

FILED

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF KINGS

NOV 15 2019

MICHELLE S. MARTINEZ, CLERK OF COURT
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF KINGS
Nancy Rizo DEPUTY

STANDING ORDER OF THE SUPERIOR
COURT OF CALIFORNIA, COUNTY OF
KINGS

No. 2019 - 13

ORDER TO SEAL REPORTS TO
PROTECT CONFIDENTIAL VICTIM
OR WITNESS INFORMATION

(PENAL CODE § 964)

Penal Code § 964 provides that the district attorney and the court of each county, in consultation with any local law enforcement agencies that may desire to provide information or other assistance, shall establish a mutually agreeable procedure to protect confidential personal information regarding any witness or victim contained in a police report, arrest report, or investigative report if one of those reports is submitted to a court by a prosecutor in support of a criminal complaint, indictment, or information, or by a prosecutor or law enforcement officer in support of a search warrant or an arrest warrant. Penal Code § 964 is an exception to California Rule of Court 2.550, as provided by paragraph (2) of subdivision (a) of that rule.

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED:


1. That all police reports containing any personal confidential information, as defined in Penal Code § 964, regarding any witness or victim that is submitted by a prosecutor in support of a complaint, indictment, or information, or by a prosecutor or law enforcement officer in support of a search or arrest warrant, is to be placed under seal.¹

¹ "For purposes of this section, "confidential personal information" includes, but is not limited to, an address, telephone number, driver's license or California Identification Card number, social security number, date of birth, place of employment, employee identification number, mother's maiden name, demand deposit account number, savings or checking account number, or credit card number." (Pen. Code § 964, subd. (b).)

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2. Pursuant to Penal Code § 964 subdivision (c), this procedure shall not be construed to impair or affect: (1) the provisions of Chapter 10 (commencing with Section 1054) of Title 6 of Part 2; (2) procedures regarding informant disclosure provided by Sections 1040 to 1042, inclusive, of the Evidence Code, or as altering procedures regarding sealed search warrant affidavits as provided by *People v. Hobbs* (1994) 7 Cal.4th 948; or, (3) criminal defense counsel access to unredacted reports otherwise authorized by law, or the submission of documents in support of a civil complaint.
 3. Any person who wishes to view a redacted version of the police report that is under seal pursuant to this standing order may do so by filing an Ex Parte Application for an order to review the report. The Ex Parte Application shall be heard on the Presiding Judge's Ex Parte calendar.

This order shall supersede any previous order(s) regarding this matter and shall remain in effect indefinitely and until such time as the order is vacated or superseded by order of the Presiding Judge.

Dated: NOVEMBER 15, 2019



Donna Varter
Presiding Judge
Kings County Superior Court