

# CITY OF OAKLAND

## BILL ANALYSIS



**Date:** March 8, 2007  
**Bill Number:** AB 77  
**Bill Author:** Assembly Member Leiber

### DEPARTMENT INFORMATION

**Contact:** Sara Bedford  
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**RECOMMENDED POSITION:** (SUPPORT, SUPPORT IF AMENDED, NEUTRAL, WATCH, OPPOSE, NOT RELEVANT)

Support/Watch (has not yet been heard in Committee)

### Summary of the Bill

AB77, introduced in December 2006 by Assembly Member Leiber (Mountain View), provides for two concurrent efforts at address the need for parole reform.

1. The bill requires the Secretary of the Department of Corrections and Rehabilitation (CDCR) to develop an action plan for reforming the parole system through the appointment of a five member working group of national experts and one employee of CDCR. This group is charged with developing a detailed action plan designed to prioritize parole resources, provide incentives for successful parole completion, coordinate state and local resources, and improve systems of sanctions and monitoring of parolees. The plan is due 90 days from the day the legislation becomes operative.
2. The bill further proposes the Corrections Standards Authority be able to allocate \$75,000 to any county that submits a grant request to develop a multiagency local action plan for a comprehensive response and continuum of care for parolees at the local level. The bill would allocate \$4.35 million for this purpose, enough for a grant to be available to all counties in the state. The county level planning group would be led by the County Chief of Probation and have representation from all key county agencies, city law enforcement, school districts and community based agencies. The local plan would identify collaborative efforts to provide for the service needs of parolees, a system for improving the outcomes for parolees (thus reducing crime), and evaluation and outcomes measures for such a system. The plan would be presented to the Alameda County Board of

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Supervisors and in turn presented to the Corrections Standards Authority no later than June 30, 2008.

**Positive Factors for Oakland**

The City of Oakland already hosts a Reentry Advisory Board that includes key Alameda County agencies including Probation and Health Care. Furthermore, there are many efforts being undertaken throughout the County on behalf of parolees, and the City is engaged in conversations on how best to coordinate these important efforts so they build on one another and do not lead to duplication of effort. This bill would provide funds to support this collaboration and planning effort, and, more importantly, Alameda County is well poised to take advantage of this proposal.

**Negative Factors for Oakland**

There is no negative impact for Oakland. However, for the planning process to be effective, it is important that it ultimately leads to state resources being pushed down to local communities to support the local plan that is developed.

**PLEASE RATE THE EFFECT OF THIS MEASURE ON THE CITY OF OAKLAND:**

**Critical** (top priority for City lobbyist, city position required ASAP)

**Very Important** (priority for City lobbyist, city position necessary)

**Somewhat Important** (City position desirable if time and resources are available)

**Minimal or**  **None** (do not review with City Council, position not required)

\*Staff will follow it through the process and if the bill remains worthy of support, staff will prepare a resolution.

**Known support:**

None at this time. Bill had not yet been heard in Committee.

**Known Opposition:**

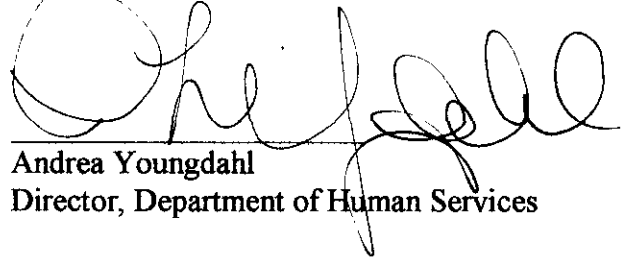
None at this time. Bill has not yet been heard in Committee.

**Attach bill text and state/federal legislative committee analysis, if available.**

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The bill text is attached. There is no state analysis yet available.

Respectfully Submitted,



Andrea Youngdahl  
Director, Department of Human Services

Prepared by:  
Sara Bedford  
Policy and Planning Manager

APPROVED FOR FORWARDING TO THE  
RULES & LEGISLATION COMMITTEE:

  
Office of City Administrator

**ASSEMBLY BILL**

**No. 77**

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**Introduced by Assembly Member Lieber**

December 4, 2006

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An act to add Sections 5053 and 6032 to the Penal Code, relating to corrections, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 77, as introduced, Lieber. Parole reform.

Existing law authorizes the Board of Parole Hearings to parole a prisoner.

This bill would require the Secretary of the Department of Corrections and Rehabilitation to appoint a working group to develop an action plan for reforming the parole system. The bill would require the working group to submit its plan to the Legislature and the secretary not later than 90 days from the date this provision becomes operative. The bill would also authorize the Corrections Standard Authority to award a grant of not more than \$75,000 to a county for the purpose of developing a multiagency local action plan relating to parolees. The bill would appropriate \$4,350,000 from the General Fund to the authority for this purpose. The bill would require that a local multiagency council with specified membership develop the plan and submit it to the board of supervisors of the county. The bill would require the board of supervisors to report to the authority prior to June 30, 2008, on the components of the plan it has selected for implementation.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) The Legislature finds and declares the  
2 following:

3 (1) California's parole system is in crisis and immediate reform  
4 is necessary. Numerous independent studies have identified flaws  
5 in California's parole system and have concluded that these flaws  
6 contribute to the failure of inmates to successfully reenter the  
7 community, result in a high rate of parolees returning to state  
8 prison, and contribute to the conditions of overcrowding in our  
9 state prisons.

