MANAGEMENT COMMITTEE

Cliff Diamond, Chair
El Cajon Police Department

Tom Zoll
Carlsbad Police Department

Richard Emerson
Chula Vista Police Department

Lou Scanlon
Coronado Police Department

Jim Maher
Escondido Police Department

Alan Lanning
La Mesa Police Department

Adolfo Gonzales
National City Police Department

Frank McCoy
Oceanside Police Department

Pat Drummy
San Diego Police Department

Bill Gore
San Diego Sheriff's Department

Paula Robinson
San Diego District Attorney's Office

Pamela Scanlon
Director, ARJIS

Cynthia Burke
Director, Criminal Justice Research

Kurt Kroninger
Director, Technical Services

AGENDA HIGHLIGHTS

• MOBILE CAL-GANG

• REGIONAL PUBLIC RECORDS REQUESTS GUIDELINES

• PLOTTING SEX CRIMES ON THE PUBLIC MAP

PLEASE TURN OFF
CELL PHONES DURING THE MEETING

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# CHIEFS'/SHERIFF’S MANAGEMENT COMMITTEE AGENDA

Wednesday, December 5, 2007

9:00 a.m. – 11:00 a.m.

<table>
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<tr>
<th>ITEM #</th>
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<tr>
<td>1.</td>
<td>ROLL CALL</td>
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<td>2.</td>
<td>APPROVAL OF SEPTEMBER 5, 2007 MEETING MINUTES</td>
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<td>3.</td>
<td>PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS</td>
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Members of the public will have the opportunity to address the Management Committee on any issue within the jurisdiction of the Committee. Speakers are limited to three minutes each and shall reserve time by completing a “Request to Speak” form and giving it to the Clerk prior to speaking. Committee members also may provide information and announcements under this agenda item.

## REPORTS

4. PUBLIC SAFETY COMMITTEE UPDATE (Chief Clifford Diamond) | INFORMATION

Chief Diamond will provide an update on the Public Safety Committee meetings held on Friday, September 21, 2007, October 19, 2007, and November 16, 2007. The Public Safety Committee meeting scheduled for Friday, December 14, 2007 has been cancelled.

5. MOBILE CAL-GANG (Barbara Montgomery) | APPROVE

A deliverable of the DHS BorderSafe Grant is the development of a mobile version of Cal-Gang accessible in the field via ARJIS PDAs. The development of this capability has been completed and will be demonstrated by staff and gang investigator, Corporal Steve Shephard. The Committee is asked to approve the rollout of this new capability countywide to gang investigators.

+6. REGIONAL PUBLIC RECORDS REQUESTS GUIDELINES (County Counsel William Pettingill) | DISCUSSION/POSSIBLE ACTION

The working group formed to draft regional guidelines for responding to public records requests has completed the initial draft guidelines. These guidelines will be presented and the Committee is asked to provide direction for next steps.

7. UNDOCUMENTED PERSONS IN ARJIS (Barbara Montgomery) | DISCUSSION/POSSIBLE ACTION

At the September meeting, the Management Committee discussed the use of the undocumented person box on the ARJIS 8 form. Staff was directed to do additional research into how much data is currently being captured and options for modifying the form and conditions for use. The Committee is asked to review the options for possible action.
8. PLOTTING SEX CRIMES ON THE PUBLIC MAP (Fiona Everett)  

The issue of complying with 6254(f) (3) of the California Public Records Act as it relates to the confidentiality of victim’s address in reporting sex crimes has been reviewed and discussed with members from legal, GIS, and ARJIS Business and Technical Committees. A solution agreed to by all parties will be presented for approval.

+9. BUSINESS AND TECHNICAL COMMITTEE UPDATES (Commander Michael Lawton and Captain Reginald Grigsby)  

Committee Chairs will be available to update on recent activities and answer questions. The Business and Technical meetings were held on Tuesday, November 13, 2007 at the Oceanside Police Department.

10. UPCOMING MEETINGS  

The next meeting of the Chiefs'/Sheriff’s Management Committee is scheduled for January 2, 2008 at 9:30 a.m.

