
THIRD READING

Bill No: AB 1231
Author: Elhawary (D), et al.
Amended: 9/5/25 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 4-1, 7/15/25
AYES: Arreguín, Gonzalez, Pérez, Wiener
NOES: Seyarto
NO VOTE RECORDED: Caballero

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25
AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 42-25, 6/2/25 - See last page for vote

SUBJECT: Criminal procedure: Safer Communities Through Opportunities Act

SOURCE: Drug Policy Alliance
Immigrant Legal Resource Center
Los Angeles Regional Reentry Partnership
PICO
SEIU
Vera Institute of Justice

DIGEST: This bill authorizes a court to grant pretrial diversion for felony offenses, except as specified, for a period of up to 24 months, if the court determines that the defendant is suitable for diversion.

Senate Floor Amendments of 9/5/25 specify additional factors the court must consider in determining whether diversion is appropriate, require the diversion plan to be court-approved and individually tailored, require regular status reports, and state that unsatisfactory performance may be indicated by repeated or significant noncompliance with the diversion plan.

ANALYSIS:

Existing law:

- 1) Authorizes a city or county prosecuting attorney or county probation department to create a diversion or deferred entry of judgment program for persons who commit a theft offense or repeat theft offenses, as specified. (Penal (Pen.) Code, § 1001.81.)
- 2) Authorizes both misdemeanors and felonies to be diverted pretrial under the mental health diversion program for eligible defendants, except for the following offenses:
 - a) Murder or voluntary manslaughter;
 - b) An offense for which a person, if convicted, would be required to register as a sex offender, except indecent exposure;
 - c) Rape;
 - d) Lewd or lascivious act on a child under 14 years of age;
 - e) Assault with intent to commit rape, sodomy, or oral copulation, in violation of Section 220;
 - f) Commission of rape or sexual penetration in concert with another person;
 - g) Continuous sexual abuse of a child; and,
 - h) Use or deployment of a weapon of mass destruction. (Pen. Code, §1001.36.)
- 3) Provides that the period during which criminal proceedings against the defendant may be diverted under mental health diversion is limited to no longer than one year for a misdemeanor and no longer than two years for a felony. (Pen. Code, §1001.36, subd. (f)(1)(C).)
- 4) States that if any of the following circumstances exists, the court shall, after notice to the defendant, defense counsel, and the prosecution, hold a hearing to determine whether the criminal proceedings should be reinstated, whether the treatment should be modified, or whether the defendant should be conserved and referred to the conservatorship investigator of the county of commitment to initiate conservatorship proceedings for the defendant:

- a) The defendant is charged with an additional misdemeanor allegedly committed during the pretrial diversion and that reflects the defendant's propensity for violence;
 - b) The defendant is charged with an additional felony allegedly committed during the pretrial diversion;
 - c) The defendant is engaged in criminal conduct rendering the defendant unsuitable for diversion; or,
 - d) Based on the opinion of a qualified mental health expert whom the court may deem appropriate, either of the following circumstances exists:
 - i) The defendant is performing unsatisfactorily in the assigned program, or,
 - ii) The defendant is gravely disabled, as defined. (Pen. Code, §1001.36, subd. (g).)
- 5) States that if the defendant has performed satisfactorily in mental health diversion, at the end of the period of diversion, the court shall dismiss the defendant's criminal charges that were the subject of the criminal proceedings at the time of the initial diversion. (Pen. Code, §1001.36, subd. (h).)
- 6) Authorizes a judge of the superior court in which a misdemeanor case is being prosecuted, at the judge's discretion and over the objection of a prosecuting attorney, to offer diversion to a defendant except if the defendant is charged with any of the following offenses:
- a) Any offense for which the defendant, if convicted, would be required to register as a sex offender;
 - b) Any offense involving domestic violence; or,
 - c) An offense of stalking. (Pen. Code, § 1001.95, subd. (a) & (e).)
- 7) States that a judge may continue a diverted misdemeanor case for a period not to exceed 24 months and order the defendant to comply with terms, conditions, or programs that the judge deems appropriate based on the defendant's situation. (Pen. Code, § 1001.95, subd. (b).)
- 8) States that if the defendant has complied with the imposed terms and conditions, at the end of the period of diversion, the judge shall dismiss the action against the defendant. (Pen. Code, § 1001.95, subd. (c).)

