

Agenda Item 9

Bill Number	Sponsor	Subject	Summary	Status
AB- 218	Dickinson	Employment applications: criminal history.	This bill would prohibit a state or local agency from asking an applicant to disclose information regarding a criminal conviction, except as specified, until after the applicants qualifications for the position have been determined to meet the requirements for the position. This bill would include specified findings and declarations of the Legislature in support of this policy. Because this bill would impose new requirements on local agencies relative to employment application procedures, it would impose a state-mandated local program.	Assembly Committee Asm Judiciary
AB- 560	Ammiano	Sentencing: recall and mandatory supervision.	Under existing law, this period of suspended execution is supervised by the county probation officer and is known as mandatory supervision. This bill would instead require the court to suspend execution of the concluding portion of the term in county jail for at least six months, during which time the person would be subject to mandatory supervision. By increasing the duties of county probation officers, the bill would impose a state-mandated local program.	Amended Assembly March 21, 2013
AB- 601	Cooley	Parole.	This bill would authorize the court, upon petition, to revoke parole and return the person to state prison for a period not to exceed one year. The bill would require the Legislative Analysts Office, on or before January 1, 2015, to produce a report, to be delivered to the Assembly, the Senate, and the Governors office, evaluating the criminal justice realignment, specifically with regard to offenders under state supervision, as specified.	Assembly Committee Asm Public Safety
AB- 752	Jones-Sawyer	Work furlough: county jails.	This bill would make a change to the work furlough provision and authorize a person sentenced to county jail for a felony to participate in a work furlough program. The bill would also make a technical change to the provision describing job training for purposes of these provisions.	Assembly Committee Asm Public Safety

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AB- 870	Jones-Sawyer	Public contracts: bidders: employment practices.	<p>This bill would prohibit the state from contracting with a person or entity that inquires into or considers the criminal history of a potential employee on an initial employment application. The bill would authorize the state to contract with a person or entity that inquires into or considers an applicants criminal history after the applicants qualifications have been screened and the employer has determined the applicant meets the minimum employment requirements, as stated in anynotice issued for the position. The bill would not apply to a position for which an employer is otherwise required by law to conduct a criminal history background check or to any contract position with a criminal justice agency, as specified. The bill would also express a legislative finding and declaration that reducing barriers to employment for people who have previously offended, and decreasing unemployment in communities with concentrated numbers of people who have previously offended, is a matter of statewide concern.</p>	Assembly Committee Asm Judiciary
AB-1084	Melendez	Firearms: punishment.	<p>This bill would make a violation of theabove provisions punishable in the state prison. If the person is within a class of persons prohibited from possessing a firearm, the bill would require the person to be punished in the state prison for 4, 5, or 6 years if the violation was on the school grounds, and by imprisonment in the state prison for 3, 4, or 5 years if the violation was within 1,000 feet from the school grounds. In the case of a person who is within a class of persons prohibited from possessing a firearm, the bill would also require a mandatory 9-month term of incarceration in a county jail as a condition of probation. By increasing the punishment for certain crimes, this bill would impose a state-mandated local program.</p>	Assembly - Public Safety
AB-1106	Waldron	Public entities: liability.	<p>This bill would provide that a public entity that owns or operates a county jail or correctional facility constructed prior to October 1, 2011, or an employee thereof, shall not be liable to an inmate, ward, or prisoner of that county jail or correctional facility for an injury arising out of the failure of the facility to comply with standards or conditions imposed upon state prisons, as specified.</p>	Assembly - In Desk Process

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AB-1321	Jones	Serious felonies.	<p>This bill would add certain felonies, including threatening a witness and human trafficking, to the definition of a serious felony, as specified. The bill would specify that references to code sections contained in the Three Strikes Law are to those statutes as they exist January 1, 2014. Because the bill would impose additional duties on local prosecutors, and because it would expand the punishments for existing crimes, it would impose a state-mandated local program.</p>	Assembly - Public Safety
AB-1334	Conway	Parole.	<p>This bill would require any person who has been released after serving a term for an offense for which the person is required to register as a sex offender to be subject to parole supervision by the Department of Corrections and Rehabilitation. The bill would also require that a person released from state prison who has a prior conviction or juvenile adjudication for which the person is required to register as a sex offender to be subject to parole supervision by the Department of Corrections and Rehabilitation and the jurisdiction of the court in the county in which the person is released or resides.</p>	Assembly - Public Safety
AB-2	Morrell	Sex offenders: parole violations.	<p>This bill would provide that any criminal defendant who is released on parole or to postrelease community supervision, who has suffered a prior or current felony requiring registration as a sex offender, and who violates that parole or postrelease community-based supervision by violating the requirement to register as a sex offender shall serve any period of incarceration ordered for that violation in the state prison.</p>	Assembly - Public Safety
AB-605	Linder	Sex offenders: parole violations.	<p>This bill would provide that any criminal defendant who is released on parole or to postrelease community supervision, who has suffered a prior or current felony requiring registration as a sex offender, and who violates that parole or postrelease community-based supervision shall serve any period of incarceration ordered for that violation in the state prison.</p>	Assembly - Public Safety

