

Records Release

1131.1 PURPOSE AND SCOPE

Pursuant to the California Public Records Act (CPRA, Government Code section 6250 et seq.) members of the public, including news media representatives, may request copies of Coroner records reference death investigations and are entitled to such records unless an exemption applies under the law. This policy establishes rules and guidelines for receiving and processing requests for Coroner records. Any request for records from a member of the public should be treated as a request made under the CPRA and should be processed in accordance with this policy.

1131.2 RESPONSIBILITY FOR RECORDS

All routine requests for Coroner records shall be directed to the Clerical staff in order to maintain proper processing and tracking.

1131.3 REQUEST METHODS

Members of the public may request reports orally or in writing. No particular form must be completed and the request may be made informally.

1131.4 RECORDS TO BE RELEASED

Members of the public requesting Coroner records may receive copies of the following with appropriate redactions and claims of exemptions asserted as allowed by the law:

(a) Autopsy Report, including any additional lab reports such as:

1. Toxicology
2. Microscopic exam
3. Neuropathology
4. Vitreous
5. Cultures

(b) Coroner Investigator's Report

1131.5 RESTRICTED REPORTS

Release of any records relating to the following case types shall be authorized by the Coroner Division Commander and/or his/her designee:

(a) The cause and/or manner of death is pending investigation

(b) The death has been classified as a homicide

1. Homicide records shall only be released after obtaining approval from the investigating law enforcement agency

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- (c) All in-custody and officer involved deaths
- (d) When there is an active criminal investigation

1131.5.1 DISTRICT ATTORNEY NOTICE OF COMPLETION

Officer involved and In-custody death reports may be released only after receiving proper notice of investigation completion from the Orange County District Attorney's Office.

1131.6 RELEASING THE CORONER INVESTIGATOR REPORT

Requests from members of the public seeking the Coroner Investigator report (or any other record not specified in Section 1131.4 of this policy) shall be referred to the Clerical Supervisor or his/her designee, who shall make the appropriate redactions prior to release of the report.

- (a) The following shall be redacted:

1. Any references to medical or psychological history obtained from the medical providers
2. Any reference to criminal history or arrest records obtained from official sources
3. Any information that may place a witness in danger
4. Any information pertaining to a peace officer's home address or phone number
5. Any other information exempt from public disclosure by law

- (b) The requirement for redaction does not apply if the requesting party is a member of the investigating law enforcement agency. The exemption to this guideline is when there is medical information about someone other than the deceased. This information shall be redacted prior to release to law enforcement unless the information about the other person is relevant and directly related to the death (Gov. Code 27491.1).

1131.7 METHODS OF RELEASE

Copies of Coroner reports may be released to the requesting party either by:

- (a) Hard copy mailed to the requesting party's address or released to requesting party at the Coroner Division Facility.
 1. Hard copies shall only be released after receipt of the required fees from the requesting party.
 - (a) Law enforcement personnel are exempt from this requirement.
 2. Hard copies shall be certified by Clerical staff prior to release of the report(s).
- (b) Electronic copy sent to the requesting party's e-mail account.
 1. There shall be no required fees for electronic reports.
 2. Electronic copies shall not be certified by Clerical staff.

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1131.8 RELEASE OF PHOTOGRAPHS

For policy reference the release of Coroner photographs, refer to Policy 1132 of this manual.