

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

Upon request, the following information shall be released to the general public, including the media:

- Arrestee information - name, current charge, occupation, and physical description;
- Circumstances of arrest - time and date of arrest, time and date of booking, location of arrest, and factual circumstances surrounding the arrest;
- Booking information - amount of bail, time and manner of release, location where individual is held, and all charges (including, but not limited to, warrants, parole, and probation holds);
- Calls for service or requests for assistance - time, substance, location, and nature of response (provided that such information regarding crimes, alleged or committed, or any other incident is documented);
- Victim's identification - name and age. However, the identification of victims of 220, 261, 261.5, 262, 264, 273a, 273d, 286, 287 (formerly Penal Code section 288a), 289, 422.6, 422.7, 422.75, or 646.9 PC, shall not be disclosed;
- Victim and/or witness identification - name, age, telephone number, and street address shall not be disclosed to any arrested person or to any person who may be a defendant in the alleged offense;
- Factual circumstances surrounding a crime or incident such as any injuries, weapons, or property involved; and
- Pursuant to a 1999 U.S. Supreme Court decision, no address of any crime victim shall be disclosed by a law enforcement agency as public information and an arrestee's home address shall not be released. Persons who claim a privilege to the information under a qualified exemption to the Public Information Act shall be referred to the Records and Identification Bureau - Correspondence Unit.

Photographs of persons arrested, commonly known as "mug shots," may be released to a member of the general public, including the media, at the discretion of the Sheriff or his designee. Once a copy is furnished to one member of the general public, a copy must be made available to all who make a request. Requests for photographs of persons arrested should be referred to the Sheriff's Information Bureau, Media Liaison.

### INFORMATION REQUESTS

Most information requests will come from the public calling to inquire about a friend or relative who has been arrested. In these instances, releasing the charges, bail, and court date verbally is permissible.

Questions arise when entities (such as a defense attorney's firm) request that we provide them with daily lists of arrestees. We will provide these lists to them; however, we are not required to prepare the lists in any particular format for the convenience of the requestor.

The requestor must separately request the information from each station in writing. They will need to submit a new request for each day's records and must pay the actual costs associated with the duplication of records prior to receiving the information. The station jailer will review the gate book and provide the requested information on a continuation sheet, ensuring that the exceptions above do not apply. If there is any doubt, the jailer should check with the detective assigned to handle the case in question and confirm whether or not the information may be released. If the detective is not available, the information should not be disclosed.

The Inmate Information Center webpage can be accessed by the public to search for individual inmate

information.

#### INFORMATION REQUESTS - ON-GOING

For entities requesting on-going, long-term access to booking logs, requests need to be forwarded to the Risk Management Bureau, Discovery Unit - Public Records Act staff. Requestors will be required to submit a formal request, a Declaration - Public Records Act form, furnish identification, and acknowledge charges that will be incurred.

The reasonableness of any request for information shall be evaluated by the person receiving the request. Reasonable requests for information routinely developed, maintained, and available during the normal course of Department operations shall be honored. Requests for information that require an inordinate amount of time or expense devoted to research, compilation, or computer programming should be referred to Records and Identification Bureau. Any questions regarding the reasonableness of a request for information shall be directed to the Records and Identification Bureau Records Manager.

**NOTE:** Pursuant to Welfare and Institutions Code (WIC) section 5328, information shall not be disclosed to the general public, including the news media, on any action when a person is taken into custody for a 72-hour (5150 WIC) detention and when no crime was involved.

In circumstances where both a crime and 5150 WIC are alleged, information about 5150 WIC activity shall be confidential. Information pertaining to criminal activity may be subject to disclosure after information regarding 5150 WIC activity is deleted. See section 3-09/090.30 for exceptions to the release of information.

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