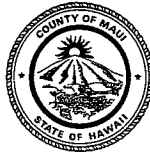


JOSIAH K. NISHITA  
County Clerk



MARGARET C. CLARK  
Deputy County Clerk  
**RECEIVED**

**OFFICE OF THE COUNTY CLERK**

COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.mauicounty.gov/county/clerk](http://www.mauicounty.gov/county/clerk)

2019 NOV -8 PM 3:11

OFFICE OF THE  
COUNTY COUNCIL

November 8, 2019

Honorable Michael J. Molina, Chair  
Governance, Ethics, and Transparency Committee  
Council of the County of Maui  
Wailuku, Hawaii 96793

Dear Chair Molina:

Respectfully transmitted are copies of the following communications that were referred to your Committee by the Council of the County of Maui at its meeting of November 8, 2019:

COUNTY COMMUNICATIONS:

- No. 19-444 - Don Guzman, Prosecuting Attorney
- No. 19-445 - Don Guzman, Prosecuting Attorney
- No. 19-446 - Tivoli S. Faaumu, Chief of Police
- No. 19-447 - Tivoli S. Faaumu, Chief of Police
- No. 19-449 - David C. Thyne, Fire Chief

Respectfully,

A handwritten signature in black ink, appearing to be "J. Nishita", written over a horizontal line.

JOSIAH K. NISHITA  
County Clerk

/lks

Enclosures

cc: Director of Council Services



MICHAEL P. VICTORINO

MAYOR

OUR REFERENCE

YOUR REFERENCE

# POLICE DEPARTMENT RECEIVED

COUNTY OF MAUI

55 MAHALANI STREET  
WAILUKU, HAWAII 96793  
(808) 244-6400  
FAX (808) 244-6411

October 21, 2019



2019 OCT 23 PM 2:45

OFFICE OF THE MAYOR

TIVOLI S. FAAUMU  
CHIEF OF POLICE

DEAN M. RICKARD  
DEPUTY CHIEF OF POLICE

Honorable Michael P. Victorino  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

For transmittal to:

Honorable Kelly King, Chair  
and Members of the Maui County Council  
200 South High Street  
Wailuku, Hawaii 96793

Dear Chair King and Members:

SUBJECT: ADOPTION OF A REVISED RECORDS DISPOSITION SCHEDULE FOR  
THE DEPARTMENT OF THE POLICE

We are hereby transmitting a resolution authorizing the adoption of a revised Records  
Disposition Schedule for the Department of Police pursuant to Section 46-43, Hawaii Revised  
Statutes. Exhibit "A" is the revised schedule.

Thank you for your attention to this matter. If you have any questions, please feel free to  
contact our office.

Sincerely,

  
TIVOLI S. FAAUMU  
Chief of Police

APPROVED FOR TRANSMITTAL

Michael P. Victorino 10/23/19  
Mayor Date

RECEIVED  
2019 OCT 24 PM 1:26  
OFFICE OF THE  
COUNTY CLERK

COUNTY COMMUNICATION NO. 19-447

# Resolution

No. \_\_\_\_\_

## AUTHORIZING THE ADOPTION OF A REVISED RECORDS DISPOSITION SCHEDULE FOR THE DEPARTMENT OF POLICE PURSUANT TO SECTION 46-43, HAWAII REVISED STATUTES

WHEREAS, the Department of Police ("MPD") desires to update and revise its Records Disposition Schedule; and

WHEREAS, the latest version of MPD's Records Disposition Schedule was approved in 2010 by Resolution No. 10-36; and

WHEREAS, MPD has developed a proposed revised Records Disposition Schedule which is attached hereto as Exhibit "A"; and

WHEREAS, the Council of the County of Maui is authorized to determine whether, and the extent to which, the County of Maui shall create, accept, retain, or store in electronic form any records and convert records to electronic form pursuant to Section 46-43, Hawaii Revised Statutes ("HRS"); now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby authorizes the adoption of the proposed revised Records Disposition Schedule attached hereto as Exhibit "A"; and
2. That certified copies of this resolution be transmitted to the Mayor, the Director of Finance, and the Chief of Police.

