

AMENDED IN SENATE JULY 11, 1995

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

ASSEMBLY BILL

No. 637

Introduced by Assembly Member Bowler

February 21, 1995

An act to amend Section 204 of the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

AB 637, as amended, Bowler. Juveniles: personal descriptor information.

Existing law prohibits the Department of Justice from knowingly transmitting any information relating to the arrest or taking into custody of a minor, as specified, unless the information also includes the resulting disposition, as specified. However, existing law specifies that this provision shall not be construed to prohibit the Department of Justice from transmitting fingerprints or photographs of the minor for specified purposes.

This bill would further provide that the above provision shall not be construed to prohibit the Department of Justice from transmitting ~~personal descriptor~~ *physical description and identification* data for specified purposes.

This bill would also make technical, nonsubstantive changes.

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 204 of the Welfare and
2 Institutions Code is amended to read:

3 204. (a) The Department of Justice shall not
4 knowingly transmit to any person or agency any
5 information relating to an arrest or taking into custody of
6 a minor at the time of the arrest or taking into custody
7 unless that information also includes the resulting
8 disposition.

9 (b) "Disposition," as used in this section, includes a
10 release of the minor from custody without the filing of an
11 accusatory pleading or a petition under the provisions of
12 this chapter, a determination of wardship by the juvenile
13 court, or a determination by the juvenile court that the
14 minor is not a fit subject to be dealt with under the
15 provisions of this chapter.

16 (c) This section shall not be construed to prohibit the
17 Department of Justice from transmitting fingerprints,
18 photographs, or ~~personal descriptor~~ *physical description*
19 *and identification* data of a minor to a law enforcement
20 agency for the purpose of obtaining identification of the
21 minor or from requesting the history of the minor from
22 the agency.

23 (d) This section shall not be construed to prohibit the
24 Department of Justice from transmitting any information
25 relating to an arrest or taking into custody of a minor it
26 has received prior to the effective date of this section.

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