

**ASSEMBLY BILL**

**No. 619**

---

---

**Introduced by Assembly Member Weber**

February 24, 2015

---

---

An act to amend Section 12525 of the Government Code, relating to death records.

LEGISLATIVE COUNSEL'S DIGEST

AB 619, as introduced, Weber. Death records: deaths in law enforcement custody.

Under existing law, when a person dies while in the custody of a law enforcement agency or while in custody in a local or state correctional facility, the law enforcement agency or the agency in charge of the correctional facility is required to report in writing to the Attorney General, within 10 days after the death, all facts in the possession of the agency concerning the death. Existing law generally provides that those writings are public records under the California Public Records Act, and are open to public inspection pursuant to that act.

This bill would additionally require the Attorney General to annually provide to the Legislature a report summarizing the writings received pursuant to the provisions described above. The bill would also require the Attorney General to make those reports available to the public by posting those reports on the Department of Justice's Internet Web site.

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

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

1 SECTION 1. Section 12525 of the Government Code is  
2 amended to read:

3 12525. (a) ~~In any case in which~~ *When* a person dies while in  
4 the custody of any law enforcement agency or while in custody in  
5 a local or state correctional facility in this state, the law  
6 enforcement agency or the agency in charge of the correctional  
7 facility shall report in writing to the Attorney General, within 10  
8 days after the death, all facts in the possession of the law  
9 enforcement agency or agency in charge of the correctional facility  
10 concerning the death. ~~These writings are public records within the~~  
11 ~~meaning of subdivision (d) of Section 6252 of the California Public~~  
12 ~~Records Act (Chapter 3.5 (commencing with Section 6250) of~~  
13 ~~Division 7 of Title 1), are open to public inspection pursuant to~~  
14 ~~Sections 6253, 6256, 6257, and 6258. Nothing in this section shall~~  
15 ~~permit the disclosure of confidential medical information that may~~  
16 ~~have been submitted to the Attorney General's office in conjunction~~  
17 ~~with the report except as provided in Part 2.6 (commencing with~~  
18 ~~Section 56) of Division 1 of the Civil Code.~~

19 (b) *The writings described in subdivision (a) are public records*  
20 *within the meaning of the California Public Records Act (Chapter*  
21 *3.5 (commencing with Section 6250) of Division 7 of Title 1), and*  
22 *are open to public inspection pursuant to that act.*

23 (c) (1) *Notwithstanding Section 10231.5, the Attorney General*  
24 *shall annually provide the Legislature with a report summarizing*  
25 *the writings received by the Attorney General pursuant to*  
26 *subdivision (a). The report shall comply with Section 9795.*

27 (2) *The Attorney General shall make the reports described in*  
28 *paragraph (1) available to the public by posting those reports on*  
29 *the Department of Justice's Internet Web site.*

30 (d) *This section does not authorize the disclosure of confidential*  
31 *medical information that may have been submitted to the Attorney*  
32 *General's office in conjunction with the writings described in*  
33 *subdivision (a), except as provided in Part 2.6 (commencing with*  
34 *Section 56) of Division 1 of the Civil Code.*

O