

NEW YORK COALITION FOR OPEN GOVERNMENT



The rulebook for destroying public records

Why **records retention schedules** matter for open government, and how journalists use them

Brad Racino & Axel Ebermann · NYCOG
Michael Linhorst · Cornell First Amendment Clinic

Who we are

NONPARTISAN · INDEPENDENT · STATEWIDE

The New York Coalition for Open Government is a volunteer-run watchdog. We help New Yorkers use the Freedom of Information Law and the Open Meetings Law, and we push for stronger transparency laws in Albany and at the local level.

- Report cards that name every government we check, by name
- Free help for anyone stuck on a records request
- Bill tracking, testimony and litigation support
- This project: our first research on records retention



Sunshine Week 2026, New York State Capitol



This fall, New York City's **Signal** group for influencers was set to **erase itself**

**“It's really up to the
user.”**

NYC's records commissioner Shawn(ta) Smith-Cruz asked how staff decide which messages to keep. City Council hearing, Sept. 22, 2026

- An **invite-only Signal** group sends talking points and clips to 200+ online creators
- Disappearing messages were **turned on**
- City policy calls instant messages “transitory by default”
- The records agency **doesn't monitor** the channels, and **can't archive** Signal

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San Diego, Calif.

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Memos and notes that are considered not to be “district records” **will be deleted after 60 days** — and it will be left up to the agency’s employees to decide **what is and what’s not** a district record.

A retention schedule is the government's own list of what it keeps, and for how long

Every record type has an item number

Meeting minutes, police blotters, contracts, emails: each is a numbered line.

Each has a minimum retention period

Six months, six years, permanent. The schedule sets the floor.

After that, destruction is legal

The schedule is both a map of what exists and a countdown clock.

Example from LGS-1:

CORONER OR MEDICAL EXAMINER

260 CO2 150,

Investigation case files

- a Violent (e.g., homicide, suicide, casualty) or suspicious or undetermined circumstances death (including death report and related records):

RETENTION: PERMANENT

- b Natural death:

RETENTION: 20 years

NOTE: Records of coroners' inquests, filed before Sept. 1, 1965 with county clerks, are in fact records of the County Court and are not covered by item nos. 260 and 261. For information on retention of these records, contact the Office of Court Administration. Other death investigation records of coroners, records of coroners' inquests created after Sept. 1, 1965 and all records created by medical examiners are covered by this Schedule.

New York runs four separate retention systems

Local governments

LGS-1: about 1,335 items, set by the State Archives.

<https://www.archives.nysed.gov/records/local-government-record-schedule/lgs-1-title-page>

Or Google: “NY” “LGS-1”

State agencies

General Retention and Disposition Schedule, plus agency-specific schedules. The general one is published; the agency-specific ones are not.

New York City

NYC Supplemental Schedule, plus agency disposal schedules approved under Charter §1133. Agency schedules are not published.

Courts

22 NYCRR Part 104, published court by court. Courts sit outside FOIL entirely.

Five ways journalists use retention schedules

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The schedule tells you when the evidence can legally disappear. File before then.

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Catch the quiet policy change

When an agency shortens retention, that's the story.

In New York, much of the rulebook is hidden

State agency schedules

Every agency-specific Records Disposition Authorization

NYC agency schedules

Every disposal schedule approved under Charter §1133

Local alternate schedules

Every exception approved under 8 NYCRR §185.5

Inventories and destruction logs

What agencies hold and what they've destroyed

No index of any of these exists anywhere.

The last statewide check found most subject matter lists out of date

24.5%

of responding state agencies had a list updated within six months

NYS Assembly, "Needle in a Haystack," 2005

46.9% of lists were undated

The law requires the update date to be displayed.

The Thruway's list was dated 1988

Nobody has re-run the check since 2005.

Old lists can be destroyed after six months

LGS-1 item 703 and GRDS item 90330 allow it.

Policing gets about 10 lines in the statewide local schedule

LGS-1, municipal policing

About 10 items for all of local policing

No item for body-worn camera footage

No item for internal affairs files

NYPD body-camera retention

Arrests	5 years
Homicides	Indefinitely
All other footage	39 months

Source: NYPD Body-Worn Cameras Impact and Use Policy, updated Feb. 4, 2026

TRY THIS BEFORE YOUR NEXT FOIL REQUEST

Find the schedule item number and put it in your request

Questions?