11. ADJOURNMENT  

+ next to an item indicates an attachment
December 5, 2007

San Diego Association of Governments

CHIEFS’/SHERIFF’S MANAGEMENT COMMITTEE

AGENDA ITEM NO.: 2

Action Requested: APPROVE

MANAGEMENT COMMITTEE DISCUSSION AND ACTIONS
Meeting of September 5, 2007

1. ROLL CALL

Chair Clifford Diamond (El Cajon Police Department) called the meeting to order at 9:35 a.m. See attendance sheet on last page.

2. APPROVAL OF AUGUST 1, 2007 MEETING MINUTES (APPROVE)

Upon a motion by Chief Alan Lanning (La Mesa Police Department) and a second by Chief Richard Emerson (Chula Vista Police Department), the Management Committee unanimously approved the minutes of August 1, 2007.

3. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

No members of the public were present.

Chair Diamond stated that the California Police Chiefs’ Association (CPCA) Technical Meeting was held at SANDAG on August 30, 2007. ARJIS staff presented an overview of ARJIS systems and highlights. The CPCA members were impressed with the well-done presentations.

REPORTS

4. PUBLIC SAFETY COMMITTEE UPDATE (INFORMATION)

Chair Diamond noted that the Public Safety Committee did not meet in August. The next meeting is scheduled for Friday, September 21, 2007.

5. 2007 DRUG USE AMONG SAN DIEGO COUNTY ARRESTEES (INFORMATION)

Dr. Cynthia Burke (Director, Criminal Justice Research Division, SANDAG) gave a PowerPoint presentation on drug use among San Diego County arrestees. This presentation will be given to the Public Safety Committee in September.
6. FY 2007 CJ AND ARJIS ACCOMPLISHMENTS (INFORMATION)

Pam Scanlon (Executive Director, ARJIS) gave a PowerPoint presentation on the ARJIS accomplishments for FY 2007. Also of note was that Digital Boundaries did a security assessment of ARJIS. ARJIS received high marks for security and was given additional recommendations to enhance security. Ms. Scanlon strongly recommended that each agency conduct a similar security assessment each year for each agency. Dr. Burke noted the Criminal Justice Research Division’s accomplishments for the past year. This presentation will be given to the Public Safety Committee in September.

Discussion included the personal data assistant (PDA) project, i2 Analyst Notebook (Oceanside Police Department is using heavily), standardizing ARJIS interface to latest NIEM/XML standards, and license plate readers (LPR). A LPR meeting was held last week. The challenge is to get data “real time” and to integrate among various data sources to the agencies. Rich Gorman (CBAG-California Border Alliance Group) has said he is working on a project funded by ONDCP (Office of National Drug Control Policy) to install 100 LPR’s throughout the region (80 fixed locations and 20 mobile). Commander Lawton is assisting with the establishment of a working group (about 15 agency representatives) for determination of final sites, privacy, and storage issues.

Chief Lou Scanlon (Coronado Police Department) says there may be some challenges with CalTrans as far as the locations of some of the cameras.

Commander Mike Lawton (Coronado Police Department) said he is focusing on the “investigative tool” aspect. He stated that the Chief from California Highway Patrol (CHP) attended the meeting and was supportive.

Ms. Scanlon stated that Long Beach is using LPR’s and hitting 4 different data sources.

Captain Grigsby said there is talk about using LPR’s at truck scales.

Ms. Scanlon stated that ARJIS is still working on the regional public records requests guidelines. A recommendation is anticipated to be brought to the Management Committee meeting in October.

7. ARJIS FY 2008 WORKPLAN (RECOMMENDATION)

Ms. Scanlon reported on the priority list from the Business and Technical Committees. The list was based on 4 criteria: 1) return on investment; 2) benefit to agencies/officers; 3) benefit to the public; and 4) leverage (synergy with other systems and processes including resources and best practices). Commander Lawton stated the primary focus was on the cop in the field – getting the information to the officer. The top four projects are: 1) Cal-Photo interface for Global Query; 2) ARJIS Portal (Law Enforcement Only); 3) Interactive Mapping (Law Enforcement Only); and 4) Web-Enabled Officer Notification System (ONS) Entry and Query Screens. Captain Reginald Grigsby (Oceanside Police Department) stated he thought a couple of public items should be moved up on the priority list. Captain Grigsby and Commander Lawton would like to see the expansion of eWatch. Captain Grigsby stated another issue was to see the calls that are pending. Undersheriff Gore wanted to clarify that eWatch is when a citizen can get notified of a crime report and also agreed that it should be moved up on the list.
Pat Drummy (San Diego Police Department) stated that if something is economical, it may be able to move up on the list.

