

74254

01/30/18 06:51 PM
RN 18 07693 PAGE 1

An act to amend Section 6031.4 of the Penal Code, relating to detention facilities.



150769374254BILL

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 6031.4 of the Penal Code is amended to read:

6031.4. (a) For the purpose of this title, "local detention facility" means any city, county, city and county, or regional facility used for the confinement for more than 24 hours of adults, or of both adults and minors, but does not include that portion of a facility for the confinement of both adults and minors which is devoted only to the confinement of minors.

(b) In addition to those provided for in subdivision (a), for the purposes of this title, "local detention facility" also includes any city, county, city and county, or regional facility, constructed on or after January 1, 1978, used for the confinement, regardless of the length of confinement, of adults or of both adults and minors, but does not include that portion of a facility for the confinement of both adults and minors which is devoted only to the confinement of minors.

(c) "Local detention facility" also includes any adult detention facility, exclusive of any facility operated by the ~~California~~ Department of Corrections and Rehabilitation or any facility holding inmates pursuant to Section 2910.5, Chapter 4 (commencing with Section 3410) of Title 2 of, Chapter 9.2 (commencing with Section 6220) of Title 7 of, Chapter 9.5 (commencing with Section 6250) of Title 7 of, or Chapter 9.6 (commencing with Section 6260) of Title 7 of, Part 3, that holds local prisoners under contract on behalf of ~~cities, counties, or cities and counties.~~ a city, county, or city and county. Nothing in this subdivision shall be construed as affecting or authorizing the establishment of private detention facilities.

(d) "Local detention facility" also includes a court holding facility within a superior court that is operated by or supervised by personnel trained pursuant to Section 1024 of Title 15 of the California Code of Regulations. A court holding facility does not include an area within a courtroom or a public area in the courthouse.

~~(d)~~

(e) For purposes of this title, a local detention facility does not include those rooms that are used for holding persons for interviews, interrogations, or investigations, and are either separate from a jail or located in the administrative area of a law enforcement facility.



LEGISLATIVE COUNSEL'S DIGEST

Bill No.
as introduced, _____.
General Subject: Local detention facility.

Existing law defines a local detention facility as a city, county, city and county, or regional facility used for the confinement of adults, or both adults and minors, for more than 24 hours, except as specified. Existing law also defines a local detention facility as an adult detention facility, exclusive of any facility operated by the Department of Corrections and Rehabilitation or other specified facilities, that holds prisoners under contract on behalf of a city, county, or city and county. Existing law requires the Board of State and Community Corrections to, at a minimum, inspect each local detention facility in the state biennially.

This bill would also define a local detention facility as a court holding facility within a superior court that is operated by or supervised by specified personnel. The bill would not include an area within a courtroom or a public area in the courthouse as a court holding facility.

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