Brad Racino: brad.racino@nyopengov.org



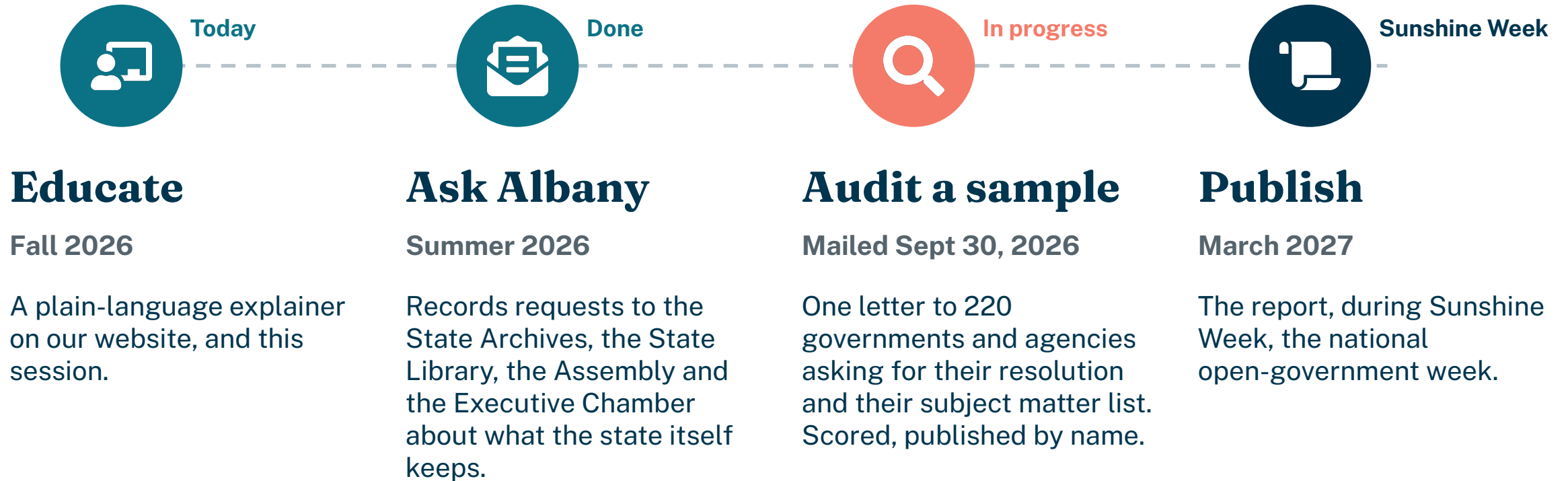
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What the coalition is doing about it

The 2026 Records Retention Project



The project in three parts



What Albany told us

THE ROSTER

We asked the State Archives for its list of local records management officers. The written answer: "We do not maintain a current roster."

5,294

rows in the roster it produced eleven days later. 82 percent date from 2018. The Archives tracks local governments in a commercial sales database, with a field for whether each one adopted a schedule.

THE ANNUAL REPORT

State law requires the Education Department to report every year to the Governor and the Legislature on local records management.

2008

the last time a report went to the Governor, by the Advisory Council's own 2017 minutes. A restart was ordered that year. NYSED has certified it holds no final report since.



The audit: 220 governments, five checks

54

municipalities

cities, towns, villages

54

school districts

including BOCES

54

public libraries

every charter type

58

state agencies

near-census of the
executive branch

Six of each local category in each of the nine regions outside New York City. Same letter, same date, same clock.

WE ASK FOR TWO THINGS

1. The resolution adopting a retention schedule
2. The subject matter list, showing the date of its last update

FIVE CHECKS, 20 POINTS EACH

Acknowledged in 5 business days · Produced the resolution · Produced the list · List is dated · Date is within 12 months



Two weeks in: the first answers

113

of 220 acknowledged

43

sent their records

19

full marks so far

Municipalities



School districts



Libraries



State agencies



■ sent records

■ acknowledged only

WHAT WE ARE SEEING

- Two libraries told us neither record exists. Both are adopting a schedule now; one board votes tonight.
- One library's "retention policy" is a state law on patron confidentiality, not a schedule.
- Nine use the state schedule itself as their list. That is lawful; they get credit, with a footnote.
- No state agency has sent records yet. Their promised dates run into November.

Preliminary, as of October 14. Final scores after every response window closes.



What happens next



Answers are coming in

Over half acknowledged in the first two weeks. October 27 is our cutoff: anyone still silent is logged as a non-response.



Report in March 2027

Published during Sunshine Week, every government by name, same report-card format as our past studies.

nyopengov.org · the recording of this session will be posted there



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Questions

Put them in the chat, or unmute.

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