Chief Scanlon asked about “CitizenObserver”. CitizenObserver is a tool available that allows law enforcement agencies to quickly enter content about crimes or incidents and share that information with members of the public who sign up to receive alerts. Ms. Scanlon believes ARJIS can do that. ARJIS is in the process of re-designing and implementing a new publicly accessible web site that provides citizens with crime statistics, maps, and other community policing tools.

ARJIS staff will return in an upcoming meeting with a report on STAR (Situational Team Awareness Reporting). This is a grant funded project that utilizes GPS technology in cell phones to allow officers to locate members of a team, see a map of the team members, and send messages to those members.

The Management Committee recommended that Regional eWatch be given a higher priority and that if a project can be quickly and easily done, to go ahead and do it.

8. FISCAL YEAR 2005 AND 2006 ARJIS AUDITED ANNUAL FINANCIAL REPORTS (INFORMATION)

Ms. Scanlon introduced Lauren Warrem (Finance Manager, SANDAG) to the Committee. Each member was given the 2005 and 2006 Financial Reports. The budget was audited and given an unqualified (clean) opinion by the firm of Caporicci and Larson. Next year the process will be conducted by SANDAG. Ms. Warrem stated that all ARJIS resources are kept separate from SANDAG. ARJIS never budgets on interest earned and the interest goes into the reserve account. Ms. Scanlon stated that staff will return at a future meeting and give a report on how the budget process works.

9. UNDOCUMENTED PERSON IN ARJIS (RECOMMENDATION)

Commander Lawton reported the recommendation from both the Technical and Business Committees on the undocumented person entry was to not change the San Diego Regional Arrest/Juvenile Contact Report (also known as Form 8); and continue business as usual with the undocumented person check box to be a voluntary field.

Chief Jim Maher (Escondido Police Department) stated his recommendation would be to change the “undocumented persons” inquiry to be a required entry to include yes/no/unknown.

Commander Lawton stated that the yes box does not mean anything statistically. This is for data entry only. If the officer checks the yes box, there is no capture of data. Only ZZ codes are used and information can be tracked that way. The consensus from the Committees was that it is not accurate and it is better to not make it a mandatory field. He believes that it’s inaccurately being reported.

Chief Lanning inquired what the purpose was of the form when it was designed and if it is necessary.

Ms. Scanlon stated that in the previous ARJIS re-design it was recommended to remove the field completely. Since the re-design didn’t occur it stayed on the arrest report, and is rarely
used. Also there is no documentation available that can provide insight into when and why it was added at least 15 - 20 years ago.

Undersheriff Gore asked if there is a downside in deleting the question, since this information is already being captured by ICE agents at the jails.

Chair Diamond agreed this information is much more accurately captured at the jail by Immigrations and Customs Enforcement.

Mr. Drummy made a motion to remove the undocumented person box, with a second by Undersheriff Gore. All were in favor, except for Chief Jim Maher who opposed. After the vote further discussion ensued and it was determined that further clarification and discussion was needed. Chair Diamond instructed staff to bring this item back on next month's agenda for discussion and possible action.

10. ADDING SEX CRIMES TO CRIME MAPS (RECOMMENDATION)

Commander Lawton and Captain Grigsby relayed the need to define the position with legal regarding GPS Plotting. Commander Lawton stated that the crime maps now do not show x/y coordinates.

Chair Diamond stated that the Management Committee in the past had recommended staying within the 100 block. The concern was if giving the 100 block, it might identify the victim.

Chief Lanning stated that in rural areas it may be easier to pinpoint the victim. Chief Lanning recommended that the attorneys, analysts, and GPS experts meet to discuss whether it violates the law (x/y coordinates, etc.) and come back with a recommendation to the Management Committee so a policy can be made on this issue. All Chiefs were in agreement that there is no legal foundation for taking a position at this time and that this issue will need to come back for discussion at a later date once a recommendation has been made.

11. BUSINESS AND TECHNICAL COMMITTEE UPDATES (INFORMATION)

Commander Lawton and Captain Grigsby attended the meeting to answer questions. Except for the items previously on the agenda, there were no further questions.

