

## 90-050.4. LAW ENFORCEMENT OFFICIALS

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**A. General** Representatives of official law enforcement agencies can receive confidential case information in specific instances. In releasing information to law enforcement, the following procedures must be followed.

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**B. Requests** All requests must be made in writing by the head of the agency or his/her designee and must specify that an arrest warrant has been issued for an applicant/recipient for the commission of a felony or misdemeanor. The request must be for an individual, unless warrants have been issued for several persons in the same case. A faxed request is acceptable. Information to be released is limited to name, address, phone number, birth date, social security number, and physical description of the individual.

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**C. Disposition of the Request** The disposition of each request should be notated and the original maintained in a central control file by FRC management. If the information is released, a copy of the request is to be imaged to the case folder. The notation should include:

- Case name and number;
- Name and initials of the manager releasing the information;
- Type of response (oral or written); and
- Name of person to whom information was released.

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**D. Local Law Enforcement Requests** Requests for information from local law enforcement agencies (i.e., Sheriff's Department, a city Police Department, Probation Department, etc.) are to be referred to FRC Management in the FRC in which the case is currently (or was last) active. INFORMATION MAY ONLY BE RELEASED BY A MANAGER OR EO Operations Chief.

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## 90-050.4. LAW ENFORCEMENT OFFICIALS, Continued

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**E.  
State/Federal  
Law  
Enforcement  
Requests**

Requests for information from Federal or State law enforcement agencies (i.e., the Federal Bureau of Investigation (FBI), Central Intelligence Agency (CIA), Citizenship and Immigration Services (CIS), Parole officers, Military Police, etc.) and any requests from other law enforcement related sources (i.e., bounty hunters, court orders, etc.) are to be referred to the office of the Director of EO at 1255 Imperial Avenue, Suite 446, W-414, San Diego, CA 92101, for disposition.

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**F.  
Circum-  
stances**

The specific circumstances in which information may be released are detailed in the sections below.

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**G.  
Criminal Acts  
Impacting  
Agency/  
Employee**

Confidential information about an applicant/recipient may be released to a federal, state or local law enforcement agency investigating or gathering information regarding a violation of federal, state or local law committed:

- in a FRC
- against any Agency employee when the employee was involved in the administration of public social services
- against any off-duty Agency employee in retaliation for an act performed by the employee as a job duty

Information released shall be limited to the client's name, physical description and address. Only FRC Management or EO will release this information. (W&I Code, Section 10850)

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**H.  
Other  
Criminal  
Activity**

If a worker observes an applicant/recipient engaged in a crime in progress that is unrelated to the performance of the worker's duties, the worker may report the crime, but not release confidential information (client's name, address, etc.). If further information is requested by law enforcement, contact EO who will handle on a case-by-case basis in consultation with County Counsel.

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## **90-050.4. LAW ENFORCEMENT OFFICIALS, Continued**

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### **I. Deceased Applicants/ Recipients**

This section shall not be construed to authorize release of a general list that identifies individuals applying for or receiving public social services.

Confidential information may be released to any law enforcement agency when the applicant/recipient is deceased. Information released shall be limited to the client's name, address, telephone number, birth date, SSN and physical description. This information may only be released upon written request from the head of the law enforcement agency specifying that the applicant/recipient is deceased and that the agency is otherwise unable to adequately identify the deceased. This information may be released by telephone upon the condition that the head of the law enforcement agency submits a request in writing within five days of the disclosure.

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### **J. Felony and/or Misdemeanor Arrest Warrants**

State law (W&I Code, Section 10850.3) requires that applicants and recipients be informed that confidential information from their case records will not be protected from disclosure to a law enforcement agency should a felony and/or misdemeanor warrant be issued in their name. This information is currently provided on the Statement of Facts coversheet and shall be reviewed with the applicant or recipient at Intake, Redetermination, and whenever an adult is added to the case.

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