10 (2) There currently exists a body of research and  
11 recommendations for reform sufficient to allow the Department  
12 of Corrections and Rehabilitation to determine what action is  
13 necessary to correct the problems in California's parole system.

14 (b) The Legislature intends all of the following:

15 (1) To establish a true system of reentry in California that will  
16 ensure that inmates make a successful transition from prison to  
17 the community. It is the further intent of the Legislature that the  
18 working group created by this act adopt a detailed plan of action  
19 for implementing the necessary requisite reforms to accomplish  
20 that goal.

21 (2) To support the systematic and cultural transformation of the  
22 California Department of Corrections and Rehabilitation into a  
23 rehabilitative model that improves offender outcomes and reduces  
24 recidivism. As a key component of meeting these goals, it is the  
25 further intent of the Legislature to support the development of  
26 local infrastructure that provides comprehensive transition and  
27 reentry services for parolees. These services shall be  
28 complementary to, and consistent with, the long-term objective of  
29 providing a continuum of state and local responses to recidivism  
30 that enhance public safety and improve offender outcomes.

31 SEC. 2. Section 5053 is added to the Penal Code, to read:

32 5053. (a) The secretary shall appoint a five-member working  
33 group composed of national experts in the field of planning and  
34 administration of corrections and parole. One member, but not  
35 more than one member, shall be an employee of the department.  
36 The secretary shall consider applicants on a nationwide basis.

37 (b) The working group shall develop a detailed action plan,  
38 similar in scope to the department's safety and welfare remedial

1 plan for the juvenile corrections system, that shall set forth the  
2 necessary reforms and the steps required by the department to  
3 implement those reforms, including any necessary statutory or  
4 regulatory changes.

5 (c) The working group's plan shall address, but not be limited  
6 to, the following issues:

7 (1) Focusing parole resources on the highest risk offenders.

8 (2) Establishing incentives for successful rehabilitation and  
9 compliance with parole.

10 (3) Developing better coordination between state and local  
11 agencies in the provision of rehabilitative services to parolees.

12 (4) The appropriate system of sanctions for parole violations,  
13 including the role of the judiciary in monitoring and sanctioning  
14 parole compliance.

15 (d) The working group shall complete the action plan required  
16 by this section and submit it to the Legislature and the secretary  
17 not later than 90 days from the date this section becomes operative.

18 SEC. 3. Section 6032 is added to the Penal Code, to read:

19 6032. (a) The Corrections Standard Authority may award a  
20 grant in the amount of not more than seventy-five thousand dollars  
21 (\$75,000) to any county that submits a grant request to the  
22 authority.

23 (b) The county receiving a grant under this section shall use it  
24 to develop a multiagency local action plan including, but not  
25 limited to, the following components:

26 (1) A comprehensive response to parolees and recidivism,  
27 including collaborative ways to identify and address local gaps in  
28 the continuum of care for parolees.

29 (2) A collaborative and integrated approach for implementing  
30 a system to reduce crime, increase successful completion of parole,  
31 and improve outcomes for parolees.

32 (3) Evaluation, design, and outcome measures, including, but  
33 not limited to, the following issues:

34 (A) Annual recidivism rates, including technical parole  
35 violations and new offenses.

36 (B) The number and percent of participants successfully  
37 completing parole.

38 (C) The number and percent of participants engaged in part-time  
39 or full-time employment, enrolled in higher education or vocational

1 training, receiving drug and substance abuse treatment, or receiving  
2 mental health treatment.

3 (D) The number and percent of participants that obtain stable  
4 housing, including the type of housing.

5 (c) Each action plan shall be developed by a local multiagency  
6 council. The council shall, at a minimum, include the chief  
7 probation officer as its chair and one representative each from the  
8 district attorney's office, the public defender's office, the sheriff's  
9 department, the board of supervisors, the department of social  
10 services, the department of mental health, a community-based drug  
11 and alcohol program, a city police department, the county office  
12 of education or a school district, and an at-large community  
13 representative. In order to carry out its duties pursuant to this  
14 section, the council shall also include representatives from  
15 nonprofit community-based organizations providing services to  
16 parolees and experts in the field of criminal justice programs.

17 (d) The local multiagency council shall submit its action plan  
18 to the board of supervisors for its county. The board of supervisors  
19 shall review the action plan and determine the components of the  
20 action plan to implement. The board of supervisors shall report to  
21 the Corrections Standard Authority prior to June 30, 2008, on the  
22 components of the action plan it selected for implementation.

23 SEC. 4. The sum of four million three hundred fifty thousand  
24 dollars (\$4,350,000) is hereby appropriated from the General Fund  
25 to the Corrections Standard Authority to implement the grant  
26 program created in Section 6032 of the Penal Code.

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