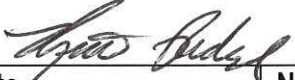
 <p style="text-align: center;"><b>City of Santa Ana Administrative Policies and Procedures</b></p>	<b>City Manager's Authorization</b>	
		
<b>Subject</b> <b>EMAIL AND TEXT MESSAGE RETENTION POLICY</b>	<b>Date</b>	<b>Number</b>
	06/04/2020	IT02

## 1. Purpose

The purpose of this policy is to provide clear and concise direction regarding the retention, destruction, and use of emails, including their attachments, and text messages (collectively, "messages") in the possession of City of Santa Ana ("City") personnel.

## 2. Scope and Applicability

- a. This policy applies to all City employees, elected officials, appointed officials, consultants, volunteers, and other non-employees ("City personnel") who use emails and text messages for City business.
- b. This policy applies to all messages sent or received on City-owned devices and accounts. This policy also applies to messages that pertain to the conduct of the City's business that may be held on private devices or accounts.
- c. City personnel are responsible for complying with this policy in addition to specific departmental policies on computer and telecommunication equipment use.
- d. City personnel are also responsible for complying with related City-wide policies including, but not limited to: Technology Use Policy, City PRA policy, City Records Retention Schedule.
- e. To the extent that departmental policies conflict with this policy, this policy shall govern.

## 3. Definitions

- a. **Account** shall mean any email or text messaging account. City personnel may be assigned one or more email accounts in the City's email system. Text messaging accounts are typically associated with either a City-issued or personal cell phone.
- b. **Archive Server** shall mean the City's Barracuda email archive database or other system that stores unaltered copies of inbound and outbound email messages.
- c. **Deletions** shall mean complete destruction without permitting duplicates, either electronic or hard copies.

- d. **Device** shall mean any computer, laptop, phone, tablet, or any other type of portable electronic equipment capable of sending messages.
- e. **Exchange Email Server** shall mean the City's operational email server which sends and receives email messages. City personnel access messages on this server using Microsoft Outlook, Microsoft Outlook Web Access, cell phones, or tablets.
- f. **Holds** shall mean litigation holds as well holds for messages subject to a subpoena, Public Records Act request, claim against the City, administrative charge or investigation, or similar proceeding, which is in progress or which can reasonably be anticipated.
- g. **IT Department** shall mean the City's Information Technology Department.
- h. **Messages** shall mean emails, including their attachments, and text messages.
- i. **Private or Personal Email** shall mean any email service which sends and receives email messages which the City does not control or have access to through an agreement or by contract.
- j. **PST** shall mean a personal file with the extension ".pst", which stand for personal storage table. It is used by Microsoft Outlook to store personal copies of Outlook items (i.e., emails, calendar events, contacts, tasks) outside of the Exchange Server.
- k. **Retention** shall mean preservation of a message in such a way that does not permit additions, deletions, or changes to the original document, without creating a duplicate of the record.

#### 4. Policy

- a. It is the general policy of the City that all emails and text messages subject to this policy are retained for two years and deleted on a rolling basis thereafter, except as provided below.
- b. Emails and text messages may be subject to longer retention period as determined by the content of the message.
  - i. **Applicable Retention Period**
    - A. City personnel shall retain those messages subject to a retention period longer than two years, as determined by applicable laws, regulations, City policies, and/or Record Retention Schedules.
    - B. Generally, it is the responsibility of the author/sender of an internal message to determine if it is subject to a retention period of longer than two years.
    - C. It is the responsibility of the recipient of a message received from outside the City to determine if it is subject to a retention period of longer than two years.

- D. City personnel may retain messages for longer than two years if the message has significant or continuing business or historical value. City personnel may retain messages on an individual basis and shall not set emails for automatic retention.
  - E. City personnel shall never use private or personal email accounts to send or store emails. In instances where a communication relating to City business is sent to, or inadvertently from, a personal account, those communications shall be immediately forwarded to the City personnel's work email account.
  - F. City personnel shall never forward emails from their City email account to their personal email accounts for any reason. City personnel shall never set up a rule or take any other actions to cause emails on their City email account to be automatically forwarded to a private email account.
- ii. Storing Messages
- A. City personnel may store emails, for up to two years, in non-deleting folders on their Exchange Email Server. Emails in a folder other than "Inbox", "Sent", and "Deleted" are not subject to automatic deletion.
  - B. City personnel may also store emails in locations other than non-deleting folders that appropriately retain the message.
  - C. City personnel shall not use PST files to store emails.
  - D. City personnel shall retain text messages in locations that appropriately retain the message. City personnel shall retain text messages subject to a Hold outside of the texting app.
- c. City personnel shall delete messages, when permitted by law and policy, in a timely and cost-efficient manner so as to destroy the writing without permitting duplicates, either electronic or hard copies.
- d. Emails
- i. The IT Department shall save all emails sent or received from City email accounts to the City's Archive Server for two years and then delete these emails on a rolling basis two years and one month after they are sent or received, unless otherwise subject to a Hold.
    - A. The City's Archive Server shall not be generally accessible by City personnel.
    - B. The IT Department shall place a Hold on any emails subject to a subpoena, Public Records Act request, claim against the City, administrative charge or investigation, or similar proceeding, which is in progress or which can reasonably be anticipated. When a Hold is in place, the IT Department shall

- suspend automatic deletion from the Archive Server for specific accounts or for messages that meet specific search criteria.
- C. To the extent that City personnel have emails subject to a Hold that are not held on the City's Archive Server, it is the responsibility of the City personnel to retain those emails outside of the email system, furnish them, if requested, and delete them when they no longer need to be retained.
- ii. City personnel have access to emails ("Copy Emails") on their Exchange Email Server, which holds a copy of the email on the City's Archive Server. The IT Department shall automatically delete Copy Emails in a City personnel's Inbox, Sent Items, and Deleted Items folders 60 days after being sent or received, and after two years and one month for all other email folders.
    - A. Emails not subject to a Hold but subject to a retention period longer than two years shall be retained by City personnel outside of the email system, furnished upon request, and deleted at the end of the appropriate retention period.
    - B. City personnel shall have limited storage space on their Exchange Email Server and are responsible for managing their emails within the allotted space.
    - C. Warning messages shall be sent if the email account maximum storage size is being approached.
    - D. If the maximum storage size of an email mailbox is reached, the City personnel will be notified, and email service will be suspended. The service suspension will continue until the email account storage size has been reduced below the maximum size threshold.
    - E. City personnel who have a justifiable business requirement for mailbox storage size in excess of the City maximum may request to have their mailbox size increased.
- e. Text Messages
    - i. All City business communication shall be conducted using City personnel's work email account. Text message should only be used for non-City business communication.
      - A. Text messages relating to City business that are sent or received by City personnel shall be immediately copied (screen shots are acceptable) and forwarded to the City personnel's work email account with the word "Text" in the subject field along with other keywords describing the City business subject matter.

- B. Once the City business texts have been forwarded to the City's personnel's work email account, the text message or thread may be deleted.
- C. For City issued mobile devices, the setting to keep message history shall be set to 30 days.

## **5. Violations**

Violations of this Policy may result in disciplinary action, up to and including termination.