

Law Enforcement

Monday, April 19, 2021

[AB 17](#)

(Cooper D) Peace officers: disqualification from employment.

Current Text: Amended: 1/12/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amend: 1/12/2021

Status: 1/13/2021-Re-referred to Com. on PUB. S.

Is Fiscal: Y

Location: 1/11/2021-A. PUB. S.

Summary: Would disqualify a person from being a peace officer if the person has been discharged from the military for committing an offense that would have been a felony if committed in California or if the person has been certified as a peace officer and has had that certification revoked by the Commission on Peace Officer Standards and Training.

Position

Oppose

[AB 18](#)

(Lackey R) Sexual assault forensic evidence: testing.

Current Text: Introduced: 12/7/2020 [html](#) [pdf](#)

Current Analysis: 04/12/2021 [Assembly Appropriations \(text 12/7/2020\)](#)

Introduced: 12/7/2020

Status: 4/14/2021-In committee: Set, first hearing. Referred to suspense file.

Is Fiscal: Y

Location: 4/14/2021-A. APPR. SUSPENSE FILE

Summary: Would require a law enforcement agency, for any sexual assault forensic evidence received by the law enforcement agency prior to January 1, 2016, to submit that evidence to the crime lab on or before January 31, 2023. The bill would additionally require a crime lab, for any sexual assault evidence kit received by a law enforcement agency prior to January 1, 2016, and submitted to the crime lab on or after January 1, 2022, to process that evidence kit no later than January 31, 2024, except as specified. Because the bill would impose a higher level of service on local law enforcement agencies in processing that evidence, it would impose a state-mandated local program.

Position

Watch

[AB 26](#)

(Holden D) Peace officers: use of force.

Current Text: Amended: 3/25/2021 [html](#) [pdf](#)

Current Analysis: 04/12/2021 [Assembly Appropriations \(text 3/25/2021\)](#)

Introduced: 12/7/2020

Last Amend: 3/25/2021

Status: 4/14/2021-In committee: Set, first hearing. Referred to suspense file.

Is Fiscal: Y

Location: 4/14/2021-A. APPR. SUSPENSE FILE

Summary: Would require those law enforcement policies to require those officers to immediately report potential excessive force, and to intercede when present and observing an officer using excessive force, as defined. The bill would additionally require those policies to, among other things, prohibit retaliation against officers that report violations of law or regulation of another officer to a supervisor, as specified, and to require that an officer who fails to intercede be disciplined in the same manner as the officer who used excessive force. By imposing additional duties on local agencies, this bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

Position

Oppose

[AB 48](#)

(Gonzalez, Lorena D) Law enforcement: kinetic energy projectiles and chemical agents.

Current Text: Amended: 3/16/2021 [html](#) [pdf](#)

Current Analysis: 03/22/2021 [Assembly Public Safety \(text 3/16/2021\)](#)

Introduced: 12/7/2020

Last Amend: 3/16/2021

Status: 3/24/2021-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 2.) (March 23). Re-referred to Com. on APPR.

Is Fiscal: Y

Location: 3/24/2021-A. APPR.

Calendar: 4/21/2021 9 a.m. - State Capitol, Assembly Chamber
ASSEMBLY APPROPRIATIONS, GONZALEZ, LORENA, Chair

Summary: Would prohibit the use of kinetic energy projectiles or chemical agents by any law enforcement agency to disperse any assembly, protest, or demonstration, except in compliance with specified standards set by the bill, and would prohibit their use solely due to a violation of an imposed curfew, verbal threat, or noncompliance with a law enforcement directive. The bill would include in the standards for the use of kinetic energy projectiles and chemical agents to disperse gatherings the requirement that, among other things, those weapons only be used to defend against a threat to life or serious bodily injury to any individual, including a peace officer.

Position

Oppose

AB 60

(Salas D) Law enforcement.

Current Text: Amended: 3/16/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amend: 3/16/2021

Status: 4/6/2021-In committee: Hearing postponed by committee.

Is Fiscal: Y

Location: 1/11/2021-A. PUB. S.

Summary: Would disqualify a person from being employed as a peace officer if that person has been convicted of, or has been adjudicated by a military tribunal as having committed an offense that would have been a felony if committed in this state. The bill would also disqualify any person who has been certified as a peace officer by the Commission on Peace Officer Standards and Training and has had that certification revoked by the commission.

