

Community Corrections Bureau

Community Corrections Bureau Procedure #99-11-214-C on Release of Information to victims

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Community Corrections Bureau

Juvenile

Civil Code Section 1714.1 places liability upon the parent or guardian having custody and control of a minor for all purposes of civil damages resulting from willful misconduct. A standing Juvenile Court order signed by Judge James A. Edwards on 6-5-92 states in relevant part: The Probation Officer may release to the victim of crimes committed by minor offenders, for which an application for petition has been received and for the purpose of pursuing Civil Court action, the following information:

1. Name of parents of minor
2. Address of parents of minor
3. Police report number

Adult

In 1982, the people of the State of California voted for and passed the Victims Bill of Rights (Article 1, Section 28 of the California Constitution). It states restitution must be ordered in every case where a person is convicted and a victim suffers a loss.

PC 1202.4(3)(i) and PC 1214 allow for a restitution order to be enforced as a civil judgement.

PC 1191.2 requires the Probation Officer to provide the victim with information concerning the victim's right to civil recovery. This shall be effected by providing the victim with a brochure prepared by the State Board of Control, presently entitled How to Enforce Your Restitution Order as a Civil Judgement. Additionally, the Probation Officer shall, upon request, provide the victim with any and all relevant information about the defendant and the case that might prove useful in recovering restitution.

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