

AMENDED IN ASSEMBLY APRIL 6, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

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

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

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

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

7 (F) The Secretary of the Department of Corrections and
8 Rehabilitation.

9 (G) A representative from the Administrative Office of the
10 Courts.

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

14 (I) A representative from a nonprofit agency providing
15 comprehensive reentry services.

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

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

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

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

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

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

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

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

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

1 promote collaboration and the reduction of duplication of data
2 collection and reporting efforts where possible.

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

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

20 (1) Collect, evaluate, publish, and disseminate statistics and
21 other information on the condition and progress of criminal justice
22 in the state.

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

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