

OFFICE OF THE CHIEF OF POLICE

NOTICE
11.2

January 16, 2024

TO: All Sworn Personnel

FROM: Chief of Police

SUBJECT: CONFIDENTIAL NATURE OF DEPARTMENT RECORDS,
REPORTS, AND INFORMATION – REMINDER

This Notice serves as a reminder regarding the Department's policies and procedures when releasing confidential records and reports to the public. The Notice also reminds personnel to safeguard sensitive documents when disseminating information to the public.

BACKGROUND

The Department's longstanding commitment to maintaining the confidentiality of its records, reports, and information is rooted in the City's responsibility and legal mandates. The confidentiality protocols are fundamental to maintaining the integrity of the Department and ensuring public trust. Our policies encompass a broad spectrum of sensitive materials, including but not limited to official files, documents, records, reports, photographs, imaging, recordings, and any other information under the Department's custody. This Notice re-emphasizes the importance of these policies to ensure that all Department employees consistently adhere to them. By reinforcing these policies, the Department aims to prevent unauthorized disclosure, mitigate risks associated with information breaches, and maintain the Department's reputation for professionalism and trustworthiness.

PROCEDURE

As referenced in Department Manual Section, 3/405, *Confidential Nature of Department Records, Reports, and Information*, all official files, documents, records, reports, photographs, imaging, recordings and information held by the Department or in the custody or control of an employee of the Department must be regarded as confidential. Employees **shall not** disclose nor permit the disclosure or use of such files, documents, reports, records, photographs, imaging, recordings or information, except as required in the performance of their official duties. The unauthorized use of information obtained through employment with the Los Angeles Police Department can subject the employee to possible disciplinary action and/or criminal prosecution. This includes information obtained from manually stored records, as well as information obtained from automated records.

Note: Photographs, imaging, recordings include, but are not limited to, imaging such as mug shots, in-car video footage, digital interviews, audio or video recordings, etc.

Supervisors in units having access to terminal points for City-controlled computers containing confidential information must complete a Los Angeles Police Department Information Security Agreement, Form 01.58.00, for each employee having access to such terminals.

Note: Generally, the home address, telephone number, and other personal information concerning Department employees should not be released even to other Department employees. It is recommended that the caller's information be documented, and the subject employee be contacted with the information. If the requesting employee has an established need to know and right to know, and whose identity is verified by the watch commander, the subject employee need not be notified. An employee's home address, telephone number and other personal information may not be released to outside entities without the employee's written consent, or a court order, upon direction of the Chief of Police, Chief of Staff, Office of Constitutional Policing and Policy, or approval from Risk Management and Legal Affairs Division.

GUIDELINES AND RESTRICTIONS FOR THE RELEASE OF POLICE RECORD INFORMATION

Employees will be guided by Manual Section 1/440.40, *Responsibility of Officers to Supply Information*, when releasing any information to the public. The following guidelines will apply to all releases of police record information.

Guidelines. Information regarding the commission of a crime and the resulting investigation may be made available to the public prior to the making of an arrest, the issuance of an arrest warrant, or the filing of formal charges. The following guidelines will apply to all releases of information to the public.

- Department personnel should not release information if it is believed that it would jeopardize the investigation; jeopardize the successful prosecution of a criminal case; affect the outcome of a civil case involving the City of Los Angeles; or, infringe upon the person's right to privacy;

Note: Facts concerning the crime which could only be known by the perpetrator, or which could be utilized as polygraph keys should not be released.

- The home address of the victim of a crime will not be released to the public unless the home address is also the location of the crime;
- The name and home address of a witness to a crime will not be released to the public; and,
- The name and address of a confidential informant **must** not be released.

Exception: The above information may be released if given permission to do so by the respective victim or witness, or if the investigating officer believes that its release would assist in the investigation of the crime.

ADDITIONAL REFERENCE MATERIAL FOR CONFIDENTIAL DOCUMENTS

In addition to the procedures mentioned above, personnel shall adhere to the following Department Publications to ensure compliance with confidential records and information protocols:

- Department Manual Section 1/440.40, *Responsibility of Officers to Supply Information*;
- Department Manual Section 3/405, *Records and Reports*;
- Office of the Chief of Police, Special Order No. 9, dated May 22, 2012, *Confidential Nature of Department Records, Reports, and Information – Revised*; and,
- Office of the Chief of Police, Special Order No. 9, dated May 6, 2010, *Confidential Nature of Department Records, Reports, and Information – Revised*.

If you have questions regarding this matter, please contact the Evaluation and Administration Unit, Office of Operations, at (213) 486-6050.



MICHEL R. MOORE
Chief of Police

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