



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: Thursday, February 19, 2015

Title	Agenda Item Type
Criminal Law: Judicial Council Appointment to the California Council for Interstate Adult Offender Supervision	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	February 23, 2015
Recommended by	Date of Report
Executive and Planning Committee Hon. Douglas P. Miller, Chair	February 19, 2015
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Executive Summary

The Executive and Planning Committee recommends the appointment of Judge Ana L. España of the Superior Court of San Diego County to the California Council for Interstate Adult Offender Supervision. The seven-member council must include a superior court judge appointed by the Judicial Council. The California Council is required by the Interstate Compact for Adult Offender Supervision, which governs state administration of the transfer across state lines of the supervision of adult parolees and probationers. The individual selected for appointment will also serve simultaneously on the California Council for Interstate Juvenile Offender Supervision.

Recommendation

The Executive and Planning Committee of the Judicial Council recommends that the Judicial Council appoint Judge Ana L. España of the Superior Court of San Diego County to the

California Council for Interstate Adult Offender Supervision, as provided in Penal Code section 11181(c).

Previous Council Action

On June 25, 2010, the Judicial Council appointed Judge Ronald S. Coen, Superior Court of Los Angeles County, to a four-year term on the California Council for Interstate Adult Offender Supervision. Prior to that appointment, Presiding Judge Steve White of the Superior Court of Sacramento County served as the judicial representative on the California Council for Interstate Adult Offender Supervision.

Rationale for Recommendation

The California Council for Interstate Adult Offender Supervision was created by Senate Bill 2023 (Stats. 2000, ch. 658). The Judicial Council is required to appoint one superior court judge to serve on the council. (Pen. Code, § 11181(c).)

The council meets on a quarterly basis in Sacramento. Its primary responsibility is to “exercise oversight and advocacy concerning its participation” in national efforts pertaining to interstate adult offender supervision and to develop “policy concerning operations and procedures of the [interstate] compact within the state.” (Pen. Code, § 11181(b).) It consists of seven members and must include the Director of Corrections or his or her designee, three members appointed by the Governor, one member appointed by the Senate Committee on Rules, one member appointed by the Speaker of the Assembly, and one superior court judge appointed by the Judicial Council. (Pen. Code, § 11181(c).)

The primary role of the judicial member of the California Council for Interstate Adult Offender Supervision is to act as an informational and educational liaison to the judicial branch. The judicial member also helps the council develop administrative and procedural policy regarding California’s implementation of the interstate compact. As such, the solicitation specifically sought a judge with advisory committee or judicial education experience in addition to both criminal and juvenile experience.

With the exception of the Director of Corrections or his or her designee, who also serves as California’s representative to a national commission on this topic, each member of the council is to serve a term of four years. (Pen. Code, § 11181(c)–(d).) Council members are not compensated except for reasonable per diem expenses. (Pen. Code, § 11181(d).)

Judge España currently serves as Supervising Judge of the South County Division and has served in criminal and juvenile assignments since her appointment to the bench in 2008. Prior to her appointment she dedicated her career to children in foster care serving in a number of capacities from private practice to the San Diego County Department of the Public Defender. Judge España is currently on the Judicial Council Advisory Committee on Providing Access and

Fairness and served on the Judicial Council Family and Juvenile Law Advisory Committee from 2002-2008.

Comments, Alternatives Considered, and Policy Implications

The Executive and Planning Committee considered several excellent candidates and supports the appointment of this candidate.

Implementation Requirements, Costs, and Operational Impacts

The costs and operational impacts of this appointment will be negligible.

