



**Judicial Council of California**  
ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS  
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TANI G. CANTIL-SAKAUYE  
*Chief Justice of California*  
*Chair of the Judicial Council*

STEVEN JAHR  
*Administrative Director of the Courts*

CORY T. JASPERSON  
*Director, Office of Governmental Affairs*

July 17, 2014

Hon. Jim Nielsen  
Member of the Senate  
State Capitol, Room 4062  
Sacramento, California 95814

Subject: SB 1412 (Nielsen), as amended June 23, 2014 – Support

Dear Senator Nielsen:

The Judicial Council is pleased to support SB 1412, which applies and adapts the procedures and standards currently governing persons found incompetent to stand trial to cases where a defendant subject to mandatory supervision or post-release community supervision faces revocation of his or her conditional release due to incompetency.

The courts currently lack guidance on how to conduct post-realignment revocation proceedings when the supervised person is mentally incompetent. The proposed new procedures under SB 1412 are designed to enable this class of defendants to be successfully treated in the community where possible. This should help avert revocation proceedings and re-incarceration, which could result in potentially significant cost savings to the counties and the state. In addition, requiring only court trials for competency determinations in these cases should result in important cost savings for the courts.

Hon. Jim Nielsen  
July 17, 2014  
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For all of these reasons, the Judicial Council supports SB 1412.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Pone', with a stylized, cursive script.

Daniel Pone  
Senior Attorney

DP/nco

cc: Mr. Sean Hoffman, California District Attorneys Association  
Mr. Jerome McGuire, Counsel, Senate Public Safety Committee  
Mr. Shaun Naidu, Counsel, Assembly Public Safety Committee  
Mr. Eric Csizmar, Policy Consultant, Senate Republican Office of Policy  
Mr. Gary Olson, Consultant, Assembly Republican Office of Policy  
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor



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August 25, 2014

Hon. Edmund G. Brown, Jr.  
Governor of California  
State Capitol, First Floor  
Sacramento, California 95814

Subject: Bill Number SB 1412 (Nielsen) – Request for Signature

Dear Governor Brown:

The Judicial Council is pleased to support SB 1412, which applies and adapts the procedures and standards currently governing persons found incompetent to stand trial to cases where a defendant subject to mandatory supervision or post-release community supervision faces revocation of his or her conditional release due to incompetency.

The courts currently lack guidance on how to conduct post-realignment revocation proceedings when the supervised person is mentally incompetent. The proposed new procedures under SB 1412 are designed to enable this class of defendants to be successfully treated in the community where possible. This should help avert revocation proceedings and re-incarceration, which could result in potentially significant cost savings to the counties and the state. In addition, requiring only court trials for competency determinations in these cases should result in important cost savings for the courts.

Hon. Edmund G. Brown, Jr.  
August 25, 2014  
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For these reasons, the Judicial Council requests your signature on SB 1412.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Pone", written in a cursive style.

Daniel Pone  
Senior Attorney

DP/nco

cc: Hon. Jim Nielsen, Member of the Senate  
Mr. Sean Hoffman, California District Attorneys Association  
Ms. June Clark, Deputy Legislative Affairs Secretary, Office of the Governor