Department of Forensic Sciences

Functional Analysis
&
Records Disposition Authority

Revision
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Functional and Organizational Analysis of the Department of Forensic Sciences

Sources of Information

- Representatives of the Department of Forensic Sciences
- Code of Alabama 1975 § 32-5A-191, 194
- Code of Alabama 1975 § 36-18-1 through 36-18-55
- Code of Alabama 1975 § 41-20-1 through 41-20-16
- Code of Alabama 1975 § 41-22-1 through 41-22-27
- Alabama Administrative Code 370-1-1 through 370-2-1
- Alabama Act 2010-542
- Archives Division State Agency Files
- Bureau of Alcohol, Tobacco, Firearms and Explosives website (www.atf.gov)
- Department of Forensic Sciences Website (www.adfs.alabama.gov)
- Federal Bureau of Investigation website (www.fbi.gov)

Historical Context

The discipline of forensic science dates to as early as 44 BC, when Roman physician Antistius performed the first officially recorded autopsy on the slain body of Julius Caesar. In 1247 A.D., Chinese physician and judge Song Ci wrote the first forensic science monograph entitled *The Washing Away of Wrongs*. The guide outlines how to investigate unusual deaths, from interviewing suspects to examining the body of the deceased.

The field underwent significant advancement in nineteenth-century Europe as the Enlightenment
values of evidence, logic, and reason influenced criminal investigations. In 1816, Warwick police used footprints, impressions from clothing, and scattered grains of wheat and chaff to attempt to convict a farm laborer of murdering a young maidservant. In 1892, Argentine police officer Juan Vucetich established the world's first fingerprint bureau and solved a crime by matching a fingerprint on file with a bloody thumb mark at the crime scene.

Forensic science did not become an established academic discipline until the mid-twentieth century. The state of Alabama, however, was a forerunner in correlating its institutes of higher education with the practice of forensic science in criminal investigations. Throughout the early 1900s, the Professor of Agricultural Chemistry at the Alabama Polytechnic Institute (later to become Auburn University) was the *ex officio* State Chemist. The State Chemist was responsible for providing chemical analyses of vital organs of suspected poisoning victims upon request by the Commissioner of Agriculture and Industries to county probate judges statewide.

During the 1935 session of the General Assembly of Alabama, the State Chemist and the Office of the Attorney General collaboratively introduced legislation proposing the creation of a State Department of Toxicology. The bill received strong support from district attorneys, legislators, and the Lieutenant Governor. Governor Bill Graves signed the bill into law on July 17, 1935. The Attorney General appointed a State Toxicologist to head the Department upon the nomination of the State Chemist. The Department was located on the university campus; these facilities still serve as the state headquarters of the Department.

The name of the agency was later changed to the Department of Toxicology and Criminal Investigation to better reflect the services provided to the criminal justice system. George C. Wallace’s Executive Order 87 in 1978 changed the name to the Alabama Department of Forensic Sciences (ADFS), citing the fact that “the role of investigation is more properly handled by the Alabama Bureau of Investigation at the State level” and “toxicology is only one area of service provided by the agency.” The agency director title remained “State Toxicologist.” The state also provided funds in 1978 for the Department to implement a Forensic Pathology Program for North Alabama and a Forensic Science Service Program.

Today, the Alabama Department of Forensic Sciences is the only internationally accredited provider of forensic science laboratory services in Alabama. The accreditor, as of May 2019, is the American National Standards Institute (ANSI) National Accreditation Board (ANAB). The department provides forensic services to more than 450 law enforcement agencies across Alabama. ADFS offers analytical services in Forensic Pathology, Drug Chemistry, Forensic Biology/DNA, Firearms and Toolmarks, Forensic Toxicology, Death Investigation, and Implied Consent Training. Forensic test results are provided in a timely, accurate manner in the spirit of the department’s four core values – service, integrity, respect, and quality.

The Department of Forensic Sciences is required by statute to “to make such investigations, including any necessary autopsy, to be performed by physicians licensed to practice medicine in Alabama and recognized and trained in forensic medicine and pathology.” The department director “shall cooperate with the coroners, sheriffs and other police officers in Alabama in their investigations of crimes and deaths from unlawful, suspicious or unnatural causes” and “shall furnish a certified copy of his report of any investigation that the department conducts to the
person or persons who ordered the investigation conducted” (Code of Alabama 1975 § 36-18-2).

The Director of the Department of Forensic Sciences may visit the scene of any crime in the state at his or her discretion for the purpose of securing evidence for the state. The Director must "cooperate with the Commissioner of Agriculture and Industries and the State Veterinarian in their investigations of deaths of domestic animals in cases of suspected criminal poisoning of such animals” according to statute (Code of Alabama 1975 § 36-18-2).

