

BULLETIN

NO: 20-232
DATE: December 28, 2020
TO: All Personnel
FROM: Chris Webber, Assistant Fire Chief, Emergency Operations
SUBJECT: First Responder Invasion of Privacy Policy

AB 2655 (Invasion of Privacy: First Responders), which becomes law January 1, 2020, makes it a misdemeanor for first responders who respond 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.

Thus, effective immediately, all personnel will stop taking any photographs of deceased persons at accident or crime scenes unless specifically required for an official law enforcement purpose or a genuine public interest. This includes the use of either a personal electronic device or one belonging to SDFD. Law enforcement may obtain a search warrant to seize a first responder's personal electronic device or one belonging to SDFD that may contain evidence that a violation of this law has occurred.

Attached to this bulletin you will find the new policy which has been posted to the Operations Manual (Standard Instruction 09 Emergency Medical Services Section 08 First Responder Invasion of Privacy Policy).

TITLE O P E R A T I O N S M A N U A L	STANDARD INSTRUCTION 09		DEPARTMENT F I R E - R E S C U E
SUBJECT: EMERGENCY MEDICAL SERVICES: FIRST RESPONDER INVASION OF PRIVACY POLICY	SECTION 08	PAGE 1 of 1	EFFECTIVE DATE 28 December 2020

I. PURPOSE

This policy outlines AB 2655 (Invasion of Privacy: First Responders) and its application to San Diego Fire-Rescue Department sworn personnel.

II. SCOPE

This policy shall apply to all sworn San Diego Fire-Rescue Department (SDFD) personnel.

III. AUTHORITY

The fire chief authorizes the information within this policy.

IV. DEFINITIONS

A. First Responder: A state or local peace officer, firefighter, paramedic, emergency medical technician, rescue service personnel, emergency manager, coroner, or employee of a coroner.

V. POLICY

A. AB 2655 (Invasion of Privacy: First Responders) makes it a misdemeanor for first responders, as defined, who respond 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.

1. This includes use of either a personal electronic device or one belonging to SDFD.
2. Law enforcement may obtain a search warrant to seize a first responder's personal electronic device or one belonging to SDFD that may contain evidence that a violation of this law has occurred.

B. The intent of the law is to protect the privacy and dignity of the deceased and penalize first responders who breach the public trust by using their unique access and authority to document tragic events for personal fulfillment.