



STATE OF KANSAS

Office of the Attorney General

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CURT T. SCHNEIDER
Attorney General

June 30, 1975

ATTORNEY GENERAL OPINION NO. 75- 271

Mr. Larry R. Mears
Atchison County Attorney
County Courthouse
Atchison, Kansas 66002

Dear Mr. Mears:

You inquire concerning the length of time that a police department is required to keep records and reports of misdemeanor and felony offenses. I find no statutory authority whatever dealing with the subject. K.S.A. 1974 Supp. 12-120 provides for the destruction of various types of municipal records after specified periods of time have elapsed. Police records are not among those enumerated, however.

Plainly, it is preferable that any records destruction be on a regularized basis, rather than left to the personal discretion of those in charge thereof. I suggest that the city governing body adopt an ordinance, which need not be a charter ordinance, prescribing the periods of retention of such records after which their destruction is authorized, subject to the discretion of the department to retain any such records for a longer period when appropriate.

Yours very truly,

CURT T. SCHNEIDER
Attorney General

CTS/JRM/cgm