



LARRP Policy Priorities 2021

June 7, 2021

Employment

[AB 118 \(Kamlager\) "CRISES Act: Community Response Initiative to Strengthen Emergency Systems"](#)

Education

[SB 416 \(Kalra\) "Incarcerated Students' Bill of Rights"](#)

Sentencing

[AB 292 \(Stone\) "Access to Programming Act"](#)

[AB 333 \(Kamlager\) "The STEP Forward Act"](#)

[AB 1308 \(Ting\) "Expungement Retroactivity"](#)

[SB 73 \(Wiener\) "Repealing Mandatory Jail Sentences for Nonviolent Drug Offenses"](#)

[SB 262 \(Hertzberg\) "Pretrial Justice Reform Act"](#)

[SB 483 \(Allen\) "Full Repeal of Ineffective Sentence Enhancements"](#)

Healthy Communities

[SB 57 \(Wiener\) "Overdose Prevention Programs"](#)

Co-Sponsorship Bills

[SB 731 \(Durazo\) "Sunsetting Convictions"](#)

[AB 717 \(Stone\) "Cal-ID Bill"](#)

1. Employment

- a. **AB 118 (Kamlager) "CRISES Act: Community Response Initiative to Strengthen Emergency Systems"**
 - i. This bill deals with emergency services and community responses, and creates a grant program to earmark funds to employ local workers and organizations for work that can be safely done by said groups.
 - ii. Establishes the CRISES Act pilot grant program, promoting community-based responses to local emergency situations, including:
 1. Public Health Crisis
 2. People Experiencing Homelessness
 3. Mental Health Crisis
 4. Intimate Partner Violence



5. Community Violence
 6. Substance Use
 7. Natural Disasters
- iii. The pilot program will provide a minimum of \$250, 000 per organization/per year for the life of the grant program. The pilot shall create and strengthen alternatives to law enforcement in response to crisis situations not related to or that do not require a Fire Department or Emergency Medical Service (EMS) response in communities where there is a history and pattern of racial profiling, law enforcement violence, gaps in law enforcement service or where vulnerable populations live.
 - iv. Support
 1. Alliance for Boys and Men of Color, ACLU of California, Anti-Police-Terror Project, Berkeley Free Clinic, Black Lives Matter Los Angeles, Communities United for Restorative Youth Justice, East Bay Community Law Center, Justice Teams Network, Oakland Power Projects, PolicyLink, Public Health Advocates, Silicon Valley De-Bug, Stop Terrorism Oppression by Police Coalition, DW/AFSCME Local 3930, Youth Justice Coalition

2. Education

- a. **SB 416 (Kalra) “Incarcerated Students’ Bill of Rights”**
 - i. More than 10,000 incarcerated men and women (10% of CDCR’s population) are enrolled in college with waitlists statewide.
 - ii. The Penal Code does not require CDCR to ensure that quality programs are available inside prisons. CDCR could choose to contract with a for-profit distance or correspondence provider, as has happened in other states, thereby depriving incarcerated students of the benefits of the state’s public postsecondary institutions.
 - iii. This bill would need no such requirement from CDCR as it would outline the requirements that an institution should have beforehand in order to provide incarcerated students with a quality education.
 - iv. The Penal Code also does not recognize the full-time college enrollment of an incarcerated student as full-time work or training assignment. This treats college differently than other rehabilitative programs and relegates an incarcerated student’s college pursuits to the sidelines of other work



assignments with potentially less proven results in reducing recidivism. The Penal Code would be amended to protect incarcerated students from becoming prey to for-profit institutions that promise degrees or credits as an attempt to access Pell Grants, and would also recognize full-time college as a full-time assignment.

