
THIRD READING

Bill No: AB 1258
Author: Kalra (D)
Amended: 8/26/25 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 5-1, 6/24/25
AYES: Arreguín, Caballero, Gonzalez, Pérez, Wiener
NOES: Seyarto

ASSEMBLY FLOOR: 61-13, 6/2/25 - See last page for vote

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

SUBJECT: Deferred entry of judgment pilot program

SOURCE: Author

DIGEST: This bill extends the operation of the Transition Age Youth Pilot Program operating in Butte, Nevada, and Santa Clara counties until January 1, 2029.

Senate Floor Amendments of 8/26/25 shift responsibility for monitoring compliance with specified federal law requirements from the Board of State and Community Corrections to the Office of Youth and Community Restoration.

ANALYSIS:

Existing law:

- 1) Provides that the counties of Alameda, Butte, Napa, Nevada, and Santa Clara may establish a pilot program to operate a deferred entry of judgment pilot program until January 1, 2024 for certain eligible defendants. (Penal (Pen.) Code, § 1000.7, subd. (a).)

- 2) Provides that a defendant may participate in a deferred entry of judgment pilot program within the county's juvenile hall if that person is charged with committing a felony offense, except as specified, they plead guilty to the charge or charges, and the probation department determines that the person meets all of the following requirements:
 - a) Is 18 years of age or older, but under 21 years of age on the date the offense was committed, or is 21 years of age or older, but under 25 years of age on the date the offense was committed with the approval of the county multidisciplinary team established pursuant to this pilot program;
 - b) Is suitable for the program after evaluation using a risk assessment tool, as specified;
 - c) Shows the ability to benefit from services generally reserved for delinquents, including but not limited to, cognitive behavioral therapy, other mental health services, and age-appropriate educational, vocational, and supervision services, that are currently deployed under the jurisdiction of the juvenile court;
 - d) Meets the rules of the juvenile hall developed in accordance with the applicable regulations;
 - e) Does not have a prior or current conviction for committing certain specified offenses; and,
 - f) Is not required to register as a sex offender, as specified. (Pen. Code, § 1000.7, subd. (b).)
- 3) Requires the probation department, in consultation with the superior court, district attorney, and sheriff of the county or the governmental body charged with operating the county jail, to develop an evaluation process using a risk assessment tool to determine eligibility for the program. (Pen. Code, § 1000.7, subd. (c).)
- 4) Makes ineligible for the deferred entry of judgment pilot program a defendant who is required to register as a sex offender, as specified, or who has been convicted of one or more of the following offenses:
 - a) A "serious" felony, as that term is defined by law;
 - b) A "violent" felony, as that term is defined by law; or,

- c) A serious or violent crime as that term is defined pertaining to juveniles. (Pen. Code, § 1000.7, subd. (d).)
- 5) Requires the court to grant deferred entry of judgment if an eligible defendant consents to participate in the program, waives their right to a speedy trial or a speedy preliminary hearing, pleads guilty to the charge or charges, and waives time for the pronouncement of judgment. (Pen. Code, § 1000.7, subd. (e).)
- 6) Provides that if the probation department determines that the defendant is not eligible for the deferred entry of judgment pilot program or the defendant does not consent to participate in the program, the proceedings shall continue as in any other case. (Pen. Code, § 1000.7, subd. (f)(1).)
- 7) States that if it appears to the probation department that the defendant is performing unsatisfactorily in the program as a result of the commission of a new crime or the violation of any of the rules of the juvenile hall or that the defendant is not benefiting from the services in the program, the probation department may make a motion for entry of judgment. After notice to the defendant, the court is required to hold a hearing to determine whether judgment should be entered. (Pen. Code, § 1000.7, subd. (f)(2).)
- 8) States that if the court finds that the defendant is performing unsatisfactorily in the program or that the defendant is not benefiting from the services in the program, the court is required to render a finding of guilt to the charge or charges pleaded, enter judgment, and schedule a sentencing hearing, and the probation department, in consultation with the county sheriff, is required to remove the defendant from the program and return him or her to custody in county jail. The mechanism of when and how the defendant is moved from custody in juvenile hall to custody in a county jail shall be determined by the local multidisciplinary team, as specified. (Pen. Code, § 1000.7, subd. (f)(2).)
- 9) Provides that if the defendant has performed satisfactorily during the period in which deferred entry of judgment was granted, at the end of that period, the court is required to dismiss the criminal charge or charges. (Pen. Code, § 1000.7, subd. (f)(3).)
- 10) Prohibits a defendant participating in this program from serving longer than one year in juvenile hall. (Pen. Code, § 1000.7, subd. (g).)
- 11) Requires the probation department to develop a plan for reentry services, including, but not limited to, housing, employment, and education services, as a component of the program. (Pen. Code, § 1000.7, subd. (h).)

