



JUDICIAL COUNCIL OF CALIFORNIA

GOVERNMENTAL AFFAIRS

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TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

MARTIN HOSHINO
Administrative Director

CORY T. JASPERSON
Director, Governmental Affairs

September 11, 2019

Hon. Rob Bonta
Member of the Assembly
State Capitol, Room 2148
Sacramento, California 95814

Subject: AB 1331 (Bonta), as amended September 6, 2019 – Neutral

Dear Assembly Member Bonta:

The Judicial Council is pleased to move to a neutral position on AB 1331 in light of the amendments made on September 6 to require a criminal justice agency, when filing a case with the court, to include the California Information and Identification (CII) number in the filing and to provide a delayed operative date of July 1, 2020. The amendments support the new responsibility of courts to report CII numbers and court docket numbers to the Department of Justice (DOJ) monthly. Additionally, the delayed operative date should help accommodate the changes courts will need to make to their case management systems to report the additional information to DOJ.

The council would like to thank your office and the sponsors for working closely with the council on these amendments.

Should you have any questions or require additional information, please contact me at 916-323-3121.

Sincerely,

Mailed September 11, 2019

Sharon Reilly
Attorney

SR/jh

cc: Hon. Rob Bonta, Member of the Assembly
Ms. Angie Manetti, Advocate, Campbell Strategy & Advocacy
Mr. Anthony Williams, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Martin Hoshino, Administrative Director, Judicial Council of California



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June 28, 2019

Hon. Nancy Skinner, Chair
Senate Public Safety Committee
State Capitol, Room 5094
Sacramento, California 95814

Subject: AB 1331 (Bonta), as amended June 20, 2019 – Oppose unless funded and amended

Hearing: Senate Public Safety Committee – July 9, 2019

Dear Senator Skinner:

The Judicial Council regrettably opposes AB 1331 unless funded and amended for the reasons explained below. Beginning January 1, 2021, the bill requires local and state law enforcement agencies and courts to report specified information to the Department of Justice (DOJ) on a weekly basis rather than within 30 days of disposition, as required under current law. Also, as currently written it is unclear whether the bill requires reporting of case information both at *filing* and *disposition*.

Oppose unless Funded

AB 1331 requires the courts to report information that they are not currently reporting. Specifically, the courts do not currently report on: (1) aliases and monikers; (2) original offenses charged in a complaint or citation against the person; (3) whether the person was held to answer the complaint; (4) the certified plea; (5) whether the defense attorney was a public defender, court appointed counsel, or contract attorney; (6) any time credit for time served and the length of that credit; and (7) many courts do not currently have access to the CII number. With the exception of aliases and monikers and CII numbers, the council believes that most courts have the listed information in their existing case management systems and with modification to their systems courts could report the information to the DOJ. Courts that do not currently have access

to CII numbers would need to enter into agreements with local law enforcement to obtain that information.

To make the necessary modifications to case management systems, the council estimates this bill could have a fiscal impact of between \$12.3 million and \$22.2 million, primarily to fund workload related to providing data at case filing and the modification of existing or acquisition of new case management systems to comply with the requirements of this bill. Currently, courts are required to report case data to the DOJ at case disposition and the courts are currently resourced from a workload perspective to provide case data at disposition. We note that the bill's sponsors have indicated that they believe the bill would require courts to collect and report data when a case is *filed* and *disposed*. If the bill was amended to clarify that courts are only required to provide case data at disposition, the fiscal impact would be reduced to \$7.3 million, which would cover the costs of modifying existing or acquiring new case management systems to comply with its requirements.

Oppose unless Amended

DOJ has indicated to the council that it will need to make substantial changes to its existing system to implement the bill. It is our understanding that DOJ will need to gain approval for the information technology project from the California Department of Technology, which can be a lengthy process. The work on court case management systems cannot begin until DOJ identifies the reporting requirements for the courts once DOJ has designed the new system. The council estimates that it will take courts at least one-year for those changes to be made statewide. Thus, the council is concerned that the courts will be unable to meet the January 1, 2021 operative date and requests that the author works with the council and DOJ to identify an operative date that will accommodate the IT changes that must be implemented for the reporting to occur.

In addition, as discussed above, Penal Code section 13151 generally requires courts to report disposition information to DOJ within 30 days according to the procedures and on a format prescribed by DOJ and to report any action after initial disposition of the case. The council requests that the bill be amended to clarify whether the weekly reporting requirements in AB 1331 occur only after the initial disposition report required by Section 13151 or also at filing. Also, existing Penal Code section 13151 should be reconciled with the reporting requirements of proposed section 13150 because the statutes would have inconsistent reporting requirements. Finally, we request that the requirement that courts report "aliases and monikers" be deleted as our case management systems cannot capture that data.

Hon. Nancy Skinner

June 28, 2019

Page 4

For these reasons, the Judicial Council opposes unless funded and amended AB 1331.

Should you have any questions or require additional information, please contact Sharon Reilly at 916-323-3121.

Sincerely,

Mailed June 28, 2019

Cory T. Jaspersen

Director

Judicial Council Governmental Affairs

CTJ/SR/jh

cc: Members, Senate Public Safety Committee
Hon. Rob Bonta, Member of the Assembly
Ms. Angie Manetti, Advocate, Campbell Strategy & Advocacy
Mr. Anthony Williams, Deputy Legislative Affairs Secretary, Office of the Governor
Ms. Jennifer Kaku, Consultant, Senate Public Safety Committee
Mr. Eric Csizmar, Policy Consultant, Senate Republican Office of Policy
Mr. Martin Hoshino, Administrative Director, Judicial Council of California