

Security/Confidentiality of Inmate Records

2502.1 INMATE RECORDS

Inmate records will be considered confidential. The release of any inmate information will be governed by a "need to know" basis to members of the Sheriff's Department as well as the right to know as noted in CPC 13300(b). This applies to all printed, computerized information, or any other form of Inmate Records information.

- (a) Inmate Records will maintain and be held responsible for records on all inmates in the custody of the Sheriff in Jail Operations.
- (b) Intake booking information is recorded for every person admitted to the custody of the Sheriff and provides for positive identification of the person being admitted.
 - 1. Information obtained at booking includes, but is not limited to: photograph, booking number, true and alias names, date, duration of confinement (court papers), name, title and agency of the delivery officer, specific charges, current age, sex, hair color, height, weight, eye color, nationality, date and place of birth, race, present or last employment, health status, emergency contact, access to phones, driver's license and social security numbers, cash and property itemized receipts, marks and tattoos with their locations, and fingerprints.
- (c) Documents contained in the inmate's jail file ensure that inmates are properly admitted, held or committed, that inmate property is correctly managed, and that a record of major events while in custody is maintained.
 - 1. Contents of the file include:
 - i. Intake booking information
 - ii. Court generated information
 - iii. Cash and property receipts
 - iv. Reports of disciplinary actions, incident reports, or crime reports initiated while in custody
 - v. Outside jurisdiction holds/wants

2502.2 SECURITY OF INMATE RECORDS

- (a) Inmate records will be retained in cabinets or file drawers not accessible to inmates. Under no circumstances will an inmate be given the opportunity to view another inmate's jail file. If an inmate would like to request a copy of their own inmate file or records from their own inmate file, the inmate should submit a request to Inmate Records via message slip. Inmate Records will determine what requested records, if any, may be released to the inmate from their own inmate file. Inmate Records will consult with County Counsel as needed.
- (b) Security of records such as booking forms, medical screening, classification information, and disciplinary reports will be strictly maintained by those employees given the responsibility under law to retain the records.

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- (c) To ensure the integrity of inmate files, access will be restricted to authorized employees with a job related need-to-know. Exceptions must be cleared in advance with the Inmate Records Manager, or in the Records Manager's absence, the on duty Watch Commander.
- (d) Authorized employees and the records accessible to them are as follows:
 - 1. Records staff
 - i. Access to inmate files while on duty, except for classification and medical files.
 - 2. Classification Team
 - i. Access to all inmate files while on duty except for medical files.
 - 3. Jail Sergeants and higher ranks
 - i. Access to all inmate files while on duty. Medical files by request to the Medical Supervisor.
 - 4. Other jail staff
 - i. Access to inmate files on a need to know basis as determined by the Inmate Records Supervisor on duty.
 - 5. All other department staff
 - i. Access to inmate records only with the permission of the on duty Inmate Records Supervisor. (Medical files include medical, psychiatric and dental records)

2502.3 COMPUTER SYSTEM INTEGRITY

- (a) No Sheriff's employee will inform or instruct any unauthorized person on the operation of any Sheriff's Department Computer System.
- (b) Unescorted inmates will not be allowed into areas where terminals are accessible. Constant staff supervision of inmate workers must be exercised to ensure the integrity of the system while inmate workers are near computer terminals.
- (c) Depending upon their location and intended use, computer terminals may be restricted as to what data may be entered, changed, deleted, or reviewed.

2502.4 REVIEW AND UPDATE OF RECORDS

- (a) The Inmate Records Manager will monitor and review each booking record via Records Supervisors.
- (b) The Records Supervisor will review and validate the identity of each inmate booked, compared to the source document (warrant abstract, pre-booking forms, court remand order) using an inmates OCN, CII or FBI number prior to the completion of the booking process. These numbers are available once an inmate has been live scanned and Cal-ID has returned an inmate's unique OCN, CII or FBI number. Classification Deputies

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will also be responsible for independently confirming an inmate's identity using the OCN, CII or FBI number during the classification process.