12. UPCOMING MEETINGS

The next meeting of the Chiefs'/Sheriff’s Management Committee is scheduled for Wednesday, October 3, 2007 at 9:30 a.m., San Diego Police Department, Western Division.

13. ADJOURNMENT

The meeting was adjourned at 11:06 a.m.

Key Staff Contacts: Pam Scanlon, (619) 699-6971; psc@sandag.org
Cynthia Burke, (619) 699-1910; cbu@sandag.org
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<td>CRIMINAL JUSTICE RESEARCH DIRECTOR CYNTHIA BURKE</td>
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Guests: Lauren Warrem (SANDAG)
Staff: Barbara Jean Harris, Audrey Radi (ARJIS)
Subsection A – LE Exemptions

ARJIS LAW ENFORCEMENT RECORDS ACT GUIDELINES

I. INTRODUCTION

In 1968, the Legislature enacted the California Public Records Act ("CPRA") found at Government Code sections 6250 et seq. In its findings and declarations, the Legislature, mindful of the right of individuals to privacy, declared that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in the State of California. Since 1968 through amendments and court decisions, the CPRA has continued to balance the public's right to know what governmental agencies are doing and an individual's right to privacy.

As defined in section 6252 of the CPRA:

"Public records includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics."

Based upon this definition, the reports of crimes and incidents written in the daily course of business of a law enforcement agency are public records and subject to release under the Act with certain key exemptions – as discussed below.

II. RESPONDING TO CPRA REQUESTS

A. Timing

The agency receiving a request for disclosure of public documents must respond within ten days after receipt of the request and must immediately notify the requesting party of its decision whether to disclose the requested documents or to claim an exemption and reason for the decision, pursuant to section 6253. Under certain circumstances, the time to respond may be extended by a maximum of 14 days. See section 6253(c)(1)-(4) for the listed reasons for extensions. When the response is made, it must, as noted, apprise the requestor of what disclosures will be made and when. The time for disclosure must be within a reasonable period of time.

B. Fees

Government Code Section 6253(b) permits a public agency to charge a fee for copies of non-exempted information that covers the direct costs of duplication. A statutory fee, if applicable, may also be charged. Most fees for services established by

1 Unless otherwise indicated, all statutory references are to the Government Code.
law enforcement agencies are set by the local legislative body by resolution, city council, or board of supervisors.

Government Code section 6253.9 governs the production of electronic records. It also allows an agency to charge the requesting party for production of electronic records where programming, data extraction and compilation is required. Where it appears that such work will be necessary to respond to the request, the agency should advise the requestor of the provisions of section 6253.9 and ask the requestor whether he or she would like an estimate of the costs. The purpose of making such inquiry is to save the labor and expense of preparing an estimate only to have the requestor say they were not interested if they had to pay. The agency should then prepare an estimate and provide it to the requestor and advise that the work will be done upon pre-payment of the estimated fees.

C. Waiver Of Exemption

Court decisions have held that the selective release and selective exemption of information is prohibited. Once information is released to a member of the public, it becomes a public record and cannot be withheld from another member of the public. Black Panther Party v. Kehoe FULL CITE NEEDED (1974).

D. Sharing Exempt Information Without Waiving

Section 6254.5(e) allows the release of an exempt public record to any governmental agency that agrees to treat the disclosed material as confidential. Only persons authorized in writing by the person in charge of the agency shall be permitted to obtain the information. Any information obtained by the agency shall only be used for purposes that are consistent with existing law.

III. SECTION 6254(f) – LAW ENFORCEMENT EXEMPTION TO DISCLOSURE

A. Basic Exemption

Section 6254(f) exempts from disclosure the following:

- Records of complaints to, or investigations conducted by, or records of intelligence information or security procedures of a local police agency.
- Any investigatory or security files compiled by any local police agency.
- Any investigatory or security files compiled by a local agency for correctional, law enforcement, or licensing purposes.

The actual text of the exemption is:

Records of complaints to, or investigations conducted by, or records of intelligence information or security procedures of, the office of the Attorney
General and the Department of Justice, and any state or local police agency, or any investigatory or security files compiled by any other state or local police agency, or any investigatory or security files compiled by any other state or local agency for correctional, law enforcement, or licensing purposes, except…

As can be seen from the text above, the “except” leads into the exceptions to the exemption, i.e., the required disclosures, discussed below.

