

AMENDED IN SENATE APRIL 24, 2025

AMENDED IN SENATE MARCH 26, 2025

SENATE BILL

No. 319

Introduced by Senator Ashby

February 11, 2025

An act to add Section 13156 to the Penal Code, relating to criminal justice statistics.

LEGISLATIVE COUNSEL'S DIGEST

SB 319, as amended, Ashby. Criminal justice statistics: reporting.

Existing law requires the Judicial Council to collect and maintain statistics, and to publish them at least on a yearly basis, about the compliance of the superior court of each county and each branch court with the standards for the timely disposition of cases, as specified.

Existing law requires criminal justice agencies to compile records and data, including a summary of arrests, pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation, and release, about criminal offenders. Existing law requires agencies to report this information to the Department of Justice for each arrest made.

This bill would require the Department of Justice to ~~publish~~ *collect and publish, as specified*, on its internet website annual statistical reports providing monthly information for each county related to convictions of certain statutes pertaining to, among other things, *petty* theft and possession of ~~narcotics~~, *a hard drug*, including, by month, the number of people convicted of these statutes and, for each conviction, whether the conviction was classified as a misdemeanor or a felony.

This bill would also require every county to submit to the department specified data and information, including the county's annual allocation

and expenditure of state and federal funds on sheriff, probation, and court activities, by category and specific grant program, including reimbursement. The bill would require the ~~department~~ department, commencing on January 1, 2027, to post this data and information on its internet website.

This bill would require, for each person charged with the same certain statutes above, under a certain statute pertaining to possession of a hard drug, each superior court to submit specified metrics to the Judicial Council, including the outcome Council. For each person charged under the above provisions, the bill would require each superior court to submit the outcomes of judicial review proceedings mandated by those statutes. The statutes, as specified, to the Judicial Council. Commencing January 1, 2027, the bill would require the Judicial Council to publish an annual report related to the specified metrics on its internet website.

By requiring counties to submit specified data to the Department of Justice, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13156 is added to the Penal Code, to
2 read:
3 13156. (a) (1) ~~The~~ Commencing January 1, 2026, the
4 Department of Justice shall collect every data element in this
5 subdivision. Commencing March 1, 2026, and January 1 each
6 year thereafter beginning in 2027, the Department of Justice shall
7 publish annual statistical reports providing monthly information
8 for each county related to convictions of Section 666.1 of this code
9 and Section 11395 of the Health and Safety Code as they pertain
10 to all of the following:

1 (A) By month, the number of people convicted of violations of
2 Section 666.1 of this code and Section 11395 of the Health and
3 Safety Code and, for each conviction, whether the conviction was
4 classified as a misdemeanor or a felony.

5 (B) By month, the number of people convicted of a violation
6 of Section 666.1 with a prior conviction for a violation of Section
7 666.1.

8 (C) By month, the number of people convicted of a violation
9 of Section 11395 of the Health and Safety Code with a prior
10 conviction for a violation of Section 11395 of the Health and Safety
11 Code.

12 (D) For each conviction of Section 666.1 of this code and
13 Section 11395 of the Health and Safety Code, the number of people
14 convicted who had two or more convictions for offenses referred
15 to in paragraph (2) of subdivision (a) of Section 666.1 and
16 subdivision (c) of Section 11395 of the Health and Safety Code
17 in the last year, the last 3 years, the last 5 years, the last 10 years,
18 and the last 20 years.

19 (E) For each conviction of Section 666.1 of this code and Section
20 11395 of the Health and Safety Code, by month, the number of
21 people with 2, 3, 4, 5, 6, 7, 8, 9, and 10 or more prior convictions.

22 (2) The department shall post the information submitted pursuant
23 to paragraph (1) on its internet website.

24 (b) (1) ~~Every~~ *Commencing January 1, 2026, every* county shall
25 submit to the Department of Justice the following data and
26 information that shall be submitted in a form, manner, and in
27 accordance with timelines prescribed by the department:

28 (A) The county's annual allocation and expenditure of state and
29 federal funds on sheriff, probation, and court activities, by category
30 and specific grant program, including any reimbursements.

