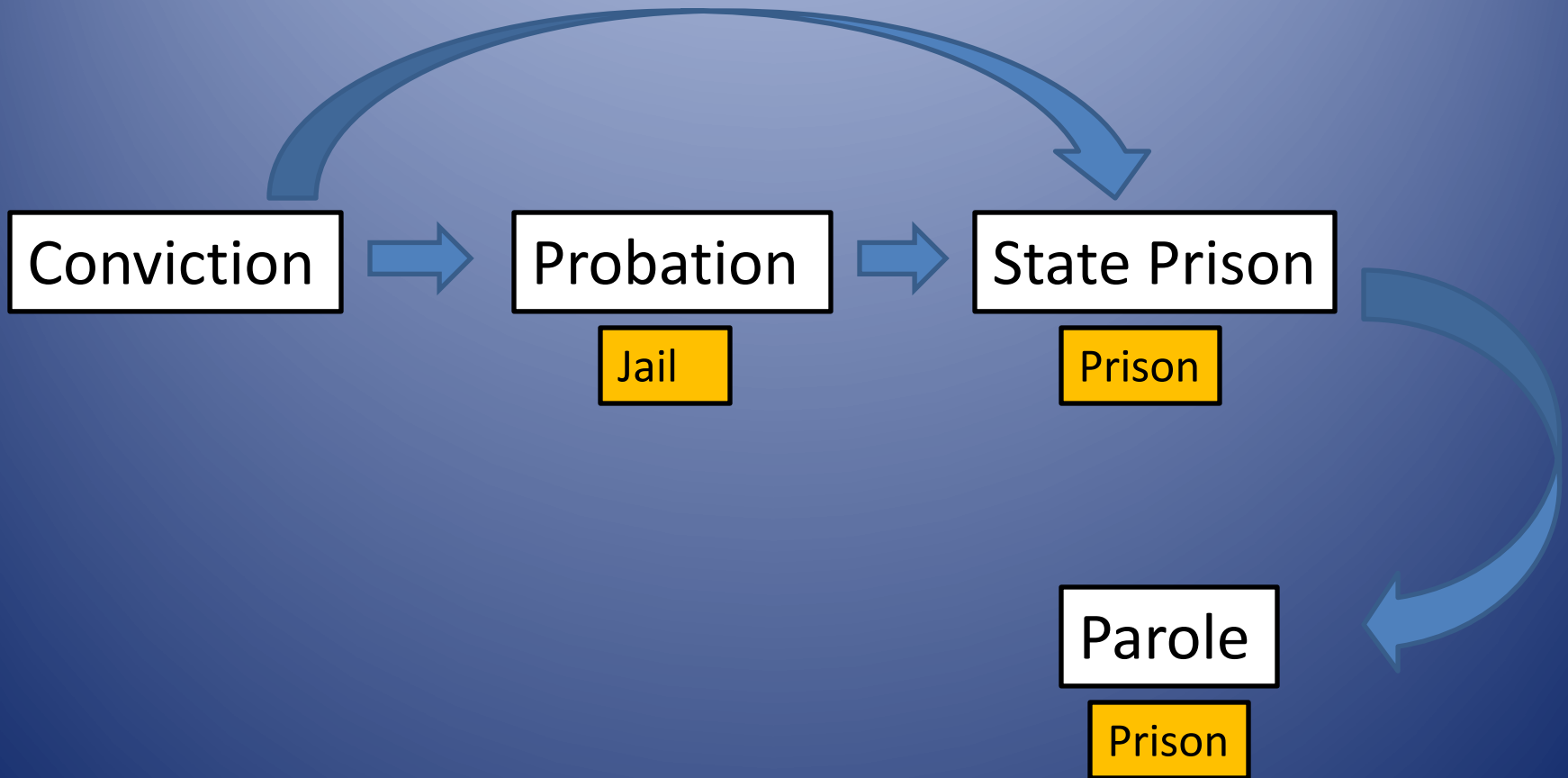


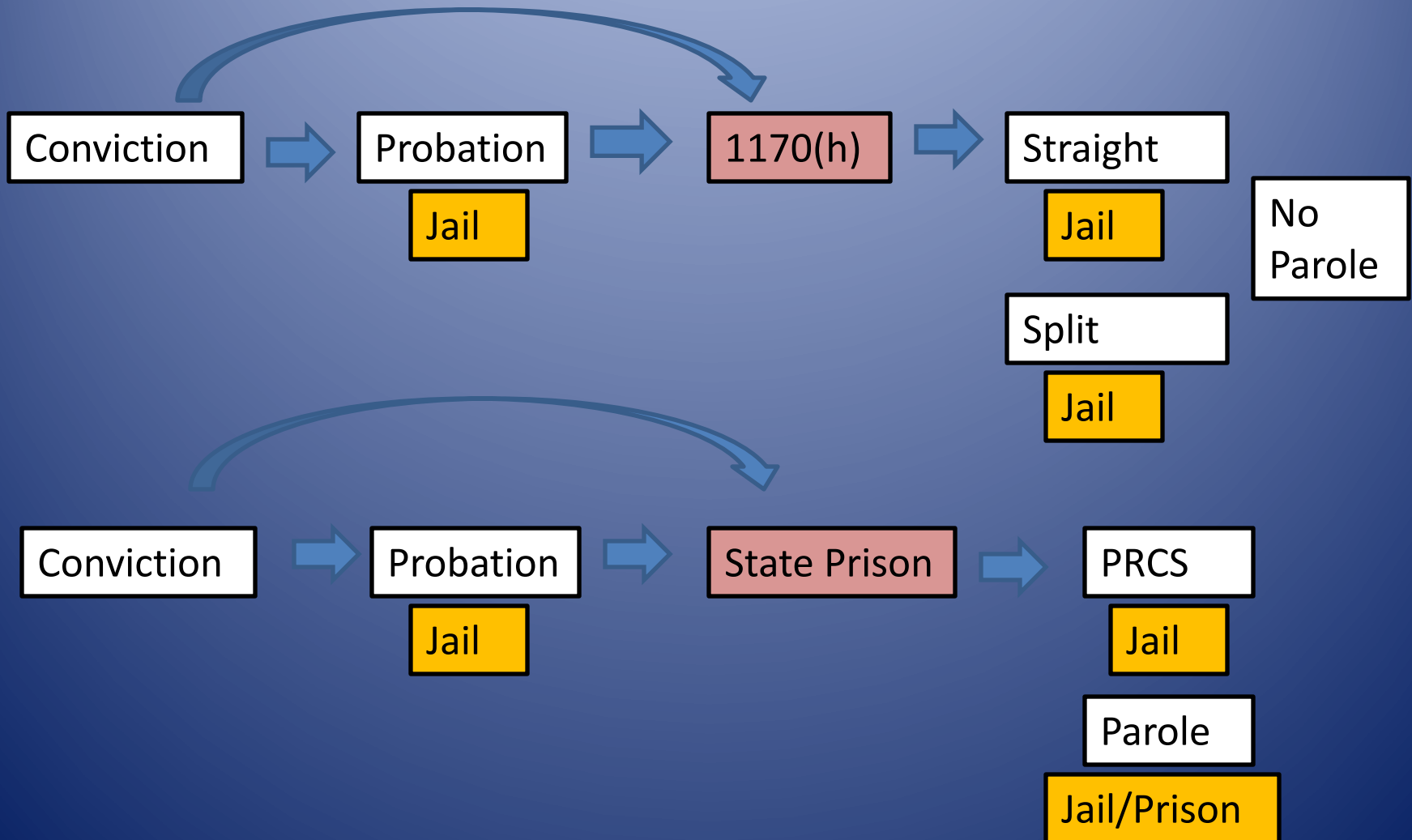
**Two Years into Criminal Justice
Realignment:
*The Role of the Court***

Realignment: A Primer

Traditional Felony Sentence



Felony Sentence After Realignment



Three Groups

1. PC § 1170(h) crimes [hundreds of crimes]
 - Most “wobblers”
 - Designated crimes
2. State prison crimes [+/- 80 crimes]
3. Exclusions
 - Current or prior strikes
 - PC § 290 offenses
 - Aggravated theft

Policy Decisions

- **No change to procedure prior to denial of probation**
 - **Eligibility**
 - **Alternative sentencing**
- **No change in length of custody terms**
 - **Maximum 10 – 20 – 30**
- **No supervision after sentence served**

Sentencing Choices

- **Straight term**
 - Computed in traditional manner
 - Served in county jail
 - Subject to early release by sheriff
 - ½ time credits
 - No supervision when released

- **Split sentence**

- Computed in traditional manner
- Custody term – $\frac{1}{2}$ time credit
- Concluding term on supervision by probation
 - Discretion of court
 - Mandatory
 - Actual time credits only
 - If violation, remand up to remaining term
- No supervision when completed

Persons Released From Prison

- **Postrelease Community Supervision (PRCS)**
 - Supervised by probation
 - If violation
 - By probation
 - Intermediate sanctions
 - Up to 10 days jail - “flash incarceration”
 - By court
 - Up to 6 mos jail (1/2 time)
 - Modify conditions

- **Parole**

