
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair
2019 - 2020 Regular Session

AB 2425 (Mark Stone) - Juvenile police records

Version: June 10, 2020

Policy Vote: PUB. S. 5 - 1

Urgency: No

Mandate: Yes

Hearing Date: August 20, 2020

Consultant: Shaun Naidu

Bill Summary: AB 2425 would require the sealing of specified juvenile police arrest and diversion program records, as specified.

***** **ANALYSIS ADDENDUM – SUSPENSE FILE** *****

The following information is revised to reflect amendments
adopted by the committee on August 20, 2020

Fiscal Impact:

- Local agencies: Unknown, potentially-significant costs in the hundreds of thousands of dollars in the aggregate for probation departments and local law enforcement agencies to seal, and facilitating the sealing of, juvenile records as required by this measure and for local law enforcement agencies specifically, to provide notice to the minor of whether the records have been sealed, and if not, an opportunity to petition for reconsideration, which would require additional time and resources to review supporting documents. Actual new costs to each agency would depend on its current practices related to record sealing in general and the number of affected youth arrests in that jurisdiction. These costs likely would be reimbursable by the state if they surpass the threshold amount required to file a state mandate claim. The extent of the reimbursement would be determined by the Commission on State Mandates. (General Fund, local funds)
- Judicial Council: The Judicial Council reports minor and absorbable fiscal impacts related to AB 2425.

Author Amendments: Allow access to sealed records to meet a statutory or constitutional obligation of a prosecutor to disclose favorable or exculpatory evidence to a defendant in a criminal case. Insert timeframes and procedures for specified conduct.

(This Committee has rejected author amendments that would establish a hearing processing for the prosecutor to access a sealed record and the requirement to seal a record related to an incident in which the probation officer declines to make a referral to the prosecutor or declines to file a petition to adjudge the minor as a ward of the court.)

Committee Amendments: Specify that a prosecutor may not use the information obtained from a sealed record for any purpose except to disclose favorable or exculpatory evidence to a defendant in a criminal case.

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