County coroners may coordinate with the Department of Forensic Science regarding the storage and transportation of a body to a forensic sciences laboratory designated by the Department of Forensic Sciences for the purpose of performing an autopsy or any other post-mortem examination. The Department of Forensic Sciences may perform the duties of the county coroner or county medical examiner pursuant to local law or an agreement with the county.

**Agency Organization**

The Director of the Department of Forensic Sciences is appointed by the Attorney General, as provided by the Code of Alabama 1975 § 36-18-1. The agency’s primary administrative office is located in Auburn, Alabama, as provided by statute (Code of Alabama 1975 § 36-18-3). The agency operates laboratories in the cities of Huntsville, Birmingham, Tuscaloosa, Pelham, Montgomery, Auburn, and Mobile, which service designated counties. The agency operates additional forensic medical facilities in Huntsville, Montgomery, and Mobile.

The department is organized into six divisions (internally called “disciplines”): Death Investigations, Drug Chemistry, Firearms and Toolmarks, Forensic Biology, Implied Consent, and Toxicology. Each agency laboratory or medical facility provides one or more of these disciplines or services, but services vary by location. The three forensic medical facilities in Huntsville, Montgomery, and Mobile all provide death investigations and forensic pathology services.

The Death Investigation Division provides investigative and forensic pathology services to local, county, state, and federal agencies. This assistance includes case consultations, examinations, court testimony, and specialized evidence collection.

The Drug Chemistry Division identifies the presence or absence of controlled substances and precursor chemicals used in the manufacture of illegal drugs. Items undergo visual examination to establish the physical drug form followed by examination using presumptive and confirmation methodologies.

The Forensic Firearms and Toolmarks Division is responsible for the examination of firearms, ammunition components, ammunition, tools, and related evidence. The section utilizes forensic microscopes to examine evidence and make comparisons. The section maintains a firing range for test firing and related purposes.

The Forensic Biology Division is comprised of four casework regional laboratories and one DNA database laboratory. Scientists within the casework laboratories are responsible for
analyzing biological evidence recovered by all local and state law enforcement agencies.

The Implied Consent Division administers the Breath Alcohol Testing Program, more formally known as the Chemical Tests for Intoxication Program, and provides instruments, instrument support, and operator training at no cost to criminal justice agencies statewide as provided by statute (Code of Alabama 1975 §32-5A-194).

The Toxicology Division of the Alabama Department of Forensic Sciences assists local, county, state and federal law enforcement agencies in Alabama in death and criminal investigations. This assistance includes laboratory analyses of biological specimens for the presence of drugs and poisons. Analysis findings may be used to establish cause and manner of death or to establish or explain impairment of criminal suspects.

**Agency Function and Subfunctions**

The mandated function of the department is to investigate unlawful, suspicious, or unnatural deaths and crimes. It is one of the agencies responsible for performing the Law Enforcement and Emergency Powers function of Alabama government.

In the performance of its mandated function, the agency may engage in the following subfunctions.

- **Investigating Deaths and Crimes.** The Code of Alabama 1975 § 36-18-1 through 36-18-9 outlines the appointment and duties of the State Director of Forensic Sciences. The code reads, in part, as follows: “The duties of the director shall be to make such investigations, including any necessary autopsy… [and to conduct] investigations of unlawful, suspicious or unnatural deaths and crimes as are ordered by the Governor, the Attorney General, any circuit judge, or any district attorney in the State of Alabama…” (Code of Alabama 1975 § 36-18-2). The department examines evidence and issues reports of its findings to the submitting law enforcement agencies and to the appropriate district attorneys.

The department operates laboratories in the cities of Huntsville, Birmingham, Tuscaloosa, Pelham, Montgomery, Auburn, and Mobile to assist in its forensic investigations. Evidence is analyzed in compliance with internationally accredited standards; as of May 2019, these standards include ISO [International Standards Organization] 17025 and supplemental standards of the ANSI National Accreditation Board (ANAB), where ANSI is an abbreviation for the American National Standards Institute. Testing and calibration activities are conducted regularly to ensure high levels of accuracy, integrity, and timeliness (Source: www.adfs.alabama.gov).

The department administers the statewide DNA database established by the Alabama Act 94-804 as codified in Code of Alabama 1975 § 36-18-20. The DNA database is used to identify repeat and dangerous offenders. Specimens are collected by law enforcement agencies and/or the Department of Corrections from offenders who have been arrested and/or convicted of any felony and specified misdemeanor offenses and transferred to the
Department of Forensic Sciences, where the data is entered into the FBI’s national DNA database (the Combined DNA Index System, or CODIS). DNA records are disclosed to criminal justice agencies in judicial proceedings and for criminal defense purposes.

In addition to DNA samples, the Department of Forensic Science uploads images of expended cartridge casings to the National Integrated Ballistic Information Network (NIBIN) Firearms Database, administered by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF).

