

**ASSEMBLY BILL**

**No. 2615**

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**Introduced by Assembly Members Tran, Bermudez, and Spitzer  
(Coauthors: Assembly Members Daucher, DeVore, Harman,  
Huff, Umberg, and Walters)**

February 24, 2006

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An act to amend Section 293 of the Penal Code, relating to information regarding victims of sex offenses.

LEGISLATIVE COUNSEL'S DIGEST

AB 2615, as introduced, Tran. Information relating to victims of sex offenses.

Current law provides that the victim of a sex offense may request that his or her name and address not be a matter of public record. Current law further provides that the name of a person who is the victim of a sex offense may be disclosed to certain law enforcement officials for the purpose of conducting official business even if the victim requested to keep his or her name and address confidential.

This bill would add county probation officers to the list of law enforcement officials who may obtain the name and address of a victim of a sex offense for the purpose of conducting official business as specified.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

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

1 SECTION 1. Section 293 of the Penal Code is amended to  
2 read:

1 293. (a) Any employee of a law enforcement agency who  
2 personally receives a report from any person, alleging that the  
3 person making the report has been the victim of a sex offense,  
4 shall inform that person that his or her name will become a  
5 matter of public record unless he or she requests that it not  
6 become a matter of public record, pursuant to Section 6254 of the  
7 Government Code.

8 (b) Any written report of an alleged sex offense shall indicate  
9 that the alleged victim has been properly informed pursuant to  
10 subdivision (a) and shall memorialize his or her response.

11 (c) No law enforcement agency shall disclose to any person,  
12 except the prosecutor, parole officers of the Department of  
13 Corrections, hearing officers of the parole authority, *probation*  
14 *officers of county probation departments*, or other persons or  
15 public agencies where authorized or required by law, the address  
16 of a person who alleges to be the victim of a sex offense.

17 (d) No law enforcement agency shall disclose to any person,  
18 except the prosecutor, parole officers of the Department of  
19 Corrections, hearing officers of the parole authority, *probation*  
20 *offices of county probation departments*, or other persons or  
21 public agencies where authorized or required by law, the name of  
22 a person who alleges to be the victim of a sex offense, if that  
23 person has elected to exercise his or her right pursuant to this  
24 section and Section 6254 of the Government Code.

25 (e) For purposes of this section, sex offense means any crime  
26 listed in paragraph (2) of subdivision (f) of Section 6254 of the  
27 Government Code which is also defined in Chapter 1  
28 (commencing with Section 261) or Chapter 5 (commencing with  
29 Section 281) of Part 1 of Title 9.

30 (f) Parole officers of the Department of Corrections and  
31 hearing officers of the parole authority, *and probation officers of*  
32 *county probation departments*, shall be entitled to receive  
33 information pursuant to subdivisions (c) and (d) only if the  
34 person to whom the information pertains alleges that he or she is  
35 the victim of a sex offense, the alleged perpetrator of which is a  
36 parolee who is alleged to have committed the sex offense while  
37 on parole, *or in the case of a county probation officer, the person*  
38 *who is alleged to have committed the sex offense is a probationer*

1 *or is under investigation by a county probation department*  
2 *pursuant to Section 1203.*

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