APPROVED AS TO FORM AND LEGALITY:

  
JERRIE L. SHEPPARD  
Deputy Corporation Counsel  
County of Maui  
2019-1040

COUNTY OF MAUI  
RECORDS RETENTION SCHEDULE

| Department | Division                                                                                                                                                                                                   | Section                                                          |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| POLICE     | ADMINISTRATION                                                                                                                                                                                             |                                                                  |
| Item No.   | Description of Records                                                                                                                                                                                     | Retention Period                                                 |
| A.         | <u>ANNUAL REPORTS</u>                                                                                                                                                                                      | 5 fiscal years                                                   |
| B.         | <u>BOARDS &amp; COMMISSIONS, &amp; COMMITTEE RECORDS</u>                                                                                                                                                   |                                                                  |
|            | 1. Ad Hoc/Advisory (not established by statute, ordinance, charter or rules and regulations)                                                                                                               |                                                                  |
|            | a. Agendas                                                                                                                                                                                                 | 1 fiscal year                                                    |
|            | b. Minutes, communications, and other related records                                                                                                                                                      | 2 fiscal years unless approved by Records Disposition Committee  |
|            | c. Reports                                                                                                                                                                                                 | 10 fiscal years                                                  |
|            | 2. County/state Authorized (by statute, ordinance, charter, or rules and regulations)                                                                                                                      |                                                                  |
|            | a. Agendas                                                                                                                                                                                                 | 1 fiscal year                                                    |
|            | b. Minutes, reports, communications, and others                                                                                                                                                            | 25 fiscal years unless approved by Records Disposition Committee |
|            | c. Rules and regulations (pursuant to Chapters 91-92, HRS)                                                                                                                                                 | Until superseded or amended                                      |
| C.         | <u>CORRESPONDENCE RECORDS</u>                                                                                                                                                                              |                                                                  |
|            | Intra/interdepartmental directives, memos, circulars, and other communications and records of a general nature (e. g. those records which are inappropriate for filing in specific subject or case files): |                                                                  |
|            | 1. Involving policy decisions procedures, County liability rules, etc.                                                                                                                                     | Until superseded or amended                                      |
|            | 2. Not involving policy decisions procedures, rules, or inquiries on routine matters, the response to which completes the cycle of correspondence                                                          | Until superseded                                                 |
|            | 3. County Standard Operating Guidelines & Procedures (SOGP's)                                                                                                                                              | Until superseded or amended                                      |
| D.         | <u>COUNCIL-RELATED RECORDS</u>                                                                                                                                                                             |                                                                  |
|            | 1. Ordinances                                                                                                                                                                                              |                                                                  |
|            | a. Permanent                                                                                                                                                                                               | Until codified                                                   |
|            | b. Others, e.g., zoning budget                                                                                                                                                                             | Until superseded                                                 |

COUNTY OF MAUI  
RECORDS RETENTION SCHEDULE

|                      |                            |         |
|----------------------|----------------------------|---------|
| Department<br>POLICE | Division<br>ADMINISTRATION | Section |
|----------------------|----------------------------|---------|

| Item No. | Description of Records                         | Retention Period                                      |
|----------|------------------------------------------------|-------------------------------------------------------|
| 2.       | Resolutions                                    |                                                       |
| a.       | If required by law, e.g., grants, condemnation | 50 fiscal years then reassessed for further retention |
| b.       | Council statements, e.g., Council positions    | 2 fiscal years                                        |
| c.       | Others, e.g., congratulatory condolence        | 1 fiscal year                                         |
| 3.       | County Council Journals (minutes)              | -----                                                 |
| 4.       | County Council Committee Reports               | 2 fiscal years                                        |
| 5.       | General and County Communications              | 2 fiscal years                                        |

