

ASSEMBLY BILL

No. 602

Introduced by Assembly Member Gallagher

February 24, 2015

An act to amend Section 6027 of the Penal Code, relating to corrections.

LEGISLATIVE COUNSEL'S DIGEST

AB 602, as introduced, Gallagher. Board of State and Community Corrections.

Existing law requires the Board of State and Community Corrections to collect and maintain available information and data about state and community correctional policies, practices, capacities, and needs, as specified. Existing law also requires the board, in consultation with the Administrative Office of the Courts, the Chief Probation Officers of California, and the California State Sheriffs' Association, to collect and analyze data regarding local plans implementing the 2011 public safety realignment.

This bill would require the board, in consultation with the Administrative Office of the Courts, the California State Association of Counties, the California State Sheriffs' Association, and the Chief Probation Officers of California, to collect and analyze data regarding recidivism rates of all persons who receive a felony sentence punishable by imprisonment in county jail or who are placed on postrelease community supervision. The bill would also require the board to make this data available on the board's Internet Web site.

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 6027 of the Penal Code is amended to
2 read:

3 6027. (a) ~~It shall be the duty of the~~*The* Board of State and
4 Community Corrections ~~to~~ *shall* collect and maintain available
5 information and data about state and community correctional
6 policies, practices, capacities, and needs, including, but not limited
7 to, prevention, intervention, suppression, supervision, and
8 incapacitation, as they relate to both adult corrections, juvenile
9 justice, and gang problems. The board shall seek to collect and
10 make publicly available up-to-date data and information reflecting
11 the impact of state and community correctional, juvenile justice,
12 and gang-related policies and practices enacted in the state, as well
13 as information and data concerning promising and evidence-based
14 practices from other jurisdictions.

15 (b) Consistent with subdivision (c) of Section 6024, the board
16 shall also:

17 (1) Develop recommendations for the improvement of criminal
18 justice and delinquency and gang prevention activity throughout
19 the state.

20 (2) Identify, promote, and provide technical assistance relating
21 to evidence-based programs, practices, and promising and
22 innovative projects consistent with the mission of the board.

23 (3) Develop definitions of key terms, including, but not limited
24 to, “recidivism,” “average daily population,” “treatment program
25 completion rates,” and any other terms deemed relevant in order
26 to facilitate consistency in local data collection, evaluation, and
27 implementation of evidence-based practices, promising
28 evidence-based practices, and evidence-based programs. In
29 developing these definitions, the board shall consult with the
30 following stakeholders and experts:

31 (A) A county supervisor or county administrative officer,
32 selected after conferring with the California State Association of
33 Counties.

34 (B) A county sheriff, selected after conferring with the California
35 State Sheriffs’ Association.

36 (C) A chief probation officer, selected after conferring with the
37 Chief Probation Officers of California.

1 (D) A district attorney, selected after conferring with the
2 California District Attorneys Association.

3 (E) A public defender, selected after conferring with the
4 California Public Defenders Association.

5 (F) The Secretary of the Department of Corrections and
6 Rehabilitation.

7 (G) A representative from the Administrative Office of the
8 Courts.

9 (H) A representative from a nonpartisan, nonprofit policy
10 institute with experience and involvement in research and data
11 relating to California’s criminal justice system.

12 (I) A representative from a nonprofit agency providing
13 comprehensive reentry services.

14 (4) Receive and disburse federal funds, and perform all
15 necessary and appropriate services in the performance of its duties
16 as established by federal acts.

17 (5) Develop comprehensive, unified, and orderly procedures to
18 ensure that applications for grants are processed fairly, efficiently,
19 and in a manner consistent with the mission of the board.

20 (6) Identify delinquency and gang intervention and prevention
21 grants that have the same or similar program purpose, are allocated
22 to the same entities, serve the same target populations, and have
23 the same desired outcomes for the purpose of consolidating grant
24 funds and programs and moving toward a unified single
25 delinquency intervention and prevention grant application process
26 in adherence with all applicable federal guidelines and mandates.

