

AMENDED IN ASSEMBLY MAY 5, 2014
AMENDED IN SENATE JANUARY 29, 2014
AMENDED IN SENATE JANUARY 9, 2014

SENATE BILL

No. 466

**Introduced by Senator DeSaulnier
(Coauthor: Senator Wolk)**

February 21, 2013

An act to add and repeal Chapter 4 (commencing with Section 11480) of Title 1 of Part 4 of the Penal Code, relating to the California Institute for Criminal Justice Policy.

LEGISLATIVE COUNSEL'S DIGEST

SB 466, as amended, DeSaulnier. California Institute for Criminal Justice Policy.

Existing law requires the California Law Revision Commission to study, and limits the commission to studying, topics approved by resolution of the Legislature. Existing law requires the commission to examine statutes to discover defects and recommend reforms.

This bill would establish the California Institute for Criminal Justice Policy *for the purpose of facilitating a comprehensive and coordinated approach to delineate effective public safety and justice systems through the use of evidence-based practices, the promulgation of cost-benefit analyses of criminal justice legislation to promulgate a statewide plan for public safety, and the development of strategies based on data and science that reduce recidivism and hold offenders accountable.* This bill would request the University of California to house the institute. ~~This bill would require the institute to conduct a cost-benefit, evidence-based analysis for each pending legislative measure relating~~

to criminal justice and supply the analysis to the appropriate policy and fiscal committees in the Legislature as soon as practicable and not later than 60 days after receiving a request to produce an analysis from a committee. The bill would become operative after a determination by the Director of the Department of Finance that sufficient private funds have been deposited with the state to fully support the startup and operational activities of the institute for one year, would remain operative upon funding being made available in the annual Budget Act, and would be repealed as of January 1, 2018.

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. Chapter 4 (commencing with Section 11480) is
2 added to Title 1 of Part 4 of the Penal Code, to read:

3
4 CHAPTER 4. CALIFORNIA INSTITUTE FOR CRIMINAL JUSTICE
5 POLICY

6
7 11480. The Legislature finds and declares all of the following:

8 (a) For the past 30 years, California’s criminal justice system
9 has experienced ongoing problems, including dangerous prison
10 overcrowding. In 2006, California’s prison population reached
11 173,000 inmates, at 202 percent of design capacity. State spending
12 on corrections increased by 31 percent in the last decade resulting
13 in reduced funding for higher education, health and social services,
14 and the courts and local law enforcement.

15 (b) Parole reform in 2009 and the 2011 Public Safety
16 Realignment significantly reduced prison populations for the first
17 time in decades. Nonetheless, prisons are still over capacity, jail
18 expansion is increasing across the state, and too few justice system
19 entities have embraced evidence-based practices to increase safety
20 and reduce criminal justice costs.

21 (c) California needs an independent data-driven institution to
22 promulgate best practices in criminal justice and guide the state
23 in a transition from a problem-plagued justice system to
24 evidence-based practices. A dedicated, independent institute can
25 carry out nonpartisan practical research to address the continuing

1 issues in the criminal justice system and delineate models for
2 effective public safety and justice systems.

3 (d) Instituting best practices in the criminal justice system will
4 ultimately save the state money through reduced litigation costs.
5 A 2010 report by the Inspector General of California found that
6 the state paid more than \$139 million between 1997 and 2010 in
7 litigation costs for 12 major class action cases associated with the
8 treatment of inmates and wards in the state. By addressing these
9 issues in a comprehensive manner, future lawsuits could be
10 avoided, and the costs of the existing ongoing litigation could be
11 mitigated.

12 11480.01. There is hereby established in the state government
13 the California Institute for Criminal Justice Policy.

14 The purposes of the institute shall include, but need not be
15 limited to, the facilitation of a comprehensive and coordinated
16 approach to delineate effective public safety and justice systems
17 through the use of evidence-based practices, the promulgation of
18 cost-benefit analyses of criminal justice legislation to promulgate
19 a statewide plan for public safety, and the development of strategies
20 based on data and science that reduce recidivism and hold offenders
21 accountable.

22 11481. The Legislature requests that the University of
23 California house the California Institute for Criminal Justice Policy
24 to facilitate independent and nonpartisan research on issues related
25 to criminal justice and public safety by experts in the University
26 of California system and beyond.

27 ~~11482. (a) The California Institute for Criminal Justice Policy~~
28 ~~shall conduct a cost-benefit analysis for each pending legislative~~
29 ~~measure relating to criminal justice.~~

30 ~~(b) The California Institute for Criminal Justice Policy shall~~
31 ~~include in an analysis a determination of the potential effectiveness~~
32 ~~of the policy based on evidence in the field of criminal justice.~~

33 ~~(c) The California Institute for Criminal Justice Policy shall~~
34 ~~provide that analysis to the appropriate legislative policy and fiscal~~
35 ~~committee as soon as practicable and not later than 60 days after~~
36 ~~receiving a request to produce an analysis from a committee.~~

37 11483. (a) This chapter shall become operative only after the
38 Director of the Department of Finance determines that private
39 funds, in an amount sufficient to fully support the startup and
40 operational activities of the California Institute for Criminal Justice

1 Policy for one year from the date of implementation, have been
2 deposited with the state. If the director determines that sufficient
3 funding has been secured to support those activities, he or she shall
4 file a written statement with the Secretary of the Senate, the Chief
5 Clerk of the Assembly, and the Legislative Counsel memorializing
6 that *this* determination has been made.

7 (b) Once the funds deposited with the state and determined by
8 the director to be sufficient to fully support the startup and
9 operational activities of the California Institute for Criminal Justice
10 Policy for one year from the date of implementation, pursuant to
11 subdivision (a), have been expended, this chapter shall remain
12 operative upon an appropriation being made in the annual Budget
13 Act to implement the purposes, objectives, and operations of the
14 California Institute for Criminal Justice Policy.

15 (c) This chapter shall remain in effect only until January 1, 2018,
16 and as of that date is repealed, unless a later enacted statute, that
17 is enacted before January 1, 2018, deletes or extends that date.