E. FINANCE-RELATED RECORDS

|    |                                                                                                                                                                                   |                           |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 1. | Accounts                                                                                                                                                                          |                           |
|    | Accounts payable and encumbrance print-outs, accounting ledgers, requisitions, purchase orders, invoices, mileage claims, other financial records and related communications for: |                           |
| a. | General Fund Accounts                                                                                                                                                             | 7 fiscal years            |
| b. | Special Fund Accounts<br>(e. g., Highway, Bikeway, Sewer, Golf, Liquor, etc.)                                                                                                     | 7 fiscal years            |
| 2. | Budget                                                                                                                                                                            |                           |
| a. | Allotment requests                                                                                                                                                                | 3 fiscal years            |
| b. | Budget worksheets                                                                                                                                                                 | 3 fiscal years            |
| c. | Departmental budget                                                                                                                                                               | 7 fiscal years            |
| d. | County annual budget                                                                                                                                                              | 7 fiscal years            |
| 3. | Inventory                                                                                                                                                                         |                           |
| a. | Inventory print-outs                                                                                                                                                              | Retain 1 prior generation |
| b. | Inventory-related forms<br>(Inv. Form 1 through Form 6)                                                                                                                           | Retain 1 prior generation |
| c. | Certificates of Ownership<br>(Motor vehicles, equipment etc.)                                                                                                                     | -----                     |

COUNTY OF MAUI  
RECORDS RETENTION SCHEDULE

| Department<br>POLICE | Division<br>ADMINISTRATION                                                                                                                                                                               | Section                                        |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| Item No.             | Description of Records                                                                                                                                                                                   | -----                                          |
| 4.                   | Payroll/Attendance                                                                                                                                                                                       |                                                |
| a.                   | Application for Leave of Absence (Form DF-1)                                                                                                                                                             | 3 [calendar] <u>fiscal</u> years               |
| b.                   | Application for Leave (Form DF-2)                                                                                                                                                                        | 3 [calendar] <u>fiscal</u> years               |
| c.                   | Meal Claims (Form DF-3)                                                                                                                                                                                  | 1 fiscal year                                  |
| d.                   | Payroll Print-outs (Payroll Register, Payroll Recap., Deduction Register)                                                                                                                                | [Permanent] <u>10 fiscal years</u>             |
| e.                   | Terminal Applications (Form DF-1A)                                                                                                                                                                       | [Permanent] <u>10 fiscal years</u>             |
| f.                   | Time Sheets (Form DF-4)                                                                                                                                                                                  | 7 [calendar] <u>fiscal</u> years               |
| g.                   | SF-1                                                                                                                                                                                                     | [Permanent] <u>10 fiscal years</u>             |
| h.                   | Accumulated Leave Print-outs                                                                                                                                                                             | 3 [calendar] <u>fiscal</u> years               |
| i.                   | Temporary Assignment Report Aid Listing Print-outs                                                                                                                                                       | [Permanent] <u>10 fiscal years</u>             |
| j.                   | County Insurance policies                                                                                                                                                                                | -----                                          |
| F.                   | <u>CONTRACTS AND RELATED DOCUMENTS/ COMMUNICATIONS</u> , (e.g., personnel services, construction, goods, services, consultants, or equipment, etc.) Original copy of ALL contracts sent to County Clerk. |                                                |
| 1.                   | County funded                                                                                                                                                                                            | 5 fiscal years                                 |
| 2.                   | State Funded                                                                                                                                                                                             | 7 fiscal years                                 |
| 3.                   | Federally funded                                                                                                                                                                                         | 7 fiscal years                                 |
| G.                   | <u>HOUSE RULES</u>                                                                                                                                                                                       | Until superseded or amended                    |
| H.                   | <u>PERSONNEL-RELATED RECORDS</u>                                                                                                                                                                         |                                                |
| 1.                   | Employee records                                                                                                                                                                                         |                                                |
| a.                   | Transferring employees                                                                                                                                                                                   |                                                |
| (1)                  | Intra-Jurisdictional                                                                                                                                                                                     | Departmental records transferred with employee |
| (2)                  | Inter-Jurisdictional                                                                                                                                                                                     | [Permanent] <u>10 fiscal years</u>             |
| b.                   | Terminating employees                                                                                                                                                                                    | [Permanent] <u>10 fiscal years</u>             |
| c.                   | Workers' Compensation Records                                                                                                                                                                            | [Permanent] <u>10 fiscal years</u>             |

