

Warner & Pank, LLC



Governmental Relations & Legislative Advocacy

Date: October 1, 2008

To: Lisa Lorton, President, CLEARS
Joseph Surges, Legislative Chair, CLEARS

From: Nick Warner, Legislative Representative, Nick@warnerandpank.com
Karen Pank, Legislative Representative, Karen@warnerandpank.com
Danielle Higgs, Legislative Analyst, Danielle@warnerandpank.com

RE: End of Session Report

The Governor acted on all bills on his desk. We have provided a final summary of these actions in this report. You can access bill language and signing and veto messages on the Governor's website at: <http://gov.ca.gov/bills/>. Due to the large number of bills and subsequent processing time, the posting of some information may be delayed. You can also access this information through Leg Info at: <http://www.leginfo.ca.gov/bilinfo.html>.

Last week Governor Schwarzenegger signed the 2008-09 budget, ending the state's record 85 day impasse. The budget addresses California's \$15.2 billion budget shortfall with a combination of cuts and increased revenues. It does not borrow funding from voter-approved local government or transportation funds and includes a strong rainy-day fund aimed at helping smooth out the unpredictable highs and lows in revenues. The Governor used his veto authority to make an additional \$510 million in General Fund reductions.

Please feel free to contact us at (916) 443-7318 if we can be of assistance. Thank you for the continued opportunity to serve your interests in and around Sacramento.

Legislative Update as of October 1, 2008

AB 104 (Solorio) Criminal records: city attorneys.

Status: 07/20/2007-Chaptered by the Secretary of State, Chapter Number 104, Statutes of 2007

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would additionally require the Attorney General to provide criminal history information to city attorneys pursuing civil gang injunctions, or drug abatement actions, as specified. This bill contains other related provisions and other existing laws.

Position: No Position

AB 181(Beall) County penalties: automated fingerprint identification fund.

Status: 07/12/2007-Chaptered by the Secretary of State, Chapter Number 49, Statutes of 2007

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would delete the limitation on the period during which deposits may be made into an Automated Fingerprint Identification and Digital Image Photographic Suspect Booking Identification System Fund.

Position: Co-Sponsor

AB 289(Spitzer) Protective orders.

Status: 10/13/2007-Chaptered by Secretary of State - Chapter 582, Statutes of 2007.

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would provide that upon conviction for violating these provisions, the sentencing court shall also consider issuing an order restraining the defendant from any contact with the victim, whether the defendant is sentenced to state prison, county jail, or if imposition of sentence is suspended and the defendant is placed on probation, which may be valid for up to 10 years, as determined by the court. This bill contains other related provisions and other existing laws.

Position: No Position

AB 475 (Emmerson) Criminal procedure: motions.

Status: 10/10/2007-Chaptered by the Secretary of State, Chapter Number 390, Statutes of 2007

Is Urgency: N

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Would require the petitioner to also serve a copy of the petition on the law enforcement agency having jurisdiction over the offense and would allow the law enforcement agency to present evidence at the motion through the district attorney.

Position: Co-Sponsor

AB 619(Emmerson) Vehicle registration amnesty program: specially constructed vehicles.

Status: 09/27/2008-Signed by the Governor

Is Urgency: N

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Would require the Department of Motor Vehicles to develop and administer a vehicle registration amnesty program which would be in effect from January 1, 2010, until December 31, 2010, for vehicles that were previously registered or classified incorrectly and that, pursuant to the program, become correctly registered, as defined. The department would be required to grant amnesty to a vehicle owner if all of the specified conditions are met by December 31, 2010, including, but not limited to, the owner filing a completed application, signed under penalty of perjury, with the department. Because a violation of this provision would expand the scope of the crime of perjury, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Governor's Message: To the Members of the California State Assembly: I am signing Assembly Bill 619. This bill would require the Department of Motor Vehicles (DMV) to establish an amnesty program to allow vehicle owners who have previously underreported the value or otherwise misrepresented vehicles for registration purposes to pay required fees and taxes, comply with all legal requirements, and to avoid criminal prosecution for their earlier false statements by December 31, 2010. While I am signing this bill, there are provisions that need to be addressed before it can be successfully implemented. Specifically, this bill could result in significant workload for the Bureau of Automotive Repair's (BAR) Referee Program without ensuring adequate revenue to support this program. Statutory authority is required to charge a fee for that work. This cost must rightfully be borne by the vehicle owners who are participating in the program. I am instructing the Department of Consumer Affairs and BAR to work with the author and the Legislature on making the necessary legislative change to properly implement this program. Sincerely, Arnold Schwarzenegger

Position: No Position

AB 673 (Hayashi) Child abuse or neglect: mandated reports.

