

CONCURRENCE IN SENATE AMENDMENTS

AB 1201 (Jackson)

As Amended June 8, 2026

Majority vote

SUMMARY

Limits the authority of a dependency court to deny reunification services based on a felony conviction to circumstances where the victim was either a child, or the victim was someone with whom the parent or guardian had a child in common at the time of the commission of the offense.

Major Provisions

- 1) Provides that only a violent felony conviction *where the victim was either a child, or the victim was someone with whom the parent or guardian had a child in common at the time of the commission of the offense* can be the basis for denying reunification services to a parent or guardian because of the conviction.

Senate Amendments

Narrow the bill's scope to modify the existing exception to required reunification services where a parent or guardian has a prior conviction for a violent felony to apply only where the victim was a child or someone with whom the parent or guardian had a child in common at the time of the offense.

COMMENTS

Many parents in the foster care system have also been involved in the criminal justice system. Both of these systems have a disparate impact on communities of color. In fact, 11.4% of Black children and 3.5% of Latino children have an incarcerated parent (as opposed to 1.8% of white children). It is not uncommon for parents in the juvenile dependency court to have a prior conviction for a felony offense, including an offense that meets the definition of a "violent felony." Current law makes a parent or guardian who has been convicted of a "violent felony" presumptively ineligible for services designed for them to reunify with their child in the foster care system.

Under current law, a parent who previously was convicted of a violent felony is presumed to be ineligible for the services necessary to reunify with their child, even when the underlying conviction occurred decades in the past and/or long before they became a parent. While a court *may* order that reunification services to be provided to the parent, such an order can only be made when the court finds, by clear and convincing evidence, that reunification is in the child's best interest. (Welfare & Institutions Code Section 361.5 (c)(2) - (4).) Thus, a parent with a violent felony conviction would have the burden of providing evidence to the court – that is clear and convincing – that services should be provided. If the parent were somehow able to do so, they would have the *opportunity to attempt* to reunify with their child (like the vast majority of other parents with children in the system). Clearly, this is a significant barrier for a parent with a past conviction for a violent felony.

Existing law currently allows courts to decline to provide reunification services to a parent or guardian that has been convicted of a violent felony.

This bill. In an effort to address the unfair and unreasonable outcomes of this one-size-fits-all law, the bill modifies state law so that more parents and guardians whose children are in the foster care system would qualify for services that *could* allow them to reunify with their children. Specifically, it would modify existing law so that *a prior felony conviction alone can only disqualify a parent or guardian for reunification services if the victim was either a child, or the victim was someone with whom the parent or guardian had a child in common at the time of the commission of the offense.*

According to the Author

Under current law, parents with a past violent felony conviction are automatically denied family reunification services, regardless of whether they still pose a risk to their child. This rigid policy disproportionately impacts marginalized communities and contributes to unnecessary family separations, often without considering the full context of a parent's rehabilitation or the child's best interests. This bill seeks to ensure fairness and accountability, this approach prioritizes child safety while also acknowledging the importance of preserving family connections whenever possible. By shifting toward a more balanced, case-specific process, this bill helps prevent inequities in the child welfare system and provides families with a genuine opportunity to reunite when it is safe and appropriate.

Arguments in Support

Sponsor Starting Over Strong writes the following about why the bill would keep more families intact while still protecting children:

Currently, Welfare and Institutions Code 361.5(b)(12) allows for automatic denial of reunification services to parents who have been convicted of a violent felony, regardless of whether their conviction directly impacts the safety of their child. AB 1201 addresses this rigid, one-size-fits-all approach by providing the courts with clearer guidance and encouraging a thorough judicial review to determine whether the felony conviction genuinely reflects a current safety risk to the child.

As a justice-focused nonprofit dedicated to supporting systematically disadvantaged populations—including individuals impacted by the criminal justice system—SOS has seen firsthand how automatic bypasses of reunification services disproportionately and unjustly separate families. AB 1201 corrects this injustice by requiring courts to thoughtfully evaluate whether past convictions genuinely pose a present risk to a child's safety. This promotes reunification whenever it safely serves the child's best interests.

Arguments in Opposition

None on file

FISCAL COMMENTS

According to the Senate Appropriations Committee:

- 1) Unknown, likely minor, General Fund costs to the California Department of Social Services (CDSS) for state administration.
- 2) Unknown ongoing General Fund costs, potentially hundreds of thousands, to counties for administration and to provide reunification services. Proposition 30 of 2012 provides that any legislation enacted after September 30, 2012 that has an overall effect of increasing the costs

already borne by a local agency for realigned services applies to local agencies only to the extent that the state provides annual funding for the cost increase.

VOTES:

ASM JUDICIARY: 9-3-0

YES: Kalra, Bauer-Kahan, Bryan, Connolly, Harabedian, Pacheco, Papan, Stefani, Zbur

NO: Dixon, Essayli, Sanchez

ASM HUMAN SERVICES: 6-1-0

YES: Lee, Castillo, Calderon, Elhawary, Jackson, Celeste Rodriguez

NO: Tangipa

ASM APPROPRIATIONS: 11-3-1

YES: Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache

NO: Dixon, Ta, Tangipa

ABS, ABST OR NV: Sanchez

ASSEMBLY FLOOR: 55-15-9

YES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Connolly, Elhawary, Fong, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NO: Alanis, Chen, Davies, DeMaio, Dixon, Flora, Gallagher, Hadwick, Hoover, Macedo, Patterson, Sanchez, Ta, Tangipa, Wallis

ABS, ABST OR NV: Bains, Ellis, Gabriel, Jeff Gonzalez, Irwin, Lackey, Muratsuchi, Petrie-Norris, Schiavo

SENATE FLOOR: 27-10-3

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Laird, McGuire, McNerney, Menjivar, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener

NO: Alvarado-Gil, Choi, Dahle, Grove, Jones, Niello, Ochoa Bogh, Seyarto, Strickland, Valladares

ABS, ABST OR NV: Blakespear, Hurtado, Limón

UPDATED

VERSION: June 8, 2026

CONSULTANT: / JUD. / (916) 319-2334

FN: 0003825