Position

Oppose

AB 89

(Jones-Sawyer D) Peace officers: minimum qualifications.

Current Text: Amended: 2/17/2021 [html](#) [pdf](#)

Current Analysis: 04/05/2021 [Assembly Public Safety \(text 2/17/2021\)](#)

Introduced: 12/7/2020

Last Amend: 2/17/2021

Status: 4/6/2021-In committee: Hearing postponed by committee.

Is Fiscal: N

Location: 1/11/2021-A. PUB. S.

Calendar: 4/27/2021 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY PUBLIC SAFETY, JONES-SAWYER, Chair

Summary: Current law requires peace officers in this state to meet specified minimum standards, including age and education requirements. This bill would increase the minimum qualifying age from 18 to 25 years of age. This bill would permit an individual under 25 years of age to qualify for employment as a peace officer if the individual has a bachelor's or advanced degree from an accredited college or university. The bill would specify that these requirements do not apply to individuals 18 to 24 years of age who are already employed as a peace officer as of the effective date of this act. The bill would provide legislative findings in support of the measure.

Position

Oppose

AB 118

(Kamlager D) Emergency services: community response: grant program.

Current Text: Introduced: 12/18/2020 [html](#) [pdf](#)

Current Analysis: 04/01/2021 [Assembly Emergency Management \(text 12/18/2020\)](#)

Introduced: 12/18/2020

Status: 4/7/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (April 5). Re-referred to Com. on APPR.

Is Fiscal: Y

Location: 4/5/2021-A. APPR.

Calendar: 4/21/2021 9 a.m. - State Capitol, Assembly Chamber ASSEMBLY APPROPRIATIONS, GONZALEZ, LORENA, Chair

Summary: Would, until January 1, 2026, enact the Community Response Initiative to Strengthen Emergency Systems Act or the C.R.I.S.E.S. Act for the purpose of creating, implementing, and evaluating the 3-year C.R.I.S.E.S. Grant Pilot Program, which the act would establish. The bill would require the office to establish rules and regulations for the program with the goal of making grants to community organizations, over 3 years, for the purpose of expanding the participation of community organizations in emergency response for specified vulnerable populations. The bill would require that grantees receive a minimum award of \$250,000 per year. The bill would require a community organization receiving funds pursuant to the program to use the grant to stimulate and support involvement in emergency response activities that do not require a law enforcement officer, as specified. The bill would require the Director of Emergency Services (director) to assemble staff and

resources to carry out certain duties in support of the program.

Position

Watch

[AB 127](#) (Kamlager D) Arrest warrants: declaration of probable cause.

Current Text: Amended: 4/14/2021 [html](#) [pdf](#)

Introduced: 12/18/2020

Last Amend: 4/14/2021

Status: 4/15/2021-Re-referred to Com. on PUB. S.

Is Fiscal: N

Location: 1/11/2021-A. PUB. S.

Calendar: 4/20/2021 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY PUBLIC SAFETY, JONES-SAWYER, Chair

Summary: Current law governs the procedure for issuing a warrant of arrest by a magistrate. If a declaration of probable cause is made by a peace officer, existing law requires the magistrate to issue a warrant of probable cause for the arrest of the defendant described in the declaration only if the magistrate is satisfied that there is probable cause that the offense described in the declaration has been committed and that the defendant has committed the offense. Current law allows the issuing magistrate to examine the person seeking the warrant and any witnesses the person may produce under oath. Current law provides additional requirements for making and signing the declaration of probable cause, as specified. This bill would require a magistrate, before issuing an arrest warrant pursuant to these provisions, to examine the declaration of probable cause made by a peace officer, or an employee of a public prosecutor's office when the subject of the arrest warrant is a peace officer.

Position

Watch

[AB 216](#) (Ramos D) Peace officers: firearms: establishment serving the public.

Current Text: Introduced: 1/11/2021 [html](#) [pdf](#)

Introduced: 1/11/2021

Status: 3/23/2021-In committee: Set, first hearing. Hearing canceled at the request of author.

Is Fiscal: Y

Location: 1/28/2021-A. PUB. S.

