



# COMMITTEE ON REVISION OF THE PENAL CODE

December 17, 2020

On December 10 and 11, 2020, the Committee on the Revision of the Penal Code voted unanimously to make the following policy recommendations to the Governor and Legislature. A full report detailing these recommendations, including supporting analysis and data, will be submitted in January 2021, pursuant to Government Code § 8293(b).

1. Reduce punishment, fines, and fees for driving without a license and driving on a license suspended for failure to pay a fine or appear in court.
2. Require that short prison sentences are served in county jail and ensure that time served in county jail does not exceed 5 years.
3. End mandatory minimum sentences for nonviolent offenses.
4. Expand misdemeanor theft to include offenses that do not involve weapons or serious injuries.
5. Provide guidance for when judges should dismiss sentence enhancements.
6. Focus gang enhancements on the most dangerous, violent, and coordinated criminal activities and ensure that evidence of gang involvement does not unfairly prejudice juries.
7. Apply repealed sentence enhancements retroactively.
8. Equalize custody credits for people who committed the same offenses regardless of where or when they are incarcerated.
9. Clarify parole suitability standard to focus on risk of future violent or serious criminal conduct.
10. Establish judicial process for resentencing requests by law enforcement and permit people who have been incarcerated for 15 years to request resentencing in the interest of justice.

These recommendations follow testimony from 57 expert witnesses, extensive public comment, staff research, and over 50 hours of public hearings and Committee deliberation over the past year. Videos of the Committee hearings, witness statements, staff memos, and Committee contact information are available at [clrc.ca.gov/CRPC/](http://clrc.ca.gov/CRPC/).

Respectfully,

A handwritten signature in blue ink, appearing to read "M. Romano".

Michael Romano  
Chair