Stone Busailah, LLP
DEFENDING THOSE WHO PROTECT OTHERS

1055 East Colorado Boulevard, Suite 320
Pasadena, California 91106

Tel (626) 683-5600 Fax (626) 683-5656

Court Narrows Officer Privacy in Use-of-Force Cases: Names Must Be Disclosed

SEPTEMBER 2025

A recent appellate court decision in *City of Vallejo v. Superior Court of Solano County*, may impact officers' privacy rights in relation to public records requests. The case marks a shift toward greater transparency in law enforcement, potentially narrowing the scope of officer privacy protections under CA Public Records Act.

The case stemmed from allegations that some Vallejo police officers were bending the tips of their star-shaped badges to commemorate fatal officer-involved shootings.

The police department retained an independent firm to investigate these allegations but refused to publicly release the full findings. The American Civil Liberties Union of Northern California (ACLU) requested records related to the investigation under the California Public Records Act (CPRA). The police department released some records but withheld others, citing the *Pitchess* statutes and claiming the records were confidential peace officer personnel files.

The ACLU challenged the withholding in court. The Solano County Superior Court ordered partial disclosure –with redactions. Both sides appealed.

The appellate court considered whether the materials sought by the ACLU were records "relating to" the "report, investigation, or findings" of "an incident involving the discharge of a firearm at a person by a peace officer or custodial officer," and therefore subject to public disclosure 832.7(b). The court also considered whether redaction of officers' names was proper.

The court concluded that the documents sought were **not** confidential personnel records and were **subject to public disclosure** under section 832.7(b). The court similarly concluded that the redaction of officer names was not proper.

The court interpreted section 832.7(b)(1)(A)(i) broadly, concluding that the records related to the investigation of officer-involved shootings are subject to public disclosure. The court emphasized the legislative intent behind Senate Bill 1421, which aimed to increase transparency regarding officer misconduct and use of force. And the legislative history indicated a desire for greater public access to records involving serious police misconduct and officer-involved shootings.

1055 East Colorado Boulevard, Suite 320
Pasadena, California 91106

Tel (626) 683-5600 Fax (626) 683-5656

The court also concluded that the superior court's decision to redact officer names was an error because the records are not confidential personnel records under section 832.7(a). The court noted that the mandatory redaction provisions in section 832.7(b)(6) favored the disclosure of work-related information about officers, including their names.

The court found that the public's interest in disclosure outweighed the privacy interests of the officers involved and that the records sought by the ACLU were within the scope of the legislative intent to increase transparency and public access to information about police conduct.

Summary of Key Takeaways:

1. **Not Confidential** – Investigative reports and related records are not confidential under section 832.7(a) and are subject to disclosure under section 832.7(b).

2. **No Name Redactions**—the redaction of officer's names was improper. Section 832.7(b)(6) requires name disclosure unless doing so would pose a specific safety risk – which the city failed to demonstrate.

3. **Legislative Intent Matters** – The purpose of Senate Bill 1421 was to ensure public access to information about officer misconduct and use of force. This transparency, the court reasoned, outweighs the general privacy interest of individual officers.

This ruling reinforces a growing legal and political trend: public interest in police accountability is now a dominant factor in determining what law enforcement records must be disclosed. Agencies can no longer use vague claims of confidentiality to shield misconduct or internal investigations from public scrutiny. Transparency is not optional when it comes to police shootings.

Stay Safe and Informed!