- (c) Warrant hits (active warrant return) must be matched to an inmate only after the inmate has been live scanned and Cal-ID has assigned or returned an OCN, CII or FBI number to the inmate.
 - 1. If these numbers are not included on the warrant abstract, use at least three of the following identifiers to match the warrant hits:
 - i. Name
 - ii. DOB
 - iii. OLN
 - iv. SSN
 - v. Address
 - vi. Physical Description
 - 2. If a Records Clerk is unable to match the hit to the inmate using either of the requirements above, the warrant hit will be taken to the Records Supervisor. The Records Supervisor will conduct a check in LARS to review and confirm the identity of the inmate.
- (d) If the inmate's identity cannot be confirmed, the Records Supervisor shall contact the Classification Sergeant and request a possible Wrong Defendant investigation be initiated to confirm the inmate's identity. Refer to CCOM Section 1204.6 - Wrong Defendant.
- (e) The Senior Sheriff Records Technician will be responsible for updating inmate files and Jail Management System (JMS) after each court activity.
- (f) Files of inmates to be released from custody will be assembled by a release clerk. The files will be reviewed for complete accuracy by an Inmate Records Supervisor and the Release Deputy.

2502.5 RELEASING INMATE INFORMATION

- (a) Inmate file information is generally confidential and only divulged to members of the department and other public agencies, as noted in CPC 13300(b), on a "need to know" basis.
- (b) The following inmate information is considered to be public information and may be released except when there is reasonable cause for the jail staff to believe that the disclosure would endanger the safety of a person involved in an investigation or would compromise the successful completion of an investigation (California Government Code 6254(f)). Most of this information is available to the public on the internet at ocsd.org and may be public record for thirty (30) days after the inmate is released.
 - 1. Full name
 - 2. Date of Birth

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3. Gender, Race, Height, Weight, Hair Color, Eye Color
 4. Occupation
 5. Date and time of arrest
 6. Date and time of booking at the Intake/Release Center
 7. Bail
 8. Facility where the inmate is housed
 9. Charges including holds (Requests by the public for charge information must be made in person at any Orange County jail facility. Charge information will not be given over the telephone. Attorneys and licensed bail agents may register to receive charge information by email).
 10. Arresting agency (not officer's name)
 11. Court and date of appearance (if known)
 12. Time and manner of release
- (c) Written notification to prevent disclosure will be required by the Inmate Records Manager. Notification to clerks via supervisors will also be written.
- (d) All other inmate information is not for disclosure except with the approval of the Division Commander.
- (e) Penal Code Section 13300(b) identifies those who are entitled to inmate record information. In part, they are:
1. Courts in the State of California
 2. "Peace Officers" in California
 3. District Attorneys in California
 4. Prosecuting City Attorneys in California
 5. Probation Officers in California
 6. Parole Officers in California
 7. (See 13300(b) et seq. for others and circumstances)
- (f) Per Penal Code Section 13321, an inmate is entitled to their own booking photo(s) and Local Arrest Record (LAR)/RAP Sheet Information; however, Penal Code Section 13323 states the agency shall verify the identity of the individual making the request. Inmate Records will not accept requests via Inmate Message Slips due to their inability to verify the identity of the requestor. Inmates may:
1. Request their LAR/RAP Sheet or booking photo(s) through their attorney while in custody, or
 2. Make a direct request, upon their release, to the Sheriff's Records Division using the following methods:

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- i. Booking photo – Requests submitted via email to prarequests@ocsheriff.gov.
- ii. LAR/RAP Sheet - Email reportrequest@ocsheriff.gov to receive the appropriate application with instructions.

2502.6 INMATE CLASSIFICATION

- (a) Classification will be responsible for all initial classifications and all reclassifications. The Classification Sergeant will supervise the Deputies in the unit to ensure compliance with Classification plans and procedures. The Classification Sergeant will report directly to the Custody Intelligence Unit Captain.
- (b) Classification records contain privileged information and will be retained separately from custody records. In order to safeguard legally privileged/confidential information, all personnel not assigned to the Classification Unit must obtain the Classification Sergeant's or the Watch Commander's approval prior to reviewing any classification files.
- (c) Classification records may contain:
 1. Classification and reclassification documents
 2. Reports of incidents/crimes committed in custody
 3. Medical and mental health information
 4. Photograph of the inmate

2502.7 CONFIDENTIAL BOOKINGS

- (a) A booking may be temporarily "hidden" from view on the Sheriff's Department website and the booking information may be withheld from the general public if there are exigent circumstances (e.g., endanger lives, hinder an investigation, time needed to obtain and execute search warrants). When the exigent circumstances no longer exist, the booking will be made public.
- (b) The Inmate Records Manager or Assistant Inmate Records Manager will monitor the booking to determine when the exigent circumstances no longer exist and the booking can be made public.
- (c) A confidential booking must be authorized by the Assistant Sheriff of Custody Operations or the Division Commander.

2502.8 POLICY UPDATE

- (a) This policy will be reviewed annually by the Inmate Records Manager and the Classification Sergeant. Changes must be submitted to the Division Commander who will request the Sheriff's approval through the chain of command.