Summary: Would make it unlawful for an establishment serving the public to prohibit or otherwise restrict a peace officer from carrying a weapon on the establishment's premises that the peace officer is authorized to carry, regardless of whether the peace officer is engaged in the actual discharge of the officer's duties while carrying the weapon. The bill would make a first offense punishable as an infraction by a fine not exceeding \$500, and as a misdemeanor for a 2nd or subsequent violation, punishable by imprisonment in a county jail not exceeding 6 months, by a fine not exceeding \$1,000, or by both that fine and imprisonment. By creating a new crime, this bill would impose a state-mandated local program.

Position

Support

[AB 266](#) (Cooper D) Violent felonies: hate crimes.

Current Text: Introduced: 1/15/2021 [html](#) [pdf](#)

Current Analysis: 04/12/2021 [Assembly Public Safety \(text 1/15/2021\)](#)

Introduced: 1/15/2021

Status: 4/14/2021-Coauthors revised.

Is Fiscal: Y

Location: 1/15/2021-A. PUB. S.

Calendar: 4/20/2021 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY PUBLIC SAFETY, JONES-SAWYER, Chair

Summary: Current law classifies certain felonies as violent felonies for purposes of various provisions of the Penal Code. Current law imposes an additional one-year term for a sexually violent felony and a 3-year term for a violent felony for each prior separate prison term served for a violent felony. This bill would additionally define felony hate crimes as a violent felony, as specified. By increasing the punishment for a crime, this bill would impose a state-mandated local program.

Position

Support

[AB 329](#) (Bonta D) Bail.

Current Text: Introduced: 1/27/2021 [html](#) [pdf](#)

Current Analysis: 03/22/2021 [Assembly Public Safety \(text 1/27/2021\)](#)

Introduced: 1/27/2021

Status: 3/24/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (March

23). Re-referred to Com. on APPR.

Is Fiscal: Y

Location: 3/24/2021-A. APPR.

Calendar: 4/21/2021 9 a.m. - State Capitol, Assembly Chamber
ASSEMBLY APPROPRIATIONS, GONZALEZ, LORENA, Chair

Summary: Current law provides for the procedure of approving and accepting bail, and issuing an order for the appearance and release of an arrested person. Current law authorizes specified sheriff, police, and court employees to approve and accept bail in the amount fixed by the warrant of arrest, schedule of bail, or order admitting to bail. Current law requires the superior court judges in each county to prepare, adopt, and annually revise a uniform countywide schedule of bail, as specified. This bill would require bail to be set at \$0 for all offenses except, among others, serious or violent felonies, violations of specified protective orders, battery against a spouse, sex offenses, and driving under the influence. The bill would require the Judicial Council to prepare, adopt, and annually revise a bail schedule for the exempt offenses.

Position

Oppose

AB 331 **(Jones-Sawyer D) Organized theft.**

Current Text: Amended: 3/16/2021 [html](#) [pdf](#)

Current Analysis: 04/12/2021 [Assembly Appropriations \(text 3/16/2021\)](#)

Introduced: 1/27/2021

Last Amend: 3/16/2021

Status: 4/14/2021-In committee: Set, first hearing. Referred to suspense file.

Is Fiscal: Y

Location: 4/14/2021-A. APPR. SUSPENSE FILE

Summary: Current law, until July 1, 2021, makes a person guilty of organized retail theft, punishable as a misdemeanor or a felony, as specified, if the person acts in concert with one or more persons to steal merchandise from one or more merchant's premises or online marketplaces with the intent to sell or return the merchandise for value, acts in concert with 2 or more persons to receive, purchase, or possess merchandise knowing or believing it to have been stolen, acts as an agent of another to steal merchandise from one or more merchant's premises or online marketplaces as part of an organized plan to commit theft, or recruits, coordinates, organizes, supervises, directs, manages, or finances another to undertake acts of theft. This bill would extend the operation of the crime of organized retail theft until January 1, 2026.

Position

Support

AB 333 **(Kamlager D) Participation in a criminal street gang: enhanced sentence.**

Current Text: Amended: 3/30/2021 [html](#) [pdf](#)

Current Analysis: 04/09/2021 [Assembly Floor Analysis \(text 3/30/2021\)](#)

Introduced: 1/27/2021

Last Amend: 3/30/2021

Status: 4/8/2021-Read second time. Ordered to third reading.

