

ASSEMBLY BILL

No. 2526

Introduced by Assembly Member Gonzalez

February 21, 2014

An act to amend Section 1230 of the Penal Code, relating to probation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2526, as introduced, Gonzalez. Criminal recidivism: Community Corrections Performance Incentives Fund.

Existing law authorizes each county to establish a Community Corrections Performance Incentives Fund (CCPIF) and authorizes the state to annually allocate money into the State Corrections Performance Incentives Fund to be used for specified purposes relating to improving local probation supervision practices and capacities.

This bill would make technical, nonsubstantive changes to these provisions.

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 1230 of the Penal Code is amended to
2 read:
3 1230. (a) Each county is hereby authorized to establish in each
4 *the* county treasury a Community Corrections Performance
5 Incentives Fund (CCPIF), to receive all amounts allocated to that
6 county for purposes of implementing this chapter.

1 (b) Notwithstanding any other law, in ~~any~~ a fiscal year for which
2 a county receives moneys to be expended for the implementation
3 of this chapter, the moneys, including ~~any~~ interest, shall be made
4 available to the CPO of that county, within 30 days of the deposit
5 of those moneys into the fund, for the implementation of the
6 community corrections program authorized by this chapter.

7 (1) The community corrections program shall be developed and
8 implemented by probation and advised by a local Community
9 Corrections Partnership.

10 (2) The local Community Corrections Partnership shall be
11 chaired by the CPO and comprised of the following membership:

12 (A) The presiding judge of the superior court, or his or her
13 designee.

14 (B) A county supervisor ~~or~~, the chief administrative officer for
15 the county, or a designee of the board of supervisors.

16 (C) The district attorney.

17 (D) The public defender.

18 (E) The sheriff.

19 (F) A chief of police.

20 (G) The head of the county department of social services.

21 (H) The head of the county department of mental health.

22 (I) The head of the county department of employment.

23 (J) The head of the county alcohol and substance abuse
24 programs.

25 (K) The head of the county office of education.

26 (L) A representative from a community-based organization with
27 experience in successfully providing rehabilitative services to
28 persons who have been convicted of a criminal offense.

29 (M) An individual who represents the interests of victims.

30 (3) Funds allocated to probation pursuant to this act shall be
31 used to provide supervision and rehabilitative services for adult
32 felony offenders subject to local supervision, and shall be spent
33 on evidence-based community corrections practices and programs,
34 as defined in subdivision (d) of Section 1229, which may include,
35 but are not limited to, the following:

36 (A) Implementing and expanding evidence-based risk and needs
37 assessments.

38 (B) Implementing and expanding intermediate sanctions that
39 include, but are not limited to, electronic monitoring, mandatory
40 community service, home detention, day reporting, restorative

1 justice programs, work furlough programs, and incarceration in
2 county jail for up to 90 days.

3 (C) Providing more intensive local supervision.

4 (D) Expanding the availability of evidence-based rehabilitation
5 programs, including, but not limited to, drug and alcohol treatment,
6 mental health treatment, anger management, cognitive behavior
7 programs, and job training and employment services.

8 (E) Evaluating the effectiveness of rehabilitation and supervision
9 programs and ensuring program fidelity.

10 (4) Notwithstanding any other law, the CPO shall have discretion
11 to spend funds on any of the above practices and programs
12 consistent with this act but, at a minimum, shall devote at least 5
13 percent of all funding received to evaluate the effectiveness of
14 those programs and practices implemented with the funds provided
15 pursuant to this chapter. A CPO may petition the Administrative
16 Office of the Courts to have this restriction waived, and the
17 Administrative Office of the Courts shall have the authority to
18 grant ~~such a~~ *that* petition, if the CPO can demonstrate that the
19 department is already devoting sufficient funds to the evaluation
20 of these programs and practices.

21 (5) Each probation department receiving funds under this chapter
22 shall maintain a complete and accurate accounting of all funds
23 received pursuant to this chapter.