

ASSEMBLY BILL

No. 2

Introduced by Assembly Member Bogh

December 2, 2002

An act to add Section 3043.6 to the Penal Code, and to add Section 1767.9 to the Welfare and Institutions Code, relating to victims.

LEGISLATIVE COUNSEL'S DIGEST

AB 2, as introduced, Bogh. Victims: appearances at parole hearings.

Existing law, added by initiative statute, provides that a victim or certain others may appear at a parole hearing for the prisoner responsible for the crime who is confined in the state prison in order to present his or her views concerning the crime and the person responsible.

Existing law, added by initiative statute, similarly provides that a victim or certain others may appear at the parole hearing for the prisoner responsible for the crime who is under the control of the Youth Authority.

The initiative statute provides that any amendment to its provisions by the Legislature shall require a $\frac{2}{3}$ vote of the membership of each house.

This bill would authorize the victim or others appearing with or for the victim to request that the victim or others speak last at a parole hearing for the person confined in the state prison or under the control of the Youth Authority.

Because this bill would amend provisions of the initiative statutes, this bill would require a $\frac{2}{3}$ vote.

Vote: ²/₃. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3043.6 is added to the Penal Code, to
2 read:

3 3043.6. Any person authorized to appear at a parole hearing
4 pursuant to Section 3043, or a prosecutor authorized to represent
5 the views of the victim, his or her immediate family, or next of kin,
6 pursuant to Section 3043.2, shall have the right to speak last before
7 the board in regard to those persons appearing and speaking before
8 the board at a parole hearing.

9 SEC. 2. Section 1767.9 is added to the Welfare and
10 Institutions Code, to read:

11 1767.9. Any person authorized to appear at a parole hearing
12 pursuant to Section 1767 shall have the right to speak last before
13 the board in regard to those persons appearing and speaking before
14 the board at a parole hearing.

