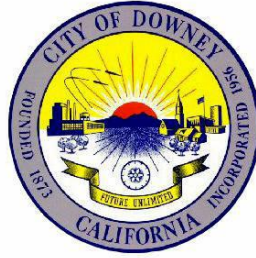


DOWNEY POLICE DEPARTMENT

TRAINING



BULLETIN

Dean Milligan
Chief of Police

No. 20-08

Assembly Bill No. 2655, Invasion of Privacy

Assembly Bill No. 2655 was authored to make it a misdemeanor for a first responder, who responds to the scene of an accident or crime to capture the photographic image of a deceased person for any purpose other than an official law enforcement purpose or a genuine public interest. The bill would authorize a search warrant to be issued on the grounds that the property or things to be seized consists of evidence that tends to show that first responder has engaged or is engaging in the crime established. Property or things to be seized include but are not limited to: personal or work cell phone, camera, any recording device.

Effective January 1, 2021, Section 647.9 is added to the California Penal and states the following:

647.9(a): A first responder, operating under color of authority, who responds to the scene of an accident or crime and captures the photographic image of a deceased person by any means, including, but not limited to, by use of a personal electronic device or a device belonging to their employing agency, for any purpose other than an official law enforcement purpose or a genuine public interest is guilty of a misdemeanor punishable by a fine not exceeding one thousand (\$1,000) per violation.

Effective January 1, 2021, Section 1524 of the California Penal Code is amended and the following is added:

1524(a): A search warrant may be issued upon any of the following grounds:

1524(a)(20): When the property or things to be seized consists of evidence that tends to show that a violation of Section 647.9 has occurred or is occurring. Evidence to be seized pursuant to this paragraph shall be limited to evidence of a violation of Section 647.9 and shall not include evidence of a violation of a departmental rule or guideline that is not a public offense under California law.