Status: 10/10/2007-Chaptered by the Secretary of State, Chapter Number 393, Statutes of 2007

Is Urgency: N

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Would amend the terms "child abuse or neglect in out-of-home care" and "child abuse or neglect" to include death inflicted by other than accidental means. This bill contains other related provisions and other existing laws.

Position: No Position

AB 920 (Brownley) Crime information: disclosure: consideration.

Status: 10/10/2007-Chaptered by the Secretary of State, Chapter Number 401, Statutes of 2007

Is Urgency: N

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Would provide that certain persons who, for financial gain, disclose or solicit the exchange of information obtained in the course of a criminal investigation, with the knowledge that the disclosure of the information is prohibited, as specified, would be guilty of a misdemeanor punishable by a fine not exceeding \$1,000. The bill would also provide that those same certain persons who, for financial gain, solicit or sell any photograph or video taken without authorization inside a law enforcement or court facility, as specified, would be guilty of a misdemeanor punishable by a fine not exceeding \$1,000. The bill would also provide that any person who, for financial gain, solicits any of those certain persons to disclose information obtained in the course of a criminal investigation, the disclosure of which is prohibited, or who, for financial gain, solicits any of those certain persons to disclose any photograph or video taken without authorization inside a law enforcement or court facility, as specified, would be guilty of a misdemeanor punishable by a fine not exceeding \$1,000. The bill would also require, upon conviction, the forfeiture of monetary compensation received for the commission of any of the offenses described above, as specified. This bill contains other related provisions and other existing laws.

Position: No Position

AB 1168 (Jones) Social security numbers.

Status: 10/13/2007-Chaptered by Secretary of State - Chapter 627, Statutes of 2007.

Is Urgency: N

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Would require the Office of Privacy Protection in the Department of Consumer Affairs to establish a task force, with specified members, to conduct a review of the use by all public and private colleges and universities in this state of social security numbers in order to recommend practices to minimize the collection, use, storage, and retention of social security numbers. It would require the task force to commence meetings no later than May 1, 2008, and, on or before July 1, 2010, to submit a report of its findings and recommendations to the Office of Privacy Protection and to the Assembly Committee on Judiciary and the Senate Committee on Judiciary. This bill contains other related provisions and other existing laws.

Position: Watch

AB 1381(Nunez) Gangs: Office of Gang and Youth Violence Policy.

Status: 10/11/2007-Chaptered by the Secretary of State, Chapter Number 459, Statutes of 2007

Is Urgency: N

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Would establish the Office of Statewide Violence and Gang Prevention, which would be responsible for coordinating and assisting various persons and entities with strategies to prevent violence and gang involvement, and which, and to the extent feasible, would be authorized to perform related duties, including establishing an Internet Web site, as specified. The bill would state the intent of the Legislature regarding the creation of the office. The bill would also require the office to submit a report to the Legislature on or before March 1, 2009, containing recommendations and other information, as specified.

Position: No Position

AB 1393 (Leno) Public records.

Status: 10/11/2007-Vetoed by Governor

Is Urgency: N

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Would as of July 1, 2009, require any state agency that publishes an Internet Web site to include on the homepage of that site specified information that is not exempt from disclosure under the act about how to contact the agency, how to request records under the act, and a form for submitting online requests for records. It would authorize any person to bring an action to enforce the duty of a state agency to post this information and would provide for penalties including monetary awards to be paid by the agency, with specified provisions to become operative on January 1, 2009. This bill contains other related provisions.

