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**SPECIAL DIRECTIVE 06-01**

TO: ALL DISTRICT ATTORNEY PERSONNEL

FROM: JOHN K. SPILLANE   
Chief Deputy District Attorney

SUBJECT: **DIGITAL ARCHIVING OF DISTRICT ATTORNEY FILES**

DATE: FEBRUARY 9, 2006

Last year, this Office launched a project to convert all adult felony case files to digital images. The first phase of this project involves the closed adult felony case files stored in our Archives warehouse in Commerce. Due to their age, some of the files have deteriorated. The Digital Archive Project was initiated to prevent further damage and eliminate the possibility of complete loss or destruction of files in the event of a fire or other disaster.

The Digital Archive Project involves imaging closed adult felony case files and linking them electronically to the case information contained in PIMS. Staff can now view certain imaged closed cases on-line using the case folder function in PIMS. This Directive sets forth the policy and procedures for using this new system.

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In 2001, as a result of civil litigation, this Office developed the following case file retention policy:

Misdemeanors - 5 years  
Felonies with Determinate Sentences - 25 years  
Felonies with Indeterminate or Death Sentences – Indefinitely

Felony case files currently stored in Archives that are older than 25 years as measured by the date of last activity in the files and which do not have an indeterminate or death sentence are being destroyed consistent with these guidelines.

The first phase of the conversion process is expected to be completed in three to four years. To date, the system contains over 10 million images from over 65,000 case files. Digitally archiving our case files provides several immediate advantages. Digitally imaged documents are more readily accessible to users. Digital case files will not get lost and important documents will not be damaged or destroyed. The cost of storing felony case files will be substantially reduced. Six months after conversion, the hard copy case files will be destroyed with the exception of death penalty and life without the possibility of parole cases.

All authorized departmental users can now access, view, and print (if necessary) imaged case files through PIMS - Adult Case Management. Access to digital case files will be monitored and tracked, and periodic audits may be conducted to ensure appropriate access of scanned files. Certain cases will be restricted from viewing due to privacy and/or security concerns. Head Deputy approval is required to access a restricted case.

Prior to imaging, each case file is opened and inspected by Archives staff. All photographs, certified priors, video tapes, audio tapes, DVDs and CDs found inside a case file will be removed and retained. The existence of this material is noted in the Case Folder information contained on PIMS. All physical evidence will be returned to the law enforcement agency responsible for investigating the case. For future purposes, physical evidence and other material that is not considered part of the case file (please refer to Section 26.11.01 of the Legal Policies Manual for a checklist of what should be in a case file upon closure) must be returned to the law enforcement agency responsible for investigating the case at the conclusion of the case proceedings.

Effective immediately, all requests for closed adult felony case files, including photos, video tapes, etc., shall be made through PIMS. To order a case file through PIMS, please use the attached PIMS Case Folder Function Guide prepared by Systems Division. If the case has been scanned, the requestor will be directed to view the case via PIMS. If the case has not been scanned, the paper case file will be sent to the requestor. The Archives Unit will no longer accept telephonic or written requests for adult felony case files.

Concurrent with conversion efforts of closed cases, Systems Division staff is also developing software programs to electronically process and manage open, pending cases. To prepare for this next phase, new case set-up procedures are in development that will organize case file documents into several broad categories. These procedures will facilitate the eventual electronic indexing and management of documents by category and by individual document. The goal is to create electronic case files that will provide users with immediate on-line access to critical information.

Please contact Archives Operations at (323) 881-5144 if you have any questions regarding the new policy for ordering closed felony case files.

Attachment