6-10/200.60 Peace Officer Personnel Files

Immediately notify and mail to Discovery Unit ,Risk Management Bureau~~,~~ a copy of any subpoena received for the personnel records of a peace officer member of this Department. (MPP 5-07/240.00)

Peace officer personnel records concerning citizen complaints are confidential and shall not be disclosed in any criminal or civil proceeding except by discovery pursuant to a Pitchess Motion (PC 832.7, Evidence Code 1043, 1046). Confidentiality does not apply to investigations or proceedings concerning the conduct of police officers conducted by a grand jury, district attorney, or the Attorney General. A police agency may release factual information concerning a disciplinary investigation if the peace officer knowingly makes a false statement concerning the investigation or disciplinary action. The false statement must have been published by an established medium of communication, such as television, radio, or a newspaper.

In any case in which disclosure is sought of peace officer personnel records, the party seeking discovery shall file a motion with the court or administrative body and give notice to the officer's agency, which shall immediately notify the officer. The discovery motion shall identify: the proceeding in which discovery is sought; the party seeking discovery; the officer; the agency; the time and place of the discovery hearing; the type of records sought; and, shall include affidavits showing good cause for the discovery and setting forth the materiality of the information. Notice of the discovery hearing may be waived for good cause or by the police agency.