- v. Support
 - 1. Project Rebound Consortium, Underground Scholars- UC Berkeley, 20 Million Minds

3. Sentencing

a. AB 292 (Stone) “Access to Programming Act”

- i. AB 292 seeks to expand upon the success of Proposition 57 by preventing disruptions to programming and credit-earning and by providing the same credit-earning and incentives to people who participate in in-prison rehabilitative programs as those who participate in Fire Camp.
- ii. Administrative barriers often make it difficult for incarcerated individuals to take advantage of programming and credit-earning opportunities. During normal operations, transfers to a new facility can be extremely disruptive to programming. Often, individuals are unable to complete a program they have spent months in, and they can be required to wait months, or even years, before a slot becomes available at the new facility. Lockdowns also cause significant disruptions to programming; for example, during the lockdown caused by the COVID-19 pandemic, all programming was suspended and most credit-earning was halted.
- iii. This bill will limit disruptions to rehabilitative programming as much as possible by requiring that programming continue during lockdowns, and will direct CDCR to develop and implement programming that is not solely based on in-person methods.
- iv. This bill will also delay non-adverse, non-disciplinary transfers until the individual has completed their current programming. In cases where transfers are not preventable, CDCR will be required to seek volunteers, and to ensure that people have access to programming in the new facility.
- v. Support



1. Ella Baker Center for Human Rights, Initiate Justice, Re:Store Justice, Transformative in-Prison Workgroup

b. AB 333 (Kamlager) “The STEP Forward Act”

- i. Gang enhancements rely on vague definitions and weak standards of proof have cast a wide net, making them one of the most devastating drivers of mass incarceration in the state. They have been applied inconsistently and disproportionately against people of color with 92% of people who receive gang enhancements people of color.
- ii. This bill will end the ability of prosecutors to claim people are gang members simply because they may come from the same community, be related, or know each other, and prohibit the use of the current charged offense as proof of a “pattern” of criminal gang activity.
- iii. It will also remove specific crimes from the list of predicate offenses that allow gang enhancements to be charged.
- iv. Lastly, it will require direct evidence of current and active gang involvement and violence, and bifurcate direct evidence of gang involvement from the guilt determination at trial.
- v. Support
 1. The Anti-Recidivism Coalition, NextGen, The San Francisco Public Defender’s Office, Silicon Valley DeBug

c. AB 1308 (Ting) “Expungement Retroactivity”

- i. Individuals with criminal records face barriers in gaining employment, making them more likely to reoffend. This bill would open doors to those facing employment and housing barriers by automating the process of clearing an arrest or criminal record for eligible individuals.
- ii. AB 1308 requires the DOJ to provide the same automatic arrest and conviction relief for records starting on January 1, 1973, creating equity for all Californians.
- iii. Support
 1. Californians for Safety and Justice, Prosecutor’s Alliance

d. SB 73 (Wiener) “Repealing Mandatory Jail Sentences for Nonviolent Drug Offenses”

- i. This bill would delete various crimes relating to controlled substances from those prohibitions against granting probation or a suspended



sentence, including minimum sentences for persons convicted of specified nonviolent drug offenses.

- ii. It will also provide judges with the discretion to grant probation or other sentencing to divert convicted individuals away from the overburdened prison system.
- iii. The bill would authorize the remaining prohibitions on probation to be waived by a court in the interests of justice.
- iv. Support:
 - 1. Drug Policy Alliance, A New PATH, California NORML, Center for Living and Learning, Community Legal Services in East Palo Alto, Desert AIDS Project, End Hep C SF, Fresno Barrios Unidos, Initiate Justice, Rubicon Programs, The Los Angeles Trust for Children’s Health, William C. Velásquez Institute (WCVI), Women Organized to Respond to Life-threatening Diseases (WORLD)

e. SB 262 (Hertzberg) “Pretrial Justice Reform Act”

- i. AB 329 creates a more fair pretrial justice system in California by
 - 1. Setting bail at \$0 for most misdemeanors and low-level felonies
 - 2. Ensuring people accused do not remain in custody simply because they cannot afford to pay bail and do not assume any costs of court-imposed release conditions
 - 3. Requiring bail companies to refund the premiums they receive from defendants who aren’t charged; have their case dismissed or make all of their required court appearances
- ii. AB 329 will end unnecessary pretrial incarceration and eliminate the bail industry’s unjust profiteering by ensuring that one’s liberty and constitutional right to the presumption of innocence are not dependent on their wealth.
- iii. Support
 - 1. Californians for Safety and Justice, Anti-Recidivism Coalition, Western Center on Law & Poverty

f. SB 483 (Allen)- “Full Repeal of Ineffective Sentence Enhancements”

