



# CYPRESS POLICE DEPARTMENT

## Application for Release of Record PD-45

|  |                   |                            |                                       |                            |
|--|-------------------|----------------------------|---------------------------------------|----------------------------|
| <b>1 YOUR CONTACT INFORMATION</b>  |                   | TODAY'S DATE<br>/ /        | (CIRCLE DAY)<br>M T W Th F<br>SAT SUN | TODAY'S TIME<br>AM<br>: PM |
| YOUR NAME (PLEASE PRINT FIRST, MIDDLE, LAST) <input type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MS. |                   |                            | YOUR DATE OF BIRTH (DOB)<br>/ /       |                            |
| YOUR ADDRESS (IF POLICE, NAME OF AGENCY)   |                   | CITY, STATE and ZIP CODE   |                                       |                            |
| HOME PHONE<br>( )  | CELL PHONE<br>( ) | BUSINESS or PAGER #<br>( ) |                                       |                            |

### 2 PLEASE DESCRIBE THE RECORD REQUESTED

CASE NUMBER (IF KNOWN) \_\_\_\_\_

|                         |                                |
|-------------------------|--------------------------------|
| DATE OF INCIDENT<br>/ / | TIME OF INCIDENT<br>: AM<br>PM |
|-------------------------|--------------------------------|

LOCATION OF INCIDENT (ADDRESS / STREET)  
\_\_\_\_\_

**REPORT TYPE**

|   |  |
|---|--|
| <input type="checkbox"/> Arrest report            | <input type="checkbox"/> Call for service log item |
| <input type="checkbox"/> Crime/incident report    | <input type="checkbox"/> Special computer search   |
| <input type="checkbox"/> Traffic collision report | <input type="checkbox"/> Other type of record      |

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**PARTY OF INTEREST/HOW ARE YOU INVOLVED?**

Victim named in documents requested

Driver, passenger or pedestrian involved in a traffic collision

Arrestee

Witness or reporting party

Insurance company claim # \_\_\_\_\_

Attorney representing subject of record

Parent or guardian of juvenile

Police, Probation or Parole Officer

Military recruiter

Property owner

Other: \_\_\_\_\_

**YOUR INTEREST IN THE RECORD IS FOR:**

|   |  |
|---|--|
| <input type="checkbox"/> Criminal court use       | <input type="checkbox"/> Civil court use         |
| <input type="checkbox"/> Insurance                | <input type="checkbox"/> Attorney representation |
| <input type="checkbox"/> Scholastic/expulsion     | <input type="checkbox"/> Journalistic use        |
| <input type="checkbox"/> Political/government use | <input type="checkbox"/> Military recruiting     |

### 3 YOUR DECLARATION & ID VERIFICATION

**Please check one:**

**I declare under penalty of perjury that:**

I am personally involved in the report.

I am a parent or guardian (with custody) of a juvenile involved in the report.

I am an authorized representative of a party involved in the report and can provide a signed waiver of my client authorizing the release of this record.

I am a law enforcement or criminal justice agency representative.

I am seeking arrestee address information. I declare that I am a licensed private investigator; or I will use the information for scholarly, journalistic, political, or governmental purposes ONLY, per Government Code Section 6254(f)(3). The information SHALL NOT be used directly or indirectly to sell a product or service to anyone.

Other: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_/\_\_\_/\_\_\_

### RECORDS BUREAU INTERNAL USE ONLY

|  |   |
|--|---|
| <p><b>VERIFIED IDENTITY:</b> <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p><input type="checkbox"/> DL provided <input type="checkbox"/> Badge <input type="checkbox"/> Mug verified <input type="checkbox"/> Other verification</p>   | <p><b>FEES DUE:</b> <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p><input type="checkbox"/> FEES WAIVED <input type="checkbox"/> RECORDS REVIEWED ONLY <input type="checkbox"/> REPORT REDACTED</p>  |
| <b>Per the California Public Records Act: RECORD APPROVED</b>  | <b>Per the California Public Records Act: RECORD DENIED BY EXEMPTION</b>  |
| <p><input type="checkbox"/> Received by: Emp. ID# _____ Initial _____</p> <p><input type="checkbox"/> Approved by: Emp. ID# _____ Initial _____</p> <p><b>RECORD(S) RELEASED BY:</b></p> <p>Employee ID# _____ Initial _____ on ___/___/___</p> <p>Released: <input type="checkbox"/> In Person <input type="checkbox"/> By Mail <input type="checkbox"/> By Fax</p> | <p><input type="checkbox"/> Denied by: Employee ID# _____ Initial _____</p> <p><b>Reason for denial:</b></p> <p><input type="radio"/> Disclosure would endanger the successful completion of the investigation</p> <p><input type="radio"/> Disclosure would endanger the safety of a witness</p> <p><input type="radio"/> Records must be requested by subpoena</p> <p><input type="radio"/> Applicant is not an involved party</p> <p><input type="radio"/> Deferred to other agency or court</p> <p><input type="radio"/> Other: _____</p> |

## **Your request for the release of records.**

In order to properly assess your request for a copy of a written report, you have been provided with this "Application for Release of Record Information" form. Please answer all the questions and check boxes as they pertain to you.