Governor's Message: I am returning Assembly Bill 1393 without my signature. Ensuring access to public information is one of my Administration's top priorities. That is why last year I issued Executive Order S-03-06 (Order), requiring all state agencies to review their guidelines governing access to public information. In addition, the Order required that every agency identify and train staff to be responsible for ensuring compliance with the California Public Records Act. As I noted in my veto of similar legislation last year, I believe the steps that were taken as a result of the Order, combined with the ongoing efforts of agencies to comply with the law, are working to ensure the needs of the public are met. This bill imposes an unnecessary one-size-fits-all mandate on state agencies. In addition, this bill would require the formation of a task force to consider even more statutory standards to govern the disclosure of public records. Such a task force and such additional statutory changes are also unnecessary. My Administration's commitment to the Public Records Act is unwavering and I am confident future Administrations will share this attitude. Sincerely, Arnold Schwarzenegger

Position: Neutral

AB 1448 (Niello) Peace officers: impersonation: uniforms.

Status: 09/26/2007-Chaptered by the Secretary of State, Chapter Number 241, Statutes of 2007

Is Urgency: N

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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Summary: Would require law enforcement uniform vendors to verify that a person buying a uniform is an employee of the law enforcement agency identified on the uniform. This bill would make it a crime for a vendor selling a law enforcement uniform to fail to verify the person buying the uniform is an employee of the law enforcement agency identified on the uniform, unless the uniform is sold as a prop, as specified. This bill contains other related provisions and other existing laws.

Position: No Position

AB 1771 (Ma) Domestic violence: restraining orders.

Status: 07/10/2008-Chaptered by the Secretary of State, Chapter Number 86, Statutes of 2008

Is Urgency: N

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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Summary: Would provide that, in determining whether good cause exists to issue an order under that provision, in any case in which a complaint, information, or indictment charging a crime of domestic violence has been filed, the court may consider the underlying nature of the offense charged, and information provided to the court pursuant to a criminal history search, as specified.

Position: No Position

AB 1826 (Beall) Seized property: fees.

Status: 08/01/2008-Chaptered by the Secretary of State, Chapter Number 214, Statutes of 2008

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would authorize imposition of a \$320 filing fee, as specified, in those claim cases where the subject property is valued at more than \$5,000.

Position: No Position

AB 1975 (Solorio) Missing persons: DNA database.

Status: 09/27/2008-Vetoed by the Governor

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would further detail the protocol for DNA sample collection and handling. It would delete the expiration date for the provision that authorizes the collection of the \$2 increase on death certificates and, thus, would impose a state tax for purposes of increasing revenue. This bill would also make clarifying changes to the procedure for identifying any backlog of unidentified remains or donated familial samples. By requiring the collection of the increase on death certificates issued by local officials, the bill would also impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1975 without my signature. This bill will create a reimbursable state mandate of unknown magnitude by requiring local agencies to accelerate submission of DNA samples. The Legislature could use next session to eliminate this potential mandate issue by revising the bill. For this reason, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

Position: No Position

AB 2028 (Solorio) Peace officers: hiring.

Status: 09/27/2008-Signed by the Governor

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would provide that the collection of nonmedical and non-psychological information, in accordance with a thorough background investigation required of all peace officers, may be deferred until after a conditional offer of employment is issued if the employer can demonstrate that the nonmedical and non-psychological information could not reasonably have been collected prior to issuing the employment offer. This bill contains other existing laws.

Position: Watch

AB 2068 (Aghazarian) Domestic violence: elder abuse: harassment: workplace violence: orders and injunctions: service: notice to protected person.

Status: 07/21/2008-Chaptered by the Secretary of State, Chapter Number 153, Statutes of 2008

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would authorize a sheriff or marshal, for any order or injunction relating to harassment, workplace violence, domestic violence, or elder abuse, for which the sheriff or marshal provides service of process and is prohibited under existing law from requiring payment of a fee, to notify the protected person by electronic or telephonic means within 24 hours after service of process that the order or injunction has been served on the restrained person, including the date and time when the order or injunction was served, if the protected person has requested this notification and has registered a telephone number or e-mail address at which the protected person may be contacted for this purpose.

Position: No Position

AB 2099(Hancock) Inmates: identification cards.

Status: 09/30/2008-Vetoed by the Governor

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would require the Department of Corrections and Rehabilitation to establish a pilot program at Folsom State Prison and San Quentin State Prison for the purpose of providing each inmate at those facilities, prior to his release, with a valid California identification card, as defined, issued by the Department of Motor Vehicles (DMV). This bill contains other related provisions.