**B. Exceptions to Exemption – Required Disclosures**

Section 6254, subdivision (f) also contains various exceptions to exemptions that require the disclosure of certain information to certain persons. Its provisions should be carefully reviewed in connection with a CPRA request that involves this type of material.

1. **Disclosures to victims and their representatives**

The first required disclosure is set forth in the first paragraph of section 6254(f), beginning with the “except” as noted above. Following is the actual text, broken into bullet-pointed items for easier consideration

…except that state and local law enforcement agencies shall disclose

- the names and addresses of persons involved in,
- or witnesses other than confidential informants to, the incident,
- the description of any property involved,
- the date, time, and location of the incident,
- all diagrams,
- statements of the parties involved in the incident,
- the statements of all witnesses, other than confidential informants,

…to the victims of an incident, or an authorized representative thereof, an insurance carrier against which a claim has been or might be made, and any person suffering bodily injury or property damage or loss, as the result of the incident caused by arson, burglary, fire, explosion, larceny, robbery, carjacking, vandalism, vehicle theft, or a crime as defined by subdivision (b) of Section 13951,

…unless the disclosure would endanger the safety of a witness or other person involved in the investigation, or unless disclosure would endanger the successful completion of the investigation or a related investigation.

However, nothing in this division shall require the disclosure of that portion of those investigative files that reflect the analysis or conclusions of the investigating officer.
2. **Disclosures to all requestors; limited exceptions**

Section 6254(f) continues with more required disclosures:

Notwithstanding any other provision of this subdivision, state and local law enforcement agencies shall make public the following information, (NOTE: no limitation on recipients)

except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation or a related investigation:

**6254(f)(1) Arrest Information:**

- The full name and occupation of every individual arrested by the agency,
- the individual's physical description including date of birth, color of eyes and hair, sex, height and weight,
- the time and date of arrest,
- the time and date of booking, the location of the arrest,
- the factual circumstances surrounding the arrest,
- the amount of bail set,
- the time and manner of release or the location where the individual is currently being held,
- and all charges the individual is being held upon, including any outstanding warrants from other jurisdictions and parole or probation holds.

**6254(f)(2) Calls for Service:**

Subject to the restrictions imposed by Section 841.5 of the Penal Code,

- the time, substance, and location of all complaints
- or requests for assistance
- received by the agency and
- the time and nature of the response thereto, including, to the extent the information regarding crimes alleged or committed or any other incident investigated is recorded,
  - the time, date, and location of occurrence,
  - the time and date of the report,
  - the name and age of the victim,
  - the factual circumstances surrounding the crime or incident, and
Agenda Item #6

- a general description of any injuries, property, or weapons involved.

- The name of a victim of any crime defined by Section 220, 261, 261.5, 262, 264, 264.1, 273a, 273d, 273.5, 286, 288, 288a, 289, 422.6, 422.7, 422.75, or 646.9 of the Penal Code may be withheld at the victim's request, or at the request of the victim's parent or guardian if the victim is a minor.

- When a person is the victim of more than one crime, information disclosing that the person is a victim of a crime defined by Section 220, 261, 261.5, 262, 264, 264.1, 273a, 273d, 286, 288, 288a, 289, 422.6, 422.7, 422.75, or 646.9 of the Penal Code may be deleted at the request of the victim, or the victim's parent or guardian if the victim is a minor, in making the report of the crime, or of any crime or incident accompanying the crime, available to the public in compliance with the requirements of this paragraph.

6254(f)(3) Scholarly, Journalistic, Political, Or Governmental Purpose,:

Subject to the restrictions of Section 841.5 of the Penal Code and this subdivision,

- the current address of every individual arrested by the agency and
- the current address of the victim of a crime,
- where the requester declares under penalty of perjury that the request is made for a scholarly, journalistic, political, or governmental purpose, or that the request is made for investigation purposes by a licensed private investigator as described in Chapter 11.3 (commencing with Section 7512) of Division 3 of the Business and Professions Code, except that the address of the victim of any crime defined by Section 220, 261, 261.5, 262, 264, 264.1, 273a, 273d, 273.5, 286, 288, 288a, 289, 422.6, 422.7, 422.75, or 646.9 of the Penal Code shall remain confidential.