Is Fiscal: N

Location: 4/8/2021-A. THIRD READING

Calendar: 4/19/2021 #27 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary: Current law makes it a crime, punishable as either a misdemeanor or a felony, to actively participate in a criminal street gang with knowledge that its members engage in, or have engaged in, a pattern of criminal gang activity and to actively promote, further, or assist in felonious criminal conduct by members of that gang. This bill would also require that the crimes committed to form a pattern of criminal gang activity have commonly benefited at least one specified member of the gang other than the person who committed the offenses and that the common benefit from the offense be more than reputational. The bill would remove burglary, looting, felony vandalism, and specified personal identity fraud violations from the crimes that define a pattern of criminal gang activity. The bill would prohibit the use of the currently charged crime to prove the pattern of criminal gang activity.

Position

Oppose

AB 490 **(Gipson D) Law enforcement agency policies: arrests: positional asphyxia.**

Current Text: Amended: 3/18/2021 [html](#) [pdf](#)

Current Analysis: 04/12/2021 [Assembly Public Safety \(text 3/18/2021\)](#)

Introduced: 2/8/2021

Last Amend: 3/18/2021

Status: 4/14/2021-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 2.) (April 13). Re-referred to Com. on APPR.

Is Fiscal: Y

Location: 4/14/2021-A. APPR.

Summary: Would prohibit a law enforcement agency from authorizing techniques or transport methods that involve a substantial risk of positional asphyxia, as defined. By requiring local agencies to amend use of force policies, this bill would impose a state-mandated local program.

Position

Watch

AB 582

(Patterson R) Vehicle accidents: fleeing the scene of an accident.

Current Text: Introduced: 2/11/2021 [html](#) [pdf](#)

Current Analysis: 04/05/2021 [Assembly Public Safety \(text 2/11/2021\)](#)

Introduced: 2/11/2021

Status: 4/7/2021-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 1.) (April 6). Re-referred to Com. on APPR.

Is Fiscal: Y

Location: 4/7/2021-A. APPR.

Calendar: 4/21/2021 9 a.m. - State Capitol, Assembly Chamber
ASSEMBLY APPROPRIATIONS, GONZALEZ, LORENA, Chair

Summary: Would make a driver of a vehicle involved in an accident, who fails to immediately stop, as required, at the scene of an accident that resulted in a permanent, serious injury subject to punishment by imprisonment in the state prison for 2, 3, or 4 years, or in a county jail for not less than 90 days nor more than one year, and a specified fine, and if the accident resulted in death, the violation of those requirements would be punishable by imprisonment in the state prison for 3, 4, or 6 years, or in a county jail for not less than 90 days nor more than one year, and a specified fine.

Position

Support

AB 655

(Kalra D) California Law Enforcement Accountability Reform Act.

Current Text: Amended: 3/25/2021 [html](#) [pdf](#)

Current Analysis: 04/05/2021 [Assembly Public Safety \(text 3/25/2021\)](#)

Introduced: 2/12/2021

Last Amend: 3/25/2021

Status: 4/7/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 3.) (April 6). Re-referred to Com. on APPR.

Is Fiscal: Y

Location: 4/7/2021-A. APPR.

Summary: Current law requires that a candidate for a peace officer position be of good moral character, as determined by a thorough background investigation. This bill would require that background investigation to include an inquiry into whether a candidate for specified peace officer positions has engaged in membership in a hate group, participation in hate group activities, or public expressions of hate, as specified, and as those terms are defined. The bill would provide that certain findings would disqualify a person from employment.

Position

Oppose

AB 679

(Friedman D) Criminal trials: testimony of in-custody informants.

Current Text: Amended: 4/7/2021 [html](#) [pdf](#)

Current Analysis: 04/12/2021 [Assembly Public Safety \(text 4/7/2021\)](#)

Introduced: 2/12/2021

Last Amend: 4/7/2021

Status: 4/14/2021-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 2.) (April 13). Re-referred to Com. on APPR.

Is Fiscal: Y

Location: 4/14/2021-A. APPR.

Summary: Current law provides that, except as otherwise provided by statute, all relevant evidence is admissible. The California Constitution provides for the Right to Truth-In-Evidence, which requires a 2/3 vote of the Legislature to exclude any relevant evidence from any criminal proceeding, as specified. This bill would instead make testimony by, or information obtained by, an in-custody informant, as defined, regarding statements made by the defendant while the defendant was in custody, inadmissible, as specified.