- **Administering the Implied Consent Program.** Pursuant to the Code of Alabama 1975 § 32-5A-194, the agency screens applicants and issues permits to law enforcement officers who will perform chemical analysis of a person’s breath for alcohol intoxication. Breath analysis should be performed after an arrest in a local area facility. The breath analyzing instruments are regularly inspected for calibration and compliance with international standards. The results are recorded by the technical director of the Implied Consent Unit or his/her designee.

- **Administering Internal Operations.** A significant portion of the agency’s work includes general administrative, financial, and personnel activities performed to support the programmatic areas of the agency including:

  **Managing the Agency:** Activities include internal office management activities common to most government agencies such as corresponding and communicating, scheduling, meeting, documenting policy and procedures, reporting, litigating, legislating (drafting, tracking), publicizing and providing information, managing records, and managing information systems and technology.

  **Managing Finances:** Activities include budgeting (preparing and reviewing budget package, submitting the budget package to the Department of Finance, documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency’s budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; and assisting in the audit process.

  **Managing Human Resources:** Activities include recruiting and hiring eligible individuals to fill positions within the agency; providing compensation to employees; providing benefits to employees such as leave, health insurance, unemployment compensation, worker’s compensation, injury compensation, retirement, and death benefits; supervising employees by evaluating performance, granting leave, and monitoring the accumulation of leave; training and providing continuing education for employees; investigating and disciplining.
Managing Properties, Facilities, and Resources: Activities include inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; leasing and/or renting offices or facilities; providing security for property managed by the agency; insuring property; and assigning, inspecting and maintaining agency property.
Records Appraisal of the Department of Forensic Sciences

The following is a discussion of the two major categories of records created and/or maintained by the department: Temporary Records and Permanent Records.

Temporary Records

Temporary records should be held for what is considered their active life and be disposed of once all fiscal, legal, and administrative requirements have been met. Some of the temporary records created by the department are discussed below:

- **Laboratory Information Management System (LIMS) Database.** This is the departmental database used to manage investigative files in the laboratory. New records are created when the department’s services are requested by state or local law enforcement. A file’s contents may include, but are not limited to, the following document types: reports of analytical findings (e.g. autopsies), examination records (e.g. instrument readouts), typed/handwritten notes, and photographs. The scope of a file will include services performed at the behest of other state and local law enforcement agencies but may or may not encompass the breadth/depth of a given law enforcement investigation.

  This record series may be composed of subseries including, but not limited to, the following: unspecified, death/homicide, rape, robbery, assault, burglary, larceny/theft, automobile theft, arson, forgery/counterfeiting, fraud, embezzlement, stolen property, vandalism, weapons, sexual assault, controlled substances, driving under the influence (DUI), liquor, hit and run, traffic/non-death, games laws, other criminal, death/non-homicide, and kidnapping. For record keeping purposes, the database is grouped into two record subseries: files of crimes committed against persons and files of crimes not committed against persons. Investigation case files and supporting documentation are to be retained for eighty (80) years for files of crimes committed against persons, and fifteen (15) years for files of crimes not committed against persons. Other data entry fields are to be maintained until superseded.

- **National Integrated Ballistic Information Network (NIBIN) Firearms Database.** The National Integrated Ballistic Information Network (NIBIN) was established by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) in 1999 to provide local, state and federal law enforcement partner agencies with an automated ballistic imaging network. Firearms technicians enter cartridge casing evidence into the Integrated Ballistic Identification System. These images are correlated against the nationwide database. (Note: While the database includes records pertaining both to cartridge casings and to bullets, as of May 2019, the Department of Forensic Science contributes only cartridge casing evidence.) Law enforcement can search against evidence from their jurisdiction, neighboring ones, and others across the country (Source: www.atf.gov). Database records are produced and maintained at the federal level, and the Department of Forensic Sciences can only access records and contribute new information according to the policies and procedures outlined by ATF. According to ATF, records uploaded to NIBIN...
are maintained on an indefinite basis. Data entry fields are to be retained until superseded.

- **Combined DNA Index System (CODIS) Database.** The Combined DNA Index System, abbreviated CODIS, is the generic term used to describe the Federal Bureau of Investigation (FBI)’s program of support for criminal justice DNA databases as well as the software used to run these databases. The database can be used to compare a targeted DNA record of a convicted offender, arrestee, or detainee against the DNA records already present in the database (Source: www.fbi.gov). Database records are produced and maintained at the federal level, and the Department of Forensic Sciences can only access records and contribute new information according to the policies and procedures outlined by the FBI.