Address information obtained pursuant to this paragraph may not be used directly or indirectly, or furnished to another, to sell a product or service to any individual or group of individuals, and the requester shall execute a declaration to that effect under penalty of perjury. Nothing in this paragraph shall be construed to prohibit or limit a scholarly, journalistic, political, or government use of address information obtained pursuant to this paragraph.
V. SPECIAL CONSIDERATIONS

In order to balance the individual's right to privacy with the public's need to know, certain additional exemptions to the release of information are specified in Section 6254, other California statutory law, or interpreted by court decision. These exemptions include:

A. Names, addresses, and identifying information of:

1. Juveniles (under 18 years of age). Welfare and Institutions Code sections 827 and 828; Wescott v. Yuba County (104 Cal App. 3d and TNG v. San Francisco Superior Court (4 Cal. 3d 767)).

2. Upon request the name and address of victims of any crime defined by California Penal Code (CPC) sections 220, 261, 262, 264, 264.1, 273a, 273d, 273.5, 286, 288, 288a, 289, 293, 293.5, 422.6, 422.7, 422.75 or 646.9, shall not be disclosed. When a person is the victim of more than one crime, information disclosing that the person is a victim of the crimes, as described herein, shall be deleted at the request of the victim or the victim's parent or guardian, if the victim is a minor.

CPC Section 293 requires any employee of a law enforcement agency who personally receives a report from any person, alleging that the person making the report has been the victim of a sex offense described in CPC Sections 261 through 267 or in CPC Sections 281 through 292, shall inform that person that his or her name will become a matter of public record unless he or she requests that it not become a matter of public record. Any written report of a sex offense described in CPC Sections 261 through 267 or in CPC Sections 281 through 292 shall indicate that the alleged victim has been properly informed of the right to withhold their name and the report shall state the response of the victim to the question.

3. The address and telephone number of any victim or witness may not be released to any defendant or arrested person in the alleged offense. A defendant may obtain this information through the criminal discovery process by requesting the information from the prosecutor. However, the entire contents of an accident report as required by Vehicle Code Section 20012 may be released. **Penal Code 841.5(a).**


5. Individuals taken into custody under Welfare and Institutions Code Section 5150 (dangerous or gravely disabled persons) - Government Code Section 6254(c). The records of these persons cannot be released pursuant to Welfare and Institutions Code Sections 5328 and 5328.01
B. Criminal offender records information. Summary criminal history compiled by criminal justice agencies for the purposes of identifying criminal justice offenders. The data includes a summary of arrests and dispositions. Younger v. Berkeley City Council (1975).

C. Customer lists provided to a state or local police agency by an alarm or security company at the request of the agency shall be construed to be records subject to this subdivision.

D. Any portion of a report that reflects the analysis, recommendation, or conclusion of the investigating officer. Government Code Section 6254(f).

E. Confidential information provided only by a confidential source. South Coast Newspapers, Inc. v. City of Oceanside (1984).

F. Information that may disclose investigative techniques and/or procedures. South Coast Newspapers, Inc. v. City of Oceanside (1984).

G. Preliminary drafts, notes, or memoranda that are not retained in the ordinary course of business, such as officer’s notes. Government Code Section 6254(a).

H. Records pertaining to pending litigation to which the public agency is a party until litigation is adjudicated or otherwise settled. Government Code Section 6254(b).

I. Personnel, medical, or similar files; the disclosure of which would constitute an unwarranted invasion of privacy. Government Code Section 6254(c). Peace officer personnel records are confidential and privileged pursuant to Penal Code section 832.7.

IV. RULES FOR RELEASING INFORMATION CONCERNING MINORS

Pursuant to San Diego County Superior Court, TNG Order signed by the Honorable James R. Milliken, Superior Court Judge, dated September 29, 1998, the following rules shall augment the preceding guidelines whenever a request for information relates to a minor.

