

CITY OF BARSTOW

CALIFORNIA

POLICIES and PROCEDURES MANUAL:

POLICE

Subject: PUBLIC INFORMATION

INTRODUCTION

It is the policy of the City of Barstow to cooperate with the public in providing prompt and complete information concerning municipal activities consistent with requirements of the California Public Records Act (Section 6250 et. seq. of the California Government Code).

Public records are open to inspection at all times during regular business hours of the City of Barstow and every citizen has the right to inspect any public record except as otherwise provided by law.

For the purpose of this policy, public records include any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by the City of Barstow regardless of physical form or characteristics.

Such records may be handwritten, typewritten, printed, photostat, photograph or otherwise recorded through the use of letters, words, pictures, sounds, or symbols or through a combination thereof and may include papers, maps, magnetic and/or paper tape, photographic film and/or print, magnetic and/or punched cards, discs, drums, and other documents.

REQUESTING PUBLIC INFORMATION

1. Individuals wishing to personally inspect public records of the City of Barstow shall report to the office of the City Clerk, 220 E. Mountain View Avenue, Barstow, California and shall request the records sought.
2. Individuals personally inspecting public records and requesting a copy thereof, shall verbally request such copy from the City Clerk and shall be presented with the requested copy by the City Clerk at the earliest practicable time provided such request has been accompanied by payment of the appropriate fee as authorized by Section 6257 of the California Government Code.
3. Individuals seeking information in accordance with provisions of the California Public Records Act, but not wishing to personally inspect municipal records, shall submit written request identifying the specific documents sought to the City Clerk, 220 E. Mountain View Avenue, Barstow, California.

Reference:

Effective Date

Revision No.

Section

March 01, 1988

Page 1 of 4

1008

CITY OF BARSTOW

CALIFORNIA

POLICIES and PROCEDURES MANUAL: POLICE

Subject: PUBLIC INFORMATION - continued

4. Upon receipt of a written request for a copy of a specific public record, the City Clerk shall provide a copy thereof at the earliest practicable time, provided that such request has been accompanied by payment of the appropriate fee as authorized by Section 6257 of the California Government Code.
5. Any individual requesting a copy of a specific public record shall be provided with an exact copy of such record unless not practicable to do so.
6. Copies of computerized data shall be provided in a form determined by the City of Barstow in accordance with provisions of Section 6256 of the California Government Code.

FEES

A request for copies of an identifiable public record or information produced therefrom or for a certified copy of such record shall be accompanied by payment of a fee or deposit to the City of Barstow provided that such fee shall not exceed the actual cost of providing the copy or the prescribed statutory fee, if any, whichever is less.

The actual cost of providing a copy of an identifiable public record shall include, but is not limited to, the cost researching municipal files to locate the specific document sought; the cost of duplication; associated personnel expenses and the cost of postage, if applicable.

EXEMPTIONS

1. Preliminary drafts, notes or memoranda which are not retained by the City in the ordinary course of business, provided that the public interest in withholding such records clearly outweighs the public interest of disclosure.
2. Records pertaining to pending litigations to which the City of Barstow is a party or to claims made pursuant to Division 3.6, Title 1, of the California Government Code until such litigation or claim has been finally adjudicated or otherwise settled.
3. Personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.

Reference:

Effective Date

Revision No.

Section

March 01, 1988

Page 2 of 4

1008

CITY OF BARSTOW

CALIFORNIA

POLICIES and PROCEDURES MANUAL:

POLICE

Subject:

PUBLIC INFORMATION - continued

4. *Information contained in or related to geological and geophysical data, plant production data and similar information relating to utility systems development or market or crop reports which are obtained in confidence from any person.*
5. *The California Public Records Act, Government Code 6254 (f) requires that law enforcement agencies make public the following information:*
 - (a) *The full name, current address, and occupation of every individual arrested by the agency, the individual's physical description including date of birth, color of eyes or 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 upon, including any outstanding warrants from other jurisdictions and parole or probation holds.*
 - (b) *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 such 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, age and current address of the victim, except that the address of the victim of any crime defined by Section 261, 264, 264.1, 273a, 273d, 286, 288, 288a or 289 of the Penal Code shall not be disclosed, the factual circumstances surrounding the crime or incident, and a general description of any injuries, property or weapons involved.*

Public disclosure of the foregoing information is not required, however, if such disclosure "would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation or a related investigation." Records of intelligence information or security procedures of the Barstow Police Department or any investigative or security files compiled by the Barstow Police Department for correctional, law enforcement or licensing purposes, however, are not public information.

Reference:

Effective Date

Revision No.

Section

March 01, 1988

Page 3 of 4

1008

CITY OF BARSTOW

CALIFORNIA

POLICIES and PROCEDURES MANUAL:

POLICE

Subject: PUBLIC INFORMATION - continued

The Barstow Police Department 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; statements of all witnesses other than confidential informants to any person involved in an incident or an authorized representative thereof; to an insurance carrier against which a claim has been or might be made and to any person suffering bodily injury or property damage as the result of an incident caused by arson, burglary, fire, explosion, robbery, vandalism, or a crime of violence unless such disclosure would endanger the safety of a witness or other person involved in the investigation or would endanger the successful completion of the investigation or of a related investigation.

6. Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examination.
7. The contents of real estate appraisals, engineering or feasibility estimates or evaluations made for or by the City of Barstow relative to the acquisition of property or to prospective public supply and construction contracts until such time as all of the property has been acquired or all of the contract agreement obtained, provided, however, that the law of eminent domain shall not be affected by this provision.
8. Information required from any taxpayer in connection with collection of local taxes which is received in confidence and the disclosure of the information to other persons would result in unfair competitive disadvantage to the person supplied such information.
9. Records, the disclosure of which is exempted or prohibited pursuant to provisions of federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege.
10. Statements of personal worth or personal financial data required by a licensing agency and filed by an applicant with such licensing agency to establish personal qualifications for the license, certificate or permit applied for.
11. Any additional information or records specifically exempt from disclosure under Section 6250 et. seq. of the California Government Code.

Reference:

Effective Date

Revision No.

Section

March 01, 1988

Page 4 of 4

1008