The National DNA Index System (NDIS) is considered to be one part of CODIS. NDIS exists at the national level and contains DNA profiles contributed by federal, state, and local participating forensic laboratories. The State DNA Index System (SDIS) is the state-level database, containing only DNA profiles contributed by forensic laboratories in the state. The FBI determines eligibility requirements for upload of DNA profiles from SDIS to NDIS. Only SDIS entries which meet federal requirements are uploaded into NDIS, meaning that information contained in SDIS and NDIS can differ.

The records retention policy for the CODIS database is determined at the federal level and is enumerated in the National DNA Index System (NDIS) Operational Procedures Manual. According to the manual, “State or Local DNA records shall be maintained in NDIS as long as they are substantiated by the internal records of the NDIS participating laboratory and are allowed to be retained by Federal or State law… laboratories may purge DNA case files in accordance with State and local records retention policies.” Data entry fields are to be retained until superseded.

- **Quality System Administrative Records.** This series consists of annual quality reviews, archival standard operating procedures, corrective actions, quality control, equipment validation/maintenance/calibration records, facility security and safety records, laboratory audits, tech leader on-site visits, and records relating to subcontractors/outsourcing. The recommended records retention is 15 years due to the possibility of ongoing legal processes for appeals and “cold cases.”

- **Quality System Personnel Records.** This series consists of records of training, qualifying memos, statements of qualifications, proficiency tests, continuing education, meeting attendance, scientific literature review, court testimony monitoring, safety training, security codes, and key distribution records. The long-term retention period is based on statutes of limitation. ADFS employees perform forensic examinations of evidence that are used by the courts. The series is named similarly to, but is distinct from, records created by the State Personnel Department. The recommended records retention is therefore 15 years after separation of the employee due to the possibility of ongoing legal processes for appeals and “cold cases.”
- **Quality System Validations for Analytical Methods.** This series is the accumulation of records from evaluation studies within the laboratory to determine the efficacy and reliability of established methods for forensic casework and to demonstrate that these methods perform as expected in the laboratory. The recommended records retention is 15 years after the methods are superseded.

- **Quality System Evidence Inventories.** These records consist of the inspection of all physical evidence locations against the LIMS database locations to ensure an accurate accounting of evidence retained by the laboratory. The recommended records retention is 15 years after end of the fiscal year in which the records were created.

- **Implied Consent DUI (Driving Under the Influence) Subject Test Database.** This is the Driving Under the Influence (DUI) database. DUI cases are separated from the other cases that the department investigates. When a DUI test is performed on an individual, four (4) copies of the Certificate of Breath Alcohol Analysis are printed. One is for the breath testing operator, one for the arresting officer, one for the subject, and the last is for the court system and should go with the ticket. The data used to create this certificate is saved on the instrument, along with any data collected by the infrared detector (IR), electrochemical cell detector (EC), and flow detector. This data is later downloaded to a server housed in the Implied Consent Laboratory, which is backed up daily to an offsite server. The recommended retention is fifteen years after the fiscal year in which the files were created for administrative and legal use. Other data entry fields are to be maintained until superseded.

- **Implied Consent Current Equipment/Instrument Evaluation.** These files are created when an instrument undergoes an Evaluation or Calibration. These records are originally created as a paper record stored in the file for the Implied Consent instrument. The records are later scanned, and the digital copy is stored on the server housed in the Implied Consent Laboratory. All electronic data collected by the instrument during Evaluation or Calibration is downloaded to a server housed in the Implied Consent Laboratory. This server is backed up daily to an offsite server. The recommended retention is fifteen years after the fiscal year in which the files were created for administrative and legal use.

- **Implied Consent Newly Released Equipment/Instrument Evaluation.** The department conducts an evaluation of new technology as it is released to determine if new technology is desirable for future acquisition. These evaluations are conducted to allow comparison for purchasing the most useful technology. The recommended retention is five years after the end of the year in which the records were created for administrative use.

- **Implied Consent Breath Testing Operator Certification Files.** These are created when an officer is certified to do breath testing for the state. In order to become certified, the applicant must complete a training course and pass an examination on the procedures of breath testing. All permits expire two years after the date listed on the permit. Due to legal and administrative needs, the recommended retention is fifteen (15) years after the fiscal year in which the permits were issued.
- **Register of Administrative Rules.** According to the Code of Alabama 1975 § 41-22-6 through § 41-22-7, agencies must compile and maintain “an official register of regulations which shall be compiled, indexed, published in loose-leaf form, and kept up to date…” This “official register of regulations” is known as “The Department of Forensic Sciences Code” and must be made available upon request to all persons. Since the register must be updated on an ongoing basis, it is to be retained until superseded.

- **Administrative Rule Change Working Files.** The Alabama Administrative Procedure Act (Code of Alabama Title 41 Chapter 22) details the steps which an agency must follow when updating its administrative rules. Working files are produced in the course of proposal, adoption, amendment, and/or repeal of administrative rules. Records in this series may include but are not limited to the following: received public comments, economic impact statements, and business impact analyses. A retention of 1 year after adoption, amendment, repeal, or rejection of an administrative rule permits review by staff when considering similar rules.