Governor's Message: I am returning Assembly Bill 2099 without my signature. As I stated in my veto message of a similar bill last year, this bill will result in parolees receiving services that are not currently available to the majority of the general public. For example, the Department of Motor Vehicles does not perform the function of determining whether or not members of the general public have the ability to pay applicable identification card fees. These services must be applied for through other governmental or non-profit public assistance programs. For these reasons, I am returning this bill without my signature.
Sincerely, Arnold Schwarzenegger

Position: No Position

AB 2304 (Plescia) Name changes.

Status: 09/29/2008- Chaptered by the Secretary of State, Chapter Number 586, Statutes of 2008

Is Urgency: N

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Would in addition, require the court to keep confidential the current legal name of the petitioner and prohibit that name from being published in the court's calendars, indexes, or register of actions by any means or in any public forum, including a hardcopy or an electronic copy, or any other type of public media or display when the petition for a change of name of a participant in the address confidentiality program alleges a specified reason or circumstance. The bill would also authorize a petitioner to request that the records be sealed and would require the Judicial Council to develop, on or before January 1, 2010, rules of court and forms for that purpose.

Position: No Position

AB 2344 (Beall) California Cigarette and Tobacco Products Licensing Act of 2003: fees.

Status: 09/27/2008-Vetoed by the Governor

Is Urgency: N

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Would increase the license fee for retailers of cigarettes or tobacco products to \$185, and would require those retailers renewing their license to pay an annual license fee of \$185 with the application for renewal. This bill would increase the fee for reinstatement to \$185, and would provide that a license is valid for a 12-month period unless surrendered, suspended, or revoked prior to that period. This bill would specify that the amendments made by this act become operative January 1, 2010. This bill contains other related provisions and other existing laws.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2344 without my signature. This bill would increase license fees on retailers that sell tobacco. I do not believe it is fair to the thousands of small retailers impacted by this bill to increase fees at this time. There is a significant surplus of funds from Proposition 10 available to cover the enforcement costs of this program. For these reasons, I am returning this bill without my signature. Sincerely, Arnold Schwarzenegger

Position: No Position

AB 2553 (Solorio) Domestic violence: ex parte orders.

Status: 08/04/2008-Chaptered by the Secretary of State, Chapter Number 263, Statutes of 2008

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would require the court to include in any order denying a petition for that ex parte order the reasons for denying the petition. This bill would also require any order denying a jurisdictionally adequate petition for that ex parte order to provide the petitioner the right to a noticed hearing on the earliest date that the business of the court will permit, within specified limits. The bill would also provide that nothing in those provisions shall preclude a petitioner who waives his or her right to a noticed hearing from re-filing a new petition, without prejudice, at a later time, and would require the Judicial Council to develop a form to implement these provisions.

Position: No Position

AB 2618 (Solorio) Child abuse reporting: Department of Justice: index.

Status: 09/28/2008-Signed by the Governor

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would require the Department of Justice to make available to a county child welfare agency or delegated county adoption agency that is conducting a background investigation of an applicant seeking employment or volunteer status with the agency who, in the course of his or her employment or volunteer work, will have direct contact with children who are alleged to have been, are at risk of, or have suffered, abuse or neglect, information regarding a known or suspected child abuser maintained in the index concerning the applicant. This bill contains other related provisions.

Position: No Position

AB 2671 (Salas) Prisoners: veterans.

Status: 09/28/2008-Vetoed by the Governor

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chapered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would require the department to create a prerelease program for incarcerated honorably discharged veterans to apply for state and federal benefits for veterans, as specified. This bill contains other related provisions and other existing laws.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2671 without my signature. This bill is unnecessary, as the California Department of Corrections and Rehabilitation (CDCR) is already finalizing a prerelease process for incarcerated veterans, as would be required under this bill. In addition, the CDCR already asks inmates about their veteran status upon intake into prison. Therefore, this bill is not needed in order to ensure that incarcerated veterans are identified and that their benefits needs are met. For these reasons I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

Position: No Position

AB 2696 (Krekorian) Firearms.

