LARRP’s Policy Priorities in 2018

AB 1793 (Bonta) Cannabis Convictions - This bill would state the intent of the Legislature to enact legislation to allow automatic expungement or reduction of a prior cannabis conviction, as specified.

AB 1940 (McCarthy) Parole: reintegration credits - This bill would create a program under which the length of a parolee’s period of parole may be reduced through the successful completion of specified education, training, or treatment programs, by participating in volunteer service, and by adhering to the conditions of parole. The bill would also increase the 50-mile travel restriction for a parolee who successfully participates in the program, subject to certain restrictions. The bill would require the Department of Corrections and Rehabilitation and the Board of Parole Hearings to adopt regulations to carry out the program.

AB 2133 (Weber) Criminal Justice: state summary criminal history records - This bill would state that this authority extends to a public defender or attorney of record when representing a criminal defendant on appeal or during any post-conviction motions.

AB 2138 (Low/Chiu) Licensing boards: denial of application: criminal conviction - This bill would instead prohibit a person from being denied a license solely on the basis that he or she has been convicted of a nonviolent crime and would make conforming changes.

AB 2293 (Reyes) Emergency medical services: licensure - This bill would allow the authority to deny an application submitted by an individual for an EMT-I or EMT-II license and would establish the criteria related to conduct that the authority may consider in denying the application, as specified, and would permit the authority to consider whether an applicant demonstrates substantial rehabilitation, as defined. The bill would allow an applicant 30 days to respond to a denied EMT-I or EMT-II application.

AB 2438 (Ting) Expediting the Records Clearing Process - AB 2438 would expedite the records clearing process for those who have successfully completed their probation for non-serious and nonviolent offenses by requiring the court to clear the record without the defendant petitioning for it. The bill would also remove the application fee required by the court. These records will still be available to law enforcement.

AB 3115 (Gipson) Country Jail Voter Education and Registration - AB 3115 (Gipson) seeks to educate those who are currently incarcerated in county jails on voter registration and voter rights.

SB 10 (Hertzberg) Bail: pretrial release - This bill would declare the intent of the Legislature to enact legislation that would safely reduce the number of people detained pretrial, while addressing racial and economic disparities in the pretrial system, and to ensure that people are not held in pretrial detention simply because of their inability to afford money bail.

SB 215 (Beall) Diversion: mental disorders - The purpose of this bill is to create a pretrial diversion program for defendants who commit a misdemeanor or jail-eligible felony who suffer from a mental disorder if the mental disorder played a significant role in the commission of the charged offense.
SB 1010 (Beall) Parolees: Supportive Housing Pilot Program - Senate Bill 1010 (Beall) would reduce recidivism and improve outcomes among parolees by using existing CDCR resources more effectively. It would create a pilot to provide supportive housing to parolees who are either experiencing homelessness or were homeless when incarcerated, and have no place to go upon discharge. Under the pilot, CDCR would work to enter into a Memorandum of Understanding with one to two counties.

SB 1025 (Skinner) Probation: eligibility crimes relating to controlled substances - Existing law prohibits granting probation or suspending a sentence for persons convicted of specified crimes relating to controlled substances, including possessing or agreeing to sell or transport opiates or opium derivatives, possessing or transporting cannabis, planting or cultivating peyote, and various crimes relating to forging or altering prescriptions, among other crimes, if the person has previously been convicted of any one of specified felony offenses relating to controlled substances. Existing law also prohibits granting probation or suspending a sentence for persons convicted of specified crimes relating to controlled substances, including possessing for sale or selling 14.25 grams or more of a substance containing heroin and possessing for sale 14.25 grams or more of any salt or solution of phencyclidine or its analogs, among other crimes.

This bill would delete various crimes relating to controlled substances, including, but not limiting to, the crimes described above, from those prohibitions against granting probation or a suspended sentence. By making additional person eligible for probation, the bill would impose a state-mandated local program.

SB 1298 (Skinner) Increasing Access to Employment Act - This bill increases opportunities for individuals to obtain an occupational license and public employment. Specifically, this bill:

(1) Enhances a person's ability to get a license by eliminating the DOJ's ability to disseminate information about old and dismissed convictions to employers and agencies;
(2) Streamlines the process individuals to access, verify, and correct their own inaccurate records; and
(3) Creates a fund for rehabilitation and reentry services.

SB 1392 (Mitchell) Sentencing – Existing law imposes an additional 3-year sentence for each prior separate prison term served by a defendant where the prior and current offense was a violent felony, as defined. If that provision does not apply, existing law instead imposes a one-year term for each prior separate prison term or county jail felony term under the law, except under specified circumstances.

This bill would delete the provision that requires an additional one-year term.

SB 1393 (Mitchell) Sentencing – Existing law requires the court, when imposing a sentence for a serious felony, in addition and consecutive to the term imposed for that serious felony, to impose a 5-year enhancement for each prior conviction of a serious felony.

Existing law generally authorizes a judge, in the interests of justice, to order an action dismissed, but precludes a judge from striking a prior serious felony conviction in connection with imposition of the 5-year enhancement described above and would make conforming changes.

This bill would delete the restriction prohibiting a judge from striking a prior serious felony conviction in connection with imposition of the 5-year enhancement described above and would make conforming changes.