**Permanent Records**

The Archives Division recommends the following records as permanent.

**Investigating Deaths and Crimes**

- **Historically Significant Investigation Case Files.** Criteria for historically significant cases are those cases that feature a historically relevant person and/or involve a legal decision that is important to Alabama or the nation as adjudicated by the Alabama Supreme Court and/or United States Supreme Court. Any case that fulfills one of these criteria is considered a historically significant case, and all records relative to it are retained permanently. Determinations are adjudged by the department director or his/her designee in consultation with the Alabama Department of Archives and History (ADAH). *(Bibliographic Title: Historical Case Files)*

**Administering the Implied Consent Program**

- **Implied Consent Chemical Test for Intoxication Rules and Regulations.** Chemical testing for intoxication involves the analysis of bodily substances for the presence of alcohol and/or drugs in the body. This section documents the rules and procedures developed by the department to implement the chemical testing for intoxication. *(Bibliographic Title: Rules and Regulations)*

- **Meeting Minutes, Agendas, and Packets of the Implied Consent Chemical Test Advisory Board.** These records document decisions of the board. The board advises the department in the administration of the Alabama Chemical Testing Training and Equipment Trust fund. This fund goes to supplying chemical testing equipment to various sections of Alabama. The board advises the department how the trust fund is allocated as well as promulgating rules and regulations for the chemical tests. These records provide important information and documentation of the board’s actions that may not be found
Administering Internal Operations

- **Policies and Procedures.** These records may include policies promulgated by the Director and other department officials. This record series may also include Forensic Discipline Standard Operating Procedures (SOPs) in the following subject areas: Death Investigations, Drug Chemistry, Firearms and Toolmarks, Forensic Biology, Implied Consent, Quality, and Toxicology, and other significant internal procedures. *(Bibliographic Title: Policies and Procedures)*

- **Certified Copies of the Administrative Rules.** The Alabama Administrative Code is a compilation of the rules of all state agencies covered by the Alabama Administrative Procedure Act. Each agency covered by the Act may propose and adopt revisions to its administrative rules. According to the Code of Alabama 1975 § 41-22-6, “each agency shall have an officer designated as its secretary and shall file in the office of the secretary of the agency a certified copy of each rule adopted [by the agency].” *(Bibliographic Title: Not Applicable) (Maintained by the Department of Forensic Sciences)*

- **Administrative Files that Document Policy, Process, and Procedure.** These records, which include official correspondence of the agency, document actions and positions of the agency. These records include, but are not limited to, correspondence with state officials, legal/advisory correspondence, correspondence between the department and the director, and correspondence between the department and other state agencies. *(Bibliographic Title: Administrative Files)*

- **Annual and Other Periodic Reports.** These records include reports created by the agency that document its critical activities. Some agencies must submit an annual report to the Governor and/or the legislature by statute. The frequency of report publications may vary (annual, biannual, quarterly, etc.). Interim reports that contain the same substantive information as a corresponding annual or other periodic report need not be retained permanently. Where no agency annual report exists, or where the agency annual report does not adequately document activities of the agency, then division annual reports should be retained. Reports summarize activities in all the subfunctions of the Department of Forensic Sciences including cases, department news, and accomplishments. *(Bibliographic Title: State Publications)*

- **Special Reports.** These records include reports created by the agency pertaining to a specific topic or subject area. Special reports may be prepared on an irregular schedule. Interim reports that contain the same substantive information as a corresponding special report need not be retained permanently. *(Bibliographic Title: State Publications)*

- **Laboratory Director and Executive Council Staff Meeting Files.** These records document substantive meetings between the laboratory director(s) and executive council which determine departmental processes and procedures. Routine staff meetings are not included in the series. *(Bibliographic Title: Meeting Files)*
• **Informational and Promotional Materials.** These press releases and reports describe to the public the activities and duties of the department. The scope of the series also includes, but is not limited to, published reports concerning forensic sciences written by staff members, newsletters, speeches, and photographs. *(Bibliographic Title: Publicity Files)*

• **Website and Social Media Site(s).** The department has a website at: www.adfs.alabama.gov. Information on the web includes descriptions of the primary scientific functions of ADFS and other information about the department. Information about child and baby safety is also included. ADAH staff capture and preserves the agency’s website and other social media sites via a service offered by the Internet Archive [Archive-It]. Any content behind password protected or login would not be captured by ADAH. Check with the ADAH website at www.archiveit.org/organizations/62 to ensure your agency and social media site(s) are captured and preserved. If your agency’s website and social media site(s) are not being captured by the service, please contact the Archives Division at 334-242-4452 to get them included. *(Bibliographic Title: Website and Social Media Sites)*

