

**CALIFORNIA HIGHWAY PATROL**

**GENERAL ORDER 10.25**

**APRIL 2025**

**DISCLOSURE LIST FOR PROSECUTING AGENCIES**

1. PURPOSE. The purpose of this General Order is to provide departmental policy on the creation, management, and dissemination of a Disclosure List for Prosecuting Agencies (DLPA). The DLPA will improve departmental transparency while protecting the confidentiality of employee records. The DLPA will further assist prosecuting agencies with meeting their prosecutorial responsibilities.

2. BACKGROUND.

a. Governor's Directive. As part of its continuing effort to increase governmental transparency, the Department has been mandated to expand the information provided to prosecuting agencies regarding officers who have been subject to administrative or criminal action.

b. Penal Code Section 832.7. Penal Code §832.7 protects the confidentiality of peace officer personnel records and limits their disclosure. An unauthorized disclosure of peace officer personnel records in violation of Penal Code §832.7 may constitute a crime.

c. Departmental Strategic Plan. The Departmental Strategic Plan states the Department's commitment to enhancing public trust by, in part, enhancing departmental transparency and accountability with the public.

3. POLICY.

a. Internal Affairs Section. Internal Affairs Section (IAS) shall serve as the Office of Primary Interest for the DLPA and shall be responsible for its content and dissemination to agencies with prosecutorial duties.

b. Commands. Each command shall inform IAS as soon as practical if any uniformed employee within that command is charged with a misdemeanor or felony offense. The command shall monitor the status of the employee's criminal

proceedings and notify the IAS of any change in case status (e.g., charges are dismissed, the charge results in a judgment, etc.).

c. Uniformed Employees. Each uniformed employee shall immediately notify their commander:

(1) If they are charged or convicted of a misdemeanor or felony offense.

(2) If charges for a misdemeanor or felony offense are dismissed or adjudicated. If adjudicated, the employee shall notify their commander with the outcome of the proceedings.

#### 4. PROCEDURES.

a. Creation of the Disclosure List for Prosecuting Agencies. The IAS will establish a list of employee names and identification numbers for all current or former uniformed personnel who meet any of the following criteria:

(1) Adverse Actions. They have been served with a Notice of Adverse Action (NOAA) within the last five years or, in the case of a Formal Written Reprimand, served with a NOAA in the last three years. Individuals served with a NOAA will be placed on this list regardless of the status of any criminal charges or investigation.

(2) Criminal Charges. They have been charged with a misdemeanor or felony by a prosecutorial agency.

(3) Criminal Convictions. They have been convicted of a misdemeanor or felony.

b. Notice to Employees. An employee whose name is placed on the DLPA shall be notified. This notification may be in writing or by departmental email.

c. Employee Response. Should an employee believe their name has been included on the DLPA in error, the employee shall immediately notify their commander. The command shall confirm the employee is not in any of the three categories described above and notify the IAS utilizing the email address [DLPA@chp.ca.gov](mailto:DLPA@chp.ca.gov) if they determine the employee's placement on the DLPA is in error.

d. Removal from the Disclosure List for Prosecuting Agencies. An employee shall be removed from the DLPA as follows:

(1) Adverse Actions. Individuals will remain on the list until either of the following occurs:

(a) Five years following service of the NOAA or, in the case of a formal written reprimand, three years from service of the NOAA.

(b) The Adverse Action is fully revoked by the State Personnel Board or a court.

(2) Criminal Charges. Individuals will remain on the list until either of the following occurs:

(a) The charges are dismissed by the prosecuting agency.

(b) The charges result in an acquittal.

(3) Individuals will remain on the list unless the conviction is overturned by a court.

e. Access to Disclosure List for Prosecuting Agencies Information. Prosecuting agencies will be provided the Department's DLPA email address for DLPA inquiries, [DLPA@chp.ca.gov](mailto:DLPA@chp.ca.gov). Prosecuting agencies will be asked to submit an email request to IAS, via the DLPA email address, with appropriate employee and case information so that IAS can confirm the right and need to know; therefore, safeguarding employee confidentiality. All disclosure requests and responses by IAS will be logged locally. The IAS should respond to a Prosecuting Agency's request for disclosure information within five business days unless extenuating circumstances exist.

OFFICE OF THE COMMISSIONER

OPI: 031