

DESTROY POLICY / PURGING CRITERIA

Do Not Destroy Files, Tapes or Photos of Defendants with the Following Convictions:

187PC, 288PC, 314PC, 647.6PC, 647(a)PC, 261PC,
Asset/Forfeiture cases

3 Strikes cases where sentence is 25'-life.

DO NOT DESTROY should be written on these files.

Note: 261.5 PC cases may be destroyed per felony policy.
288 PC *declined* cases should be destroyed in 1 year.

Felony: Purge 5 years from the sentencing date, unless prison/probation term is longer - purge date would then be the end of that term.

Exception

Domestic Violence: Purge 10 years from the sentencing date for felony only, unless prison/probation term is longer - purge date would then be the end of that term.

Misdemeanor: Purge 3 years from the sentencing date, unless probation term is longer - purge date would then be the end of that term.

Infraction: Purge 1 year from sentencing date.

Dismissed: Purge 1 year from court ordered dismissal.

Declined: Purge 1 year from declined date.

Juvenile: Purge when juvenile is 21 years old.

Exceptions

Juvenile: If committed to the California Youth Authority, purge when defendant reaches the age of 25 years.

Dismissed w/Harvey waiver-(Felony or Misdemeanor): Purge date is the same as the original case to which the defendant pled.