

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: April 19, 2007
POSITION: Neutral
SPONSOR: Los Angeles County District Attorney's Office,
 California Newspaper Publishers Association

BILL NUMBER: SB 690
AUTHOR: R. Calderon

BILL SUMMARY: Criminal History

This bill would: 1) authorize a local criminal justice agency, in response to a written public records request, to provide information from a local summary criminal history if the person making the request declares that the request is made for a scholarly or journalistic purpose and would enhance public safety, the interest of justice, or the public's understanding of the justice system and 2) impose a maximum civil penalty of \$10,000 to the person making that declaration if that person willfully stated as true any fact he or she knew to be false.

FISCAL SUMMARY

This bill would not result in additional state costs.

COMMENTS

Existing law establishes procedures for the disclosure of local summary criminal history information by a local criminal justice agency for specified purposes.

This bill would authorize a local criminal justice agency, in response to a written public records request, to provide information from a local summary criminal history if the person making the request declares that the request is made for a scholarly or journalistic purpose and would enhance public safety, the interest of justice, or the public's understanding of the justice system. Additionally, this bill would allow a public prosecutor to bring a civil action of not more than \$10,000 against a person who willfully misrepresents facts in their declaration in order to gain information under this process.

According to the author, this bill is necessary because a recent attorney general opinion has cast doubt on the ability of prosecutors to inform the public about prosecutorial activities and the criminal justice system. The author's office states that this bill would clarify the law and allow prosecutors and other law enforcement agencies the discretion to release criminal history information when doing so would benefit the public, if the person making the request for information declares that the request is made for scholarly or journalistic purposes.

Code/Department Agency or Revenue Type	(Fiscal Impact by Fiscal Year)								Fund Code	
	SO	(Dollars in Thousands)								
	LA	CO	PROP	FC	2006-2007	FC	2007-2008	FC		2008-2009
9901/Var Depts	SO	No			-----	No/Minor	Fiscal Impact	-----		0001

Analyst/Principal (0261) J. Carosone	Date	Program Budget Manager Todd Jerue	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

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