



BUREAU OF CRIMINAL INFORMATION AND ANALYSIS
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August 23, 2011

Heather Harrison, Vice President
California Assisted Living Association
455 Capitol Mall, Suite 222
Sacramento, CA 95814

Re: Custodian of Records Implementation

Dear Ms. Harrison:

The California Department of Justice (DOJ) received your letter dated August 1, 2011, pertaining to the implementation of Penal Code section 11102.2. Penal Code section 11102.2 was never intended to apply to those entities that receive dual notifications (the residential care facilities) from the DOJ. A different interpretation of the statute was made within our organization, in good faith, but was not shared with the executive management team. Our Bureau agrees with your agency's interpretation and will be informing the Custodian of Records Unit that individual care facilities are not required to have a Custodian of Records.

As your letter points out, the Department of Social Services is the correct agency that must have a confirmed Custodian of Records.

I apologize for any inconvenience this may have caused your Association. Please pass this information along to the care facilities.

Sincerely,


Jennifer Reich
Assistant Bureau Chief

For KAMALA D. HARRIS
Attorney General

cc: Eric Dowdy, Director of Public Policy, Aging Services of California
Chuck Skoien, Director, Community Residential Care Association of California