

**California  
Commission on the  
Fair  
Administration of  
Justice**

# **Final Report**

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# Letter from the Chair

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*The criminal justice system in California is a human institution, and therefore cannot be perfect. However, modest reforms can improve our system, to ensure that Californians are truly safe from real perpetrators and the innocent remain free.*

The citizens of California deserve an honest assessment of our system. The debate over criminal justice has become caustic and polarized, masking substance with rhetoric. The Commission and its process stand in sharp contrast to the current state of policy discussion. Candid and forthright representatives with expertise in California's criminal justice system gathered monthly "to examine ways of providing safeguards and making improvements in the way the criminal justice system functions." Through regular public hearings, we made an effort to hear the concerns and suggestions of many Californians.

What follows are the ten reports that, with rare exceptions, represent the unanimous views of the Commissioners to ensure that the administration of justice in California is just, fair, and accurate. These recommendations are the result of hard-fought compromise and a delicate balancing of interests. Each recommendation will demand skillful implementation by the Governor, members of the Legislature, the Judiciary, the Attorney General, Public Defenders, District Attorneys, Law Enforcement, and other interested participants in the system.

I want to thank the Commissioners, all of whom worked voluntarily and diligently, without compensation. Our task could not have been accomplished without a fine Executive Director, Jerry Uelmen, and his top notch Executive Assistant, Chris Boscia.

In closing, I dedicate this report to the men and women who work tirelessly on behalf of justice in California. My hope is that the reforms we recommend in our reports are made to honor their service.



John K. Van de Kamp  
Chair, California Commission on the  
Fair Administration of Justice

On August 27, 2004, The California Commission on the Fair Administration of Justice was created by California State Senate Resolution No. 44, with this charge:

(1) To study and review the administration of criminal justice in California to determine the extent to which that process has failed in the past, resulting in wrongful executions or the wrongful conviction of innocent persons.

(2) To examine ways of providing safeguards and making improvements in the way the criminal justice system functions.

(3) To make any recommendations and proposals designed to further ensure that the application and administration of criminal justice in California is just, fair, and accurate; and be it further.

After nearly four years of work, the Commission completed its task. This volume contains the findings of the Commission, along with specific recommendations from the Commission in ten reports covering seven different areas of focus.

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