Completing this application thoroughly will reduce unnecessary delay in the processing of your request.

You will be contacted by our Records personnel when your request is available for release. Payment will be required at that time.

The following information outlines the laws that govern the release of police records. If you have other questions or need to speak to a police representative regarding this policy, please contact Records personnel at (714) 229-6610.

### **Our Review and Redactions**

In order to verify your identity, evaluate each request, and maintain appropriate documentation of the release of record(s), valid identification will be required. Our department takes careful steps to protect the information of those involved. We respect each person's right to privacy, with the exemptions outlined in the California Public Records Act. In some cases, "blacking out" or redaction will occur to meet these requirements.

### **FEE STRUCTURE**

- \$ 15.00 Crime report**
- \$ 15.00 Arrest report**
- \$ 25.00 Traffic collision report**
- \$ 5.00 Log item (Call for service)**

## **CRIME AND INCIDENT REPORTS \$15.00**

The California Public Records Act provides the exemptions for the release of records. Those eligible for the release of records include:

- ***The victim***
- ***The authorized representative of the victim***
- ***An insurance carrier against which a claim has been and/or might be made***
- ***Any person suffering bodily injury, property damage or loss.***

### **EXEMPTIONS:**

However, this Government Code Section also precludes releasing any information or copies of reports, if:

- ***The disclosure would endanger the safety of a witness or other person involved***
- ***The disclosure would endanger the successful completion of the investigation and/or related investigation***
- ***The name and address of a victim of specified crimes defined by Penal Code Sections 261, 264, 264.1, 273a, 273.5, 286, 288, 288a, 422.6, 422.7, 422.75, shall not be disclosed.***

## **JUVENILE REPORTS AND CONTACTS**

Juvenile information includes any document relating to juvenile contacts and arrests. Welfare and Institutions Code Section 827 provides the Juvenile Court with exclusive authority to determine whom, and the extent to which, juvenile record information may be released. Release of juvenile information requires the permission of the Presiding Judge of the Juvenile Court for each individual county.

Parents of a juvenile may receive a copy of certain types of reports. All others will need to petition Juvenile Court directly for the release of that record. The police department has the Juvenile Court petition available. It is also available on the Orange County Juvenile Court's web site: [www.occourts.org](http://www.occourts.org)

## **TRAFFIC COLLISION REPORTS \$25.00**

California Vehicle Code Section 20012 provides guidelines for the release of traffic collision reports. If you are requesting a copy of a traffic collision report, you must be one of the following:

- ***The involved driver(s)***
- ***The guardian or conservator of the involved driver(s)***
- ***The parent of a minor driver***
- ***The authorized representative of the driver(s) and written authorization will be required***
- ***An injured party***
- ***The owner of a vehicle or property damaged by the collision***
- ***Persons who may incur civil liability as a result of the collision***
- ***Any attorney who declares under penalty of perjury that he/she represents any of the above.***

### **JUVENILES INVOLVED:**

Parents of a juvenile driver may receive a copy of a traffic collision report, however, any information involving other juveniles must be screened and removed prior to the release of a copy of the report. If a juvenile was involved in the collision and no criminal charges against the juvenile are pending, a copy of the report can be released. In the event that criminal charges are pending against a juvenile driver, or you need information on another juvenile involved in the collision, you will need to petition Orange County Juvenile Court directly for the release of the record. The police department has the Juvenile Court petition available. It is also available on the Orange County Juvenile Court's web site: [www.occourts.org](http://www.occourts.org)

## **ARREST REPORTS**

Copies of arrest reports pending court action can be obtained through the District Attorney's Office. Arrest reports that have been adjudicated are eligible for release following court disposition. No arrest report will be released if:

- ***The disclosure would endanger the safety of a witness or other person involved;***
- ***The disclosure would endanger the successful completion of the investigation and/or related investigation;***
- ***The detention is for a medical or similar reason, then disclosure would constitute an invasion of privacy.***