Position

Oppose

AB 812

(Garcia, Cristina D) Rape of a spouse.

Current Text: Amended: 3/18/2021 [html](#) [pdf](#)
Introduced: 2/16/2021
Last Amend: 3/18/2021
Status: 3/22/2021-Re-referred to Com. on PUB. S.
Is Fiscal: Y
Location: 3/18/2021-A. PUB. S.

Summary: Current law separately defines rape of a spouse as an act of sexual intercourse accomplished with the spouse of the perpetrator under similar circumstances as nonspousal rape, except that spousal rape does not include acts of sexual intercourse accomplished under the specific circumstances as specified. This bill would repeal the provisions relating to spousal rape and make conforming changes, thereby making an act of sexual intercourse accomplished with a spouse punishable as rape if the act otherwise meets the definition of rape.

Position
Watch

[AB 1065](#) (Maienschein D) Personal income taxes: voluntary contributions: Mental Health Help Program Voluntary Tax Contribution Fund.

Current Text: Amended: 3/8/2021 [html](#) [pdf](#)
Current Analysis: 04/02/2021 [Assembly Revenue And Taxation \(text 3/8/2021\)](#)
Introduced: 2/18/2021
Last Amend: 3/8/2021
Status: 4/6/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 0.) (April 5). Re-referred to Com. on APPR.
Is Fiscal: Y
Location: 4/6/2021-A. APPR.

Calendar: 4/21/2021 9 a.m. - State Capitol, Assembly Chamber
ASSEMBLY APPROPRIATIONS, GONZALEZ, LORENA, Chair
Summary: Would allow an individual to designate on their tax return that a specified amount in excess of the taxpayer's personal income tax liability be transferred to the Mental Health Help Program Voluntary Tax Contribution Fund, which would be created by this bill. The bill would conform with those aforementioned administrative requirements by continuously appropriating those funds to the Franchise Tax Board, the Controller, and the Department of the California Highway Patrol for administrative costs and by requiring the Department of the California Highway Patrol to post specified information provided by the National Alliance on Mental Illness about those funds on its internet website.

Position
Support

[AB 1372](#) (Muratsuchi D) Right to temporary shelter.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)
Introduced: 2/19/2021
Status: 3/4/2021-Referred to Coms. on H. & C.D. and JUD.
Is Fiscal: Y
Location: 3/4/2021-A. H. & C.D.

Summary: Would require every city, or every county in the case of unincorporated areas, to provide every person who is homeless, as defined, with temporary shelter, mental health treatment, resources for job placement, and job training until the person obtains permanent housing if the person has actively sought temporary shelter in the jurisdiction for at least 3 consecutive days and has been unable to gain entry into all temporary shelters they sought for specified reasons. The bill would require the city or county, as applicable, to provide a rent subsidy, as specified, if it is unable to provide temporary shelter. The bill would authorize a person who is homeless to enforce the bill's provisions by bringing a civil action.

Position
Oppose

[SB 2](#) (Bradford D) Peace officers: certification: civil rights.

Current Text: Amended: 3/11/2021 [html](#) [pdf](#)
Current Analysis: 04/08/2021 [Senate Public Safety \(text 3/11/2021\)](#)
Introduced: 12/7/2020
Last Amend: 3/11/2021
Status: 4/15/2021-Set for hearing April 27.
Is Fiscal: Y
Location: 4/13/2021-S. JUD.

Calendar: 4/27/2021 1:30 p.m. - Senate Chamber SENATE JUDICIARY, UMBERG, Chair
Summary: Would provide that a threat, intimidation, or coercion under the Tom Bane Civil Rights Act

may be inherent in any interference with a civil right and would describe intentional acts for these purposes as an act in which the person acted with general intent or a conscious objective to engage in particular conduct. The bill would eliminate certain immunity provisions for peace officers and custodial officers, or public entities employing peace officers or custodial officers sued under the act.

Position

Oppose

SB 16

(Skinner D) Peace officers: release of records.

Current Text: Amended: 4/15/2021 [html](#) [pdf](#)

Current Analysis: 04/09/2021 [Senate Judiciary \(text 12/7/2020\)](#)

Introduced: 12/7/2020

Last Amend: 4/15/2021

Status: 4/15/2021-Read second time and amended. Re-referred to Com. on APPR.

