

GENERAL OFFICE MEMORANDUM 25-096

TO: ALL DISTRICT ATTORNEY PERSONNEL

FROM: STEVEN I. KATZ *SK*
Chief Deputy District Attorney

SUBJECT: SUBPOENAS FOR SCHOOL EMPLOYEE RECORDS

DATE: JULY 21, 2025

This Memorandum is intended to recommend procedures for the drafting and issuance of subpoenas to obtain complete sets of school employee personnel records, which can be used to support the prosecution of cases involving child physical and sexual abuse, possession of child pornography, and other crimes involving misconduct by school employees.

Many school districts maintain two separate sets of employee personnel records: (1) an official set maintained by the district's employee relations department; and (2) an "unofficial" set maintained at the campus where the employee is assigned (site records). School principals supervising operations at a school campus often serve as the custodian of records for site records.

Site records may contain valuable material reflecting reports of misconduct and informal investigations conducted by school personnel that were not reported to employee relations staff. Because site records are not always incorporated into the centralized employee personnel file, they might not be produced in response to a subpoena duces tecum (SDT) for records served solely on the school's employee relations department. Similarly, official personnel records and site records may contain material not classified by the school as disciplinary or investigatory but that are relevant to ongoing criminal prosecutions.

When handling cases involving allegations of misconduct by school employees, deputies should be mindful of the need to request school personnel records from all available sources within a school district and to utilize broadly inclusive language to describe the requested records. (See template [SDT](#), attached.) Also, deputies should request comprehensive employment records from districts employing criminal suspects or defendants to ensure records are requested from all relevant employment locations. (See template [SDT](#), attached.)

jt/wl

Attachments (2)



ATTACHMENT(S) REDACTED

(C.C.P. § 2018.020 and 2018.030.)