

AMENDED IN ASSEMBLY APRIL 28, 2016

AMENDED IN ASSEMBLY APRIL 5, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2195

Introduced by Assembly Member Bonilla

February 18, 2016

An act to add Section ~~11105.09~~ *13015* to the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

AB 2195, as amended, Bonilla. Crimes: felony murder: data.

~~Existing law establishes the Department of Justice under the direction and control of the Attorney General, and requires the department to perform duties in the investigation of crimes as may be assigned by the Attorney General. Existing law requires the Attorney General to compile and disseminate state summary criminal history information pertaining to the identification and criminal history of any person. Existing law also establishes the Department of Corrections and Rehabilitation to oversee the state prison system.~~

Existing law requires the Department of Justice to collect certain criminal justice data from specified persons and agencies and to present an annual report to the Governor containing the criminal statistics of the preceding calendar year, as specified. Existing law requires the department to maintain a specified data set, updated annually, that is made available through a prominently displayed hypertext link on the department's Internet Web site. Existing law also requires the department to annually publish a report containing specified

demographic information on victims of, and persons who are charged with, homicide.

Existing law establishes the Department of Corrections and Rehabilitation to oversee the state prison system.

Existing law specifies which species of murder are murder of the first degree, including all murder that is committed in the perpetration of, or attempt to perpetrate, certain crimes, including, among others, burglary, arson, rape, robbery, and kidnapping. Existing law provides that all other kinds of murders are of the second degree.

This bill would, notwithstanding any other law, on or before January 1, 2018, require the Department of Justice, in consultation with the Department of Corrections and Rehabilitation, to collect data on the number of persons currently convicted ~~of~~ *of*, and sentenced ~~for~~ *for*, first and second degree felony murder pursuant to the provisions described above. The bill would also require the Department of Justice to disaggregate ~~that the data by county.~~ *county and by race and gender within each county.* The bill would require the Department of Justice to update ~~this the data annually,~~ *annually* and would require the department to post the data in a prominent place on the department'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 ~~11105.09~~ *13015* is added to the Penal
- 2 Code, to read:
- 3 ~~11105.09-~~
- 4 *13015.* (a) Notwithstanding any other law, on or before January
- 5 1, 2018, the Department of Justice, in consultation with the
- 6 Department of Corrections and Rehabilitation, shall collect data
- 7 on both of the following:
- 8 (1) The number of persons currently convicted ~~of~~ *of*, and
- 9 sentenced ~~for~~ *for*, first degree felony murder pursuant to Chapter
- 10 1 (commencing with Section 187) of Title 8 of Part 1.
- 11 (2) The number of persons currently convicted ~~of~~ *of*, and
- 12 sentenced ~~for~~ *for*, second degree felony murder pursuant to Chapter
- 13 1 (commencing with Section 187) of Title 8 of Part 1.

1 (b) The Department of Justice shall also disaggregate the data
2 required by subdivision (a) by ~~county~~. *county and by race and*
3 *gender within each county.*

4 (c) The Department of Justice shall update the data required by
5 this section annually.

6 (d) The Department of Justice shall post the data required by
7 this section in a prominent place on the department's Internet Web
8 site.

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