19-18 - Guidelines for Releasing Reports and Department Information at Patrol Stations/Units

Los Angeles County Sheriff's Department

NEWSLETTER

Field Operations Support Services

GUIDELINES FOR RELEASING REPORTS AND DEPARTMENT INFORMATION AT PATROL STATIONS/UNITS

Department personnel who are assigned to a patrol station/units may be asked by the general public and the news media for information such as, inmate arrest and booking information, copies of crime reports, and various types of Department information. This newsletter should be used as a guide when fulfilling the above requests for information at the patrol station/unit level.

Incident Reports

The release of incident report(s) is governed by section 6254(f) of the Government Code (GOV), when the suspect is listed as an **adult**. Station personnel should adhere to the following when providing copies of incident report(s) to the general public and the news media:

- Incident report(s) may be released if the detective or unit responsible for the investigation approves its release;
- When releasing incident report(s), all personal identifiable information **must be redacted.** This includes, but is not limited to, the names, addresses, telephone numbers, e-mail addresses, or social media addresses of victims, witnesses, and confidential informants;
- No address of any crime victim shall be disclosed by a law enforcement agency as public information. An arrestee's home address shall not be released, unless it is requested by a victim of a crime who has suffered a loss or injury due to arson, burglary, fire, explosion, larceny, robbery, vandalism, vehicle theft, or a crime of violence;
- Requests for call and response records (MDD logs, digital voice prints, etc.) shall be approved and redacted by the handling detective. For help with these systems, contact Communications and Fleet Management Bureau (CFMB); and
- If a question still exists regarding disclosure of any information, contact Risk Management Bureau's (RMB) Discovery Unit or Records and Identification Bureau (RIB).

For frequently asked questions (FAQ's), direct the general public to the Department's website: http://shq.lasdnews.net/shq/TSD/faqs.htm.

Traffic Report(s)

The release of traffic report(s), or information from traffic report(s), is governed by section 20012 of the

California Vehicle Code (VC). Upon approval of release by the unit responsible for the investigation, the **entire contents** of the report can be released to:

Any person(s) who may have a proper interest, including the involved driver(s), guardian(s), or conservator(s) of the involved driver(s), parent(s) of involved minor(s), authorized representatives of involved driver(s), person(s) named injured in the report, the owner(s) of the vehicle(s), or property damaged as a result of the accident, and attorney(s) who represent any of the above persons.

Reports with Limited Distribution and Confidential Reports

Non-sexual child abuse cases and politically sensitive reports are usually stamped

"Limited Distribution." Cases involving sex offenses are stamped "Confidential." Station personnel should adhere to the following when asked for information or copies of "Limited Distribution" or "Confidential Reports":

- **No information** from a report marked "Confidential," is to be released to the general public or the news media at the station level; and
- Special Victims Bureau (SVB) and Homicide Bureau incident reports, including supplementary reports, are confidential. Any distribution of these reports will be released by those units.

Other Examples of Confidential Reports:

- Open criminal investigations of county personnel;
- Open criminal investigations of any law enforcement personnel; and
- Narcotic undercover operations where buy money is required.

Any associated reports are not to be released to the general public or the news media at the station level. Inquiries should be referred to RMB, Discovery Unit – Public Records Act staff, via email at prarequests@lasd.org.

Release of Information Regarding Department Employees

With the exception of **first name, last name, rank and employee number,** Department personnel are not to release any information from a Department employee's personnel records. Additionally, Department members should not release the information below to the general public or the media:

- Complaints, disciplinary actions, or investigations;
- An employee's Performance Recording and Monitoring System Profile Report (PRMS), unit level administrative investigation, or training records; or
- Information requests pursuant to Senate Bill 1421, Peace Officers: Release of Records.

Inquiries of this nature should be directed to the Department's Discovery Unit – Public Records Act staff, via email at prarequests@lasd.org.

Employment Verifications

Employment verifications should be directed to the Personnel Administration Bureau, at:

Los Angeles County Sheriff's Department

Pay, Leaves and Records Unit

211 W. Temple Street, Fifth Floor

Los Angeles, CA 90012

(323) 526-5500

Release of Information to Victims of Crimes

A copy of an incident report shall be released upon request to the named victim or their insurance carrier, when the **victim** suffers a loss or injury due to arson, burglary, fire, explosion, larceny, robbery, vandalism, vehicle theft, or a crime of violence. The names and addresses of persons involved can be released, **excluding the information of confidential informants**. Victims of domestic violence may receive one **free** copy of the report within five years of the incident.

