

**Staff Memorandum 2024-06**  
**Draft Minutes of March 26, 2024 Meeting**

The Committee on Revision of the Penal Code held a meeting on March 26, 2024. Draft Minutes for that meeting are attached for Committee members to review.

The draft will be deemed final after it is approved by a vote of the Committee. When voting, the Committee may make specific changes to the Minutes. If so, those changes will be memorialized in the Minutes for the meeting at which the vote occurred.

Respectfully submitted,

Thomas M. Nosewicz  
Legal Director

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***DRAFT*** MINUTES OF MEETING  
COMMITTEE ON REVISION OF THE PENAL CODE  
March 26, 2024

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A meeting of the Committee on Revision of the Penal Code was held on March 26, 2024. Consistent with Government Code Section 11123.5, the meeting was held as an online video webinar.

**Committee:**

*Remote attendance:* Michael Romano, Chairperson  
Assembly Member Isaac Bryan  
Hon. Peter Espinoza, Ret.  
Priscilla Ocen

*Absent:* Senator Nancy Skinner

**Staff:**

*Present:* Sharon Reilly, Executive Director  
Thomas M. Nosewicz, Legal Director  
Rick Owen, Senior Staff Counsel  
Megan Hayenga, Office Technician

**Invited Presenters:**

- Bayliss Camp, Chief of Research, California Department of Motor Vehicles
- Jim Fell, Principal Research Scientist at NORC of the University of Chicago
- Lauren Knoth-Peterson, Senior Research Scientist at the Washington Public Safety and Policy Research Center
- Steven Raphael, Professor of Public Policy at the University of California, Berkeley
- Ian Goldstein, Vice President of Public Affairs from Mothers Against Drunk Driving
- Brandon Greene, Director of Policy Advocacy at the Western Center on Law and Poverty

- Sergeant Dustin Woida, California Highway Patrol
- Assistant Chief Robin Johnson, California Highway Patrol
- Jeannie Ho, Section Chief, DUI Licensing Unit, California Department of Health Care Services
- Hon. Lawrence Brown, Sacramento County Superior Court
- Hon. Kristine Eagle, San Joaquin County Superior Court
- Hon Scott Cooper, Orange County Superior Court

**Other Persons:**

Up to 25 members of the public observed the meeting as attendees. The Committee did not prepare a list of those attendees.

**Approval of Actions Taken**

Unless otherwise indicated, the Committee decisions noted in these Minutes were approved by all members present at the meeting. If a member who was present at the meeting voted against a particular decision, abstained from voting, or was not present when the decision was made, that fact will be noted below.

**New Business**

The Committee considered Memorandum 2024-01 and its first supplement, which discuss driving under the influence of drugs or alcohol and related matters. The Committee received a presentation about DUI data from the California Department of Motor Vehicles.

The Committee also heard from panelists on the following topics:

- Insights from DUI Research (James Fell, Lauren Knoth-Peterson, Steven Raphael)
- Perspectives from Advocates (Ian Goldstein, Brandon Greene)
- Perspectives from State Agencies (Dustin Woida, Robin Johnson, Jeannie Ho)
- Collaborative Courts (Hon. Lawrence Brown, Hon. Scott Cooper, Hon. Kristine Eagle)

The Committee is grateful for the participation of all of the panelists.

The Committee considered Memorandum 2024-03, which presented an update on 2023 crime statistics.

The Committee discussed driving under the influence of alcohol or drugs and the ideas presented by the panelists. After discussion, the Chair directed staff to research the following topics:

- *Blood alcohol content level and diversion for many first-time DUI offenses.* Staff should research the impact of lowering the per se blood alcohol level to 0.05%, with a particular emphasis on racial disparities in arrests and incarceration and predicted impact on road safety.
- *Expand the use of collaborative courts.* Staff should consider the role state-wide rules can play in expanding the use of collaborative courts.
- *Streamline license suspension:* Staff will continue researching this issue.

The Committee also heard public comment.

### **Administrative Matters**

The Committee considered Memorandum 2024-02 presenting draft Minutes for the Committee's November 2023 meeting.

The Committee approved the Minutes without change.