A. All available information regarding a minor, including his/her address, may be released for governmental purposes to any of the following:

1. The minor.
2. The parents or guardians, of said minor.
3. Foster parents.
4. De facto parents.
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5. Attorneys for minors, parents, guardians, foster parents and de facto parents.
6. All California District Attorneys Offices.
7. California Bureau of Investigation and Information.
8. All California law enforcement agencies (including all of the many types of peace officers designated in Penal Code Sections 830, 830.1, 830.2, 830.4, and 830.9).
9. All California school systems.
10. All California probation departments.
11. All California public welfare agencies.
12. California Youth Authority and its parole agents.
15. Hospitals, schools, camps, job corps, ranches, or placement agencies that require the information for the placement, treatment or rehabilitation of the juvenile.
17. Any coroner.
18. San Diego County Community Health and/or its subsidiary.
19. San Diego County Department of Public Health.
20. San Diego County Department of Revenue and Recovery.
21. Community referral agencies, whether in or out of California, provided the forwarding law enforcement agency has first obtained the written consent of the parent or other person having legal custody of the minor.

B. After a department has received notice of the disposition of a case, if the minor is found by the court to have committed an offense that would be classifiable as a felony if committed by an adult, the usual information may be sent to the CII, FBI or other police agencies within the state, but to no other person or agencies (except as authorized in paragraph A, hereof).

C. All such information received by an authorized recipient listed in paragraph A must be kept confidential by that recipient, and must not be further released except to one or more of the other listed authorized recipients.
With the exception of requests for information received from the press, any request received from any person or agency not included under section A should be referred to the records supervisor.

D. Requests for information from the press

All requests for information made by the press should be referred to the public information officer, watch commander or assigned investigator.

VI. FILE SECURITY AND AUDIT

A. Generally, access to and release of information from reports and other files should be limited to the records custodian, staff of the records section, watch commanders, and the investigations commander. This limited access is recommended because:

1. Personnel releasing information must have extensive knowledge of the law that governs records release in order to make release decisions.

2. Records that are released must be annotated to support later release decisions and to enable information to be retrieved if the record is subsequently ordered sealed.

B. Whenever a report is released, notation must be made on an audit trail log and attached to the report.

1. Write the name, agency, address, company, and involvement of the person receiving the report, the date of release, the amount released, and the name of the person releasing the report.

2. Providing the department application for release of information completed by the person requesting the information may serve in place of the audit trail log.

There are times when complete copies of reports cannot be released because confidential information or information exempt from release is contained in the report. In these cases, a method of deleting the exempt information or extracting information that can be released is necessary. If deletion involves small bits of information such as names or telephone numbers, blacking out the information with a heavy pen and then recopying the document is the most effective method. If extensive information must be withheld, it is permissible to extract the information that must be released and provide it separately from the report.
IV. CASE LAW ON SECTION 6254(f)

There is an enormous body of case law on this exemption. These are a few key cases:

- Records of investigations conducted by a law enforcement agency for the purpose of determining whether a violation of law may occur or has occurred are exempt on their face, whether or not they are ever included in an investigatory file. (Haynie v. The Superior Court of Los Angeles County, 26 Cal.4th 1061 (2001.)

- A sheriff's investigation report conducted at the request of the county's risk management office primarily to determine the validity of a tort liability claim is not exempt under this subdivision. Register Div. of Freedom Newspapers, Inc. v. County of Orange, 158 Cal.App.3d 893 (1984).

- This exemption protects materials that, while not on their face exempt from disclosure, become exempt through inclusion in an investigatory file. Williams v. Superior Court, 5 Cal.4th 337 (1993).

- A post-investigation closing report that contains the investigators' opinions, thoughts and conclusions is exempt from disclosure. (Rackaukas v. Superior Court, 104 Cal.App.4th 169 (2002.)

- The exemption for law enforcement investigatory files does not terminate when the investigation ends. Williams v. Superior Court, 5 Cal.4th 337 (1993).

- The State Department of Health Services fiscal audit manual, containing the Department's strategy for audits to ascertain compliance with Medi-Cal regulations, constitutes law enforcement material. Eskaton Monterey Hospital v. Meyers, 134 Cal.App.3d 788 (1982).