COUNTY OF MAUI  
RECORDS RETENTION SCHEDULE

| Department<br>POLICE | Division<br>ADMINISTRATION                                     | Section                                               |
|----------------------|----------------------------------------------------------------|-------------------------------------------------------|
| Item No.             | Description of Records                                         | Retention Period                                      |
| 2.                   | Health Fund Records                                            |                                                       |
| a.                   | Applications Forms<br>(Forms E-1, N-1, E-5)                    | Dispose when superseded                               |
| b.                   | Others                                                         | Dispose when superseded or verification of print-outs |
| 3.                   | Executed Request for Position Action (Manpower Form Rev. 7/88) | 3 [calendar] <u>fiscal</u> years & completion         |
| 4.                   | Position Descriptions                                          | Dispose when superseded                               |
| 5.                   | Tables of Organization (Structural/functional)                 | [Permanent] <u>10 fiscal years</u>                    |
| I.                   | <u>OTHER RECORDS FILED WITH COUNTY CLERK</u>                   |                                                       |
| 1.                   | Deeds, easements and other conveyances, executive orders       | -----                                                 |
| 2.                   | Construction Contracts, including construction consultants     | To Finance upon completion                            |
| 3.                   | Personnel Services Contracts, except construction related      | To Finance upon completion                            |
| 4.                   | Equipment Contracts, etc.                                      | To Finance upon completion                            |
| 5.                   | Claims                                                         | -----                                                 |
| 6.                   | Others                                                         | To Finance upon Completion                            |
| J.                   | <u>RECORDS MANAGEMENT</u>                                      |                                                       |
| 1.                   | General Records Schedule                                       | Until superseded                                      |
| 2.                   | Records Disposition Schedule (MCR-1)                           | Until superseded                                      |
| 3.                   | Request/Approval for Records Disposition Authority (MCR-2)     | Until superseded                                      |
| K.                   | <u>PERMIT FILES</u>                                            |                                                       |
| 1.                   | Gun Registration Ownership File                                | Unit status changes                                   |
| a.                   | Gun permit application (Form No. 247)                          | Permanent                                             |
| b.                   | Gun photograph file                                            | 50 years, then reassess for continued retention       |

COUNTY OF MAUI  
RECORDS RETENTION SCHEDULE

| Department<br>POLICE | Division<br>ADMINISTRATION                                                                                    | Section                                                                                                                                                                      |
|----------------------|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Item No.             | Description of Records                                                                                        | Retention Period                                                                                                                                                             |
|                      | c. Permit to carry firearm                                                                                    | 3 fiscal years                                                                                                                                                               |
|                      | d. Application to carry supplemental weapon                                                                   | Permanent                                                                                                                                                                    |
| 2.                   | Press pass                                                                                                    | 1 fiscal year                                                                                                                                                                |
| 3.                   | State/County permit file (i.e., to block highways for parades, special events)                                | 1 fiscal year                                                                                                                                                                |
| L.                   | <u>POLICE REPORTS</u>                                                                                         |                                                                                                                                                                              |
| 1.                   | Homicide reports (Records section)                                                                            | Permanent                                                                                                                                                                    |
| 2.                   | General case/incident reports (Records section)                                                               |                                                                                                                                                                              |
|                      | a. Unattended death, fatal miscellaneous accident, and suicide                                                | 20 fiscal years                                                                                                                                                              |
|                      | b. Evidence for unattended death, fatal miscellaneous accident, and suicide investigation complete and closed | Retain until                                                                                                                                                                 |
|                      | c. Sexual assault investigations                                                                              | Permanent                                                                                                                                                                    |
|                      | d. Evidence for sexual assault investigations                                                                 | Retain evidence until case is closed and adjudicated. Upon receipt of an evidence disposal letter from the Department of the Prosecuting Attorney, evidence may be disposed. |
|                      | e. General case/incident reports (Records Section)                                                            | 10 fiscal years                                                                                                                                                              |
|                      | f. Non-criminal cases/documentation cases only                                                                | 2 fiscal years                                                                                                                                                               |
| 3.                   | Traffic accident reports (Traffic Section)                                                                    |                                                                                                                                                                              |
|                      | a. Fatal Motor Vehicle Accident                                                                               | Permanent                                                                                                                                                                    |
|                      | b. Major Motor Vehicle Accident                                                                               | 5 fiscal years                                                                                                                                                               |
|                      | c. Minor/Civil Motor Vehicle Accidents                                                                        | 2 fiscal years                                                                                                                                                               |
| 4.                   | Traffic complaint reports (Traffic Section)                                                                   | 5 fiscal years                                                                                                                                                               |
| 5.                   | Copies of reports 1, 2, 3, and 4 retained in operational elements                                             | 2 fiscal years                                                                                                                                                               |