- 9) States that if it appears that the defendant is not complying with the terms and conditions of misdemeanor diversion, after notice to the defendant, the court shall hold a hearing to determine whether the criminal proceedings should be reinstituted. If the court finds that the defendant has not complied with the terms and conditions of diversion, the court may end the diversion and order resumption of the criminal proceedings. (Pen. Code, § 1001.95, subd. (d).)
- 10) Mandates generally that relevant evidence, with limited exceptions, is admissible in criminal proceedings. This is known as the Truth-in-Evidence provision. (Cal. Const., Art. I, sec. 28, subd. (f)(2).)

This bill:

- 1) States that a defendant charged with a felony offense may request diversion at any time prior to the start of a trial and the court may, in its discretion, grant pretrial diversion to a defendant if the court determines that the defendant is suitable, as provided.
- 2) States that diversion may apply to any felony punishable either as a county-jail eligible felony or as an alternate state prison felony-misdemeanor, except if the felony offense is a "serious" felony or "violent" felony.
- 3) Excludes also from diversion eligibility:
 - a) Any offense alleged to have caused great bodily injury or serious bodily injury;
 - b) Any offense alleged to have involved the personal use of a firearm in the commission of an offense, as specified;
 - c) A felony driving under the influence offense;
 - d) Any offense for which a person, if convicted, would be required to register as a sex offender;
 - e) Any offense involving domestic violence;
 - f) A violation of stalking; or,
 - g) Use or deployment of a weapon of mass destruction.
- 4) States that in determining whether to grant felony diversion, the court may consider information provided by entities, including, but not limited to, the

defense, the prosecution, probation or pretrial services, family or close contacts of the defendant, and service providers.

- 5) Provides that in determining whether diversion is appropriate, applicable considerations may include the defendant's trauma, victimization, and youth or other mitigating factors listed in the California Rules of Court. The court may also consider the defendant's age and health conditions.
- 6) Requires the court to consider the following aggravating factors that indicate diversion is inappropriate: whether the manner of the offense or prior offenses indicates planning, sophistication, or professionalism and/or the defendant induced others to participate in the commission of the offense or occupied a position of leadership or dominance of other participants in the commission of the offense.
- 7) Specifies that a history of having survived human trafficking, domestic violence, or sexual assault shall be given great weight as mitigating factors that indicate diversion is appropriate.
- 8) Requires provision of the diversion plan programs or services only to the extent that existing resources are available.
- 9) States that a defendant's request for diversion may proceed on offers of proof, reliable hearsay, and arguments of counsel and shall proceed prior to any trial or plea of guilty or no contest.
- 10) States that if the court, in its discretion, opts to conduct a hearing on whether to grant diversion, a defendant shall submit to the court and serve on the prosecution a proposed diversion plan.
- 11) States that the court shall not grant diversion unless it finds that the diversion plan mitigates any unreasonable risk of danger to public safety and finds that the defendant is likely to benefit from the services provided in the diversion plan.
- 12) Authorizes a court to order the defendant to comply with a court-approved, individually tailored diversion plan that describes the terms, conditions, programs, or services that the court finds appropriate for the strengths and needs of the defendant and interests of the community. The court may also consider recommendations from entities, including, but not limited to, the defense, the prosecution, or pretrial services, victims, family or close contacts of the defendant, and service providers, including a social worker, behavioral worker, or health care professional.

- 13) States that the diversion plan ordered by the court shall include any conditions necessary to mitigate an unreasonable risk of danger to public safety.
- 14) Requires provision of the diversion plan programs or services only to the extent that existing resources are available.
- 15) States that the diversion plan shall describe the frequency of regular status reports on the defendant's progress in the diversion plan. At a minimum, a progress report shall be provided every three months. Those reports shall be submitted to the court, the defense, and the prosecution.
- 16) Provides that upon a court granting diversion, any bail, bond or undertaking, or deposit in lieu thereof on behalf of the defendant shall be exonerated.
- 17) Allows the court to continue the criminal proceedings for up to 24 months.
- 18) States that a defendant whose charges have been diverted shall be ordered to pay full restitution, however, a defendant's inability to pay restitution due to indigence shall not be grounds for denial of diversion or a finding that the defendant has failed to comply with the terms of diversion.
- 19) Requires a court, in determining that dismissal is warranted upon completion of the proposed diversion plan, to consider unpaid restitution only if nonpayment was willful and not due solely to indigency or inability to pay. If diversion is completed, but the defendant has an outstanding restitution order balance, a case may be dismissed and the restitution payment shall be enforceable as if the order were a civil judgment.
- 20) Provides that any statement, information, or progress reports concerning the defendant's diversion plan, including, but not limited to, health information, evaluations, clinical or treatment notes, or services provided, or any other records related to treatment that were provided for the purpose of facilitating, or as a result of participation in, or completion of, diversion or for use in determining the defendant's eligibility for diversion shall not be used in any other proceeding without the defendant's consent, unless that information is relevant evidence that is admissible under the Truth-in-Evidence standards of the California Constitution. This applies even if diversion is denied or subsequently revoked.
- 21) Authorizes a court to modify a felony diversion plan if it appears, following a hearing on the matter, that the defendant is not meeting the terms and conditions of the diversion program. Allows the court to modify the diversion

