
CONSENT

Bill No: AB 1549
Author: Krell (D)
Introduced: 1/7/26
Vote: 27 - Urgency

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 6/9/26
AYES: Arreguín, Seyarto, Caballero, Cortese, Pérez, Wiener

ASSEMBLY FLOOR: 75-0, 3/16/26 (Consent) - See last page for vote

SUBJECT: Alternative domestic violence program

SOURCE: California State Association of Counties

DIGEST: This bill extends the sunset date of the pilot program authorizing specified counties to offer an alternative batterer's intervention program (BIP) from July 1, 2026 to July 1, 2030, and adds Sacramento County as one of the authorized counties that can participate in the pilot program.

ANALYSIS:

Existing law:

- 1) States that a person who willfully inflicts corporal injury resulting in a traumatic condition upon the offender's spouse or former spouse, cohabitant or former cohabitant, fiancé, someone with whom the offender has, or previously had, a dating relationship, or the mother or father of the offender's child, is guilty of a felony punishable by imprisonment in the state prison for two, three, or four years, or in a county jail for no longer than one year, or a fine of up to \$6,000 or by both fine and imprisonment. (Penal (Pen.) Code, § 273.5, subds. (a), (b).)
- 2) Requires a defendant who receives probation for a domestic violence offense to successfully complete a BIP lasting for a period not less than one year with periodic progress reports by the program to the court every three months or less

and weekly sessions of a minimum of two hours class time. (Pen. Code, § 1203.097, subd. (a)(6).)

- 3) Requires a defendant to attend consecutive weekly sessions, unless granted an excused absence for good cause by the program for no more than three individual sessions during the entire program, and to complete the program within 18 months. (Pen. Code, § 1203.097, subd. (a)(6).)
- 4) Requires that approved programs be designed to stop domestic violence and include, among other things, structured group sessions focused on offender accountability, education regarding the dynamics and impacts of abuse, victim notification procedures, and regular reporting to the court and probation department, among other required components. (Pen. Code, § 1203.097, subd. (c).)
- 5) Requires a defendant convicted of an offense against any of the following persons to complete a BIP: a spouse or former spouse, a cohabitant or former cohabitant, a person the offender was in a dating or engagement relationship with, the mother or father of the offender's child, the child, or any person related to the offender by blood or marriage in the first or second degree. (Family (Fam.) Code, § 6211.)
- 6) Authorizes the Counties of Napa, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, and Yolo to offer a program for individuals convicted of domestic violence that does not comply with the components of the BIP otherwise outlined in state law, if the program meets certain requirements. (Pen. Code, § 1203.099, subd. (a).)
- 7) Requires the counties above to develop the program in consultation with the domestic violence service providers and other relevant community partners. (Pen. Code, § 1203.099, subd. (a)(1).)
- 8) Requires the counties above to perform a risk and needs assessment utilizing an assessment demonstrated to be appropriate for domestic violence offenders for each offender entering the program. (Pen. Code, § 1203.099, subd. (a)(2).)
- 9) Requires that the offender's treatment within the program be based on the findings of the risk and needs assessment. (Pen. Code, § 1203.099, subd. (a)(3).)

- 10) Requires the program to include components that are evidence-based or promising practices. (Pen. Code, § 1203.099, subd. (a)(4).)
- 11) Requires the program to have a comprehensive written curriculum that informs the operations of the program and outlines the treatment and intervention modalities. (Pen. Code, § 1203.099, subd. (a)(5).)
- 12) Requires the offender's treatment within the program to be not less than one year in length, unless an alternative length is established by a validated risk and needs assessment completed by the probation department or an organization approved by the probation department. (Pen. Code, § 1203.099, subd. (a)(6).)
- 13) Requires the counties to collect data on participants in the program, as specified. (Pen. Code, § 1203.099, subd. (a)(7).)
- 14) Requires the counties to report all of the following information annually to the Legislature:
 - a) The risk and needs assessment tool used for the program;
 - b) The curriculum used by each program;
 - c) The number of participants with a program length other than one year, and the alternative program lengths used;
 - d) Individual data on the number of offenders participating in the program; and,
 - e) Other individual data that the county is required by law to collect, as specified. (Pen. Code, § 1203.099, subd. (a)(8)(A)-(E).)
- 15) Defines "evidence-based program or practice" as a program or practice that has a high level of research indicating its effectiveness, determined as a result of multiple rigorous evaluations including randomized controlled trials and evaluations that incorporate strong comparison group designs, or a single large multisite randomized study, and, typically, has specified procedures that allow for successful replication. (Pen. Code, § 1203.099, subd. (c)(1).)
- 16) Defines "promising program or practice" as a program or practice that has some research demonstrating its effectiveness but does not meet the full criteria for an evidence-based designation. (Pen. Code, § 1203.099, subd. (c)(2).)

- 17) Provides that the law authorizing the named counties to operate alternative BIPs sunsets on July 1, 2026. (Pen. Code, § 1203.099, subd. (f).

This bill:

- 1) Extends the sunset date of the pilot program authorizing specified counties to offer an alternative BIP to July 1, 2030.
- 2) Adds Sacramento County as one of the authorized counties that can participate in the pilot program.

Background

In California, it is a felony to willfully inflict a physical injury that results in a traumatic condition on an intimate partner, including a spouse, former spouse, a current or previous cohabitant, a person the offender was in a dating or engagement relationship with, or the mother or father of the offender's child. (Pen. Code, § 273.5, subds. (a), (b).)

