



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on July 20, 2018

Title	Agenda Item Type
Criminal Law: Judicial Council Appointment to Board of State and Community Corrections	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	July 20, 2018
Recommended by	Date of Report
Executive and Planning Committee Hon. Douglas P. Miller, Chair	July 10, 2018
	Contact
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Executive Summary

The Executive and Planning Committee recommends that the Judicial Council appoint Judge Gordon S. Baranco (Ret.) to the Board of State and Community Corrections (BSCC). The BSCC is an independent statutory agency that provides leadership to the adult and juvenile criminal justice systems, and expertise on public safety realignment issues. The BSCC is composed of 13 members, including a judge appointed by the Judicial Council.

Recommendation

The Executive and Planning Committee recommends that the Judicial Council, effective July 20, 2018, appoint Judge Gordon S. Baranco (Ret.) to the Board of State and Community Corrections for a term ending July 1, 2021.

Relevant Previous Council Action

On June 25, 2015, the council appointed Judge Ramona Joyce Garrett (Ret.) to the BSCC from July 1, 2015, to July 1, 2018.

Analysis/Rationale

Background

Established in 2012, the California Board of State and Community Corrections is an independent statutory agency that provides leadership to the adult and juvenile criminal justice systems, expertise on Public Safety Realignment issues, a data and information clearinghouse, and technical assistance on a wide range of community corrections issues. (Pen. Code, § 6024–6025.)

The BSCC acts as the supervisory board of state planning under federal acts such as the Omnibus Crime Control and Safe Streets Act of 1968 and the federal Juvenile Delinquency Prevention and Control Act of 1968. It establishes priorities for the use of the federal funds under these acts, approves expenditures, and evaluates the recipients of the program’s funding.

The BSCC is the successor entity to the Corrections Standards Authority (CSA), which was abolished in July 2012. The BSCC absorbed the previous functions of the CSA, as well as certain other programs previously administered by the California Emergency Management Agency (CalEMA). Additionally, it assumed the roles of the California Council on Criminal Justice (CCCJ) and the Office of Gang and Youth Violence Policy (OGYVP).

Role of the board

Policy for the BSCC is set by a 13-member board, whose members are prescribed by statute; appointed by the Governor, the Legislature, and the Judicial Council; and subject to approval by the state Senate. The chair of the BSCC board is Linda Penner, former chief probation officer for Fresno County. The board is composed of representatives from local detention facilities, the courts, county administration, probation, law enforcement, treatment, and youth advocacy. One board position is reserved for a “judge appointed by the Judicial Council of California.” (Pen. Code, § 6025(a)(8).) The BSCC has a variety of subcommittees, several with members representing the judicial branch.

Term

The most recent appointee, Judge Garrett, stepped down from her position in March 2018. Her term expired June 2018. Terms of office are three years. The appointee receives no compensation but is reimbursed for expenses incurred in the performance of BSCC duties. The board meets bimonthly, primarily in Sacramento and occasionally in Southern California.

Recommendation

Judge Baranco (Ret.) is recommended to replace Judge Garrett. A judge of the Superior Court of Alameda County since 1980, Judge Baranco has extensive experience in collaborative courts and criminal court assignments. He was the founding judge of both the Alameda County Homeless and Caring Court and the Alameda County Parolee Reentry Court. He served as vice-chair of the Judicial Council’s Access and Fairness Committee, as a member of the Collaborative Justice Courts Committee, and as a member of the Task Force for Collaboration on Mental Health Issues. (See Attachment A for a biography of Judge Baranco.)

Policy implications

None.

Comments

Public comment has not been solicited on this recommendation.

Alternatives considered

None.

Fiscal and Operational Impacts

The BSCC is staffed by employees of the BSCC. The appointees to the BSCC receive no compensation but are reimbursed from the BSCC budget for expenses incurred in the performance of BSCC duties. (Pen. Code, § 6025.1.)

Attachments and Links

1. Attachment A: *Biography of Gordon Baranco*
2. Link A: Penal Code sections 6024–6033,
http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=6024.&lawCode=PEN

Attachment A: Biography of Judge Gordon Baranco

Judge Gordon Baranco (Ret.) graduated from the University of California, Davis, with a bachelor's degree in political science, receiving the W. P. Lindley Award for athletic and scholastic achievement. He earned his juris doctorate from King Hall (UC Davis School of Law).

He has worked as a graduate legal assistant in the office of the California Attorney General, as a deputy district attorney in the San Francisco District Attorney's Office, as managing attorney for the San Francisco Neighborhood Legal Assistance Foundation, and as Assistant to the City Attorney in Oakland.

He was appointed by Governor Edmund G. Brown, Jr., as a judge to the Oakland-Piedmont-Emeryville Municipal Court at the age of 32. After serving as a presiding judge of that court, he was elevated by Governor George Deukmejian to the Superior Court of Alameda County at the age of 36. He retired from that court on December 31, 2016.

Judge Baranco currently serves on the advisory board of the nonprofit Oakland and the World, Inc. He was the founding judge of the Superior Court of Alameda County's Homeless and Caring Court and Parolee Reentry Court. He recently served as a member of the American Bar Association's Commission on Homelessness and Poverty and on the board of directors of the Fred Finch Youth Center. He previously served as vice-chair of the Judicial Council's Access and Fairness Advisory Committee, and was a member of the council's Collaborative Justice Courts Advisory Committee and the Task Force for Collaboration on Mental Health Issues. He also served as chair of the Superior Court of Alameda County's Community Focused Court Planning Committee and on the boards of the Metropolitan Oakland YMCA, the M. Robinson Baker YMCA, the Urban Strategies Council, and Glide Memorial Church.

In addition to serving as a panelist for numerous continuing legal education programs, he has received the following awards: Benjamin Aranda III Access to Justice Award; Charles Houston Bar Association Lifetime Achievement Award; National Bar Association Judicial Council Sara J. Harper Humanitarian Award; Alameda County Bar Association Distinguished Judicial Service Award; Charles Houston Bar Association Hall of Fame; Charles Houston Bar Association Judicial Excellence Award; California Public Defenders Association Rose Bird Judicial Excellence Award; Alameda-Contra Costa Trial Lawyers' Association Judge of the Year; Alameda County Democratic Lawyers Club Judge of the Year; California Association of Black Lawyers Bernard Jefferson Outstanding Jurist Award; Charles Houston Bar Association Community Service Award; Bay Area Urban League Civic Achievement Award; Progressive Transitions Outstanding Public Service Award; Options Recovery Services Father Bill O'Donnell Human Dignity Award; UC Davis School of Law Distinguished Alumnus Award; UC Davis Young Alumnus of the Year Award; UC Davis Citation of Excellence; Greater Oakland YMCA President's Award; and Marcus Foster Institute Outstanding Public Schools Alumnus Award.

He has been the commencement speaker for the UC Davis College of Letters and Science and for the African and African-American Studies Department of UC Davis commencement. Additionally, the Honorable Gordon S. Baranco Award is presented annually to a UC Davis student-athlete who consistently displays an outstanding work ethic and competitive level.

He is married to Barbara Gee, a retired school administrator, and they have two adult children, Lauren and Brandon.