

Destruction of Probation Files

616.1 PURPOSE AND SCOPE

Except as provided herein Yolo County Probation Department files, are to be destroyed five (5) years after the Department has closed its interest in the case.

The authority for the destruction of Probation files is as follows:

- Adult files - Penal Code sections 1203.7(c) and 1203.10 - Five years after termination of probation in any case subject to this section, the probation officer may destroy any records and papers in his or her possession relating to the case.
- Juvenile files - Welfare and Institutions Code section 826(a) - After five years from the date on which the jurisdiction of the juvenile court over a minor is terminated, the probation officer may destroy all records and papers in the proceedings concerning the minor.

616.2 DESTRUCTION EXCEPTION

Due to their serious nature, Probation Files containing any information that may be relevant to future investigations regarding high profile cases or sex offenses may be retained longer than five (5) years with Supervisory approval.

616.3 FILES TO BE CONVERTED TO ELECTRONIC FORMAT

Warrant Files

Any case file in warrant status where the warrant is over 10 years old shall be converted to electronic format and uploaded to the Department case management system. After uploading the file to electronic format, the physical copy of the file may be destroyed.

High Profile Case Files

Any case where the defendant has been sentenced to state prison for a period of 25 years or more will be converted to electronic format and uploaded to the Department case management system. The file will not be uploaded unless at least six months has elapsed since sentencing. Once the physical file has been converted to electronic format and uploaded to the system, it will be destroyed.