plan to provide for greater supervision or additional terms, conditions, programs, or services. A hearing shall not be held until after the defendant is given notice. The hearing shall follow the evidentiary rules applicable to a probation violation hearing.

- 22) States that a court may hold a hearing to determine whether criminal proceeding should be reinstated if any of the following circumstances exist:
 - a) The defendant is charged with a misdemeanor allegedly committed while the defendant is receiving pretrial diversion services that reflects the defendant's propensity for violence;
 - b) The defendant is charged with a felony allegedly committed while the defendant is receiving pretrial diversion services; or,
 - c) It appears to the court that the defendant is performing unsatisfactorily in the diversion plan. Unsatisfactory performance may be indicated by repeated or significant noncompliance with the diversion plan.
- 23) States that at a hearing to reinstitute criminal proceedings, the court shall consider whether a modified diversion plan with additional reasonably available terms, conditions, or services can address the unsatisfactory performance.
- 24) Provides that a hearing to reinstitute criminal proceedings may be initiated by the court or the prosecutor and may proceed only after notice to the defendant.
- 25) Provides that a hearing to reinstitute criminal proceedings shall not proceed until probable cause has been established in the subsequent felony allegations.
- 26) Requires the court to dismiss the criminal allegations if at the end of the period of diversion the defendant has complied with the imposed terms and conditions and the arrest upon which the diversion was based shall be deemed to have never occurred. The court shall order the record sealed and disclosed only as provided.
- 27) Specifies that an order to seal arrest records has no effect on a criminal justice agency's ability to access and use those sealed records and information, as described.
- 28) Specifies that the provisions of this bill shall be implemented only to the extent that it does not conflict with an initiative statute.

- 29) Provides that if the court has reduced a felony to a misdemeanor, the misdemeanor diversion provisions in existing law apply.
- 30) States that nothing in it is intended to conflict with Marsy's Law or a victim's right to participate in these proceedings.

Comments

Background on Diversion. Diversion is the suspension of criminal proceedings for a prescribed time period with certain conditions. A defendant may not be required to admit guilt as a prerequisite for placement in a pretrial diversion program. If diversion is successfully completed, the criminal charges are dismissed and the defendant may, with certain exceptions, legally answer that he or she has never been arrested or charged for the diverted offense. If diversion is not successfully completed, the criminal proceedings resume, however, a hearing to terminate diversion is required.

Diversion programs may be pre-plea or post-plea (often called deferred entry of judgement). Pre-plea programs allow a defendant to participate in the program without admitting guilt. In post-plea programs, the defendant must first admit guilt before participating in the program. The main difference between the two types of diversion is that in a pre-plea program, if the defendant does not successfully complete the program, criminal proceedings resume and the defendant has the option to plead guilty or pursue a defense against their case. In a post-plea diversion program, if a defendant does not successfully complete the program, the defendant having already plead guilty, would be sentenced.

In recent years, the Legislature has enacted several pre-plea diversion programs such as military diversion SB 1227 (Hancock, Chapter 658, Statutes of 2013), mental health diversion SB 215 (Beall, Chapter 1005, Statutes of 2017), diversion for primary caretakers SB 394 (Skinner, Chapter 593, Statutes of 2019), and court-initiated misdemeanor diversion AB 3234 (Ting, Chapter 334, Statutes of 2020). Drug diversion was enacted as a preplea program and changed to a postplea program in 1997 SB 1369 (Kopp, Chapter 1132, Statutes of 1996), then in 2017 changed back to a preplea program AB 208 (Eggman, Chapter 778, Statutes of 2017).

Existing law authorizes a city or county prosecuting attorney or county probation department, until January 1, 2031, to create a diversion or deferred entry of judgment program for persons who commit a theft offense or repeat theft offenses and specifies that the prosecuting attorney is to determine who to refer to the

program and who is appropriate for placement in the program. For purposes, of the program, “repeat theft offenses” means being cited or convicted for misdemeanor or felony theft from a store or vehicle two or more times in the previous 12 months and failing to appear in court when cited for these crimes or continuing to engage in these crimes after release or after conviction. (Pen. Code, § 1001.81.)

Misdemeanor Diversion. As referenced above, existing law authorizes a judge to suspend criminal proceedings and divert a misdemeanor defendant, over the objection of the prosecution, except in cases of stalking, domestic violence and any offense requiring sex offender registration. The judge has broad authority to order the defendant to comply with terms, conditions, or programs that the judge deems appropriate based on the specific situation. However, the case may not be diverted for a period exceeding 24 months. Similar to other existing diversion programs, if a defendant successfully completes diversion, the charges would be dismissed; if not, the judge is to hold a hearing to determine whether the defendant has not complied with the terms and conditions of diversion and whether the criminal proceedings should be reinstituted. Unlike some of the other existing pre-plea diversion programs such as mental health diversion or military diversion, court-initiated diversion contains no statutory requirements for the defendant to satisfy in order to be eligible other than the crimes that are specifically excluded. (Pen. Code, § 1001.95.)

Whether or not to divert a misdemeanor defendant is in the trial court's discretion. However, judicial discretion is not without limits. “[A]ll exercises of legal discretion must be grounded in reasoned judgment and guided by legal principles and policies appropriate to the particular matter at issue.” (*People v. Russel* (1968) 69 Cal.2d 187, 195.) A trial court abuses its discretion when it exceeds the bounds of reason, all of the circumstances before it being considered. (*Id.*, at p. 194.)

This bill creates a similar diversion program to the misdemeanor court-initiated diversion program but applied to felonies that are either punishable as county-jail eligible felonies or alternate felony-misdemeanors, also known as “wobblers.” It excludes any offenses on the “serious” or “violent” felonies list, offenses alleged to have caused great bodily injury or serious bodily injury, offenses where it is alleged defendant personally used a firearm in the commission of a felony, or alleged felony driving under the influence. The bill would also exclude offenses that are excluded in misdemeanor diversion, specifically any crime where a person would be required to register as a sex offender, any domestic violence offense, or any stalking offense. Additionally, the bill would exclude use or deployment of a weapon of mass destruction, which is excluded from mental health diversion.

This bill specifies that the criminal proceedings may be continued for a period not to exceed two years which is also the same period of time specified in misdemeanor diversion. Restitution would still be ordered in full, although inability to pay restitution due to indigence shall not be grounds for denial of diversion or a finding that the defendant has failed to comply with the terms of diversion.

In determining whether the defendant is suitable for diversion, the court is required to consider specified mitigating circumstances with great weight to be given to a history of having survived human trafficking, domestic violence, or sexual assault that would indicate that diversion would be appropriate. This bill requires that any diversion plan ordered by the court shall include any conditions necessary to mitigate an unreasonable risk of danger to public safety.

This bill provides that if the defendant is not meeting the terms and conditions of the diversion program, the court may modify the diversion to provide for greater supervision. A hearing to reinstitute criminal proceedings may be initiated by the court or the prosecutor and may proceed only after notice to the defendant. If any of the following circumstances exist, that would be cause to hold a hearing to determine whether to reinstate criminal proceedings: (1) the defendant is charged with a misdemeanor allegedly committed during diversion which reflects the defendant's propensity for violence; (2) the defendant is charged with a felony allegedly committed while the defendant is receiving pretrial diversion services; or, (3) unsatisfactory performance in the diversion plant that causes the court to believe that no reasonably available additional terms, conditions, or services can mitigate unreasonable risks to public safety. For a felony charge, this bill would require probable cause to be established prior to conducting a hearing on reinstituting criminal proceedings.

On the other hand, if the defendant successfully complies with the terms and conditions of diversion, at the end of the period of diversion, the court shall dismiss the criminal allegations. Any record of the arrest or charges shall be deemed to have never occurred.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- Unknown, potential costs to the state funded trial court system (Trial Court Trust Fund, General Fund) to adjudicate the diversion hearings specified in this bill. The fiscal impact of this bill to the courts will depend on many

unknowns, including the numbers of people charged with an offense that request diversion and the factors unique to each case. An eight-hour court day costs approximately \$10,500 in staff in workload. If court days exceed 10, costs to the trial courts could reach hundreds of thousands of dollars. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations.

