

Assembly Bill No. 2289

Passed the Assembly May 8, 2008

Chief Clerk of the Assembly

Passed the Senate July 3, 2008

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2008, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 1764.2 of the Welfare and Institutions Code, relating to victims' rights.

LEGISLATIVE COUNSEL'S DIGEST

AB 2289, Sharon Runner. Victims' rights.

Existing law generally provides for the confidentiality of juvenile records and proceedings, except as specified.

Existing law requires that the Chief Deputy Secretary for Juvenile Justice release specified information regarding a person committed to the Division of Juvenile Facilities for certain offenses, to the victim of the offense, the next of kin of the victim, or his or her representative as designated by the victim or next of kin, upon request, unless the court has ordered confidentiality for good cause. Existing law also requires that the chief deputy secretary or the chief deputy secretary's designee, with respect to persons committed to the Division of Juvenile Facilities for certain offenses, inform each victim of one of those offenses, the victim's next of kin, or a representative as designated by the victim or next of kin, of his or her right to request and receive that specified information.

This bill would require the release of that specified information regarding a person who has been committed to the Division of Juvenile Facilities for any offense instead of certain offenses. The bill would also require the victim, next of kin, or a representative as specified, to be informed of his or her right to request and receive that information with respect to persons committed to the Division of Juvenile Facilities for any offenses instead of certain offenses.

The bill would make other technical conforming changes.

The people of the State of California do enact as follows:

SECTION 1. Section 1764.2 of the Welfare and Institutions Code is amended to read:

1764.2. (a) Notwithstanding any other provision of law, the chief deputy secretary or the chief deputy secretary's designee shall release the information described in Section 1764 regarding

a person committed to the Division of Juvenile Facilities, to the victim of the offense, the next of kin of the victim, or his or her representative as designated by the victim or next of kin pursuant to Section 1767, upon request, unless the court has ordered confidentiality under subdivision (c) of Section 676. The victim or the next of kin shall be identified by the court or the probation department in the offender's commitment documents before the chief deputy secretary is required to disclose this information.

(b) The chief deputy secretary or the chief deputy secretary's designee shall, with respect to persons committed to the Division of Juvenile Facilities, including persons committed to the Department of Corrections and Rehabilitation who have been transferred to the Division of Juvenile Facilities, inform each victim of that offense, the victim's next of kin, or his or her representative as designated by the victim or next of kin pursuant to Section 1767, of his or her right to request and receive information pursuant to subdivision (a) and Section 1767.

Approved _____, 2008

Governor