

Summary of Changes

Prosecuting Attorney Records Retention Schedule v.2.1 (June 2023)

New Records Series Added

- Three (3) new records series have been added to this records retention schedule:
 1. **Potential Impeachment Disclosure (PID) Information – Law Enforcement Staff (DAN AT2023-002) p.22**
“6 years after date of separation from agency (Non-Archival)”
Rationale: To align with retention requirement for Employee Work History records (DAN GS50-04B-06).
 2. **Potential Impeachment Disclosure (PID) Information – Peace/Corrections Officers (DAN AT2023-003) p.23**
“10 years after date of separation from agency (Non-Archival)”
Rationale: To align with retention requirement for peace and corrections officers’ personnel records (RCW 40.14.070(4)).
 3. **U Visa/T Visa Records (DAN AT2023-004) p.24**
“6 years after last activity (Non-Archival)”
Rationale: To align with retention requirement for these records when created by law enforcement agencies (DAN LE2022-011).

Retention Changes

- Sixteen (16) records series have changes to their retention period/cutoff:
 1. **Civil Case Files – General (DAN AT2013-001) p.4**
Changed from “3 years after judgment, settlement, dismissal, acquittal, completion of deferral contract, or decline to prosecute, whichever is later (Non-Archival)” to “3 years after judgment, settlement, dismissal, acquittal, completion of deferral contract, or decision not to prosecute, whichever is later (Non-Archival)”
 2. **Civil Case Files – Infractions (DAN AT2013-002) p.5**
Changed from “30 days after judgment, settlement, dismissal, acquittal, or completion of deferral contract, whichever is later (Non-Archival)” to “30 days after judgment, settlement, dismissal, acquittal, completion of deferral contract, or decision not to prosecute, whichever is later (Non-Archival)”
 3. **Civil Case Files – Involuntary Commitment (DAN AT52-07-10) p.6**
Changed from “3 years after release of individual from hold or 3 years after case closed, whichever is later (Non-Archival)” to “3 years after release of individual from hold and 3 years after case closed (Non-Archival)”
 4. **Civil Case Files – Juvenile Dependency (DAN AT52-07-09E) p.7**
Changed from “6 years after case closed (Non-Archival)” to “21 years after resolution of case (including any appeals) (Non-Archival)”
Rationale: To align with Office of the Attorney General’s retention requirements for juvenile dependency case files.

5. **Civil Case Files – Social Security Act Title IV-D (Child Support) (DAN AT52-07-09C) p.7**
 Changed from “3 years after youngest child reaches age 18 or 3 years after entry of last order, whichever is later (Non-Archival)” to “3 years after youngest child reaches age 18 and 3 years after entry of last order (Non-Archival)”
6. **Criminal Case Files – Convictions (Class A Felony and Persistent Offenders) (DAN AT52-07-04A) p.9**
 Changed from “20 years after sentencing (Non-Archival)” to “20 years after sentencing and 3 years after any amended/corrected/vacated sentence (Non-Archival)”
Rationale: To ensure appropriate retention for convictions that included simple drug possession, where the sentences were later amended, corrected, or vacated after the state Supreme Court’s 2021 State v. Blake ruling.
7. **Criminal Case Files – Convictions (Class B Felony and DUI) (was Criminal Case Files – Convictions (Class B Felony) (DAN AT52-07-04B) p.10**
 Changed from “10 years after sentencing (Non-Archival)” to “10 years after sentencing and 3 years after any amended/corrected/vacated sentence (Non-Archival)”
Rationale: To ensure appropriate retention for convictions that included simple drug possession, where the sentences were later amended, corrected, or vacated after the state Supreme Court’s 2021 State v. Blake ruling.
8. **Criminal Case Files – Convictions (Class C Felony) (was Criminal Case Files – Convictions (Class C Felony and DUI) (DAN AT52-07-04C) p.11**
 Changed from “5 years after sentencing (Non-Archival)” to “5 years after sentencing and 3 years after any amended/corrected/vacated sentence (Non-Archival)”
Rationale: To ensure appropriate retention for convictions that included simple drug possession, where the sentences were later amended, corrected, or vacated after the state Supreme Court’s 2021 State v. Blake ruling.
9. **Criminal Case Files – Other (DAN AT2013-003) p.12**
 Changed from “3 years after judgment, sentencing, dismissal, acquittal, completion of deferral/diversion contract, or decline to prosecute, whichever is later (Non-Archival)” to “3 years after judgment, sentencing, dismissal, acquittal, vacation of judgment, completion of deferral/diversion contract, or decision not to prosecute, whichever is later (Non-Archival)”
10. **Juvenile Offender Case Files – Adjudicated Guilty (Class A Felony) (DAN AT52-07-05A) p.13**
 Changed from “20 years after sentencing (Non-Archival)” to “20 years after disposition of case and 3 years after any amended/corrected/vacated disposition (Non-Archival)”
Rationale: To ensure appropriate retention for convictions that included simple drug possession, where the sentences were later amended, corrected, or vacated after the state Supreme Court’s 2021 State v. Blake ruling.
11. **Juvenile Offender Case Files – Adjudicated Guilty (Class B Felony and DUI) (was Juvenile Offender Case Files – Adjudicated Guilty (Class B Felony) (DAN AT52-07-05B) p.14**
 Changed from “10 years after sentencing (Non-Archival)” to “10 years after disposition of case and 3 years after any amended/corrected/vacated disposition (Non-Archival)”

Rationale: To ensure appropriate retention for convictions that included simple drug possession, where the sentences were later amended, corrected, or vacated after the state Supreme Court's 2021 State v. Blake ruling.