However, diversion is a cost savings tool that could result in potential savings to the trial courts. By removing people from traditional prosecution before entering a formal plea, diversion programs have generally resulted in cost savings to the court through reduced costs associated with jury trials, hearings and other court appearances. For example, in San Francisco, for example, a traditional court case is estimated to cost \$16,379, but the cost of behavioral health court is \$12,101 and \$9,757 for drug court, with an average savings of about \$4,000 per case. In 2023–24, over 4.8 million cases were filed statewide including 179,821 felony cases. If diversion is successful in only 10% of these cases, the courts could save over \$70,000,000 per year.

- Unknown, potentially significant cost savings to county jails (local funds) to the extent people successfully complete diversion rather than serve terms in county jail. The average annual cost to incarcerate one person in county jail varies by county, but likely ranges from \$70,000 to \$90,000 per year. For example, in 2021, Los Angeles County budgeted \$1.3 billion for jail spending, including \$89,580 per incarcerated person. Actual incarceration costs to counties will depend on the number of convictions and the length of each sentence.
- Unknown, potentially significant cost savings to the California Department of Corrections and Rehabilitation (General Fund) to the extent people successfully complete diversion rather than serve terms in state prison. 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. Thus, if even if just one person does not get sentenced to state prison for one year under this bill, it will result in significant cost savings to CDCR

SUPPORT: (Verified 9/5/25)

Drug Policy Alliance (Co-source)
Immigrant Legal Resource Center (Co-source)
Los Angeles Regional Reentry Partnership (Co-source)
PICO (Co-source)
SEIU (Co-source)
Vera Institute of Justice (Co-source)
ACLU California Action
All of US or None (HQ)
Asian Americans Advancing Justice Southern California
Buen Vecino
California Alliance for Youth and Community Justice
California Coalition for Women Prisoners
California Community Foundation
California Immigrant Policy Center
California Public Defenders Association
Californians for Safety and Justice
Catalyst California
Coalition for Humane Immigrant Rights
Community Works
County of Los Angeles Board of Supervisors
Courage California
Ella Baker Center for Human Rights
Equal Rights Advocates
Friends Committee on Legislation of California
Initiate Justice
Initiate Justice Action
Justice2jobs Coalition
LA Defensa
League of Women Voters of California
Legal Services for Prisoners With Children
Local 148 LA County Public Defenders Union
Matlin Legal
Robert Enterprise Development Fund
Rubicon Programs
Smart Justice California
South Bay People Power
Southeast Asia Resource Action Center
The W. Haywood Burns Institute
Valor US

OPPOSITION: (Verified 9/5/25)

Arcadia Police Officers' Association
Brea Police Association
Burbank Police Officers' Association
California Association of School Police Chiefs
California Coalition of School Safety Professionals
California District Attorneys Association
California Narcotic Officers' Association
California Police Chiefs Association
California Reserve Peace Officers Association
California State Sheriffs' Association
Chief Probation Officers' of California
Chino Police Department
City of Glendora
City of Los Alamitos
Claremont Police Officers Association
Corona Police Officers Association
Culver City Police Officers' Association
Fullerton Police Officers' Association
Los Angeles School Police Management Association
Los Angeles School Police Officers Association
Murrieta Police Officers' Association
Newport Beach Police Association
Palos Verdes Police Officers Association
Peace Officers Research Association of California
Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Riverside County District Attorney
Riverside Police Officers Association
Riverside Sheriffs' Association
San Bernardino County Sheriff's Department
San Diego County District Attorney's Office
Ventura County Sheriff's Office

ARGUMENTS IN SUPPORT: According to the Vera Institute of Justice, a sponsor of this bill:

...AB 1231 by Assemblymember Elhawary ...will grant judges additional tools to offer programs and services for people charged with non-violent, non-serious offenses. Court-supervised diversion programming expands opportunities for justice, creates pathways to

meaningful accountability, and reduces racial disparities and recidivism.

As both a recipient of diversion and a policy advocate informed by rigorous research, I know firsthand—and the evidence clearly demonstrates—that diversion works.