• **Department Planning Files.** These records are created for strategic planning purposes. The plans show how the department intends to implement its mandate and are necessary to document how the department plans, how the plans are created, and the resulting actions. *(Bibliographic Title: Planning Files)*

**Records No Longer Created**

• **Standardized Field Sobriety Test Certification Files.** The sobriety tests are the Horizontal Gaze Nystagmus (HGN), One-Leg Stand (OLS), and Walk and Turn (WAT). An officer who successfully completed a 16-hour training session (written and practical examinations) was certified to administer the standardized field sobriety tests. Due to legal and administrative needs, these files need to be maintained for ten years after the fiscal year in which the permits were issued.
Permanent Records List
Department of Forensic Sciences

Investigating Deaths and Crimes

1. Historically Significant Investigation Case Files

Administering the Implied Consent Program

1. Implied Consent Chemical Test for Intoxication Rules and Regulations
2. Meeting Minutes, Agendas, and Packets of the Implied Consent Chemical Test Advisory Board

Administering Internal Operations

1. Policies and Procedures
2. Certified Copies of the Administrative Rules*
3. Administrative Files that Document Policy, Process, and Procedure
4. Annual and Other Periodic Reports
5. Special Reports
6. Informational and Promotional Materials
7. Website and Social Media Site(s)
8. Department Planning Files

*Indicates records that the Department of Forensic Sciences determined should be retained permanently and that ADAH anticipates will remain in the care and custody of the creating agency.

ADAH staff is available to work with agency staff in determining the best location and storage conditions for the long-term care and maintenance of permanent records.
Department of Forensic Sciences Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975 § 41-13-5 and 41-13-20 through 21. It was compiled by the Archives Division, Alabama Department of Archives and History (ADAH), which serves as the Commission’s staff, in cooperation with representatives of the Agency. The RDA lists records created and maintained by the Agency in carrying out their mandated functions and activities. It establishes minimum retention periods and disposition instructions for those records and provides the legal authority for the Agency to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from “mutilation, loss, or destruction,” so that they may be transferred to an official’s successor in office and may be made available to members of the public. Records also must be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975 § 36-12-2, 36-12-4, and 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the agency records manager or ADAH Archives Division at (334) 242-4452.

Explanation of Records Requirements

The RDA shall govern the disposition of all records, regardless of format, created by the agency from creation to dissolution. Please contact the staff of the Department of Archives and History before destroying any records created prior to 1940.

This RDA supersedes any previous records disposition schedules or RDAs governing the retention of the records created by the Agency. Copies of superseded schedules are no longer valid and may not be used for records disposition.

The RDA establishes retention and disposition instructions for records listed below, regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.

Certain other record-like materials are not actually regarded as official records and may be disposed of under this RDA. Such materials include (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document agency activities; (3) stocks of blank stationery, blank forms, or other surplus materials that are not subject to audit and have become obsolete; (4) transitory records, which are temporary records created for short-term, internal purposes, may include, but are not limited to, telephone call-back messages, drafts of ordinary documents not needed for their evidential value, copies of material sent for information purposes but not needed by the receiving office for future...
business, and internal communications about social activities; (5) honorary materials, plaques, awards, presentations, certificates, and gifts received or maintained by the agency staff. They may be disposed of without documentation of destruction.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Agency and lists the groups of records created and/or maintained as a result of activities and transactions performed in carrying out these subfunctions. The Agency may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular biannual meetings.

**indicates records no longer created

Investigating Deaths and Crimes

HISTORICALLY SIGNIFICANT INVESTIGATION CASE FILES
Disposition: PERMANENT RECORD.

Laboratory Information Case Management System (LIMS) Database

a. Files of Crimes Committed Against Persons
   Disposition: Temporary Record. Retain investigation case files and supporting documentation 80 years, and other data entry fields until superseded.

b. Files of Crimes Not Committed Against Persons
   Disposition: Temporary Record. Retain investigation case files and supporting documentation 15 years, and other data entry fields until superseded.

National Integrated Ballistic Information Network (NIBIN) Firearms Database
Disposition: Temporary Record. Retain data entry fields until superseded.

Combined DNA Index System (CODIS) Database
Disposition: Temporary Record. Retain data entry fields until superseded.

DNA Testing Validation Data for Controls/Standards
Disposition: Temporary Record. Retain 15 years.

Quality System Administrative Records
Disposition: Temporary Record. Retain 15 years.

Quality System Personnel Records
Disposition: Temporary Record. Retain 15 years after separation of the employee.

Quality System Validations for Analytical Methods
Disposition: Temporary Record. Retain 15 years after superseded.
Quality System Evidence Inventories
Disposition: Temporary Record. Retain 15 years after end of the fiscal year in which the records were created.

