

From: [Fresno Public Records Center](#)
To: [Marelyn Garcia](#)
Subject: Police Dept. Public Records Request :: P033709-032723
Date: Monday, March 27, 2023 7:27:39 PM



Dear Marelyn Garcia:

Thank you for your interest in records from the City of Fresno Police Department. Your request has been received and is being processed in accordance with the California Public Records Act (CPRA). Your request was received by our agency on 3/27/2023 and given the reference number P033709-032723 for tracking purposes.

Records Requested: To Whom It May Concern: On behalf of the American Civil Liberties Union Foundation of Southern California (“ACLUF SoCal”), I write to request the following records (see Footnote 1) pursuant to the California Public Records Act, Gov’t Code §§ 6250 et seq., and the California Constitution, Cal Const. Art. I, § 3(b), relating to the Fresno Police Department (Department) canines, from the period of January 1, 2019 to present: 1. Canine unit statistics for each year, including the total number of canine unit radio calls, canine deployments, bites, and the deploy v. bite ratio. 2. The Department’s policies, protocol, and guidance on canine use. 3. The training curricula for canines and officers in the Department’s canine unit. 4. Any blank forms used to report or review police canine use of force. 5. The police canine handler handbook or manual. 6. Any contract with outside police canine training providers. 7. The training file, and any evaluations or activity reports for every police canine currently in service. 8. The number of supervisors who receive formal standardized training in police canine handler procedures. 9. The number of civilian complaints received by the Department involving police canine use of force. 10. Any completed use of force forms or use of force reports concerning use of a police canine. 11. Use of force reports documenting police canine bite(s) and / or injur(ies). 12. Records, including reports, concerning accidental police canine bite(s) and / or injur(ies); 13. All records relating to the report, investigation, or findings of a police canine incident (see Footnote 2) involving: a. use of force involving a police canine that resulted in death or serious bodily injury, Penal Code § 832.7(b)(1)(A)(ii); b. unreasonable or excessive force involving a police canine, id. § 832.7(b)(1)(A)(iii); c. failure to intervene against another officer using unreasonable or excessive force involving a police canine, id. § 832.7(b)(1)(A)(iv); d. dishonesty about an incident involving a police canine, id. § 832.7(b)(1)(C); or e. discriminatory use or threat of force involving a police canine, id. § 832.7(b)(1)(D). For each of the categories of records listed (a) through (e) above, we seek all investigative reports; photographic, audio, and video evidence; transcripts or recordings of interviews; autopsy reports; and all materials compiled and presented for review to the district attorney or to any person or body charged with determining whether to file criminal charges against an officer in connection with an incident, whether the officer’s action was consistent with law and agency policy for purposes of discipline or administrative action, or what discipline to impose or corrective action to take; documents setting forth findings or recommended findings; and copies of disciplinary records relating to the incident, including any letters of intent to impose discipline, any documents reflecting modifications of discipline due to the Skelly

or grievance process, and letters indicating final imposition of discipline or other documentation reflecting implementation of corrective action. Penal Code § 832.7(b)(3). Please respond to this request no later than April 7, 2023, either by providing the requested records, specifying a date in the near future to provide the requested records, or providing a written response setting forth the specific legal authority on which you rely in failing to disclose each requested record. See Gov't Code § 6255; Penal Code § 832.7(b)(11) (noting that records are to "be provided at the earliest possible time and no later than 45 days from the date of a request for their disclosure"). Pursuant to Government Code § 6253, please disclose all reasonably segregable non-exempt information from any portions of records you claim are exempt from disclosure. To assist with the prompt release of responsive material, we ask that you make records available to us as you locate them, rather than waiting until all responsive records have been collected and copied. Please provide the above-requested records in electronic format, as provided in Government Code § 6253.9, to awong@aclusocal.org. If any document(s) are not available in electronic format (e.g., available on CD-ROM or USB drive), please mail to: Adrienna Wong ACLUF of Southern California 1313 W. Eighth Street Los Angeles, CA 90017. Because this request is on a matter of public concern, and the ACLUF of SoCal is a nonprofit public interest organization, we request a fee waiver. We also request that documents be provided in electronic format if possible. Doing so would eliminate the need to copy the materials and provides another basis for our requested fee waiver. However, should such a waiver be denied, the ACLUF SoCal will reimburse your agency for the "direct costs" of copying these records plus postage. See *North Cty. Parents Ass'n v. Dep't of Ed.*, 23 Cal. App. 4th 144 (1994). If you anticipate these costs to exceed \$50, please notify us prior to making the copies. Thank you in advance for providing the records we have requested. Please do not hesitate to contact me at (213) 977-5204 or via email at awong@aclusocal.org with any questions regarding this letter. Sincerely, Adrienna Wong Staff Attorney Footnotes 1. We seek a copy of all records described in the requests herein that are in the custody, control, or possession of the Fresno Police Department, regardless of who created the records. The term "records" as used in this request includes "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics." Cal. Govt. Code § 6252(e). "Writing" is defined as "any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored." *Id.* at § 6252(g). 2. "Police canine incident" includes but is not limited to: canine apprehension(s), canine deployment(s), canine bite(s), non-tactical use of canine(s), canine search(es), canine use of force, accidental canine bite(s) or injur(ies), canine deployment vs. bite ratio.

Your request will be forwarded to the relevant department(s) to locate the information you seek and to determine the volume and any costs associated with satisfying your request. You will be contacted about the availability and/or provided with copies of the records in question. PLEASE NOTE: The California Public Records Act does not require a governmental body to create new information, to do legal research, or to answer questions.

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed. Again, thank you for using the Public Records Center.

City of Fresno Police Department

To monitor the progress or update this request please log into the [Public Records Center](#)