- 12) Requires the probation department to submit data relating to the effectiveness of the program to the Division of Recidivism Reduction and Re-Entry, within the Department of Justice, including recidivism rates for program participants as compared to recidivism rates for similar populations in the adult system within the county. (Pen. Code, § 1000.7, subd. (i).)
- 13) Prohibits a defendant participating in the program from coming into contact with minors within the juvenile hall for any purpose, including, but not limited to, housing, recreation, or education. (Pen. Code, § 1000.7, subd. (j).)
- 14) Requires the Board of State and Community Corrections to review a county's pilot program to ensure compliance with requirements of the federal Juvenile Justice and Delinquency Prevention Act relating to "sight and sound" separation between juveniles and adult inmates.
- 15) Requires a county participating in the program to conduct an evaluation of the pilot program's impact and effectiveness in their county, as specified, and to prepare a report based on the evaluation, which is to be submitted to the Assembly and Senate Committees on Public Safety. (Pen. Code, § 1000.7, subd. (n).)
- 16) Sunsets the pilot program on January 1, 2026. (Pen. Code, § 1000.7, subd. (o).)

This bill:

- 1) Extends the young adult deferred entry of judgment pilot program from January 1, 2026 to January 1, 2029.
- 2) Removes Alameda County from the pilot program.
- 3) Assigns the Office of Youth and Community Restoration to conduct "sight and sound" inspections for counties participating in the pilot program and to communicate their findings to the Board of State and Community Corrections.

Background

The Deferred Entry of Judgment Pilot Program is based on the premise that although 18 to 21 year olds are legally adults, young offenders are still undergoing significant brain development and may be better served by the juvenile justice system with corresponding age appropriate intensive services.

To be eligible for the transition age youth deferred entry of judgment program, the defendant must be between the ages of 18 and 21, and must not have a prior or current conviction for a serious, violent, or sex offense. Individuals between the age of 21 and 24 may also participate in the program with approval of the local multidisciplinary team. Participants must consent to participate in the program, be assessed and found suitable for the program, and show the ability to benefit from the services generally provided to juvenile hall youth. The probation department is required to develop a plan for reentry services, including, but not limited to, housing, employment, and education services, as a component of the program. Finally, a person participating in the program cannot serve more than one year in juvenile hall.

The pilot program is a deferred entry of judgment program, meaning that participants have to plead guilty in order to be eligible for the program. If they succeed in the program then the criminal charges are dismissed. If the individual is found to perform unsatisfactorily in the program, the probation department may file a motion of entry of judgment. Once it receives the motion, the court conducts a hearing to establish whether a judgment should be entered. If the court determines that an individual was not benefiting from the services and supports included in the program or is performing unsatisfactorily in the program, the court may render a verdict of guilty to the charge or charges and schedule a sentencing hearing.

This bill extends the operational date of the pilot program to January 1, 2029 and removes Alameda County as a participating county.

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

SUPPORT: (Verified 8/25/25)

California Judges Association
California Public Defenders Association
Chief Probation Officers' of California
County of Santa Clara
Ella Baker Center for Human Rights

OPPOSITION: (Verified 8/25/25)

None received

ARGUMENT IN SUPPORT:

According to the Chief Probation Officers of California:

SB 1004 (Hill, 2016) and SB 1106 (Hill, 2018) authorized specified counties to voluntarily enact a pilot program that allows young adults who have committed non-serious, non-violent, and non-sex offenses aged 18-21 to participate in the program which allows them to receive services and to have their charges dismissed upon successful completion of the program. Programming for these young adults includes cognitive behavioral therapy, mental health treatment, vocational training, reentry planning, and education, among others.

Probation is focused on helping justice-involved individuals transition out of the system permanently through transformative and evidence-based rehabilitation and by addressing the safety and treatment needs of the individual. The extension sought in this bill helps support the important continuity of services and community safety needs for individuals in the program.

ASSEMBLY FLOOR: 61-13, 6/2/25

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

NOES: Castillo, Chen, Davies, DeMaio, Ellis, Flora, Gallagher, Hadwick, Hoover, Macedo, Patterson, Sanchez, Tangipa

NO VOTE RECORDED: Bains, Dixon, Lackey, Blanca Rubio, Ta

Prepared by: Sandy Uribe / PUB. S. /
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**** END ****