



To: All CPPCA Members

From: Danielle Sanchez, Danielle@wpssgroup.com

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Re: Legislative Update

The Legislature concluded policy hearings for bills in the second house and adjourned for Summer Recess on Friday, July 21. The Legislature will reconvene on August 21 and continue holding Appropriations hearings to hear and vote on a number of fiscal bills. We anticipate a very busy final month of the session leading up to the September 15 deadline to pass bills to the Governor.

WPSS will continue to closely monitor all legislative action during the recess. As we enter into the final month of the 2017 legislative session, we will actively review all bills for potential "gut and amends" in which significant and substantive amendments are taken and can often change the direction or scope of a bill.

Key dates:

- July 21 – Summer Recess begins upon adjournment
- August 21 – Legislature reconvenes
- September 1 – Last day for fiscal committees to meet and report bills
- September 8 – Last day to amend a bill on the Floor
- September 15 – Last day for any bill to be passed
- October 15 – Last day for the Governor to sign or veto bills

Below is a list of bills that we continue to track for CPPCA.

Measure	Topic	Status	Summary	Position
AB 255 Gallagher R	Sexually violent predators: out-of-county placement.	7/10/2017- Approved by the Governor. Chaptered by Secretary of State - Chapter 39, Statutes of 2017.	Current law generally requires a sexually violent predator who is conditionally released to be placed in the county that was the person's county of domicile prior to the person's incarceration. Current law provides for placement outside of the county of domicile if specified circumstances exist. Current law specifies certain information to be considered in	Support

			determining the county of domicile. This bill would require the court to consider additional factors when determining the county of placement that is not the county of domicile, including if and how long the person has previously resided or been employed in the county and if the person has next of kin in the county.	
<u>AB 459</u> <u>Chau D</u>	Public records: video or audio recordings: crime.	7/12/2017-From committee: Do pass and re-refer to Com. on APPR. with recommendation : To Consent Calendar. (Ayes 7. Noes 0.) (July 11). Re-referred to Com. on APPR.	The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. This bill would specify that the act does not require disclosure of a video or audio recording that was created during the commission or investigation of the crime of rape, incest, sexual assault, domestic violence, or child abuse that depicts the face, intimate body part, or voice of a victim of the incident depicted in the recording.	Support
<u>AB 662</u> <u>Choi R</u>	Restitution: tracking.	7/18/2017-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.	Current law establishes a local Community Corrections Partnership (CCP) in each county and requires the CCP to recommend a local plan to the county board of supervisors for the implementation of the 2011 public safety realignment. Current law allows the plan to include recommendations to maximize the effective investment of criminal justice resources in evidence-based correction sanctions and programming, including specifically, among other things, victim restitution programs. This bill would require a county agency or department administering the collection of restitution in the above circumstances to track restitution payments and send monthly notices to the individual responsible for paying restitution and quarterly statements to the victim, if victim contact information is available, detailing the payment status of the restitution order.	Fiscal Concerns
<u>AB 766</u> <u>Friedman D</u>	Foster youth: students of the California State University and California Community Colleges.	7/19/2017-Read second time and amended. Re-referred to Com. on APPR.	Current law authorizes a nonminor dependent to receive all of his or her AFDC-FC payment directly if he or she is living in a supervised independent living placement and he or she complies with certain requirements. This bill would establish, as an additional AFDC-FC	Support