Status: 09/28/2008-Vetoed by the Governor

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chapered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would require the department to participate in the National Instant Criminal Background Check System, as specified, pursuant to the terms of a Memorandum of Understanding between the department and the Federal Bureau of Investigation. This bill contains other related provisions and other existing laws.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2696 without my signature. This bill would impose additional costs and workload on the Department of Justice (DOJ) during a time of limited state resources. Funds for this purpose have not been included in the 2008-09 fiscal plan, and adding requirements to DOJ while also seeking programmatic reductions due to the state of the General Fund is inappropriate. In addition, this bill potentially creates a reimbursable mandate, which could lead to even more General Fund pressure and costs. For these reasons, I am returning this bill without my signature. Sincerely, Arnold Schwarzenegger

Position: Watch

SB 40 (Romero) Sentencing.

Status: 03/30/2007-Chaptered by Secretary of State - Chapter No. 3, Statutes of 2007.

Is Urgency: Y

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would instead provide that the choice of the appropriate term would rest within the sound discretion of the court. The bill would make other nonsubstantive changes. This bill would provide that these changes would be repealed on January 1, 2009. The bill would make other conforming changes. This bill contains other related provisions.

Position: No Position

SB 129 (Kuehl) Criminal communications.

Status: 07/10/2008-Chaptered by the Secretary of State, Chapter Number 109, Statutes of 2008

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would make it a misdemeanor punishable by a maximum of 6 months in the county jail or a \$1,000 fine or both for a person to make telephone calls or contact with an electronic communication device, as defined, with the intent to annoy another person at any place. This bill contains other related provisions and other existing laws.

Position: Watch

SB 340 (Ackerman) Criminal history information.

Status: 10/13/2007-Chaptered by the Secretary of State, Chapter Number 581, Statutes of 2007

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Existing law requires the Department of Justice to maintain specified criminal history information, and requires the Attorney General to supply that information to specified law enforcement and other agencies, as prescribed. This bill additionally would require the Attorney General to furnish criminal history information to city attorneys pursuing civil gang injunctions or drug abatement actions, as specified. The bill also would expand the list of agencies entitled to receive criminal history reports to include an illegal dumping enforcement officer, an agency providing conservatorship investigations, a court investigator providing investigations or reviews in conservatorships, and a probation officer, domestic relations investigator, other officer designated to investigate potential dependency cases, or court investigator providing investigation in guardianships.

Position: No Position

SB 447 (Maldonado) Junk dealers.

Status: 09/30/2008-Signed by the Governor

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would require a junk dealer or recycler to report that information to the chief of police of the city or the sheriff of the county in which the junk dealer or recycler sold or purchased the junk.

Position: No Position

SB 449 (Aanestad) Crime records: victims of sex offenses.

Status: 10/13/2007-Chaptered by the Secretary of State, Chapter Number 578, Statutes of 2007

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would expand the category of crime victims whose names and addresses are not subject to disclosure under the act, to include additional sex crimes. This bill contains other related provisions and other existing laws.

Position: Support

SB 511 (Alquist) Interrogation: recording.

Status: 10/13/2007-Vetoed by the Governor

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would require the electronic recordation of the entire proceedings of any custodial interrogation of an individual who is in a fixed place of detention and who, at the time of the interrogation, is suspected of committing or accused of a homicide or a violent felony, except as specified. The bill would also prohibit the interrogating entity from destroying or altering any electronic recording made of the interrogation until the final conclusion of the proceedings, as specified. The bill would become operative on July 1, 2008. By imposing these new requirements on local law enforcement, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Governor's Message: I am returning Senate Bill 511 without my signature. While reducing the number of false confessions is a laudable goal, I cannot support a measure that would deny law enforcement the flexibility necessary to interrogate suspects in homicide and violent felony cases when the need to do so is not clear. Police interrogations are dynamic processes that require investigators to use acumen, skill and experience to determine which methods of interrogation are best for the situation. This bill would place unnecessary restrictions on police investigators. Sincerely, Arnold Schwarzenegger

Position: No Position

SB 609 (Romero) Criminal procedure: informants.

Status: 10/13/2007-Vetoed by the Governor

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would provide that a court may not convict a defendant, find a special circumstance true, or use a fact in aggravation based on the uncorroborated testimony of an in-custody informant.