Juvenile Information

Information contained in the records and files of the Department regarding detained or suspected juvenile subjects, or any juvenile victim are confidential and **are prohibited by law** from being disclosed to the general public, but may be released to:

- Other law enforcement agencies; or
- Persons and agencies which have a legitimate need for the information for purposes of official disposition of a case, which should be referred to RMB for final determination.

Arrestee Information and Criminal Records

Department members are obligated to release arrestee/inmate information to members of the general public pursuant to 6254(f)(1) GOV, and in the manner as described in Field Operations Directive 97-03, "Disclosure of Arrestee Information, The Public Records Act."

Station personnel should consider the following when providing arrestee/inmate information to the general public or the media:

- It is permissible to verbally provide the public inquiring about the status of a friend or relative who has been arrested with charge, bail, and court information;
- Arrestee/inmate information can be accessed by the public via the Department's website, http://www.lasd.org/ and selecting the Inmate Information portal tab;
- "Mug shots" are only to be released to the general public or news media at the discretion of the Sheriff or his designee;

- Pursuant to section 5328 of the Welfare and Institutions Code (WIC), information shall not be disclosed to the general public or the news media, on any 5150 WIC action where a person was taken into custody for a 72-hour detention and when no crime was involved; and
- For an individual to get a copy of their own arrest record, they can go to RIB Public Services Unit to be fingerprinted via Live Scan. The prints are electronically sent to DOJ who will send the results to the individual. Units with specific parolee questions should telephone the California Department of Corrections and Rehabilitation (CDCR) Help Desk at (916) 324-7789.

All general public referrals should be directed to Records and Identification Bureau:

In Person: Records and Identification Bureau

Public Services Unit

12440 East Imperial Highway, Suite 400 West

Norwalk, CA 90650

By Mail: Los Angeles County Sheriff's Department

Records and Identification Bureau – Correspondence Unit

211 West Temple Street

Los Angeles, CA 90012

By Phone: (562) 345-4441

Exceptions to the Release of Information

Pursuant to 6254 GOV, information **shall not** be released to the general public or the media in the following circumstances:

- When disclosure of such information would endanger the successful completion of an investigation or a related investigation;
- When disclosure of such information would endanger the safety of a person involved in an investigation; or
- When disclosure of that portion of an investigation reflects the analysis or conclusions of the investigating officer.

If you have any questions regarding the information contained in this newsletter, please contact Field Operations Support Services, at [REDACTED TEXT]

References

Senate Bill 1421, Peace Officers: Release of Records

USC 18, §5038, Use of Juvenile Records

The Public Records Information Act, §6250 GOV through §6276.48 GOV

841.5 PC Disclosure of Victim or Witness Identification to Arrested Person or Defendant in Criminal Action

964 PC Protection of Confidential Personal Information

20012 VC Accident Reports

MPP 3-01/040.95, Confidential Information

MPP 3-01/040.96, Information Requests or Contacts with Private Investigators…

MPP 3-01/080.20, Complaints and Information Requests

MPP 3-02/020.01, Employment Reference Checks

MPP 3-09/090.00, Release of Official Information

MPP 3-09/090.05, Release of Information to Victims of Crimes

MPP 3-09/090.10, Release of Information to the General Public and the Media

MPP 3-09/090.25, Release of Traffic Collision Report

MPP 3-09/090.30, Exceptions to the Release of Information

MPP 3-09/090.35, Authority to Release Information

MPP 3-09/090.40, Procedure for the Release of Information

MPP 3-09/110.05, Criminal Record Information

MPP 3-09/110.10, Responsibility

MPP 4-01/020.60, Confidential Reports

MPP 5-02/010.00, Release of Information Concerning Juvenile Subjects

FOD 97-03, Disclosure of Arrestee Information; The Public Record Act

FOD 04-06, Deputy Daily Worksheets; Redacting Juvenile Information