



CALIFORNIA PROBATION, PAROLE AND CORRECTIONAL ASSOCIATION

To: All CPPCA Members

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Subject: Budget and Legislative Update

Budget Update

The impasse continues as today marks Day 27 of the budget standoff. As previously reported, Senate Democrats continue to discuss and craft a realignment proposal which would shift various programs and services to counties and provide some level of funding via an increase in VLF to prop up that realignment. In the interim, the state continues to make debt service payments as well as other payments required by the state constitution or related mandates, but has suspended other payments such as vendor payments and some salaries.

The Governor recently stated publicly that he is willing to hold out from signing a budget for the rest of his term if Democrats don't agree to permanent reforms of the budget, tax system, and pensions. Senate President Pro Tem Darrell Steinberg responded by saying he's willing to hold out until 2011 if Republicans don't agree to delay corporate tax breaks and fund welfare and school programs. Although legislative leadership is meeting in closed door sessions, it is evident that both houses and both parties are far from a budget deal.

The Senate and Assembly are still on call of the house this week, but will reconvene from summer recess next Monday. Regular committee meetings also resume next Monday and dozens of bills are set for fiscal committees. As we enter into the final month of the 2009-2010 legislative session hundreds of bills will be voted on, many of which will be sent to the Governor's desk for final action. The Governor has until September 30th to act on all legislation. Even in light of the Governor's statement to hold out from signing a budget, it is unclear at this time whether the Governor will act on bills during the budget impasse or if he will utilize his veto authority and prepare blanket vetoes as in previous years.

Below are several updates on important legislation to note. Please do not hesitate to contact us if you have any questions or concerns. We will continue to update you as budget discussions materialize further.

Bill Updates

Below is a partial list of bills that CPPCA has taken active positions on that we have been tracking, writing letters, and lobbying for on your behalf. A comprehensive list of all bills that CPPCA is tracking can be viewed at: <http://www.cppca.org/legislation>.

AB 1376(Bass) Sentencing.

Last Amend: 04/13/2009

Status: 06/18/2009-Referred to Com. on RLS.

Summary: Existing law prescribes various penalties for criminal offenses. This bill would create an independent, multijurisdictional body to provide a nonpartisan forum for statewide policy development, information development, research, and planning concerning criminal sentences and their effects.

Position: Watch

[AB 1758\(Ammiano\)](#) County wraparound services program.

Last Amend: 06/30/2010

Calendar: 08/02/10 10:00 a.m. - John L. Burton Hearing Room 4203 SEN APPROPRIATIONS

Summary: Under existing law, the State Department of Social Services administers a pilot project that authorizes a county to develop and implement a plan for providing wraparound services designed to enable children who would otherwise be placed in a group home setting to remain in the least restrictive, most family like setting possible. The pilot project also imposes specified evaluation and reporting requirements for participating counties, and training requirements for staff in participating counties. This bill would remove the designation of this program as a pilot project and make conforming changes. This bill contains other related provisions and other existing laws.

Position: Support

[AB 1900\(Skinner\)](#) Pregnant inmates and wards: least restrictive restraints.

Last Amend: 05/18/2010

Calendar: 08/02/10 10:00 a.m. - John L. Burton Hearing Room 4203 SEN APPROPRIATIONS

Summary: Existing law requires the Corrections Standards Authority to establish minimum standards for state and local correctional facilities and to review those standards biennially and make any appropriate revisions, as specified. This bill would require that the standards ensure that women who are pregnant shall not be shackled by the wrists, ankles, or both, during any transport, and during labor, delivery, or recovery after birth, except that the least restrictive restraints possible may be used when deemed necessary for the inmate, consistent with the legitimate security needs of the inmate, the staff, and the public. This bill contains other related provisions and other existing laws.

Position: Neutral

[AB 2290\(Bradford\)](#) CDCR: inmates: summary parole.

Last Amend: 05/28/2010

Status: 06/22/2010-From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 7. Noes 0.) (June 22).

Summary: Existing law requires that an inmate released on parole be returned to the county of last legal residence and requires the Department of Corrections and Rehabilitation to provide specified items of information to local law enforcement agencies regarding an inmate paroled in their jurisdiction. Existing law also provides that the department shall not return to prison, place a parole hold on, or report any parole violation to the Board of Parole Hearings regarding any person to whom all of specified criteria apply. This bill would require the Department of Corrections and Rehabilitation, not less than 45 days prior to the release of such an inmate, or as soon as practicable, to notify, via the Law Enforcement Automated Data System (LEADS), the local law enforcement agency of the jurisdiction to which the inmate is to be released regarding the scheduled release.

Position: Support In Concept

[AB 2326\(Bass\)](#) Reentry Advisory Committee.

Last Amend: 06/16/2010

Status: 07/01/2010-From committee: Amend, do pass as amended, and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (June 22).

Summary: Existing law requires the Secretary of the Department of Corrections and Rehabilitation to establish, until January 1, 2011, a Reentry Advisory Committee, comprised as specified, to advise the secretary on matters related to the successful planning, implementation, and outcomes of all reentry programs and services in the department, with the goal of reducing recidivism. Existing law provides that the committee shall meet at least quarterly and that committee members shall receive compensation for travel expenses but no other compensation. This bill would expand the membership of the committee by 3 members, as specified. The bill would provide that the committee meet at least quarterly and upon call of the secretary. The bill would also remove the requirement that committee members shall receive compensation for travel expenses, as specified, and instead provide that committee members shall serve without compensation. The bill would require the secretary, in consultation with the committee, to apply for specified federal grants and, if grant funding is awarded, to develop a comprehensive strategic reentry plan containing annual and 5-year performance goals, as specified, to include the goal of reducing the rate of recidivism by 50% over a 5-year period for offenders released from prison, jail, or a juvenile facility who are served with federal grant funds, as measured by specified outcomes. The bill would require the secretary, in consultation with the committee, to submit an annual report to the Legislature and the United States Attorney General detailing the progress toward achieving strategic performance outcomes, as specified. The bill would extend the operation of the committee until January 1, 2016.