Governor's Message: I am returning Senate Bill 609 without my signature. This bill would prohibit a court from convicting a defendant, finding a special circumstance true, or using a fact in aggravation based on the uncorroborated testimony of an in-custody informant. This bill would enact a broad solution to a perceived problem that arises in very few criminal cases. In-custody informant testimony is disfavored and therefore rarely used. When that kind of testimony is necessary, current criminal procedures provide adequate safeguards against its misuse. Consequently, this bill is unnecessary. Sincerely, Arnold Schwarzenegger

Position: No Position

SB 629 (Correa) Automobile insurance: peace officers.

Status: 09/11/2007-Chaptered by the Secretary of State, Chapter Number 211, Statutes of 2007

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Existing law requires any peace officer or firefighter, as defined, who has been involved in an accident to submit to his or her private automobile insurer a written declaration stating whether or not at the time of the accident he or she was operating an emergency vehicle, as defined, in the performance of his or her duty during the hours of his or her employment. This bill would repeal that provision.

Position: No Position

SB 690 (Calderon) Criminal history.

Status: 10/12/2007-Chaptered by the Secretary of State, Chapter Number 560, Statutes of 2007

Is Urgency: N

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

Summary: Would additionally require the Attorney General to provide criminal history information to city attorneys pursuing civil gang injunctions or drug abatement actions, as specified. This bill contains other related provisions and other existing laws.

Position: Watch

SB 756 (Ridley-Thomas) Criminal investigations: eyewitness identifications.

Status: 10/13/2007-Vetoed by the Governor

Is Urgency: N

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Would provide that it is the intent of the Legislature that law enforcement officials study and consider the adoption of new policies and procedures, as specified, to ensure that eyewitness identification procedures in California minimize the chance of misidentification of a suspect. This bill contains other related provisions.

Governor's Message: I am returning Senate Bill 756 without my signature. While I support the efforts to improve reliability and accuracy of eyewitness identifications, this bill goes too far in attempting to address the problems of unreliable eyewitness identifications. This bill would mandate that the Department of Justice (DOJ) and the Commission on Peace Officer Standards and Training (POST) consider questionable recommendations from the California Commission on the Fair Administration of Justice and require all California law enforcement agencies to adopt whichever guidelines DOJ and POST choose. Law enforcement agencies must have the authority to develop investigative policies and procedures that they can mold to their own unique local conditions and logistical circumstances rather than be restricted to methods created that may make sense from a broad statewide perspective. Sincerely, Arnold Schwarzenegger

Position: No Position

SB 1022 (Steinberg) Child abuse: central index.

Status: 09/27/2008-Vetoed by the Governor

Is Urgency: N

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Would require the department to remove information relating to a person whose name is listed in the Child Abuse Central Index as a suspect in a child abuse or neglect investigation due to an incident that occurred when the person was under 18 years of age if the incident did not result in a delinquency adjudication or criminal conviction, and he or she makes a notarized written request to the department to have his or her name removed as a suspect with respect to that incident, as specified. This bill contains other related provisions and other existing laws.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 1022 without my signature. This measure is unnecessary given that current law already provides the ability for the removal of names from the Child Abuse Central Index. In addition, this bill would impose additional General Fund costs on state government during a time of significant General Fund program reductions. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

Position: Oppose

SB 1589 (Romero) Criminal procedure: informants.

Status: 09/28/2008-Vetoed by the Governor

Is Urgency: N

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Would provide that a court may not convict a defendant, find a special circumstance true, or use a fact in aggravation based on the uncorroborated testimony of an in-custody informant.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 1589 without my signature. Since a wrongful conviction can exact a devastating toll on the accused and their families, every worthwhile effort should be made to avoid their occurrence. Because this bill would not reduce the number of wrongful convictions, I am unable to support it. In-custody informant testimony is disfavored and therefore rarely used. When such testimony is necessary, current rules of evidence provide adequate safeguards against its misuse. The evaluation of the credibility of a witness has always been uniquely within the province of the jury. This bill would usurp the juries function by fixing in statute a rule that all in-custody informants have lied before the fact. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

Position: Watch