Is Fiscal: Y

Location: 4/14/2021-S. APPR.

Summary: Would, commencing July 1, 2022, make every incident involving use of force to make a member of the public comply with an officer, force that is unreasonable, or excessive force subject to disclosure. The bill would, commencing July 1, 2022, require records relating to sustained findings of unlawful arrests and unlawful searches to be subject to disclosure. The bill would, commencing July 1, 2022, also require the disclosure of records relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in conduct involving prejudice or discrimination on the basis of specified protected classes. The bill would require the retention of all complaints and related reports or findings currently in the possession of a department or agency. The bill would require that records relating to an incident in which an officer resigned before an investigation is completed to also be subject to release.

Position

Oppose

SB 23

(Rubio D) Disorderly conduct: distribution of intimate images: statute of limitations.

Current Text: Amended: 3/18/2021 [html](#) [pdf](#)

Current Analysis: 04/02/2021 [Senate Appropriations \(text 3/18/2021\)](#)

Introduced: 12/7/2020

Last Amend: 3/18/2021

Status: 4/5/2021-April 5 hearing: Placed on APPR suspense file.

Is Fiscal: N

Location: 4/5/2021-S. APPR. SUSPENSE FILE

Summary: Under current law, a person is guilty of disorderly conduct, a misdemeanor, if they intentionally distribute an image that was intended to remain private of the intimate body parts of another or of the person depicted engaged in a sex act, as specified. Current law requires prosecution for this offense to be commenced within one year after commission of the offense. This bill would instead allow prosecution for this offense to commence within one year of the discovery of the commission of the offense, but no more than 6 years after the image was distributed.

Position

Watch

SB 57

(Wiener D) Controlled substances: overdose prevention program.

Current Text: Amended: 3/25/2021 [html](#) [pdf](#)

Current Analysis: 04/07/2021 [Senate Floor Analyses \(text 3/25/2021\)](#)

Introduced: 12/7/2020

Last Amend: 3/25/2021

Status: 4/7/2021-Read second time. Ordered to third reading.

Is Fiscal: N

Location: 4/7/2021-S. THIRD READING

Calendar: 4/19/2021 #44 SENATE SENATE BILLS -THIRD READING FILE

Summary: Would, until January 1, 2027, authorize the City and County of San Francisco, the County of Los Angeles, and the City of Oakland to approve entities to operate overdose prevention programs for persons that satisfy specified requirements, including, among other things, providing a hygienic space supervised by trained staff where people who use drugs can consume preobtained drugs, providing sterile consumption supplies, providing access or referrals to substance use disorder treatment, and that program staff be authorized and trained to provide emergency administration of an opioid antagonist, as defined by existing law.

Position

Oppose

SB 81

(Skinner D) Sentencing: dismissal of enhancements.

Current Text: Amended: 4/8/2021 [html](#) [pdf](#)
Current Analysis: 03/15/2021 [Senate Public Safety \(text 2/8/2021\)](#)
Introduced: 12/15/2020
Last Amend: 4/8/2021
Status: 4/15/2021-April 19 set for first hearing canceled at the request of author.
Is Fiscal: Y
Location: 3/16/2021-S. APPR.

Summary: Current law generally authorizes a court to dismiss an action or to strike or dismiss an enhancement in the furtherance of justice. This bill would, except as specified, require a court to dismiss an enhancement if it is in the furtherance of justice to do so. The bill would create a presumption that it is in the furtherance of justice to dismiss an enhancement in specified circumstances. The bill would state that this presumption is only overcome upon a showing by clear and convincing evidence that dismissal of the enhancement would endanger public safety.

Position
Watch

SB 82

(Skinner D) Petty theft.

Current Text: Amended: 3/18/2021 [html](#) [pdf](#)
Current Analysis: 04/02/2021 [Senate Appropriations \(text 3/18/2021\)](#)
Introduced: 12/15/2020
Last Amend: 3/18/2021
Status: 4/5/2021-April 5 hearing: Placed on APPR suspense file.
Is Fiscal: Y
Location: 4/5/2021-S. APPR. SUSPENSE FILE

Summary: Would define the crime of petty theft in the first degree as taking the property from the person of another or from a commercial establishment by means of force or fear without the use of a deadly weapon or great bodily injury. The bill would specifically exclude from the crime of petty theft in the first degree acting in concert with one or more persons to steal merchandise from one or more merchant's premises or online marketplace with the intent to sell, exchange, or return the merchandise for value. The bill would define the crime of petty theft in the 2nd degree as all other petty theft. The bill would impose a penalty of imprisonment in county jail for up to one year, a \$1,000 fine, or both, for petty theft in the first degree and would prohibit an act of petty theft from being charged as robbery or burglary.

