




City of Long Beach
Working Together to Serve

Memorandum

Date: September 13, 2019
To: Mayor and Members of the City Council
From: Patrick H. West, City Manager 
Subject: **Senate Bill 1421 (SB 1421)**

Effective January 1, 2019, Senate Bill 1421 (SB 1421) requires cities and other agencies to disclose certain peace and custodial officer personnel and City records through the California Public Records Act. SB 1421 was intended to bring additional transparency to police records related to officer involved shootings, uses of force resulting in great bodily injury or death, sustained allegations of sexual assaults by an officer, or sustained allegations of dishonesty by an officer in specific circumstances. Prior to the enactment of SB 1421, state law required cities and other governmental agencies to keep such personnel and related records confidential.

Before the enactment of SB 1421, police and custodial officers were not able to access or review most confidential records created during an administrative investigation into their own conduct. These same confidential records will now be made available to members of the public who make a request through the California Public Records Act.

The Long Beach Police Officer's Association (POA) requested the City to permit officers to review any records that were previously held as confidential, but subject to being released when a Public Records Act request is made pursuant to SB 1421. The POA request was made to allow officers to view relevant documents regarding an internal review of their conduct, rather than reading about them for the first time in a newspaper or other publication.

In response to the POA's request, in April 2019 the City started a process to allow active police or custodial officers to review records prior to any release under SB 1421. The City will provide the involved employee with an opportunity to review the records at least five (5) calendar days before the release of records to the public. If an officer objected to records being released under an SB 1421 Public Records Act request, the officer would be required to file a legal action in court to prevent disclosure. The City will not withhold records absent a lawful court order.

Long Beach is not alone in how it handled this request from the POA. There are at least six (6) other agencies (San Bernardino Sheriffs, Riverside Sheriffs, Sacramento Sheriffs, Los Angeles County Sheriff, Riverside PD, and San Francisco PD) that have agreed to take a similar course of action.

This administrative item was included in the City's contract negotiations with the POA. The City has agreed to memorialize the terms of the above described procedure in the upcoming Memorandum of Understanding (MOU) with the POA, as that document is the appropriate place to set forth such officer related matters.

Please let us know if you have any questions.

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