

**Introduced by Senator Jackson**February 19, 2014

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An act to add Section 977.5 to the Penal Code, relating to criminal procedure.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1110, as introduced, Jackson. Arraignment: military and veteran status: forms.

Existing law governs criminal proceedings, including arraignment of the defendant. Existing law also provides alternative sentencing procedures, under specified circumstances, if a court makes a determination prior to sentencing that a defendant who has been convicted of a criminal offense was, or currently is, a member of the United States military and may be suffering from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems as a result of that service, as specified.

Existing law authorizes the board of supervisors of each county to appoint a county veterans service officer to perform veteran-related services, as specified.

This bill would require a court to order that a form identifying the military and veteran status of the defendant be completed whenever a defendant is arraigned. The bill would require that the form be a part of the court file and acknowledged on the record by the court and the defense counsel, if any. The bill would authorize the court to provide a copy of the form free of charge to the county veterans service officer and to the United States Department of Veterans Affairs for verification of the information provided on the form, if necessary. The bill would require the Judicial Council to develop and adopt the form.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

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

- 1 SECTION 1. Section 977.5 is added to the Penal Code, to read:
- 2 977.5. (a) Whenever a defendant is arraigned, the court shall
- 3 order that a form identifying the military and veteran status of the
- 4 defendant be completed. The completed form shall be a part of the
- 5 court file and shall be acknowledged on the record by the court
- 6 and the defense counsel, if any. The court may provide a copy of
- 7 the form free of charge to the county veterans service officer and
- 8 to the United States Department of Veterans Affairs for verification
- 9 of the information provided on the form, if necessary.
- 10 (b) The Judicial Council shall develop and adopt the form
- 11 described in subdivision (a) for purposes of this section.