

Release of Information

SJPD Communications

Basic Academy 2019

What is a record?



Hard copy or automated file relating to an individual's personal history





California Public Records Act Government Code Sections 6251-6265

“the people have the right of access to
information concerning the conduct
of the people’s business”

– Article 1 of California Constitution

CORI

Criminal Offender Record Information

- **11075P.C.** - Records and data compiled by criminal justice agencies for purposes of identifying criminal offenders and of maintaining as to each such offender a summary of arrests, pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation, and release.
 - Includes criminal offender records from CJIC, California DOJ, and U.S. DOJ

Release of CORI

- **11076P.C.** - Criminal offender record information shall be disseminated, whether directly or through any intermediary, only to such agencies as are, or may subsequently be, authorized access to such records by statute.
- Is the requestor authorized to receive the information?
- The CORI is to be used for what purpose?

NEED TO KNOW, RIGHT TO KNOW

- Per SJPD Duty Manual:
- “Any member of the department releasing information will establish that the person or agency requesting the information conforms to the following criteria:
 - The requestor must have both a legitimate ‘right to know’ and a legitimate ‘need to know’; both elements must be present before release of information is authorized”



Release of Criminal History

- **PER DOJ & CLETS**

- Audio/MDT transmissions shall only be used if all three criteria listed below exist:
 - There is a reasonable cause to believe the safety of the officer and/or the public is at significant risk
 - There is an immediate need for summary criminal history information
 - Information from other databases, such as WPS or SVS would not be adequate
- Audit trail is mandatory – includes requester's badge and full case number.
- Need to know, right to know

CORI Laws

- State Criminal History
 - 11142P.C.
 - 11143P.C.
- Local Criminal History
 - 13303P.C.
 - 13304P.C.
 - 13305P.C.
- 502P.C.
- 13320-13326P.C.
 - Pertains to the examination of local records
- FBI Rap Sheet
 - Release governed by FBI

Hard Copies

- Shall not be removed
- Usually handled by records personnel
- All printed copies must be shredded



Automated Systems Security

- Duty Manual
- Release to Public/Media
- Operations Information
- Official Public Statement

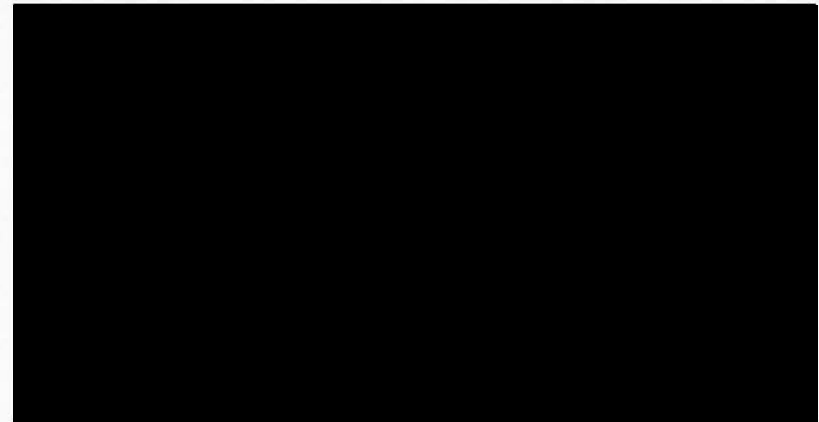
Release of DMV Files





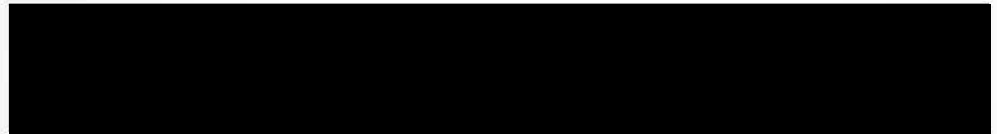


Supplying Information – Personal Data



Supplying Information – Events

- C 1509 DISPATCHABLE CALLS





P & P for Accessibility

- MANDATORY
 - Fingerprinting after July 1st, 1975
 - Records check (DMV, DOJ, FBI)
 - Background check
 - Secure computer systems and terminals

Liability Issues

We are audited by DOJ

If misuse discovered:

- Administrator is notified
- Disciplinary action taken
- Loss of direct access to CORI

Individuals subject to departmental discipline and criminal prosecution