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AB-63	Patterson	Electronic monitoring: removing or disabling.	<p>This bill would provide that unauthorized removal, as specified, of an electronic, global positioning system (GPS), or other monitoring device affixed as a condition of postrelease community supervision or parole is an offense punishable by imprisonment in the county jail for not more than one year, or in the state prison for 16 months, 2 years, or 3 years. This bill would also provide that a person on postrelease community supervision or parole who is ordered pursuant to a revocation hearing to serve a term of imprisonment, incarceration, or confinement for violating the conditions of release, when the violation was based on the removal or disabling of an electronic, GPS, or other monitoring device affixed as a condition of release, and the person has not been prosecuted for that conduct, shall serve that term in the state prison. This bill would also make related, conforming changes. By creating a new crime, this bill would impose a state-mandated local program.</p>	Assembly - Public Safety
SB- 144	Cannella	2013 Realignment Legislation addressing justice reinvestment.	<p>This bill, the 2013 Realignment Legislation addressing justice reinvestment, would establish the Realignment Reinvestment Fund in the State Treasury as a continuously appropriated fund. The bill would require the Director of Finance, in consultation with the Legislative Analyst, to annually calculate the net savings to the state for the prior fiscal year and an estimate of the net current fiscal year savings resulting from the 2011 Realignment Legislation addressing public safety, as specified.</p>	Senate Committee Sen Public Safety
SB- 199	De Leon	Probation: community corrections community corrections.	<p>This bill would add a rank-and-file deputy sheriff or a rank-and-file police officer, and a rank-and-file probation officer or a deputy probation officer, each to be appointed by a local labor organization, to the membership of a Community Corrections Partnership. The bill would require the vote of the rank-and-file deputy sheriff or rank-and-file police officer, and the rank-and-file probation officer or a deputy probation officer, on the local plan.</p>	Senate Committee Sen Public Safety

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<p>SB- 210</p>	<p>Hancock</p>	<p>Criminal procedure: release on defendant's own recognizance.</p>	<p>This bill would authorize a court to determine, at the time of arraignment in any case that is before a court concerning the commission of a felony punishable by imprisonment in a county jail, whether a defendant who is still in custody may be released on his or her own recognizance. In making this decision, the bill would require the court to determine whether the release will compromise public safety. his bill would revise the factors that the judge or magistrate would be required to consider to, among other things, require the judge or magistrate to consider the history and characteristics of the defendant, and to consider the nature and circumstances of the offense. The bill would require a judge or magistrate to also consider those factors when determining conditions for pretrial release. This bill would also authorize a sheriff, county probation department, or other local governmental agency, with the concurrence of the board of supervisors, to employ an investigative staff for those purposes, and would require a pretrial investigative report to be prepared before a court may order a defendant released on his or her own recognizance in any case involving specified crimes, including a violent felony.</p>	<p>Senate Committee Sen Public Safety</p>
<p>SB- 466</p>	<p>DeSaulnier</p>	<p>California Institute for Criminal Justice Policy.</p>	<p>Existing law requires the California Law Revision Commission to study, and limits the commission to studying, topics approved by resolution of the Legislature. Existing law requires the commission to examine statutes to discover defects and recommend reforms. This bill would establish the California Institute for Criminal Justice Policy. This bill would request the University of California to house the institute. This bill would require the institute to conduct a cost-benefit, evidence-based analysis for each pending legislative measure relating to criminal justice and supply the analysis to the appropriate policy and fiscal committees in the Legislature as soon as practicable and not later than 60 days after receiving a request to produce an analysis from a committee.</p>	<p>Senate Committee Sen Public Safety</p>

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SB-225	Emmerson	Imprisonment: sentences punishable in state prison.	<p>Under existing law, certain specified felonies are punished by imprisonment in a county jail for 16 months, or 2 or 3 years or, where the term is specified, for the term described in the underlying offense. Notwithstanding these provisions, existing law requires that a sentence be served in state prison where the defendant has a prior or current conviction for a serious or violent felony, has a prior felony conviction in another jurisdiction that has all of the elements of a serious or violent felony, is required to register as a sex offender, or has an aggravated white collar crime enhancement imposed as part of the sentence. This bill would additionally require a sentence to be served in state prison when the defendant is convicted of a felony otherwise punishable in a county jail and is sentenced to more than 3 years.</p>	Senate - Public Safety
SB-226	Emmerson	Defendants: severe mental disorder: incarceration in state prison.	<p>This bill would require a court, upon conviction of a defendant for certain specified offenses involving force or serious bodily injury, or involving the threat of force or violence likely to produce substantial physical harm, that is punishable as a felony by imprisonment in a county jail, if the court has reason to believe the defendant has a severe mental disorder, to suspend the imposition of the sentence and transport the defendant to the Department of Corrections and Rehabilitation for evaluation to determine whether the defendant has a severe mental disorder and whether the severe mental disorder was an aggravating factor in the prisoners criminal behavior, as provided.</p>	Senate - Public Safety
SB-287	Walters	Prison: community supervision: eligibility.	<p>This bill would require any person who has been released after serving a term for an offense for which the person is required to register as a sex offender to be subject to parole supervision by the Department of Corrections and Rehabilitation. The bill would also require any person who has a prior conviction for a serious or violent felony, or a prior conviction for an offense for which the person is required to register as a sex offender, to be subject to parole supervision by the department and the jurisdiction of the court in the county in which the parolee is released or resides</p>	Senate - Public Safety
SB-708	Nielsen	Imprisonment: sentences punishable in state prison.	<p>This bill would additionally require a sentence to be served in state prison when the defendant is convicted of a felony and has 3 or more prior felony convictions.</p>	Senate - Public Safety

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SB-710	Nielsen	Parole.	This bill would require all offenders released from prison on and after January 1, 2014, to be subject to parole supervision by the Department of Corrections and Rehabilitation and the Board of Parole Hearings for a minimum period of 3 years. The bill would require the board to have exclusive jurisdiction over the supervision and revocation of parole of all inmates upon their release from prison.	Senate - Public Safety
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