

# **RECORDS MANAGEMENT POLICY #5.0 - APRIL, 1993**

## **DESTRUCTION OF RECORDS**

### **POLICY STATEMENT:**

**Records which have been approved for destruction in accordance with 22 NYCRR 104.3 shall be destroyed pursuant to the following criteria:**

#### **1. PUBLIC RECORDS**

**Records which are deemed to be public in nature may be destroyed by any means consistent with the waste disposal policy of the locality. Priority should be given to recycling, where possible.**

**Records, which may remain intact, should be removed directly from the court/office to the place of destruction; they should not be generally accessible while awaiting pickup. All other arrangements are at the discretion of the records custodian.**

#### **2. SEALED RECORDS**

**Records which are sealed or confidential as a result of law, rule or court practice must be destroyed in a manner which totally obliterates the information, shielding it from view by any unauthorized persons. Destruction must be supervised by court personnel. Methods include shredding and local witnessed-burning programs. Recycling is an option but only if (a) the destruction process is witnessed by court personnel and (b) the recycling company issues a Certificate of Destruction.**