
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 1094 (Bains) - Crimes: torture of a minor: parole

Version: May 23, 2025

Urgency: No

Hearing Date: August 29, 2025

Policy Vote: PUB. S. 6 - 0

Mandate: Yes

Consultant: Liah Burnley

Bill Summary: Requires, for a crime of torture, if the defendant is an adult who had care or custody of the victim 14 years of age or younger at the time of the crime, the person shall not be eligible for parole until they have served at least 10 years.

***** ANALYSIS ADDENDUM – SUSPENSE FILE *****

The following information is revised to reflect amendments
adopted by the committee on August 29, 2025

Fiscal Impact:

- Unknown, potentially significant costs (General Fund) to the Department of Corrections and Rehabilitation (CDCR), likely in the millions of dollars annually, to incarcerate people for the increased sentences in this bill. The Legislative Analyst's Office (LAO) estimates the average annual cost to incarcerate one person in state prison is \$133,000. The annual cost of operating a mental health crisis bed at CDCR is around \$400,000. As part of the ongoing Coleman court case, CDCR has been incurring fines monthly since April 2023 for failing to reduce vacancy rates for five mental health classifications. The state has paid over \$200 million in fines to date, and is still accruing fines. Thus, if even if just one person is sentenced to state prison for one year under this bill, it will add significant costs pressures to CDCR. By way of illustration, if only one are incarcerated for 10 years before they are eligible for parole as a result of this bill, it would cost the state, at minimum \$1,330,000.
- Potential cost pressures (General Fund) to the Department of State Hospitals (DSH), in order to adequately house, treat, and care for persons committed to DSH that otherwise would not. Cost pressures to DSH are connected with an increase in state prison sentences. DSH's proposed budget for fiscal year 2025-26 totals \$3.4 billion – an increase of \$3.4 million from the 2024 Budget Act. An increase the DSH population would result in the need for additional funding.

Committee Amendments: Prohibit a person imprisoned for torture for being eligible for parole until they have served 10 years, if the defendant is an adult who had care or custody of a victim 14 years old or younger.

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