



City of Oakdale  
City Council Staff Report

**Date:** September 7, 2010  
**To:** City Council  
**From:** Marty West  
Chief of Police  
**Subject:** Investigation Surrounding Security of Confidential Documents  
and Unauthorized Personnel

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**I. BACKGROUND**

An investigation is underway within the Oakdale Police Department to determine the circumstances surrounding the release of an official voice recording on a server maintained in a secure area of the Department, and the presence of unauthorized personnel within the Records/Communication Section.

**II. DISCUSSION**

In June, the Stanislaus County Civil Grand Jury issued a report critical of the Oakdale Police Department's handling of a criminal investigation. Although we disagreed with the Grand Jury's findings and recommendations, steps have been taken by the Police Department showing that the agency is committed to the highest degree of professionalism in its handling of criminal investigations and the integrity of its confidential documents. Recently, two concerns have occurred that are giving rise to the need for an internal investigation.

On Sunday, July 25, 2010, at approximately 9 a.m., an unauthorized person was seated at one of three clerical workstations in the Records/Communication Section. This section of the Oakdale Police Department is a secure area accessible only to authorized personnel. The section contains confidential information in files, a server that stores recorded telephone and police radio conversations, and desktop computers containing sensitive information not available to the public. There are three workstations in this section of the building with access to federal and state law enforcement database information. State laws and the Oakdale Police Policy speak to the need of maintaining the security of information contained in files and on servers in this room. It is unknown the length of time that the citizen was present at the workstation or the circumstances surrounding his presence in the area.

In August, it came to the Department's attention that a news reporter was in possession of an official police tape recording of a conversation between the Police Chief and an Oakdale Police Dispatcher surrounding officers being directed to respond to a call on Tioga Avenue. The California Public Records Act (Government Code 6250-6270) and Oakdale Police Policy govern the release of official police tape recordings. The reporter would not state how he obtained the recording. A recording was in fact made of the voice message, but there is no record of the party responsible or the circumstances surrounding its release. Moreover, there



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is also no known record in the police department of a Public Records Act request for the tape from any source.

Given these circumstances and the Grand Jury's concerns, the Chief has made arrangements with Valley Investigative Professionals, an investigations firm in Modesto, to undertake a thorough investigation of the circumstances surrounding the release of the tape, the presence of an unauthorized person in the police station, and the maintenance and integrity of confidential records in the Oakdale Police Department. The investigation will also include recommendations for improving the security of confidential documents.

**III. FISCAL IMPACTS**

The City will incur a fiscal impact to its general fund as a result of the need to investigate the circumstances of these incidents and to help restore the integrity of confidential records maintained by the Oakdale Police Department.

**IV. RECOMMENDATION**

None

**V. ATTACHMENTS**

- A. Copy of California Government Code 6250-6270
- B. Copy of Oakdale Police Policy 810

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