

**RELEASE OF JUVENILE RECORD INFORMATION
POLICE REPORTS**

- AUTHORITY:** Administrative Directive
Welfare and Institutions Code Section (WIC) 827 and 828
California Rules of Court Rule 5.552 (Confidentiality of Records)
Westcott v. County of Yuba (1980) 104 Cal. App. 3d 103, 163 Cal.
Rptr. 382
- RESCINDS:** Procedure Manual Item 1-1-116, dated 06/19/15
- FORMS:** Petition for Disclosure of Juvenile Case File (Judicial Council Form JV-570)
- PURPOSE:** To provide guidelines for responding to requests from youth and parents or guardians, or their counsel, for access to police reports (i.e. Application for Petition and Crime/Arrest Reports) in possession of the Probation Department.

I. GENERAL INFORMATION

- A. The Probation Department must exercise care to protect the confidentiality, interests, and safety of persons named in police reports. These persons include other youth, victims, witnesses, and informants.
- B. An example is in the case of Westcott v. County of Yuba (1980), which affirms prohibitions against the release of police reports containing the identities of other youth.

The Probation Department does not have legal authorization to release police reports to youth and parents or guardians, or their attorneys, except where release is ordered by the Juvenile Court.

- C. Police reports released pursuant to this procedure must be stamped with the following notice or have the notice attached:

“Confidential (WIC 827)-This document contains juvenile record information furnished in accordance with your official duties. Further, release by you of this information may be accomplished only in accordance with applicable statute or Court orders or other lawful processes.”

II. PROCEDURE

- A. Release of Police Reports Prior to the Filing of a Petition
1. During intake interviews with youth and parents or guardians, or their attorneys, read or summarize appropriate portions of police reports, being careful to not divulge confidential information about persons other than the youth.

2. Allow youth and parents or guardians, or their attorneys, to read or inspect police reports in the deputy probation officer's (DPO's) presence as long as reports do not contain information about other youth or sensitive privileged information (i.e. the names and addresses of victims, witnesses, informants, and others involved in any capacity).
3. Do not allow any other access by youth, parents, guardians, or their attorneys to police reports in possession of the Probation Department prior to the filing of a petition except by order of the Juvenile Court.
4. Should youth and parents or guardians, or other attorneys, insist on obtaining copies of police reports prior to the filing of a petition:
 - a. Refer them to appropriate police agencies, if they have not already made that contact.
 - b. Inform them that they may petition the Presiding Judge of the Juvenile Court for an order allowing release of the desired documents.

The Juvenile Court Records Clerk can provide them the *Petition for Disclosure of Juvenile Records* form (Form JV-570).

5. In cases where youth and parents or guardians, or their attorneys, have obtained an order of the Juvenile Court requiring the Probation Department to release police reports or information prior to the filing of a petition:
 - a. Contact the Professional Standards Division (PSD) Custodian of Records and forward a copy of the court order along with a copy of the police report.
 - b. The Custodian of Records will review the court order and police report.
 - c. Based on the order of the court, the Custodian of Records will either release all reports to attorneys of record or will redact any sensitive information (i.e. victim/witness information) prior to the release of the police report.
 - d. Consult the supervisor of the Juvenile Court/Contested Case function, if necessary, regarding steps to be taken in releasing documents pursuant to the court order if clarification is needed.

B. Release of Police Reports After the Filing of a Petition

Police reports, applications for petition, and petitions after a petition has been filed and before adjudication **may not be released**, except by court order. In such cases, it is the responsibility of the District Attorney to provide copies of the police report via discovery.

C. Release of Reports After Disposition of a Petition

1. Do not release police reports for any reason after the disposition of the case, except by court order.
2. Refer requestors to the Presiding Judge of the Juvenile Court. Advise them to contact the Juvenile Court Clerk for the *Petition for Disclosure of Juvenile Records* form (Form JV-570).

REFERENCES:

Procedures:	2-1-107	Release of Pre-Sentence Reports to Victims Per Marsy's Law/Victim's Bill of Rights
	2-4-001	Non-Custody Intake
	2-4-101	Custody Intake Referrals
	2-5-002	Probation Officer's Report to the Juvenile Court
	2-5-007	Juvenile Court Officer
	2-5-008	Local and Out-of-Town Inquiries (OTI)-Juvenile
	2-6-101	Juvenile Probation Violations
Policies:	A-9	Request for Information and Assistance (Except Media Requests; See A-10)
	B-1	Case Confidentiality - Client's Right to Privacy
	B-2	Inter- and Intra-Agency Confidentiality
	B-3	Case File Management and Security

C. Ronald

APPROVED BY: