

CONCURRENCE IN SENATE AMENDMENTS

AB 2985 (Hart)

As Amended June 26, 2024

Majority vote

SUMMARY

Requires the court to provide jurors serving in a criminal case or proceeding alleging a violent felony with information about mental health services.

Senate Amendments

Makes technical clarifying changes.

Clarifies that the information that must be given to alternate jurors about mental health awareness must be distributed in a manner determined by the court.

Clarifies that the written information about mental health awareness that Judicial Council must develop, to be given to jurors, must be printed and distributed by the court.

COMMENTS

As passed by the Assembly, this bill:

- 1) Required the court, before discharging the jury in a criminal case alleging a violent felony, as defined, to provide the jurors written information about mental health awareness regarding vicarious trauma that may occur as a result of their jury service, and the symptoms and methods for stress relief.
- 2) Required the court to mail this same information to the alternate jurors who have been discharged from their duty.
- 3) Authorized a court to provide information about mental health services to jurors and alternate jurors after a criminal case alleging any other type of offense.
- 4) Required the Judicial Council to provide the written information that the courts must disseminate. The information must include, but is not limited to, the signs and symptoms of distress, coping mechanisms, and how to seek help for trauma, if needed.

According to the Author

"AB 2985 aims to support jurors who have served on a violent felony trial by providing them with a written notice, detailing mental health warning signs, and coping mechanisms following the stressful experience. This measure strikes the right balance between caring for jurors' mental health and keeping costs low. AB 2985 installs safeguards to provide California jurors with mental health awareness and support after they fulfill their civic duty of serving on a jury."

Arguments in Support

According to the *Santa Barbara County District Attorney's Office*, "This bill will ensure that jurors receive written information about vicarious trauma, stress relief, and mental health awareness upon the completion of their jury service. Jurors provide an invaluable service to our

community, with Californians serving on approximately 1,672 felony trials in FY 2022-2023. Of this number, many jurors served on cases involving violence and trauma.

"While prosecutors, peace officers, and criminal defense attorneys never get used the violent, traumatic, and horrific acts that we are exposed to on a daily basis, this exposure is not unexpected and is an unfortunate reality of a career in public service in the criminal justice arena. Jurors, on the other hand, are often unprepared for the very difficult issues that they will be exposed to while fulfilling their public service as the triers of fact. This exposure can trigger past trauma or be a source of new trauma for those citizens doing their civic duty.

"It is important for jurors to be supported in taking care of their wellness following service on a trial that involves serious violence."

Arguments in Opposition

None Submitted.

FISCAL COMMENTS

According to the Assembly Appropriations Committee, "Ongoing costs (Trial Court Trust Fund), of an unknown but likely moderate amount, to Judicial Council to provide its existing mental health materials to applicable jurors. Judicial Council expects annual, ongoing printing and distribution costs of approximately \$100,000."

VOTES:

ASM PUBLIC SAFETY: 8-0-0

YES: McCarty, Alanis, Lackey, Stephanie Nguyen, Reyes, Ting, Wilson, Zbur

ASM JUDICIARY: 12-0-0

YES: Kalra, Dixon, Ting, Bryan, Connolly, Haney, Maienschein, McKinnor, Pacheco, Reyes, Sanchez, Waldron

ASM APPROPRIATIONS: 14-0-1

YES: Wicks, Sanchez, Arambula, Bryan, Calderon, Wendy Carrillo, Dixon, Mike Fong, Grayson, Haney, Hart, Jim Patterson, Pellerin, Ta

ABS, ABST OR NV: Villapudua

ASSEMBLY FLOOR: 73-0-7

YES: Addis, Aguiar-Curry, Alanis, Alvarez, Arambula, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Juan Carrillo, Wendy Carrillo, Cervantes, Chen, Connolly, Davies, Dixon, Essayli, Mike Fong, Vince Fong, Friedman, Gabriel, Gallagher, Garcia, Gipson, Grayson, Haney, Hart, Holden, Hoover, Irwin, Jackson, Jones-Sawyer, Kalra, Lackey, Lee, Lowenthal, Maienschein, McCarty, McKinnor, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Papan, Jim Patterson, Joe Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Rendon, Reyes, Luz Rivas, Rodriguez, Blanca Rubio, Sanchez, Santiago, Schiavo, Soria, Ta, Ting, Valencia, Villapudua, Waldron, Wallis, Ward, Wicks, Wilson, Wood, Zbur

ABS, ABST OR NV: Calderon, Megan Dahle, Flora, Low, Mathis, Weber, Robert Rivas

SENATE FLOOR: 40-0-0

YES: Allen, Alvarado-Gil, Archuleta, Ashby, Atkins, Becker, Blakespear, Bradford, Caballero, Cortese, Dahle, Dodd, Durazo, Eggman, Glazer, Gonzalez, Grove, Hurtado, Jones, Laird, Limón, McGuire, Menjivar, Min, Newman, Nguyen, Niello, Ochoa Bogh, Padilla, Portantino, Roth, Rubio, Seyarto, Skinner, Smallwood-Cuevas, Stern, Umberg, Wahab, Wiener, Wilk

UPDATED

VERSION: June 4, 2024

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FN: 0003747