

Date of Hearing: June 24, 2014

ASSEMBLY COMMITTEE ON HIGHER EDUCATION
Das Williams, Chair
SB 466 (DeSaulnier) – As Amended: June 17, 2014

SENATE VOTE: 28-6

SUBJECT: California Institute for Criminal Justice Policy.

SUMMARY: Establishes the California Institute for Criminal Justice Policy (Institute) and requests the Institute be housed within the University of California (UC). Specifically, this bill:

- 1) Finds and declares that California's criminal justice system has experienced ongoing problems and that the state needs an independent data-driven institute to promulgate best practices in criminal justice and guide the state in a transition to evidence based practices.
- 2) Establishes the Institute within state government to consult with the UC, one or more university-based programs with expertise in evaluation of rehabilitation programs, and any other appropriate person or entity to conduct a cost-benefit analysis and develop a ranking on the effectiveness of crime prevention, rehabilitation, and recidivism reduction programs in California, or any other research as requested by the Legislature.
- 3) Expresses a request from the Legislature that the UC house the Institute to facilitate independent nonpartisan research.
- 4) Provides for operation of this law only after the Director of the Department of Finance has determined private funds in an amount necessary to fully support the startup and one year of operational activities of the Institute have been deposited with the state.
- 5) Provides that the law will remain operative after the first year, but only until January 1, 2018, unless extended by subsequent legislation, upon appropriation in the annual Budget Act.

EXISTING LAW establishes UC as a public trust and confers upon the Regents of UC the full powers of its organization and government, subject only to legislative controls that may be necessary to ensure the security of its funds and compliance with the terms of its endowments.

FISCAL EFFECT: Unknown. According to the Senate Appropriations Committee, potentially significant one-time start-up costs to establish the institute. Annual costs through 2017 potentially in excess of \$2 million for staffing, actuarial services, faculty contributors and reviewers, and overhead costs. The annual costs assume the UC is able to provide facility space for institute staff as an in-kind contribution.

It should be noted that this bill is contingent on private funding for the first year of start-up cost and from the annual Budget Act thereafter, until January 1, 2018.

COMMENTS: Double-referral. This bill was heard and approved by a vote of 7-0 in the Assembly Public Safety Committee on June 10, 2014.

Purpose of this bill. According to the author, for the past 30 years, California's criminal justice system has faced ongoing problems. Our prisons have been dangerously overcrowded, hitting a peak of 173,000 inmates in 2006. The implementation of parole reform in 2009 and Public Safety Realignment in 2011 have significantly reduced prison population numbers for the first time in decades. Nonetheless, prisons are still over capacity, jail expansion is increasing across the state, and too few justice system entities have embraced evidenced-based practices to increase safety and reduce costs." The author believes that California needs an independent data-driven institution to promulgate best practices in criminal justice and guide the state in a transition from a problem-plagued justice system to evidence-based practices.

Constitutionally Allowable Legislative Controls Over UC: The California Constitution (Section 9 of Article IX) establishes UC as a public trust and confers the full powers of the UC upon the UC Regents. The Constitution establishes that the UC is subject to legislative control only to the degree necessary to ensure the security of its funds and compliance with the terms of its endowments. Judicial decisions have held that there are three additional areas in which there may be limited legislative intrusion into university operations: authority over the appropriation of state moneys; exercise of the general police power to provide for the public health, safety and welfare; and, legislation on matters of general statewide concern not involving internal university affairs. This bill requests, but does not attempt to require, UC to house the Institute. UC has not taken a position on this measure.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

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