Records Management Trainer

Bureau of Archives and Records Management

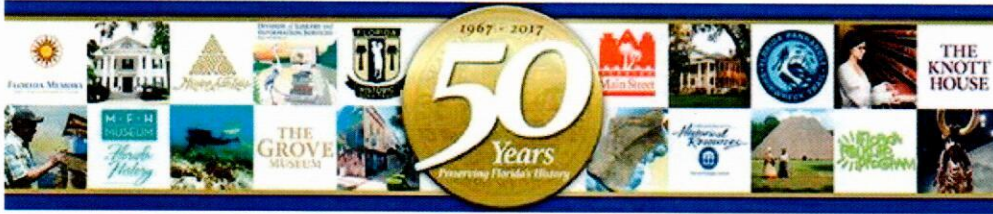
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**Sent:** Thursday, December 21, 2017 9:33 AM

**To:** RecMgt <[RecMgt@dos.myflorida.com](mailto:RecMgt@dos.myflorida.com)>

**Subject:** Question re Public Records

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