

AMENDED IN ASSEMBLY MARCH 20, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1919

Introduced by Assembly Member V. Manuel Pérez

February 19, 2014

An act to add Section 1210.17 to the Penal Code, relating to inmates.

LEGISLATIVE COUNSEL'S DIGEST

AB 1919, as amended, V. Manuel Pérez. ~~Inmates: local supervision: assessment.~~

Existing law generally requires felons to be incarcerated in *state prison or county jails* and generally requires those inmates *to be supervised by the Department of Corrections and Rehabilitation or county probation agencies upon release*. Existing law authorizes a variety of programs for inmates who are ~~supervised by local probation agencies on postrelease supervision, including parole, postrelease community supervision, and mandatory supervision.~~

~~This bill would express the intent of the Legislature to enact legislation to provide better assessment of inmates in local facilities for purposes of local supervision after their release, or local supervision as an alternative to incarceration.~~

This bill would encourage all actors in the criminal justice system to use a validated risk and needs assessment, as defined, to help make determinations at all stages of the judicial process, as prescribed.

Vote: majority. 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 1210.17 is added to the Penal Code,*
2 *immediately following Section 1210.16, to read:*
3 *1210.17. (a) The Legislature finds and declares all of the*
4 *following:*
5 *(1) According to research by the Washington State Institute for*
6 *Public Policy, combining supervision based on the risk level of an*
7 *individual in the criminal justice system with evidence-based*
8 *programming to address the specific needs of that individual yields*
9 *the greatest reduction in recidivism rates.*
10 *(2) According to a 2010 study, entitled “The Role of Offender*
11 *Risk Assessment: A Policy Maker Guide,” the mismatch of higher*
12 *supervision and inappropriate services can actually increase the*
13 *recidivism rate of a low-risk individual, thereby decreasing public*
14 *safety and wasting valuable funding.*
15 *(3) Validated risk and needs assessments are an important tool*
16 *that can provide decisionmakers with data to help predict an*
17 *individual’s likelihood of committing a crime and engaging in*
18 *harmful behavior, such as substance abuse, and can help determine*
19 *which interventions or services will have the most impact on the*
20 *individual.*
21 *(4) Validated risk and needs assessments can be used at many*
22 *different times in the criminal justice process, including in*
23 *determining who should be detained while awaiting trial, on*
24 *probation, before release from incarceration, and while on*
25 *postrelease supervision, such as parole, postrelease community*
26 *supervision, or mandatory supervision.*
27 *(b) For purposes of this section, “risk and needs assessment”*
28 *means a set of measures and questions that are used to measure*
29 *the risk of an individual to commit another offense, miss future*
30 *court appearance or other appointments, engage in substance*
31 *abuse, and determine what unmet needs the individual has.*
32 *(c) All actors in the criminal justice system are encouraged to*
33 *use a validated risk and needs assessment to help make*
34 *determinations at all stages of the judicial process, including in*
35 *making the determination of who should be detained while awaiting*
36 *trial, and determining supervision level and service referrals while*
37 *on probation, before release from incarceration, and while on*

1 *postrelease supervision, such as parole, postrelease community*
2 *supervision, or mandatory supervision.*

3 ~~SECTION 1. It is the intent of the Legislature to enact~~
4 ~~legislation to provide better assessment of inmates in local facilities~~
5 ~~for purposes of local supervision after their release or local~~
6 ~~supervision as an alternative to incarceration, including postrelease~~
7 ~~services such as education and vocational training.~~