			eligible placement for specified minor dependents enrolled in a postsecondary educational institution, a dormitory or other designated housing of the postsecondary educational institution in which the minor dependent is living independently. The bill would authorize the minor dependent to receive the AFDC-FC payment directly, if specified conditions are met.	
<u>AB 790</u> <u>Stone, Mark D</u>	Identification cards: replacement: reduced fee.	7/18/2017-Read second time. Ordered to third reading.	Would provide for a reduced fee of \$8 for a replacement identification card issued to an eligible inmate, as defined, upon release from a state or federal correctional facility or a county jail facility, and to an eligible patient, as defined, treated in a facility of the State Department of State Hospitals. This bill contains other related provisions and other existing laws.	Support
<u>AB 811</u> <u>Gipson D</u>	Juveniles: rights: computing technology.	7/12/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (July 11). Re-referred to Com. on APPR.	Under current law, the Youth Bill of Rights, enumerates various rights for youth confined in a facility of the Division of Juvenile Facilities, including, among others, the right to maintain frequent and continuing contact with family members and the right to receive a quality education. This bill would grant youth confined in a facility of the Division of Juvenile Facilities, and minors detained in or committed to a juvenile hall or juvenile ranch, camp, or forestry camp, the right to reasonable access to computer technology and the Internet for the purposes of education and maintaining relationships with family and supportive adults. The bill would specify that these provisions do not prohibit the chief probation officer, or his or her designee, from adopting policies for making individualized determinations to limit or deny reasonable access to computer technology or the Internet for safety reasons.	Oppose
<u>AB 878</u> <u>Gipson D</u>	Juveniles: restraints.	6/28/2017-Read second time. Ordered to third reading.	Would authorize the use of restraints on a minor during transportation outside of a local secure juvenile facility, camp, ranch, or forestry camp, only upon a determination that restraints are necessary to prevent physical harm to the juvenile or another person or due to a substantial risk of flight. The bill would authorize the use	Oppose

			of restraints during a juvenile court proceeding if the court determines that the individual minor's behavior in custody or in court establishes a manifest need to use restraints to prevent physical harm to the juvenile or another person or due to a substantial risk of flight.	
<u>AB 935</u> <u>Stone, Mark D</u>	Juvenile proceedings: competency.	7/13/2017-Read second time and amended. Re-referred to Com. on APPR.	Upon suspension of proceedings, existing law requires the court to order that the question of the minor's competence be determined at a hearing. Current law requires the court to appoint an expert, as specified, to evaluate whether the minor suffers from a mental disorder, developmental disability, developmental immaturity, or other condition and, if so, whether the condition or conditions impair the minor's competency. This bill would revise and recast these provisions to, among other things, expand upon the duties imposed upon the expert during his or her evaluation of a minor whose competency is in doubt, as specified.	Support
<u>AB 1006</u> <u>Maienschein R</u>	Foster youth.	7/19/2017-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.	Would require, in any case in which the court has ordered a dependent child or a ward of the juvenile court placed for adoption or has appointed a relative or nonrelative legal guardian, the social worker or probation officer to provide the prospective adoptive family or the guardian or guardians specified mental health treatment information. The bill would also require the department, the county adoption agency, or the licensed adoption agency, to provide that information to the prospective adoptive family at the time the application for adoption is made and at the time immediately prior to the finalization of the adoption decree.	Support
<u>AB 1339</u> <u>Cunningham R</u>	Public employment: background investigations.	7/21/2017- Approved by the Governor. Chaptered by Secretary of State - Chapter 89, Statutes of 2017.	Current law requires, an employer to disclose employment information relating to a current or former employee who is an applicant for a peace officer position, and who is not currently employed as a peace officer, upon request of a law enforcement agency, if certain conditions are met. This bill would extend those employer disclosure requirements to information relating to a current or former employee	Support

			who is an applicant for a position other than as a sworn peace officer with a law enforcement agency.	
AB 1344 Weber D	Voting rights: inmates and persons formerly incarcerated.	7/11/2017-Read second time. Ordered to third reading.	Would require the Department of Corrections and Rehabilitation and county probation departments to both establish and maintain on its Internet Web site a hyperlink to the Internet Web site at which information provided by the Secretary of State regarding voting rights for persons with a criminal history may be found and to post a notice that contains that Internet Web site address. The bill would also require the Department of Corrections and Rehabilitation and county probation departments to provide certain voting rights information to persons under their jurisdiction upon the request of such a person.	Fiscal Concerns
AB 1459 Quirk-Silva D	Murder: peace officers.	7/17/2017-Read third time. Passed. Ordered to the Assembly. In Assembly. Concurrence in Senate amendments pending. May be considered on or after July 19 pursuant to Assembly Rule 77.	Would state the findings and declarations of the Legislature that the unlawful killing of a peace officer, as defined, that is deliberate, willful, and premeditated is murder of the first degree for purposes of the gravity of the offense and the support of the survivors. The bill would identify these findings as declaratory of existing law.	Support
SB 190 Mitchell D	Juveniles.	7/13/2017-From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.	Current law provides that the board of supervisors of any county may authorize the correctional administrator to offer a program under which inmates committed to a county jail or other county correctional facility or granted probation, or inmates participating in a work furlough program, may voluntarily participate or involuntarily be placed in a home detention program during their sentence in lieu of confinement in a county jail or other county correctional facility or program. Current law authorizes the board of supervisors to prescribe a program administrative fee and an application fee for this program. This bill would make those fees payable only by	Oppose