- The records of intelligence information and security procedures incorporated into the gang reporting, evaluation, and tracking system by law enforcement agencies are not subject to public disclosure under this subdivision. 79 Op. Att'y Gen. 206 (1996).
ARJIS Business Working Group

Members:
(Attendees in bold)

Sergeant Steve Sutt
Carlsbad Police Department

Lieutenant Tom Leonard
Chula Vista Police Department

Commander Michael Lawton
Coronado Police Department

Captain Debbie Setzer
El Cajon Police Department

Steve Lewandowski (for Latonya Gridiron)
Escondido Police Department

Carol Fasching
La Mesa Police Department

Dave Noteware (for Molli Knobbe)
National City Police Department

Captain Reginald Grigsby, (Chair)
Oceanside Police Department

Chris Haley
San Diego Police Department

Captain Mike McNally
San Diego Sheriff’s Department

ARJIS Business Working Group

1. Provides business case and ROI (Return on Investment) justification in support of ARJIS projects.

2. Recommend initial ARJIS work plan.

3. Develop and recommend policies relating to information sharing.

ARJIS Technical Working Group

Members:
(Attendees in bold)

Delphine Smith (for Maria Callander)
Carlsbad Police Department

Greg Pickett
Chula Vista Police Department

Commander Michael Lawton (Chair)
Coronado Police Department

Gary Rapp
El Cajon Police Department

Steve Lewandowski
Escondido Police Department

Carol Fasching (for Sheri Fowler)
La Mesa Police Department

Dave Noteware
National City Police Department

Lieutenant Tom Aguigui
Oceanside Police Department

Hong Thai
San Diego Police Department

Chuck Brown
San Diego Sheriff’s Department
1. **Roll Call**

Roll was called for both the Business and Technical Working Groups. A quorum was present for both.

2. **Approval of Minutes**

Minutes from the August meeting will be approved at the next meeting.

3. **Weapons Application Demonstration**

Jim Baumgart and Dariush Salehi (San Diego Sheriff’s Department) demonstrated the New Armed Prohibition Application (APPS) which can be found on the SDLaw webpage. This database is updated on a monthly basis and only available to those with Auto Firearms System (AFS) access. While this database allows the inquirer to research if a prohibited person is in possession of any registered firearm(s), immediate action to retrieve firearm(s) is not encouraged until the inquirer verifies the information on eSun.

The program is in the final stages of testing and is expected to deploy by end of November. The application can be customized to locate information by specific criteria like zip codes, beats, or cities; and results will show physical and mailing addresses of the firearm and subject. For more up-to-date information, users will have a chance to add or edit comments to subject’s profile.

4. **RMS Update**

RMS roll-outs for Santee, Alpine, 4S Ranch, and Rural Residents: deputies were delayed to first quarter of 2008 as a result of Firestorm 2007. For Remaining Modules, testing is still being done for “Cruisers” as different preferences were indicated between metropolitan and rural personnel. There had been mapping issues with ARJIS which the San Diego Sheriff’s Office (SDSO) is trying to remedy, chiefly resulting from the differences in information exchange standards and processes. JIMS Interface is currently being tested in Chula Vista. All other phases are progressing per schedule.
Gary Rapp (El Cajon Police Department) had been working closely with the SDSO and had been involved with Motorola regarding hardware specifications and installs. ECPD has secured a two week contract to have Motorola engineering personnel be on-site to assist with installation. An invitation is extended to all agencies to sit in on the installation sessions and co-learn the experiences.

5. **ARJIS Security Center Upgrade**

Joe Vaughn (ARJIS) expanded on the features of the new Security Center which would allow a single sign-on for multiple applications. Users are responsible for updating their contact information in order to receive the latest news sent to regional distribution lists. All user functions are available in December while all administrator functions will be available in early January. The new link will be [www.scdev.arjisnet.org](http://www.scdev.arjisnet.org), with the current security center expiring after 90 days after the launch of the new link. Announcements will be emailed to all Security Center users once the enhancements are in production, as well as notices posted on the Weekly Service Log.

6. **ARJIS Updates and Action Items**

None.

7. **Public Comments/Communications**

None.

8. **Next Meetings**

Tuesday, January 15, 2008 had been proposed for a Business Working Group meeting to be held in Chula Vista. Wednesday, January 23, 2008 had been proposed for a Technical Working Group meeting to be held in Coronado. More meeting specifics to follow from ARJIS as the dates draw closer. Chairs Reggie Grigsby and Mike Lawton, re-emphasized that although Business and Technical Working Group meetings have been scheduled to occur on separate dates per prior discussions, circumstances may dictate for joint meetings within short notice and at locations of long commutes. Flexibility is requested from all participants in such occurrences.