

AMENDED IN ASSEMBLY APRIL 2, 2014
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: 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 on postrelease supervision, including parole, postrelease community supervision, and mandatory supervision.

This bill would encourage all actors in the criminal justice system to use a ~~validated~~ *an evidence-based* 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:

1 1210.17. (a) The Legislature finds and declares all of the
2 following:

3 (1) According to research by the Washington State Institute for
4 Public Policy, combining supervision based on the risk level of an
5 individual in the criminal justice system with evidence-based
6 programming to address the specific needs of that individual yields
7 the greatest reduction in recidivism rates.

8 (2) According to a 2010 study, entitled “The Role of Offender
9 Risk Assessment: A Policy Maker Guide,” the mismatch of higher
10 supervision and inappropriate services can actually increase the
11 recidivism rate of a low-risk individual, thereby decreasing public
12 safety and wasting valuable funding.

13 (3) ~~Validated~~-*Evidence-based* risk and needs assessments are
14 an important tool that can provide decisionmakers with data to
15 help predict an individual’s likelihood of committing a crime and
16 engaging in harmful behavior, such as substance abuse, and can
17 help determine which interventions or services will have the most
18 impact on the individual.

19 (4) ~~Validated~~-*Evidence-based* risk and needs assessments can
20 be used at many different times in the criminal justice process,
21 including in determining who should be detained while awaiting
22 trial, on probation, before release from incarceration, and while
23 on postrelease supervision, such as parole, postrelease community
24 supervision, or mandatory supervision.

25 (b) For purposes of this section, “risk and needs assessment”
26 means a set of measures and questions that are used to measure
27 the risk of an individual to commit another offense, miss future
28 court-~~appearance~~ *appearances* or other appointments, engage in
29 substance abuse, and determine what unmet needs the individual
30 has.

31 (c) All actors in the criminal justice system, *including police*
32 *officers, probation officers, sheriffs deputies, and other law*
33 *enforcement personnel*, are encouraged to use ~~a validated~~ *an*
34 *evidence-based* risk and needs assessment to help make
35 determinations at all stages of the judicial process, including in
36 making the determination of who should be detained while awaiting
37 trial, and determining supervision level and service referrals while
38 on probation, before release from incarceration, and while on

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

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