			adult participants of that home detention program who are over 21 years of age and under the jurisdiction of the criminal court.	
SB 237 Hertzberg D	Criminal procedure: arrest.	7/3/2017-From consent calendar on motion of Assembly Member Bonta. Ordered to third reading.	Would authorize an arresting officer to release an arrested person from custody without taking him or her before a magistrate if the person is delivered, subsequent to being arrested, to a specified facility for the purpose of mental health evaluation and treatment and no further criminal proceedings are desirable. The bill would require a person arrested and released pursuant to this provision to be issued a certificate describing the action as a detention. This bill contains other existing laws.	Support
SB 304 Portantino D	Juvenile court school pupils: joint transitions planning policy: individualized transition plan.	7/19/2017-July 19 set for first hearing. Placed on APPR. suspense file.	Current law provides that a county office of education and county probation department shall have a joint transition planning policy that includes collaboration with relevant local educational agencies to coordinate education and services for youth in the juvenile justice system. This bill would require a pupil detained for more than 20 consecutive schooldays to have an individualized transition plan, as specified, to be developed by the county office of education in collaboration with the county probation department, and to have a transition portfolio, as described, developed by the county office of education to be accessible to the pupil upon his or her release.	Watch
SB 345 Bradford D	Law enforcement agencies: public records.	7/12/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 1.) (July 11). Re-referred to Com. on APPR.	Would, commencing January 1, 2019, require the Department of Alcoholic Beverage Control, the Department of the California Highway Patrol, the Department of Corrections and Rehabilitation, the Department of Fish and Wildlife, the Department of Justice, the Commission on Peace Officer Standards and Training, and each local law enforcement agency to conspicuously post on their Internet Web sites all current standards, policies, practices, operating procedures, and education and training materials, to the extent not prohibited by the California Public Records Act.	Oppose
SB 395	Custodial	6/28/2017-Read	Would require that a youth under 18 years	Oppose

<p>Lara D</p>	<p>interrogation: juveniles.</p>	<p>second time. Ordered to third reading.</p>	<p>of age consult with legal counsel in person, by telephone, or by video conference prior to a custodial interrogation and before waiving any of the above-specified rights. The bill would provide that consultation with legal counsel cannot be waived. The bill would require the court to consider the effect of the failure to comply with the above-specified requirement in adjudicating the admissibility of statements of a youth under 18 years of age made during or after a custodial interrogation.</p>	
<p>SB 421 Wiener D</p>	<p>Sex offenders: registration: criminal offender record information systems.</p>	<p>7/13/2017-Read second time and amended. Re-referred to Com. on APPR.</p>	<p>Current law requires the Department of Justice to make available to the public information concerning registered sex offenders on an Internet Web site, as specified. Current law requires that information to include, among other things, whether the offender was subsequently incarcerated for another felony. Current law also authorizes a person to file an application for exclusion from the Internet Web site and establishes the requirements for exclusion. This bill would establish 3 tiers of registration based on specified criteria, for periods of at least 10 years, at least 20 years, and life, respectively, for a conviction of specified sex offenses, and 5 years and 10 years for tiers one and two, respectively, for an adjudication as a ward of the juvenile court for specified sex offenses, as specified.</p>	<p>Support</p>
<p>SB 462 Atkins D</p>	<p>Juveniles: case files: access.</p>	<p>7/20/2017-Read second time. Ordered to consent calendar.</p>	<p>Would allow records contained in juvenile delinquency case files to be accessed by a law enforcement agency, probation department, court, the Department of Justice, or other state or local agency that has custody of the case file and juvenile record for the limited purpose of complying with data collection or data reporting requirements. The bill would allow the juvenile court, upon the request of the chief probation officer, to authorize a probation department to access and provide data contained in juvenile delinquency case files to a program evaluator, researcher, or research organization for the purpose of conducting</p>	<p>Support</p>