- i. Prior law requires a sentencing court to impose an additional one-year term for each prior separate prison term or county jail felony term served by the defendant for a nonviolent felony, plus an additional 3-year term for each prior conviction of specified controlled substances crimes.



- ii. This bill would declare an enhancement imposed pursuant to one of these prior provisions to be legally invalid.
- iii. Supporters- CURB, Californians United for a Responsible Budget, CHIRLA, The Coalition for Humane Immigrant Rights, Drug Policy Alliance, Ella Baker Center for Human Rights, A New Path, ACLU California Action, Asian Prisoner Support Committee, Bend the ARC, California Coalition for Women Prisoners, California Public Defenders Association, California for Safety and Justice, Center for Living and Learning, Children’s Defense Fund, Courage California, Dignity and Power Now, Drug Policy Alliance, Fair Chance Project, Friends Committee on Legislation in California, Haywood Burns Institute, Human Impact Partners, Immigrant Legal Resource Center, Initiate Justice, John Burton Advocates for Youth, Justice LA, Kehilla Community Synagogue, Legal Services for Prisoners with Children, National Harm Reduction Coalition, Prison Law Office, Prison Policy Initiative, Re:Store Justice, Root & Rebound, San Francisco Peninsula People Power, Secure Justice, Showing Up for Racial Justice – Bay Area, Starting Over INC., Tides Advocacy, Uncommon Law, Women Foundation California

4. Healthy Communities

a. SB 57 (Wiener) “Overdose Prevention Programs”

1. This bill would enable San Francisco, Oakland, and Los Angeles to start overdose prevention sites with medical staff on sight to ensure safe drug consumption.
2. These would be sites where adults may use controlled substances under the supervision of staff trained to prevent and treat overdose, prevent HIV and hepatitis infection, and facilitate entry into drug treatment and other services.
3. Supporters:
 - a. CA Association of Alcohol & Drug Program Executives, California Society of Addiction Medicine, Drug Policy Alliance, National Harm Reduction Coalition, Healthright 360, San Francisco AIDS Foundation, Tarzana Treatment Center



5. Co-Sponsorship Bills

a. SB 731 (Durazo) “Sunsetting Convictions”

- i. SB 731 will expand and extend the conviction relief awarded under Ting’s AB 1076. It will work by affecting three populations of individuals:
 1. Any individual who was arrested but for whom a conviction was not served will have the arrest expunged from their record
 2. Any individual who was convicted of a crime between 1973 and 2020 will be eligible for expungement for qualifying convictions, expanding the current law to protect individuals from further persecution merely based on when their conviction was given
 3. Most individuals with qualifying misdemeanors or convictions will be eligible for record expungement
- ii. So long as an individual has completed their sentence in accordance with all requirements, and has gone through an additional two year period with no further pending felony convictions, they will have their record expunged automatically.
- iii. Supporters
 1. Anti-Recidivism Coalition, Californians for Safety and Justice, Legal Services for Prisoners with Children, Homeboy Industries, and the Los Angeles Regional Reentry Partnership

b. AB 717 (Stone) “Cal-ID Bill”

- i. This bill will task the California State DMV and California Department of Corrections and Rehabilitation with assisting the incarcerated population with acquiring the necessary documents for, and support to enable, the procurement of a state issued identification card or drivers licence.
- ii. Supporters
 1. A New Way of Life, Anti-Recidivism Coalition, California Coalition for Women Prisoners, Los Angeles Regional Reentry Partnership, Our Road Prison Project, Root & Rebound, San Diego County District Attorneys, W. Haywood Burns Institute