27 (7) Cooperate with and render technical assistance to the
28 Legislature, state agencies, units of general local government,
29 combinations of those units, or other public or private agencies,
30 organizations, or institutions in matters relating to criminal justice
31 and delinquency prevention.

32 (8) Develop incentives for units of local government to develop
33 comprehensive regional partnerships whereby adjacent jurisdictions
34 pool grant funds in order to deliver services, such as job training
35 and employment opportunities, to a broader target population,
36 including at-risk youth, and maximize the impact of state funds at
37 the local level.

38 (9) Conduct evaluation studies of the programs and activities
39 assisted by the federal acts.

1 (10) Identify and evaluate state, local, and federal gang and
2 youth violence suppression, intervention, and prevention programs
3 and strategies, along with funding for those efforts. The board shall
4 assess and make recommendations for the coordination of the
5 state's programs, strategies, and funding that address gang and
6 youth violence in a manner that maximizes the effectiveness and
7 coordination of those programs, strategies, and resources. By
8 January 1, 2014, the board shall develop funding allocation policies
9 to ensure that within three years no less than 70 percent of funding
10 for gang and youth violence suppression, intervention, and
11 prevention programs and strategies is used in programs that utilize
12 promising and proven evidence-based principles and practices.
13 The board shall communicate with local agencies and programs
14 in an effort to promote the best evidence-based principles and
15 practices for addressing gang and youth violence through
16 suppression, intervention, and prevention.

17 (11) The board shall collect from each county the plan submitted
18 pursuant to Section 1230.1 within two months of adoption by the
19 county boards of supervisors. Commencing January 1, 2013, and
20 annually thereafter, the board shall collect and analyze available
21 data regarding the implementation of the local plans and other
22 outcome-based measures, as defined by the board in consultation
23 with the Administrative Office of the Courts, the Chief Probation
24 Officers of California, and the California State Sheriffs'
25 Association. By July 1, 2013, and annually thereafter, the board
26 shall provide to the Governor and the Legislature a report on the
27 implementation of the plans described above.

28 (12) Commencing on and after July 1, 2012, the board, in
29 consultation with the Administrative Office of the Courts, the
30 California State Association of Counties, the California State
31 Sheriffs' Association, and the Chief Probation Officers of
32 California, shall support the development and implementation of
33 first phase baseline and ongoing data collection instruments to
34 reflect the local impact of Chapter 15 of the Statutes of 2011,
35 specifically related to dispositions for felony offenders and
36 postrelease community supervision. The board shall make any
37 data collected pursuant to this paragraph available on the board's
38 Internet Web site. It is the intent of the Legislature that the board
39 promote collaboration and the reduction of duplication of data
40 collection and reporting efforts where possible.

1 (13) Commencing on and after July 1, 2016, the board, in
2 consultation with the Administrative Office of the Courts, the
3 California State Association of Counties, the California State
4 Sheriffs' Association, and the Chief Probation Officers of
5 California, shall collect and analyze data regarding recidivism
6 rates of all persons who receive a sentence pursuant to paragraph
7 (2) or (5) of subdivision (h) of Section 1170 or who are placed on
8 postrelease community supervision on or after July 1, 2016. The
9 data shall include, as it becomes available, recidivism rates for
10 these offenders one, two, and three years after their release in the
11 community. The board shall make any data collected pursuant to
12 this paragraph available on the board's Internet Web site on a
13 quarterly basis beginning on September 1, 2017. As used in this
14 paragraph, the term "recidivism" shall have the same meaning
15 as the definition of the term developed pursuant to paragraph (3).

16 (c) The board may do either of the following:

17 (1) Collect, evaluate, publish, and disseminate statistics and
18 other information on the condition and progress of criminal justice
19 in the state.

20 (2) Perform other functions and duties as required by federal
21 acts, rules, regulations, or guidelines in acting as the administrative
22 office of the state planning agency for distribution of federal grants.

23 (d) Nothing in this chapter shall be construed to include, in the
24 provisions set forth in this section, funds already designated to the
25 Local Revenue Fund 2011 pursuant to Section 30025 of the
26 Government Code.

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