Position
Watch

SB 98

(McGuire D) Public peace: media access.

Current Text: Introduced: 12/22/2020 [html](#) [pdf](#)
Current Analysis: 03/19/2021 [Senate Appropriations \(text 12/22/2020\)](#)
Introduced: 12/22/2020
Status: 3/22/2021-March 22 hearing: Placed on APPR suspense file.
Is Fiscal: Y
Location: 3/22/2021-S. APPR. SUSPENSE FILE

Summary: Would, if peace officers close the immediate area surrounding any emergency field command post or establish any other command post, police line, or rolling closure at a demonstration, march, protest, or rally where individuals are engaged primarily in constitutionally protected activity, as described, require that a duly authorized representative of any news service, online news service, newspaper, or radio or television station or network, as described, be allowed to enter those closed areas and would prohibit a peace officer or other law enforcement officer from intentionally assaulting, interfering with, or obstructing a duly authorized representative who is gathering, receiving, or processing information for communication to the public. The bill would also prohibit a duly authorized representative who is in a closed area from being cited for the failure to disperse, a violation of a curfew, or a violation of other, specified law. The bill would require that if a representative is detained by a peace officer or other law enforcement officer, the representative be permitted to contact a supervisory officer immediately for the purpose of challenging the detention.

Position
Oppose

SB 210

(Wiener D) Automated license plate recognition systems: use of data.

Current Text: Amended: 3/15/2021 [html](#) [pdf](#)
Current Analysis: 04/02/2021 [Senate Appropriations \(text 3/15/2021\)](#)
Introduced: 1/12/2021
Last Amend: 3/15/2021
Status: 4/5/2021-April 5 hearing: Placed on APPR suspense file.
Is Fiscal: Y

Location: 4/5/2021-S. APPR. SUSPENSE FILE

Summary: Current law authorizes the Department of the California Highway Patrol to retain license plate data captured by license plate reader technology, also referred to as an automated license plate recognition (ALPR) system, for not more than 60 days unless the data is being used as evidence or for the investigation of felonies. Current law authorizes the department to share that data with law enforcement agencies for specified purposes and requires both an ALPR operator and an ALPR end-user, as those terms are defined, to implement a usage and privacy policy regarding that ALPR information, as specified. Current law requires that the usage and privacy policy implemented by an ALPR operator or an ALPR end-user include the length of time ALPR information will be retained and the process the ALPR operator and ALPR end-user will utilize to determine if and when to destroy retained ALPR information. This bill would include in those usage and privacy policies a requirement that, if the ALPR operator or ALPR end-user is a public agency and not an airport authority, ALPR data that does not match a hot list be destroyed within 24 hours.

Position

Oppose

SB 262

(Hertzberg D) Bail.

Current Text: Amended: 3/10/2021 [html](#) [pdf](#)

Current Analysis: 04/02/2021 [Senate Appropriations \(text 3/10/2021\)](#)

Introduced: 1/27/2021

Last Amend: 3/10/2021

Status: 4/5/2021-April 5 hearing: Placed on APPR suspense file.

Is Fiscal: Y

Location: 4/5/2021-S. APPR. SUSPENSE FILE

Summary: Current law provides for the procedure of approving and accepting bail, and issuing an order for the appearance and release of an arrested person. Current law authorizes specified sheriff, police, and court employees to approve and accept bail in the amount fixed by the warrant of arrest, schedule of bail, or order admitting to bail. Current law requires the superior court judges in each county to prepare, adopt, and annually revise a uniform countywide schedule of bail, as specified. This bill would require bail to be set at \$0 for all offenses except, among others, serious or violent felonies, violations of specified protective orders, battery against a spouse, sex offenses, and driving under the influence. The bill would require the Judicial Council to prepare, adopt, and annually revise a bail schedule for the exempt offenses. The bill would state the intent of the Legislature to enact further changes to current law to ensure that a defendant is not detained pending trial simply due to an inability to pay for the amount of bail in the statewide schedule.

