

AUG 16 2023

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN MATEO
IN SESSION AS A JUVENILE COURT

Clerk of the Superior Court
By Maria Yang
DEPUTY CLERK

) Standing Order 23- 170

)
) STANDING ORDER REGARDING
) RELEASE OF POLICE REPORTS LISTING
) MINORS AS WITNESSES OR VICTIMS
)
)

This Court finds that crime survivors including survivors of domestic violence and sexual assault may need copies of police records including but not limited to incident reports and police reports to protect themselves from further abuse, access benefits, and seek legal relief as crime victims of offenses allegedly committed by an adult. California law, including but not limited to Family Code § 6228, explicitly recognizes survivors' need for domestic violence and sexual assault reports, requiring law enforcement agencies to provide survivors with copies of these report quickly and without cost.

This court further finds that California Welfare and Institutions Code § 827 *et seq.* protects minor suspects' confidentiality by requiring a juvenile court order to obtain copies of arrest records involving the taking of minors into custody, or minors that came within the jurisdiction of the juvenile court but **"does not govern the release of police records involving a minor who is the witness to or victim of a crime."** *Id.* (emphasis added). See W&I § 827.9(a). A juvenile court order or Form JV-575 is not required for law enforcement to release a report listing a minor as a victim or witness to a crime allegedly committed by an adult. Release of reports regarding adult crime suspects is governed by other law, including but not limited to Family Code § 6228, whether or not minors are listed as victims or witnesses.

GOOD CAUSE APPEARING THEREFORE, and in accordance with the provisions of California Welfare & Institutions Code §827 *et seq.* and Family Code §6228 *et seq.*

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT law enforcement agencies including police departments shall not require a juvenile court order on Form JV-575 to release reports unless the report involves "the taking of a minor into custody, temporary custody, or detention (juvenile

1 police records)" within the meaning of Welfare and Institutions Code § 827.9(a) or the minor came
2 within the jurisdiction of the juvenile court. Law enforcement agencies including police departments
3 shall release reports listing minors as victims and witnesses where the alleged perpetrator was an adult
4 at the time of the crime in accordance with other laws governing release of police reports, including but
5 not limited to Family Code §6228.

6 IT IS SO ORDERED.

7 Dated: AUG 14 2023

Signed: *Susan Irene Etezadi*
JUDICIAL OFFICER

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