

MONTGOMERY COUNTY BOARD OF COMMISSIONERS

ORDINANCE 2016-22

**AN ORDINANCE OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS
AMENDING COUNTY DOCUMENT RETENTION POLICIES**

WHEREAS, the County has adopted an ordinance on document retention including retention schedules (Ord. 2015-5);

AND WHEREAS, the Indiana Legislature has enacted new law related to the retention of Law Enforcement Recordings as defined in Indiana Code 5-14-3-2(k);

AND WHEREAS, the Commissioners find that it is in the best interests of the citizens of Montgomery County to amend its retention policies for the County and each of its departments to include this new requirement for Law Enforcement Recordings;

NOW, THEREFORE, BE IT ORDAINED, by the Montgomery County Board of Commissioners, that the following shall be added to the document retention rules and schedules, found in Section 36.19, Appendix A, which will read as follows:

“County Sheriff Retention Schedule

RECORD SERIES	TITLE/DESCRIPTION	RETENTION PERIOD
SH 10-1	LAW ENFORCEMENT RECORDINGS	190 days unless: (1) If requested by a third party to be retained within 180 days of recording, then retained 2 years after recording; (2) If a complaint is filed regarding law enforcement activity, as defined in Indiana Code 5-14-3-2(j), within 180 days of recording, then retained 2 years after recording; (3) If recording is used in any criminal, civil or

		administrative proceeding, then retained until final disposition of all appeals and a court order is obtained authorizing the destruction; and (4) If a recording is used by the Sheriff for training purposes, it may be retained for longer than 190 days.
--	--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

IT IS FURTHER ORDAINED that this ordinance shall be effective upon adoption.

Adopted by the Board of Commissioners of Montgomery County this ____ day of August, 2016.

BOARD OF COMMISSIONERS
OF MONTGOMERY COUNTY


James D. Fulwider, President


Phil Bane, Vice President


Terry Hockersmith, Member

Constituting a majority of the Montgomery
County Board of Commissioners

ATTEST:



Jennifer Andel, Auditor