Position

Oppose

SB 271

(Wiener D) County sheriffs: eligibility requirements.

Current Text: Introduced: 1/28/2021 [html](#) [pdf](#)

Current Analysis: 03/15/2021 [Senate Public Safety \(text 1/28/2021\)](#)

Introduced: 1/28/2021

Status: 3/17/2021-From committee: Do pass and re-refer to Com. on GOV. & F. (Ayes 4. Noes 1.) (March 16). Re-referred to Com. on GOV. & F.

Is Fiscal: N

Location: 3/16/2021-S. GOV. & F.

Summary: The California Constitution requires the Legislature to provide for an elected county sheriff in each county. Current statutory law specifies that a person is not eligible to become a candidate for the office of sheriff in a county unless the person has an advanced certificate issued by the Commission on Peace Officer Standards and Training or meets a combination of certain educational degree and full-time, salaried law enforcement experience requirements, as specified. Current law deems a person holding the office of sheriff on January 1, 1989, to have met those qualifications. This bill would repeal those eligibility provisions, and would make other conforming changes.

Position

Oppose

SB 296

(Limón D) Code enforcement officers: safety standards.

Current Text: Introduced: 2/3/2021 [html](#) [pdf](#)

Current Analysis: 04/02/2021 [Senate Appropriations \(text 2/3/2021\)](#)

Introduced: 2/3/2021

Status: 4/5/2021-April 5 hearing: Placed on APPR suspense file.

Is Fiscal: Y

Location: 4/5/2021-S. APPR. SUSPENSE FILE

Summary: Would require each local jurisdiction that employs code enforcement officers to develop safety standards appropriate for the code enforcement officers employed in their jurisdiction. By imposing new duties on local jurisdictions, this bill would impose a state-mandated local program.

Position
Support

[SB 350](#)

(Melendez R) Controlled substances.

Current Text: Amended: 3/15/2021 [html](#) [pdf](#)

Current Analysis: 03/23/2021 [Senate Public Safety \(text 3/15/2021\)](#)

Introduced: 2/9/2021

Last Amend: 3/15/2021

Status: 3/23/2021-March 23 set for first hearing. Failed passage in committee. (Ayes 1. Noes 1.)
Reconsideration granted.

Is Fiscal: Y

Location: 2/17/2021-S. PUB. S.

Summary: Current law makes it a crime to possess for sale or purchase for purpose of sale, transport, sell, furnish, administer, give away, manufacture, compound, convert, produce, derive, process, or prepare various controlled substances, including, among others, fentanyl, peyote, and various other opiates and narcotics. This bill would require a person who is convicted of, or who pleads guilty or no contest to, the above crimes to receive a written advisory of the danger of manufacturing or distribution of controlled substances and that, if a person dies as a result of that action, the manufacturer or distributor can be charged with voluntary manslaughter or murder. The bill would require that the fact the advisory was given be on the record and recorded on the abstract of conviction.

Position
Support

[SB 387](#)

(Portantino D) Peace officers: certification, education, and recruitment.

Current Text: Introduced: 2/11/2021 [html](#) [pdf](#)

Current Analysis: 04/18/2021 [Senate Public Safety \(text 2/11/2021\)](#)

Introduced: 2/11/2021

Status: 3/24/2021-Set for hearing April 20.

Is Fiscal: Y

Location: 2/25/2021-S. PUB. S.

Calendar: 4/20/2021 9 a.m. - John L. Burton Hearing Room (4203) SENATE PUBLIC SAFETY, BRADFORD, Chair

Summary: Current law requires the Commission on Peace Officer Standards and Training to establish a certification program for peace officers. Current law requires the commission to establish basic, intermediate, advanced, supervisory, management, and executive certificates for the purpose of fostering the education and experience necessary to perform general police service duties. Existing law requires certificates to be awarded on the basis of a combination of training, education, experience, and other prerequisites, as determined by the commission. This bill would require the commission to work with stakeholders from law enforcement, the University of California, the California State University, the California Community Colleges, and community organizations to develop a list of courses to include as requirements for obtaining a basic certificate, as specified. The bill would require an applicant for a basic certificate to complete those courses before obtaining the certificate.

Position
Support

Total Measures: 33

Total Tracking Forms: 33