

Introduced by Senator Ashburn

February 27, 2009

An act to add Section 1203.83 to the Penal Code, relating to probation.

LEGISLATIVE COUNSEL'S DIGEST

SB 731, as introduced, Ashburn. Probation.

Existing law authorizes the members of multidisciplinary teams engaged in the prevention, identification, and control of juvenile crime to share certain information with each other, as specified.

This bill would, in addition, authorize the members of multidisciplinary teams engaged in the prevention, identification, and control of adult crime to share certain information with each other, 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 1203.83 is added to the Penal Code, to
- 2 read:
- 3 1203.83. (a) Notwithstanding any other provision of law,
- 4 members of a multidisciplinary team engaged in the prevention,
- 5 identification, and control of adult crime, including, but not limited
- 6 to, criminal street gang activity, may disclose and exchange
- 7 nonprivileged information and writings to and with one another
- 8 relating to any incidents of adult crime, including criminal street
- 9 gang activity, that may also be part of an adult court record or
- 10 designated as confidential under state law if the member of the

1 team having that information or writing reasonably believes it is
2 generally relevant to the prevention, identification, or control of
3 adult crime or criminal street gang activity. Every member of a
4 multidisciplinary team who receives that information or writings
5 shall be under the same privacy and confidentiality obligations
6 and subject to the same penalties for violating those obligations
7 as the person disclosing or providing the information or writings.
8 The information obtained shall be maintained in a manner which
9 ensures the protection of confidentiality.

10 (b) As used in this section, “nonprivileged information” means
11 any information not subject to a privilege pursuant to Division 8
12 (commencing with Section 900) of the Evidence Code.

13 (c) As used in this section, “criminal street gang” has the same
14 meaning as defined in Section 186.22 of the Penal Code.

15 (d) As used in this section, “multidisciplinary team” means any
16 team of three or more persons, the members of which are trained
17 in the prevention, identification, and control of adult crime,
18 including, but not limited to, criminal street gang activity, and are
19 qualified to provide a broad range of services related to the
20 problems posed by adult crime and criminal street gangs. The team
21 may include, but is not limited to:

- 22 (1) Police officers or other law enforcement agents.
- 23 (2) Prosecutors.
- 24 (3) Probation officers.
- 25 (4) Counseling personnel with experience or training in adult
26 crime or criminal street gang control.
- 27 (5) State, county, city, or special district recreation specialists
28 with experience or training in adult crime or criminal street gang
29 control.