Quality System Criteria Files**
Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Administering the Implied Consent Program

IMPLIED CONSENT CHEMICAL TEST FOR INTOXICATION RULES AND REGULATIONS
Disposition: PERMANENT RECORD.

MEETING MINUTES, AGENDAS, AND PACKETS OF THE IMPLIED CONSENT CHEMICAL TEST ADVISORY BOARD
Disposition: PERMANENT RECORD.

Implied Consent DUI (Driving Under the Influence) Subject Test Database
Disposition: Temporary Record. Retain subject test data files 15 years after the fiscal year in which the records were created, and other data entry fields until superseded.

Implied Consent Current Equipment/Instrument Evaluation
Disposition: Temporary Record. Retain 15 years after the end of the year in which the records were created.

Implied Consent Newly Released Equipment/Instrument Evaluation
Disposition: Temporary Record. Retain 5 years after the end of the year in which the records were created.

Implied Consent Breath Alcohol Instrument Certification Files
Disposition: Temporary Record. Retain 15 years after creation.

Implied Consent Breath Testing Operator Certification Files
Disposition: Temporary Record. Retain 15 years after the fiscal year in which the permits were issued.

Implied Consent Equipment/Instrument Inventory Log**
Disposition: Temporary Record. Retain 15 years after the end of the fiscal year in which these records were created.

Implied Consent Standardized Field Sobriety Test Certification Files**
Disposition: Temporary Record. Retain 15 years after the fiscal year in which the permits were issued.
Administering Internal Operations: Managing the Agency

POLICIES AND PROCEDURES
Disposition: PERMANENT RECORD.

CERTIFIED COPIES OF ADMINISTRATIVE RULES
Disposition: PERMANENT RECORD. Retain in office.

Register of Administrative Rules
Disposition: Temporary Record. Retain until superseded.

Administrative Rule Change Working Files
Disposition: Temporary Record. Retain 1 year after adoption, amendment, repeal, or rejection of the rule.

ADMINISTRATIVE FILES THAT DOCUMENT POLICY, PROCESS, AND PROCEDURE
Disposition: PERMANENT RECORD.

LABORATORY DIRECTOR AND EXECUTIVE COUNCIL STAFF MEETING FILES
Disposition: PERMANENT RECORD.

ANNUAL AND OTHER PERIODIC REPORTS
Disposition: PERMANENT RECORD.

SPECIAL REPORTS
Disposition: PERMANENT RECORD.

INFORMATIONAL AND PROMOTIONAL MATERIALS
Disposition: PERMANENT RECORD.

WEBSITE AND SOCIAL MEDIA SITE(S)
Disposition: PERMANENT RECORD.

Note: ADAH staff capture and preserve the agency’s website and other social media sites via a service offered by the Internet Archive [Archive It]. Any content behind password protected or login would not be captured by ADAH. Check with the ADAH website at www.archiveit.org/organizations/62 to ensure your agency and social media site(s) are captured and preserved. If your agency’s website and social media site(s) are not captured by the service, please contact the Archives Division at 334-242-4452 to get them included.

DEPARTMENT PLANNING FILES
Disposition: PERMANENT RECORD.

Routine Correspondence
Disposition: Temporary Record. Retain 3 years.
Mailing Lists
Disposition: Temporary Record. Retain for useful life.

Administrative Reference Files
Disposition: Temporary Record. Retain for useful life.

Records documenting the implementation of the agency’s approved RDA (copies of transmittal forms to Archives or State Records Center, evidence of obsolete records destroyed, and annual reports to State Records Commission)
Disposition: Temporary Record. Retain 1 year after audit after the end of the fiscal year in which the RDA was superseded.

Copies of Approved RDA
Disposition: Temporary Record. Retain 1 year after the audit for the fiscal year in which the RDA is superseded.

Computer Systems Documentation (Hardware/Software Specifications and Warranties)
Disposition: Temporary Record. Retain documentation of former system 1 year after audit for the fiscal year in which the former hardware and software no longer exists anywhere in the agency and all permanent records have been migrated to a new system.

State and Federal Civil Case Files
Disposition: Temporary Record. Retain 3 years after final adjudication of the files.

Visitor/Service Personnel Log-In Sheets
Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

Memoranda of Understanding
Disposition: Temporary Records. Retain 3 years after termination of agreement.

Administering Internal Operations: Managing Finances

Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance
Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products (includes AST-1 and AST-1A)
Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.
Records of original entry or routine accounting transactions, such as journals, registers, and ledgers, and records of funds deposited outside the state treasury
Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

Records documenting requests for authorization from supervisors to travel on official business and other related materials, such as travel reimbursement forms and itineraries
Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

Contractual records established for the purpose of services or personal property
Disposition: Temporary Record. Retain 6 years after expiration of the contract.