31 (B) The amount of annual and cumulative unspent state and
32 federal funds in accounts related to sheriff, probation, and court
33 activities, including funds in a reserve account, by category and
34 specific grant program, including any reimbursements.

35 (C) The county's annual expenditure of county general funds
36 and other funds, by category, on sheriff, probation, and court
37 activities.

38 (D) The fund sources and amounts spent annually as the
39 nonfederal share for Medi-Cal, including specialty mental health
40 services and substance use disorder treatment services, by category.

1 (E) All administrative costs associated with sheriff, ~~probation~~
2 *probation*, and court activities, by category.

3 (F) All contracted sheriff, probation, and court services, and the
4 cost of those contracted services, by category.

5 (2) ~~The Commencing January 1, 2027, the~~ department shall
6 post the information received pursuant to paragraph (1) on its
7 internet website.

8 (c) (1) ~~For Commencing January 1, 2026, for each person~~
9 charged with an offense under ~~Section 666.1 and for each person~~
10 ~~charged with an offense under~~ Section 11395 of the Health and
11 Safety Code, each superior court shall submit all of the following
12 metrics to the Judicial Council:

13 (A) By month, the number of people diverted to a ~~program~~
14 ~~pursuant to Section 11395 of the Health and Safety Code;~~ *program*,
15 disaggregated by race and gender.

16 (B) The average daily enrollment in those programs,
17 disaggregated by race and gender.

18 (C) By month, the number of people discharged from those
19 programs, disaggregated by race, gender, and type of discharge,
20 including, but not limited to, successful completion or unsuccessful
21 termination. For unsuccessful terminations, the report shall indicate
22 the reason for termination, including, but not limited to, not
23 benefitting from treatment, not amenable to treatment, refused
24 treatment, or convicted of a crime committed after treatment
25 started.

26 (D) By month, the number of people who received services
27 billed to Medi-Cal that were ordered or related to their involvement
28 in a program described in subdivision (a), and the types of services
29 or benefits received in a manner consistent with Current Procedural
30 Terminology or the Healthcare Common Procedure Coding System,
31 disaggregated by race and gender.

32 (E) The number of people who received services billed to
33 Medi-Cal or private payees not billed to Medi-Cal that were
34 ordered or related to their involvement in a program described in
35 ~~subdivision (a)~~ *subparagraph (A)* and the types of services or
36 benefits received in a manner consistent with Current Procedural
37 Terminology or the Healthcare Common Procedure Coding System,
38 disaggregated by race, gender, and payee.

39 (F) The total number of treatment hours billed to Medi-Cal for
40 all participants in programs described in subdivision (a),

1 disaggregated by service description, provider type, and procedure
2 code, and the source of funds for the nonfederal share of Medi-Cal.

3 (G) The mental health or substance use disorder diagnosis, or
4 both, for individuals diverted to a program.

5 ~~(H) The outcome of judicial review proceedings mandated by~~
6 ~~subdivision (e) of Section 666.1 and subdivision (f) of Section~~
7 ~~11395 of the Health and Safety Code.~~

8 *(2) Commencing January 1, 2026, for each person charged with*
9 *an offense under Section 666.1 and for each person charged with*
10 *an offense under Section 11395 of the Health and Safety Code,*
11 *each superior court shall submit to Judicial Council the outcomes*
12 *of judicial review proceedings mandated by subdivision (c) of*
13 *Section 666.1 and subdivision (f) of Section 11395 of the Health*
14 *and Safety Code, disaggregated by race and gender.*

15 ~~-(2) The~~

16 *(3) Commencing January 1, 2027, the Judicial Council shall*
17 *publish an annual report containing the metrics in subparagraphs*
18 *(A) to ~~(H)~~, (G), inclusive, of paragraph (1) and the information*
19 *received pursuant to paragraph (2) on its internet website.*

20 SEC. 2. If the Commission on State Mandates determines that
21 this act contains costs mandated by the state, reimbursement to
22 local agencies and school districts for those costs shall be made
23 pursuant to Part 7 (commencing with Section 17500) of Division
24 4 of Title 2 of the Government Code.