

## **LEGISLATIVE DIGEST**

[Administrative Code - Status Report on Production of Peace Officer Personnel Records]

**Ordinance amending the Administrative Code to require the Police Commission, Police Department, and Department of Police Accountability to report quarterly on the number and status of requests for production of non-confidential peace officer personnel records.**

### Existing Law

The California Public Records Act requires state and local agencies to make public records available for inspection, subject to certain exceptions. Senate Bill 1421 (2018) required that certain peace officer or custodial officer personnel records and records relating to specified incidents, complaints, and investigations involving peace officers and custodial officers be made available for public inspection pursuant to the California Public Records Act.

There is no local law requiring the Police Commission, Police Department, or Department of Police Accountability to provide reports to the Board of Supervisors concerning the status of requests for the production of non-confidential peace officer personnel records that those departments have received and/or processed.

### Amendments to Current Law

The proposed ordinance would require the Police Commission, Police Department, and Department of Police Accountability to provide quarterly reports to the Board of Supervisors containing the following information:

- (1) The total number of requests for non-confidential peace officer personnel records that were received by the Department on or after January 1, 2019 and for which all the responsive records requested have been produced;
- (2) The total number of requests for non-confidential peace officer personnel records that were received by the Department on or after January 1, 2019 and for which all the responsive records requested have not been produced;
- (3) The total number of requests for non-confidential peace officer personnel records received by the Department on or after January 1, 2019 for which the Department has identified but not yet produced responsive records because the responsive records require redactions;
- (4) The total number of requests for non-confidential peace officer personnel records the Department received during the reporting period;
- (5) The total number of pages of records the Department produced in the reporting period in response to requests for non-confidential peace officer personnel records;

- (6) The length of time each outstanding request for non-confidential peace officer personnel records received by the Department on or after January 1, 2019 has been pending;
- (7) The total number of hours Departmental and other City employees have spent during the reporting period responding to requests for non-confidential peace officer personnel records; and
- (8) The date on which the Department expects to fulfill all requests for non-confidential peace officer personnel records received on or after January 1, 2019.

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