Records documenting the bid process (including requests for proposals and unsuccessful responses)
Disposition: Temporary Record. Retain for 10 years after the award of the contract.

Agency Audit Reports
Disposition: Temporary Record. Retain 6-years after end of the fiscal year in which the records were created.

Board of Adjustment Files
Disposition: Temporary Record. Retain 1 year after settlement.

Accreditation Audit Reports (quality control records)**
Disposition: Temporary Record. Retain 15 years after the end of the fiscal year in which the records are created.

Administering Internal Operations: Managing Human Resources

Job Recruitment Materials
Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

Application Materials
Disposition: Temporary Record. Retain 1 year.

Position Classification Records
Disposition: Temporary Record. Retain 4 years after reclassification of the position.
Records documenting payroll (e.g. pre-payroll reports, payroll check registers)
Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

Records documenting payroll deduction authorizations
Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.

Records documenting payroll deductions for tax purposes (including Form 941)
Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

Records documenting employee hours worked, leave earned, and leave taken
Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

Records documenting leave donations
Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

Records of final accumulative leave status (cumulative leave)
Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.

Records documenting an employee’s work history - generally maintained as an employee personnel file
Disposition: Temporary Record. Retain 6 years after separation of an employee from the agency.

Employee Medical Records
Disposition: Temporary Record. Retain 6 years after separation of an employee from the agency.

Employee Flexible Benefits Plan Files (applications and correspondence)
Disposition: Temporary Record. Retain 6 years after termination of participation in program.

Records documenting the State Employee Injury Compensation Trust Fund (SEICTF) Claims
Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Employee Administrative Hearing Files
Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.
Section/Division Personnel Files
Disposition: Temporary Record. Retain 3 years after separation of an employee from the agency.

Weekly Activity Reports
Disposition: Temporary Record. Retain for useful life.

Records Documenting agency provision of training and professional development
Disposition: Temporary Record. Retain 3 years.

Internal Personnel Investigation Files
Disposition: Temporary Record. Retain 6 years after separation of employee.

Proficiency Records
Disposition: Temporary Record. Retain 6 years after record has been created.

Equal Employment Opportunity Complaint Files
Disposition: Temporary Record. Retain 1 year after audit.

Administering Internal Operations: Managing Properties, Facilities, and Resources

Semiannual Inventory Lists
Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later (Code of Alabama 1975 § 36-16-8[1]).

Agency Copies of Transfer of State Property Forms (SD-1)
Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

Property Inventory Cards and/or Computer Files
Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Receipts of Responsibility for Property
Disposition: Temporary Record. Retain until return of item to property manager.

Records documenting the lease or rental of office or warehouse space for the department
Disposition: Temporary Record. Retain 6 years after expiration of the lease.

Records documenting the use, maintenance, ownership, insurance and disposition of vehicles owned by the agency.
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the vehicle was removed from the property inventory.
Requirement and Recommendations for Implementing the Records Disposition Authority (RDA)

Requirement

Under the Code of Alabama 1975, § 41-13-21, “no state officer or agency head shall cause any state record to be destroyed or otherwise disposed of without first obtaining approval of the State Records Commission.” This Records Disposition Authority constitutes authorization by the State Records Commission for the disposition of the records of the Agency as stipulated in this document.

One condition of this authorization is that the Agency submit an annual Records Disposition Authority (RDA) Implementation Report on its activities, including documentation of records destruction, to the State Records Commission.

Recommendations

In addition, the Agency should make every effort to establish and maintain a quality record-keeping program by conducting the following activities:

The Agency should designate a staff member in a managerial position as its records liaison/records manager, who is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, and ensuring the regular implementation of the agency’s approved RDA.

Permanent records in the Agency’s custody should be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.

Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis—for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA’s provisions, no record should be destroyed that is necessary to comply with requirements of the Open Meetings Act, audit requirements, or any legal notice or subpoena.

The agency should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the agency chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records’ permanent preservation and accessibility.

Electronic mail contains permanent, temporary, or transitory record information. Although e-mail records can be printed out, filed, and retained according to the RDA’s requirements, the
office should preferably employ an electronic records management system capable of sorting e-mail into folders and archiving messages having long-term value.

The staff of the State Records Commission or the Examiners of Public Accounts may examine the condition of the permanent records maintained in the custody of the Agency and inspect records destruction documentation. Agency records managers and/or the ADAH archivists are available to instruct the staff in RDA implementation and otherwise assist the Agency in implementing its records management program.

The State Records Commission adopted this records disposition authority on October 30, 2019.

____________________________________________    __________________
Steve Murray, Chairman                        Date
State Records Commission

By signing below, the agency acknowledges receipt of the retention periods and requirements established by the records disposition authority.

_____________________________________________    __________________
Angelo Della Manna, Director                   Date
Department of Forensic Sciences