- Only most serious offenders

- Parole supervises/ Ct adjudicates violations

- If violation

- **By parole**

- Intermediate sanctions

- Up to 10 days jail - “flash incarceration”

- **By Court**

- Up to 6 mos jail (1/2 time)

- Modify conditions

- Can't return to prison (limited exceptions)

The Presentation

- **What's Happening Locally**
 - Perspectives of State and Local Government
- **Judicial Council Advisory Committees**
 - What is being reviewed and discussed
- **Innovative Programs and Practices**
 - How courts have adapted to meet local needs
- **Final Comments/ Next Steps**

What's Happening Locally

- **Linda Penner** – Chair, Board of State and Community Corrections
- **Elizabeth Howard-Espinoza** – Legislative Advocate, California State Association of Counties (CSAC)
- **Nick Warner** – Policy Director, California State Sheriffs Association
- **Karen Pank** – Executive Director, Chief Probation Officers of California

Judicial Council Advisory Committees

- **Hon. Tricia Bigelow** – Chair, Criminal Law Advisory Committee
- **Hon. Morris Jacobson** – Liaison, Criminal Justice Court Services Office
- **Hon. Richard Vlavianos** – Chair, Collaborative Justice Advisory Committee
- **Hon. Brian Walsh** – Chair, Trial Court Presiding Judges Advisory Committee

Innovative Programs and Practices

- **Hon. Brian Back** – Ventura Superior Court
- **Hon. John Kennedy** – Contra Costa Superior Court
- **Hon. Desirèe Bruce-Lyle** – San Diego Superior Court