Position: Support

[SB 1087\(Alquist\)](#) Identity theft: restitution.

Last Amend: 04/27/2010

Status: 06/28/2010-In Senate. To enrollment.

Summary: Existing law establishes various offenses relating to identity theft. Existing law establishes a procedure for purposes of imposing restitution obligations on defendants, as specified. This bill would authorize restitution for expenses to monitor an identity theft victim's credit report and for the costs to repair the victim's credit for a period of time reasonably necessary to make the victim whole, as specified.

Position: Support

[SB 1091\(Hancock\)](#) Medi-Cal: individuals in county juvenile detention facilities.

Last Amend: 05/04/2010

Status: 06/30/2010-From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 17. Noes 0.) Re-referred to Com. on APPR. (Heard in committee on June 29.)

Summary: Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. This bill would, subject to the receipt of federal financial participation, make individuals awaiting adjudication in county juvenile detention facilities eligible for Medi-Cal benefits if the individual is receiving Medi-Cal benefits at the time he or she is admitted to the detention facility, or the individual is subsequently determined to be eligible for Medi-Cal benefits by the county welfare department, and the county agrees to pay the state's share of Medi-Cal expenditures and the state's administrative costs through an intergovernmental transfer of funds. This bill would provide that these individuals would have their Medi-Cal benefits continued for the first 30 days of the individual's stay in the county juvenile detention facility, or until the date of adjudication, whichever period of time is less. This bill contains other related provisions and other existing laws.

Position: Support

[SB 1201\(DeSaulnier\)](#) Sex offenders: assessments.

Last Amend: 06/16/2010

Status: 07/01/2010-Read second time. To Consent Calendar.

Summary: Existing law, the Sex Offender Registration Act, provides that persons convicted of specified sex offenses are required to register with law enforcement, as specified. Existing law requires that persons required to register as sex offenders be subject to assessment by the State-Authorized Risk Assessment Tool for Sex Offenders (SARATSO), as specified. Existing law requires the Department of Corrections and Rehabilitation and the State Department of Mental Health to perform a risk assessment of every eligible person under their jurisdiction, as specified. Existing law provides that the definition of "eligible person" for this purpose means a person convicted of an offense that requires him or her to register pursuant to a specified provision of the act and who is eligible for assessment. The act, in addition to the provision specified in this definition of "eligible person," also provides registration requirements for the registration of, among others, persons convicted of registerable offenses in out-of-state, federal, or military courts, and registration of out-of-state residents working or attending school in California. This bill would require the Department of Corrections and Rehabilitation to assess every person on parole transferred from any other state or by the federal government to this state who has been, or is hereafter convicted in any other court, including any state, federal, or military court, of any offense that, if committed or attempted in this state, would require the person to register as a sex offender, as specified. The bill would specify that this assessment shall occur no later than 60 days after a determination by the Department of Justice that the person is required to register as a sex offender, as specified. The bill would revise the definition of "eligible person" for the purpose in the paragraph above to include all persons required to register as sex offenders pursuant to the Sex Offender Registration Act.

Position: Watch

SB 1317(Leno) Truancy.

Last Amend: 06/16/2010

Calendar: 08/02/10 71 ASM SENATE SECOND READING FILE

Summary: Existing law defines a truant as any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without valid excuse 3 full days in one school year, or tardy or absent for more than any 30-minute period during the schoolday without a valid excuse on 3 occasions in one school year, or any combination thereof. This bill would define a chronic truant as any pupil subject to compulsory full-time education or to compulsory continuing education who is absent from school without valid excuse for 10% or more of the schooldays in one school year, from the date of enrollment to the current date, provided that the appropriate school district officer or employee has complied with specified provisions of law. This bill contains other related provisions and other existing laws.

Position: Support

SB 1487(Committee on Public Safety) Inmates: incentive credits.

Status: 06/23/2010-From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 4. Noes 1.) Re-referred to Com. on APPR. (Heard in committee on June 22.)

Summary: Existing law provides time credit for work performance and good behavior to prisoners confined to a county jail, industrial farm, or road camp, or any city jail, industrial farm, or road camp. Specifically, except regarding certain prisoners who are limited to 15% credit against sentenced time, existing law provides that a term of 4 days will be deemed to have been served for every 2 days spent in actual custody in one of these facilities, except that a term of 6 days will be deemed to have been served for every 4 days in actual custody for prisoners required to register as sex offenders, prisoners committed for a serious felony, or prisoners with a prior conviction for a serious or violent felony. This bill would instead provide that prisoners sentenced to state prison for whom the sentence is executed, except for those required to register as sex offenders, committed for a serious felony, or with a previous conviction for a serious or violent felony, who are confined in a city or county jail, industrial farm, or road camp, from the date of arrest until state prison credits are applicable, shall have one day deducted from his or her period of confinement for every day the prisoner served in a city or county jail, industrial farm, or road camp. The bill would provide that a prisoner sentenced to state prison who is confined

in a city or county jail, industrial farm, or road camp may not receive the day for day credit if it appears by the record that the prisoner refused to satisfactorily perform labor or failed to satisfactorily comply with rules and regulations, as specified. The bill would provide that, for prisoners otherwise in a county jail, industrial farm, or road camp, or any city jail, industrial farm, or road camp for a crime committed on or after the effective date of this bill, except those subject to the 15% limitation on credits noted above, a term of 6 days will be deemed to have been served for every 4 days spent in actual custody. Because this bill would change the punishment for crimes, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Co-Sponsor