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SB-369 Prisoners: California Reentry Commission. (2019-2020)

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CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

SENATE BILL

NO. 369

Introduced by Senators Hertzberg and Bradford
(Principal coauthors: Assembly Members Bonta, Kalra, Waldron, and Weber)
(Coauthors: Senators Mitchell, Umberg, and Wiener)
(Coauthors: Assembly Members Kamlager, Medina, Reyes, Luz Rivas, Mark Stone, and Ting)

February 20, 2019

An act to add Title 9 (commencing with Section 14070) to Part 4 of the Penal Code, relating to prisoners.

LEGISLATIVE COUNSEL'S DIGEST

SB 369, Hertzberg. Prisoners: California Reentry Commission.

Existing law requires the Department of Corrections and Rehabilitation to establish parole reentry and assessment programs for inmates in state prison, in order to assess the inmate prior to release and to assist with the inmate's reentry into the community while on parole. Existing law establishes the California Reentry and Enrichment Grant Program to provide grants to community-based programs that provide rehabilitative services to incarcerated individuals.

This bill would, subject to an appropriation by the Legislature for these purposes, establish the California Reentry Commission within the department, to be cochaired by the Secretary of the Department of Corrections and Rehabilitation and a formerly incarcerated individual to be appointed to the commission by the Governor. The bill would specify the members of the commission and require the commission to meet once every 2 months. The bill would require the commission to prepare and develop a new health and safety agenda for those returning home from prison or jail, coordinate with the Department of Corrections and Rehabilitation and the Board of State and Community Corrections to develop a grant program to provide grants to reentry service providers, conduct a review of reentry barriers, review current state criminal justice policies, and report to the Legislature on the impact of COVID-19 on the reentry population, among other duties.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

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

- (1) In order to protect the health and safety of local communities and individuals reentering local communities from state prison and local jails, it is necessary to establish the California Reentry Commission.
- (2) As California begins a phased return to normal operations and grapples with immense budget impacts of the COVID-19 pandemic, it is more important than ever that the state focus on protecting vulnerable populations, coordinate across departments, and utilize data-driven approaches.
- (3) Currently, at least 28 states have reentry commissions, coalitions, councils, or task forces established through legislation by state governments. These commissions were implemented to provide coordinated leadership to ensure successful reentry and enhance public safety.
- (4) Reentry commissions utilize evidence-based models that begin at the initial point of contact with the criminal legal system, and include, but are not limited to, health services, education, substance use treatment, job training, mentorship, employment, and stable housing.

(b) It is the intent of the Legislature in establishing the commission to do all of the following:

- (1) Leverage state leadership and resources to facilitate successful transition and reintegration of people returning home from prison and jails to various neighborhoods and communities all across the state.
- (2) Assist policymakers, community leaders, charitable organizations, reentry service providers, and community-based organizations in identifying reentry challenges in the state and work to target resources and solutions toward sound, comprehensive, and cost-effective solutions.
- (3) Coordinate leadership through collaborative partnerships with government entities, faith and community-based organizations, and key community stakeholders.
- (4) Leverage federal, state, and philanthropic resources aimed at enhancing the state's capacity to target and create cost-effective, evidence-based long-term reentry solutions.

SEC. 2. Title 9 (commencing with Section 14070) is added to Part 4 of the Penal Code, to read:

TITLE 9. The California Reentry Commission

14070. (a) Subject to Section 14076, there is in the Department of Corrections and Rehabilitation, the California Reentry Commission, hereafter referred to in this title as the commission, to serve the state in an advisory role.

(b) To ensure the administration is responsive to all potential reentry needs, the commission shall be composed of the following members, as follows:

- (1) The Secretary of the Department of Corrections and Rehabilitation, or the secretary's designee.
- (2) The Secretary of California Health and Human Services, or the secretary's designee.
- (3) The Director of Motor Vehicles, or the director's designee.
- (4) The Director of Health Care Services, or the director's designee.
- (5) The Director of Developmental Services, or the director's designee.
- (6) The Director of the Department of Child Support Services, or the director's designee.

(7) The Superintendent of Public Instruction, or the superintendent's designee.

(8) The State Public Health Officer, or the officer's designee.

(9) The Director of Social Services, or the director's designee.

(10) The Director of the Division of Juvenile Justice, or the director's designee, and upon transfer of the division to the California Health and Human Services Agency, the Director of the Department of Youth and Community Restoration, or the director's designee.

(11) The Director of Fair Employment and Housing, or the director's designee

(12) The Executive Director of the California Workforce Development Board, or director's designee.

(13) The California Surgeon General, or the surgeon general's designee.

(14) A representative from the Governor's Office.

(15) Two members, to be appointed by the Governor, who are formerly incarcerated individuals.

(16) One Member of the Assembly to be appointed by the Speaker of the Assembly.

(17) One Member of the Senate to be appointed by the President pro Tempore of the Senate.

(18) Two members, to be appointed by the Governor, from community-based organizations that provide reentry services.

(19) A member of the faculty of the University of California or the California State University who has expertise in criminal justice reform and reentry.

14072. (a) The commission shall be cochaired by the Secretary of the Department of Corrections and Rehabilitation and one of the formerly incarcerated individuals on the commission.

(b) The commission shall meet once every two months. The commission shall invite subject matter experts to speak to the commission on critical health, safety, and emerging reentry solutions.

14074. The commission shall prepare and develop all of the following:

(a) A new health and safety agenda for those returning home from prison and jails.

(b) Coordinate with the Department of Corrections and Rehabilitation and the Board of State and Community Corrections to develop a grant program to provide grants to reentry service providers for wrap-around service for persons who have recently been released.

(c) Conduct a critical review of over 43,000 reentry barriers and 1,500 documented barriers to reentry in the state.

(d) Review current state criminal justice policies relating to the impact of long-term sentences on the reentry population.

(e) A clearinghouse of online reentry resources.

(f) A reentry guidebook.

(g) (1) A report to the Legislature no later than July 1 of the year following the first year in which the commission is funded. on the impact of COVID-19 on the reentry population, which includes, but is not limited to, those who were released from a county jail or the state prison on or after March 1, 2020.

(2) The requirement for submitting a report imposed under this subdivision is inoperative on July 1, 2025, pursuant to Section 10231.5 of the Government Code.

(3) A report to be submitted pursuant to this subdivision shall be submitted in compliance with Section 9795 of the Government Code.

14076. The creation of the California Reentry Commission and the requirements of this title are contingent upon an appropriation by the Legislature for these purposes.