12. Juvenile Offender Case Files – Adjudicated Guilty (Class C Felony) (was Juvenile Offender Case Files – Adjudicated Guilty (Class C Felony and DUI) (DAN AT52-07-05C) p.15

Changed from “5 years after sentencing (Non-Archival)” to “5 years after disposition of case and 3 years after any amended/corrected/vacated disposition (Non-Archival)”

Rationale: To ensure appropriate retention for convictions that included simple drug possession, where the sentences were later amended, corrected, or vacated after the state Supreme Court's 2021 State v. Blake ruling.

13. Juvenile Offender Case Files – Other (DAN AT52-07-05F) p.16

Changed from “3 years after judgment, sentencing, dismissal, acquittal, completion of deferral/diversion contract, or decline to prosecute, whichever is later (Non-Archival)” to “3 years after disposition, dismissal, acquittal, vacation of disposition, completion of deferral/diversion contract, or decision not to prosecute, whichever is later (Non-Archival)”

14. Juvenile Records – Destruction Eligibility Notification Received from Juvenile Court (DAN AT2013-004) p.17

Changed from “Until notification of destruction eligibility received from Juvenile Court, then destroy within 90 days (Non-Archival)” to “Upon receipt of notification eligibility from Juvenile Court, destroy within 90 days (Non-Archival)”

15. Juvenile Records – Juvenile Attains Age 23 (DAN AT2013-006) p.17

Changed from “Until juvenile attains 23 years of age (Non-Archival)” to “Until juvenile attains 23 years of age, then destroy according to agency policy/procedures (Non-Archival)”

16. Juvenile Records – Pardon Notification Received from Office of the Governor (DAN AT2013-007) p.18

Changed from “Until pardon notification received from the Office of the Governor, then destroy within 30 days (Non-Archival)” to “Upon receipt of pardon notification from Office of the Governor, destroy within 30 days (Non-Archival)”

Other Minor Changes

- Twenty (20) records series have changes to their title and/or description:
 1. **Civil Case Files – General (DAN AT2013-001) p.4**
 2. **Civil Case Files – Infractions (DAN AT2013-002) p.5**
 3. **Civil Case Files – Involuntary Commitment (DAN AT52-07-10) p.6**
 4. **Civil Case Files – Juvenile Dependency (DAN AT52-07-09E) p.7**
 5. **Civil Case Files – Social Security Act Title IV-D (Child Support) (DAN AT52-07-09C) p.8**
 6. **Criminal Case Files – Convictions (Class A Felony and Persistent Offenders) (DAN AT52-07-04A) p.9**
 7. **Criminal Case Files – Convictions (Class B Felony and DUI) (DAN AT52-07-04B) (was Criminal Case Files – Convictions (Class B Felony) p.10**
 8. **Criminal Case Files – Convictions (Class C Felony) (DAN AT52-07-04C) (was Criminal Case Files – Convictions (Class C Felony and DUI) p.11**

9. **Criminal Case Files – Other (DAN AT2013-003) p.12**
 10. **Extradition Case Files (DAN AT52-07-08) p.19**
 11. **Juvenile Offender Case Files – Adjudicated Guilty (Class A Felony) (DAN AT52-07-05A) p.13**
 12. **Juvenile Offender Case Files – Adjudicated Guilty (Class B Felony and DUI) (was Juvenile Offender Case Files – Adjudicated Guilty (Class B Felony) (DAN AT52-07-05B) p.14**
 13. **Juvenile Offender Case Files – Adjudicated Guilty (Class C Felony) (was Juvenile Offender Case Files – Adjudicated Guilty (Class C Felony and DUI) (DAN AT52-07-05C) p.15**
 14. **Juvenile Offender Case Files – Other (DAN AT52-07-05F) p.16**
 15. **Juvenile Records – Destruction Eligibility Notification Received from Juvenile Court (DAN AT2013-004) p.17**
 16. **Juvenile Records – Destruction Ordered by Court (was Juvenile Records – Destruction Notification Received by Court Order) (DAN AT2013-005) p.17**
 17. **Juvenile Records – Juvenile Attains Age 23 (DAN AT2013-006) p.17**
 18. **Juvenile Records – Pardon Notification Received from Office of the Governor (DAN AT2013-007) p.18**
 19. **Litigation Materials – Development/Drafts (DAN AT2013-008) p.20**
 20. **Notorious/Historically Significant Case Files (DAN AT2013-009) p.21**
- Title for Section 1.4 was updated from Juvenile Offender Records Eligible for Early Destruction Pursuant to RCW 13.50.050 to Juvenile Case Files Eligible for Early Destruction, removing the outdated statutory reference that had been part of the title.
 - Minor changes made to the formatting throughout the schedule to align with current Washington State Archives practices.

Essential Designation Changes

- None

Archival Designation Changes

- None

Series Being Revoked

- None

Net Increase in Records Series: 3 (from 21 series up to 24 series)