COUNTY OF MAUI  
RECORDS RETENTION SCHEDULE

| Department<br>POLICE | Division<br>ADMINISTRATION                                                            | Section                                        |
|----------------------|---------------------------------------------------------------------------------------|------------------------------------------------|
| Item No.             | Description of Records                                                                | Retention Period                               |
| 6.                   | Other related reports:<br>e.g., prisoner in custody reports, suspicious items reports | 1 fiscal year                                  |
| M.                   | <u>MISCELLANEOUS DEPARTMENT FILES</u>                                                 |                                                |
| 1.                   | Mug shot file                                                                         | 50 years then reassess for continued retention |
| 2.                   | Fingerprint file                                                                      | 50 years then reassess for continued retention |
| 3.                   | Alphabetical file -report index file (3x5)                                            | 50 years then reassess for continued retention |
| 4.                   | Crime file (3x5)                                                                      | 50 years then reassess for continued retention |
| 5.                   | Traffic studies and research file                                                     | 3 fiscal years                                 |
| 6.                   | Good Guy citation file                                                                | 1 fiscal year                                  |
| 7.                   | Plans and mobilization emergency file                                                 | Until superseded                               |
| 8.                   | Security check request                                                                | 1 fiscal year                                  |
| 9.                   | Maui Community Correctional Center inmates on furlough form file                      | 2 fiscal years                                 |
| 10.                  | District and Circuit Court calendars, Family Court calendars, clerk's minutes         | 1 fiscal year                                  |
| 11.                  | Wanted persons circulars                                                              | Until superseded                               |
| 12.                  | Outstanding warrant list                                                              | Until superseded                               |
| 13.                  | Robbery response plan                                                                 | Until superseded                               |
| 14.                  | Radio systems implementation and upgrade information                                  | Until equipment disposed of                    |
| 15.                  | General research/reference file (3x5)                                                 |                                                |
| a.                   | Equipment study file                                                                  | Until superseded                               |
| b.                   | Research study file                                                                   | Until superseded                               |
| N.                   | <u>LOGS</u>                                                                           |                                                |
| 1.                   | DUI arrest ledger                                                                     | Until superseded                               |
| 2.                   | Intoxilizer control ledger                                                            | 1 fiscal year                                  |
| 3.                   | Booking book (arrests for adults and juveniles)                                       | 50 years then reassess<br>Continued retention  |

COUNTY OF MAUI  
RECORDS RETENTION SCHEDULE

| Department | Division       | Section |
|------------|----------------|---------|
| POLICE     | ADMINISTRATION |         |

| Item No. | Description of Records                 | Retention Period                               |
|----------|----------------------------------------|------------------------------------------------|
| 4.       | Evidence and property logs             | 50 years then reassess for continued retention |
| 5.       | Long distance and watts line telephone | 1 month                                        |
| 6.       | National Warning System Log (NAWAS)    | 1 fiscal year                                  |
| 7.       | Master tape sign-out log               | 1 fiscal year                                  |
| 8.       | Juvenile master log                    | 50 years then reassess for continued retention |
| 9.       | Daily transmittal logs                 | 1 fiscal year                                  |