

REQUEST FOR RECORDS DISPOSITION AUTHORITY <i>(See Instructions on reverse)</i>		LEAVE BLANK (NARA use only)	
TO: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		JOB NUMBER <i>NI-15-02-2</i>	
1. FROM (Agency or establishment) Department of Veterans Affairs (VA)		DATE RECEIVED <i>March 8, 2002</i>	
2. MAJOR SUBDIVISION Veterans Health Administration (VHA)		NOTIFICATION TO AGENCY	
3. MINOR SUBDIVISION		In accordance with the provisions of 44 U.S.C. 3303a the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.	
4. NAME OF PERSON WITH WHOM TO CONFER Sherwin Lynch (lynsher@mail.va.gov)			
5. TELEPHONE (202) 273-8312			
6. AGENCY CERTIFICATION I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached ___ page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified; and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies, <input checked="" type="checkbox"/> is not required; <input type="checkbox"/> is attached; or <input type="checkbox"/> has been requested.			
DATE <i>3/18/02</i>	SIGNATURE OF AGENCY REPRESENTATIVE <i>[Signature]</i> Donald L. Neilson	TITLE Director Information Management Service (045A4)	
7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
1.	The Security and Law Enforcement Services are responsible for the protection of patients, employees, visitors, and property at the Department of Veterans Affairs (VA) medical facilities. In performing security and law enforcement responsibilities, files (records) are created to document official actions taken by Security and Law Enforcement personnel. This SF115 pertains to the Offense File, which consists of reports, statements of witnesses, results, findings, and other investigative material relating to complaints. Offense File Disposition: Destroy after 3 years <i>old</i> .	RCS 10-1, Item 13 and GRS 18, Item 14b	
<i>CC NR NWMW Agency</i>			

SF-115 Attachment
Job No. N1-15-02-2

Department of Veterans Affairs (VA)
Veterans Health Administration (VHA)
Security and Law Enforcement Services

2. **Electronic Copies.** Electronic version of records created by electronic mail and/or word processing applications for the series contained in this schedule (Offense Files).
- a. Copies that have no further administrative value after the recordkeeping copy is made. Includes copies maintained by individuals in personal files, personal electronic mail directories, or other personal directories on hard disk or network drives, and copies on shared network drives that are used only to produce the recordkeeping copy. **Temporary.** Delete within 180 days after the recordkeeping copy has been produced. (NARA Job No. N1-15-02-2, item 2a)
- b. Copies used for the dissemination, revision, or updating is complete. **Temporary.** Delete when Dissemination, revision, or updating is complete. (NARA Job No. N1-15-02-2, item 2b)

**Department of Veterans Affairs
Veterans Health Administration
Offense File**

Purpose: The purpose of this record appraisal and counterpart SF 115, Request for Records Disposition Authority, is to request deviation from the National Archives and Records Administration (NARA) General Records Schedule (GRS) 18, item 14b.

Background: The Veterans Health Administration (VHA) RCS 10-1 is the main authority for the retention and disposal of VHA records. Section XXIII of the RCS 10-1 (item 132-2), provides for the disposal of Offense Files after two years in accordance with the GRS 18, item 14b.

Analysis: The Security and Law Enforcement Services are responsible for the protection of patients, employees, visitors, and property at the Department of Veterans Affairs (VA) medical facilities. In performing security and law enforcement responsibilities, records are created to document official actions taken by Security and Law Enforcement personnel. One of these records is the Offense File, which contains reports, statements of witnesses, results, findings, and other investigative material relating to complaints, arrests etc.

After reviewing Section XXIII, it was determined that the retention period for the Offense File needs to be extended from two years to three years for the following reasons:

- The Operations Journal has a three-year retention period and the Offense File provides the specific details about offenses or activity entered into the Operations Journal. If a question is raised about an incident after the two-year period, the only reference will be the Operations Journal. The actual details, which include the officer's investigative report, may not be available. In addition, the Department's ability to respond to a FOIA request would be severely limited.
- The Offense Files need to be kept for three years because any criminal case can extend beyond a two-year time frame.
- The Offense Files contain the signature of the officer; electronic signatures have not been universally accepted in criminal courts.
- Tort actions against the Department can be filed and the material needs to be available.

Recommendation: The Offense File is to be destroyed after 3 years.