As a recipient of diversion, I cannot stress enough how life changing this type of relief is for people navigating the justice system. As a youth survivor of sexual assault, and as someone who lacked supportive resources, I developed a substance use disorder as an unhealthy coping mechanism. I soon found myself in jail. However, after speaking with my public defender and the judge overseeing my case, I was able to enroll in diversion instead of solely facing punishment and incarceration as a result of my trauma. I enrolled in an adult school office technology program, which became my foundation for higher education, meaningful employment, and deeper engagement in my community. I went on to attend community college, the University of California, Berkeley, and now advocate for criminal justice reform as a Senior Program Associate at Vera California. Diversion unequivocally saved my life.

The research also shows that community-based diversion programs have improved public safety for Californians statewide. Participants in California's diversion programs come into contact with the justice system at a significantly lower rate (15.3 percent) compared to similar people leaving state prisons (41.9 percent). Diversion programs that offer targeted, light-touch services such as job training, education, housing, treatment for substance use and mental health, empower people to address their underlying needs, which reduces future contact with the criminal legal system.

Moreover, evidence shows diversion programs are key to reducing racial disparities in the criminal legal system. To this day, Black and brown Californians are arrested at disproportionately higher rates than white people in nearly all of California's 58 counties. Expanded judicial discretion to grant diversion would likely decrease these racial disparities, helping even more Californians avoid the severe, long-term collateral consequences of incarceration—such as barriers to employment, housing, and education—that increase recidivism. As a

Native and Latina youth, receiving diversion gave me the opportunity to overcome the generational cycle of incarceration and educate myself.

Diversion programs, which tap into existing community services, are also much more cost-effective than prisons and traditional court processing. This is particularly true in rural areas like the Central Valley, where resources are historically limited, and expanded diversion programming provides crucial opportunities for people to achieve stability, thereby enhancing public safety. My experience demonstrates this potential: having access to local resources and counselors in the Central Valley, who believed in me, enabled me to avoid further incarceration and become the advocate I am today.

AB 1231 has three important parts. First, it expands judicial authority to offer pretrial diversion programs and services for people facing eligible non-serious, non-violent felony charges that typically result in county jail sentences of up to three years. This flexibility empowers judges to more effectively tailor pretrial decisions based on people's individualized circumstances.

Second, the bill requires people receiving diversion to develop detailed plans that clearly outline the services they need, including employment support, behavioral healthcare, and job training. The collaborative approach could involve social workers, rape crisis counselors, and community service providers. Judges must also review the plan in consultation with district attorneys, public defenders, or any other relevant agencies. Community safety is prioritized through diversion: judges are instructed to deny diversion if the diversion plan fails to "mitigate unreasonable risks to public safety."

Lastly, AB 1231 especially prioritizes sexual assault survivors like me, who are often arrested and punished for actions that are a result of their trauma and exploitation.

ARGUMENTS IN OPPOSITION: According to the Chief Probation Officers of California:

This bill would make significant changes to felony sentencing processes by creating diversion eligibility for a broad scope of felony offenses without a clear and commensurate benefit to public safety.

Several diversion and DEJ statutes and programs already exist around various offenses or collaborative court models. These collaborative court models are specific to categories of individuals charged with specified offenses. The Legislature has recognized that certain groups including those with substance use or mental health disorders, or veterans, may benefit from these collaborative court models. Concurrently, other judicial pathways have been retained for addressing the myriad of felony offenses where diversion or DEJ may not be deemed suitable or where eligibility criteria have not been met. This bill opens a path to a broad scope of felony offenses to be diverted from criminal justice system responses regardless of whether an individual meets specific factors.

ASSEMBLY FLOOR: 42-25, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Caloza, Carrillo, Connolly, Elhawary, Fong, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Jackson, Kalra, Lee, Lowenthal, McKinnor, Muratsuchi, Ortega, Pellerin, Quirk-Silva, Ransom, Celeste Rodriguez, Rogers, Schultz, Sharp-Collins, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Alanis, Ávila Farías, Bains, Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Irwin, Lackey, Macedo, Pacheco, Patterson, Michelle Rodriguez, Blanca Rubio, Sanchez, Ta, Tangipa, Wallis

NO VOTE RECORDED: Calderon, Gabriel, Krell, Nguyen, Papan, Patel, Petrie-Norris, Ramos, Schiavo, Solache, Soria, Stefani

Prepared by: Cheryl Anderson / PUB. S. /
9/8/25 21:38:04

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