

Chief Information Officer
Patrick Groff



County Executive
Terry Schutten

County of Sacramento

DATE: January 30, 2008
TO: Agency Administrators and Department Directors
FROM: Patrick Groff, Chief Information Officer
SUBJECT: Unified Messaging Retention Policy

On October 4, 2007 the Information Technology Policy Board (ITPB) recommended approval of the referenced Unified Messaging Retention Policy for the County of Sacramento.

The Unified Messaging Retention Policy updates the policy formerly known as the E-Mail Retention Policy. This new policy includes other data message types (voice messages and faxes) that unified messaging and VoIP can integrate into a user's e-mail inbox.

The purpose of this policy is to provide guidance for the following:

- Backup tapes will be retained for six months. Backup tapes are kept primarily for disaster recovery purposes and are not to be relied upon for retention of records.
- E-mails that are public records are to be retained in a manner determined by the responsible department for a period of time consistent with the retention period for such records.

This policy applies to:

- Data messages: voice messages, faxes, emails that unified messaging and Voice over IP integrate into a user's email box.

The Technology Review Group (TRG) recommended approval of the referenced Unified Messaging Retention Policy on September 18, 2007.

This policy is effective immediately.

You can view an electronic version of the policy on the County Internet site at:

<http://inside.saccounty.net/sites/itpb/standards-policies/docs/UM-Retention-Combined.pdf>

If you have any questions or need more information, contact me at 874-7825 or by e-mail at groffp@saccounty.net.

Concurrence: _____
Terry Schutten
County Executive

Cc: Technology Review Group, Communications & Media Officers



COUNTY OF SACRAMENTO

Inter-Departmental Correspondence

For the agenda of: October 4, 2007

TO: Information Technology Policy Board Members

FROM: Jeff Leveroni, Chair
Technology Review Group

SUBJECT: Update to the E-mail Retention Policy

1. RECOMMENDATION:

Approve the Unified Messaging Retention Policy, formerly known as the E-mail Retention Policy, documented in attachment A.

2. BACKGROUND:

Recently, the Technology Review Group held discussions with County Counsel to determine how the (January 2007) change in Federal rules relating to E-Discovery would affect new or existing County technology implementations. After review, a determination was made that the existing E-Mail Retention Policy required modification to include technologies that are now part of our e-mail infrastructure as a result of the convergence of the County's voice and data networks.

3. DISCUSSION:

In March 2002, the ITPB approved the strategic direction of a converged voice and data network infrastructure (Voice over Internet Protocol, or VoIP) and unified messaging for Sacramento County. As a result, data or message types not traditionally associated with common e-mail usage may be routinely stored in a users' e-mail inbox, including voice messages and fax messages.

County Counsel has advised that when an employee is using VoIP and voicemail is integrated with that individuals' e-mail inbox, voicemail and faxes are part of the e-mail infrastructure and must be covered in our E-Mail Retention policy. The

Technology Review Group recommends modifying the E-Mail Retention policy to be consistent with County Counsel's advice.

4. IMPACT OF IMPLEMENTING THIS RECOMMENDATION:

Implementation of this policy update will ensure that retention of electronic data related to the County's unified messaging system is handled in a consistent manner Countywide.

Also, the ability to specify criteria for electronically searching stored voicemail and faxes is limited. During an E-Discovery process, voicemail may require translation and faxes may need to be reviewed, both of which are labor-intensive activities.

ATTACHMENT A

UNIFIED MESSAGING RETENTION POLICY

October 2007

(Formerly E-Mail Retention Policy)

Electronic Mail: Generally, messages sent to a users' mailbox are temporary communications which are non-vital and should be discarded routinely. However, depending on the content of the message, it may be considered public record. Accordingly, employees have the same responsibilities for their mailbox messages as they do for any other public record, and must distinguish between records and non-record information.

Back-up: Electronic mail should be considered a communication tool, not a storage mechanism. Back-up tapes are for disaster recovery purpose only. However, the County does access backup tapes periodically to restore data. Retention is the responsibility of the sender of the message, not the back-up process. Back-up copies performed by Information Technology staff are *not* records retention. Back-up tapes should be retained no more than six months.

Legal Proceedings: Regardless of retention requirements, electronic mail and all other electronic or paper documents pertaining to threatened or actual legal proceedings must be retained until the litigation is finally concluded pursuant to the County's litigation hold policy.

Retention of Record Electronic Mail: The definition of public records includes any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by the County. The definition includes electronic records, including e-mail, voicemail or fax messages sent to the same mailbox. The definition does *not* include preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the County in the ordinary course of business. Personal correspondence and interdepartmental and intradepartmental messages should routinely be deleted unless either the sender or the recipient would have retained the writing had it been sent in any other form. Messages received from outside the County should be retained by the recipient if he or she would have retained the document if it had been sent in any other form.

Responsibility for Retention: The sender of the message, regardless of message type, is responsible for ensuring proper retention of messages sent within the County. All other copies are duplicates and may be deleted. However, if a record message was sent by an outside agency, a member of the public or anyone outside the County, the recipient is responsible for retention.

Method of Retention: Message records that have not met their retention period should be saved by one of the following methods:

- Print the e-mail or e-mail based fax and store the hard copy in the appropriate file. E-mail based voice messages cannot be printed, other than the subject line of the message.
- Electronically store the message in an Exchange shared public folder, or move it out of the e-mail system and store it on a shared network drive. Note: When there is doubt about the ability to retrieve an electronic record over its life span, the record should be printed and maintained in a hard copy format. Voice messages may be saved to a shared network drive.

Each department shall select the method of retention for that department.

Retention Period for Record Messages: E-mail, e-mail based voicemail and e-mail based faxes sent to the same mailbox are themselves not considered a record series or category; it is a means of transmission of messages or information. Retention or disposition of these messages must be related to the information they contain or the purpose they serve. Thus, the retention period is determined by the content of the message, not the medium. Record messages may be deleted upon expiration of the statutory retention period (or after two years if there is no statutory retention period) upon authorization of the Board of Supervisors pursuant to Government Code section 26202. When in doubt about the legally appropriate retention period, consult the County Counsel's Office.

Electronic Message Attachments: Attachments should be retained or disposed of according to the content of the attachment itself, not the message which transmits the attachment. Thus, attachments should be retained if they constitute a document which the recipient or the sender would ordinarily retain in the course of business.