			or facilitating research on juvenile justice populations, as specified.	
<u>SB 587</u> <u>Atkins D</u>	Emergency vehicles: blue warning lights.	7/11/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 14. Noes 0.) (July 10). Re-referred to Com. on APPR.	Current law authorizes specified peace officers, including, among others, police officers, members of the University of California Police Department, and members of the California National Guard, in the performance of the officers' duties, to display a steady or flashing blue warning light visible from the front, sides, or rear of their emergency vehicles. This bill would also authorize probation officers to display the blue warning light from their emergency vehicles.	Support
<u>SB 597</u> <u>Leyva D</u>	Human trafficking: victim confidentiality.	6/28/2017-June 28 set for first hearing. Placed on suspense file.	Current law authorizes victims of domestic violence, sexual assault, or stalking to complete an application to be approved by the Secretary of State for the purpose of enabling state and local agencies to respond to requests for public records without disclosing a program participant's residence address contained in any public record and otherwise provide for confidentiality of identity for that person, subject to specified conditions. This bill would make this program available to a victim of human trafficking, as defined. The bill would also make the program available to household members, as defined, of a victim of domestic violence, sexual assault, stalking, or human trafficking, excluding the perpetrator, if applicable.	Support
<u>SB 612</u> <u>Mitchell D</u>	Foster care: transitional housing.	7/18/2017-Read second time and amended. Re-referred to Com. on APPR.	Would revise and recast specified described provisions, by among other things, redefining "transitional housing placement provider" to mean an organization licensed by the department to provide transitional housing to foster children at least 16 years of age to promote their transition to adulthood. The bill would authorize transitional housing placement providers to operate either a "Transitional Housing Placement program for minor foster children," a program serving foster children at least 16 years of age and not more than 18 years of age, or a "Transitional Housing Placement program for nonminor dependents," a program serving nonminor dependents at	Watch

			least 18 years of age and not more than 21 years of age.	
<u>SB 649</u> <u>Hueso D</u>	Wireless telecommunications facilities.	7/18/2017-Read second time and amended. Re-referred to Commission APPR.	Under current law, a wireless telecommunications collocation facility, as specified, is subject to a city or county discretionary permit and is required to comply with specified criteria, but a collocation facility, which is the placement or installation of wireless facilities, including antennas and related equipment, on or immediately adjacent to that wireless telecommunications collocation facility, is a permitted use not subject to a city or county discretionary permit. This bill would provide that a small cell is a permitted use, subject only to a specified permitting process adopted by a city or county, if the small cell meets specified requirements.	Support
<u>SB 725</u> <u>Jackson D</u>	Veterans: pretrial diversion: driving privileges.	7/20/2017-Assembly amendments concurred in. (Ayes 38. Noes 0.) Ordered to engrossing and enrolling.	Current law makes it unlawful for a person who is under the influence of any alcoholic beverage or drug to drive a vehicle, or to drive a vehicle and concurrently do any act forbidden by law which causes bodily injury to any person other than the driver. In any case in which a person is charged with a violation of these provisions, existing law prohibits a court from suspending or staying the proceedings prior to acquittal or conviction or from dismissing the proceedings because the accused person attends or participates in a treatment program. This bill would specify that a misdemeanor offense for which a defendant may be placed in a pretrial diversion program in accordance with the above-described program includes a misdemeanor violation of driving under the influence or driving under the influence and causing bodily injury.	Support