When a person is convicted of a domestic violence offense and granted probation, state law requires the court to impose specific mandatory conditions. One of those conditions is participation in a BIP. (Pen. Code, § 1203.097, subd. (a).) A BIP is a court-ordered counseling and educational program for individuals convicted of domestic violence offenses. State law sets minimum requirements for BIPs. (Pen. Code, § 1203.097, subd. (c).) Offenders who receive probation must complete at least one year in a BIP and participate in weekly group sessions. (Pen. Code, § 1203.097, subd. (a)(6).) BIPs must include content designed to promote accountability for abusive behavior, educate participants about the impact of domestic violence on victims and children, and encourage the development of nonviolent relationship skills. (Pen. Code, § 1203.097, subd. (c)(1)(F).) BIPs are required to provide regular progress reports to the court and probation department on the participant's progress in the program. (Pen. Code, § 1203.097, subd. (c)(1)(O).) County probation departments are responsible for approving and monitoring these programs to ensure compliance with statutory standards. (Pen. Code, § 1203.097, subd. (c)(5).)

Existing law allows selected counties to provide alternative BIPs in place of the existing BIPs counties are required to offer. (Pen. Code, § 1203.099, subd. (a).) Alternative BIPs allow the county more flexibility to update program design elements, including curriculum and program length, while not constrained by the

standards in existing law. (*Ibid.*) If an individual who is convicted of domestic violence receives probation and is located within a participating county, that individual can be enrolled in an alternative BIP, likely with an updated program design, and upon completion will be deemed to have met the existing BIP requirements. (Pen. Code, § 1203.099, subd. (b).)

In October 2022, the California State Auditor issued an audit of the state’s existing BIPs. The Auditor examined the administration and oversight by the probation departments and courts in five counties—Alameda, Contra Costa, Del Norte, Los Angeles, and San Joaquin. The Auditor found that persons convicted of domestic violence who completed a BIP recidivated in 20 percent of cases. (Cal. State Auditor, *Batterer Intervention Programs: State Guidance and Oversight Are Needed to Effectively Reduce Domestic Violence*, Rep. No. 2021-113 (Oct. 2022) <<https://information.auditor.ca.gov/pdfs/reports/2021-113.pdf> [as of May 28, 2026].) However, nearly 50% of program participants reviewed by the Auditor did not complete the program, and 65% of those participants later reoffended. (*Ibid.*) The State Auditor found “probation departments did not consistently assess all offenders for underlying issues, such as mental health or substance abuse concerns, that might interfere with an offender’s ability to complete a program.” (*Id.* at p. 2.) The auditor also reported that “probation departments, program providers, and courts generally did not hold many of the offenders we reviewed accountable for probation and program violations.” (*Ibid.*) “Program providers did not supervise offenders appropriately or report required information.” (*Ibid.*)

AB 372 (Stone, Chapter 290, Statutes of 2018), authorized the Counties of Napa, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, and Yolo to offer an alternative BIP for individuals convicted of domestic violence that does not need to comply with existing requirements for batterer’s programs. These alternative BIPs have been used by counties to update program design elements including curriculum, program length, risk assessment factors, oversight, and other program design considerations.

Each year, the California State Association of Counties (CSAC) is required to submit an annual report to the Legislature assessing the effectiveness of the pilot program and reporting on specified data. The most recent report states:

Five years into the AB 372 Pilot and across six counties, more than 6,900 people have entered the program. For those who entered the program in the fourth year, half (50%) had shown a positive completion of the program. One in six had a negative completion

(16%) and over one third (34%) had a neutral, pending, or unknown completion status. (CSAC, *AB 372 Year 5 Legislative Report* (Sept. 2025) <<https://www.counties.org/wp-content/uploads/2025/09/AB372-Year-5-Legislative-Report.pdf> [as of May 28, 2026].)

A recent Sacramento County Grand Jury report identified concerns with the existing BIPs in the county, regarding completion rates, data collection, provider oversight, and the absence of validated risk assessment tools. The grand jury report states that “the program in Sacramento County has had virtually no change in treatment intervention (method, curriculum, and philosophy/approach) since its inception, and there is no standardized assessment tool to determine the offender’s risk for reoffending at the completion of the program.” (Sacramento County Grand Jury, *Adding Insult to Injury: The Systematic Failure of the Sacramento County Batterer's Treatment Program* (2024-2025 Rep.)

<<https://sacgrandjury.org/docs/reports/24-25/gj-batterers-treatment-program.pdf> [as of May 28, 2026].) “Probation estimates that the [program] failure rate could be as high as 95%.” (*Ibid.*) The report notes that the program is ineffective in part because offenders must pay for the program and because the program is retributive, rather than rehabilitative. (*Ibid.*)

However, it is still unclear whether program completion rates are generally stronger for the alternative BIPs when compared to the existing BIPs in other counties. Due to data limitations surrounding recidivism measurement time, recidivism rates for individual counties are not presented in the report. (*Id.* at pp. 15-16.)

This bill extends the sunset date of the pilot program authorizing specified counties to offer an alternative BIP from July 1, 2026 to July 1, 2030. This bill also adds Sacramento County as one of the authorized counties that can participate in the pilot program, due to concerns that the existing program in Sacramento is not achieving its goals.

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

SUPPORT: (Verified 6/9/26)

California State Association of Counties (source)
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 Reserve Peace Officers Association
Chief Probation Officers of California
Claremont Police Officers Association
Corona Police Officers Association
County of Santa Barbara
County of Santa Clara
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
Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Riverside Police Officers Association
Riverside Sheriffs' Association
Smart Justice California Impact

OPPOSITION: (Verified 6/9/26)

None received

ARGUMENTS IN SUPPORT:

The Chief Probation Officers of California write:

To date, the work under AB 372 has led to local batterer intervention program modifications, curriculum advancements, briefs on California's domestic violence system, recidivism research, and annual reporting. After the first five years of implementation, over 6,900 individuals have entered programs across the six counties. While progress has been made in this area, there remains work to be done to expand evidence-based practices that will change thinking patterns, reduce anti-social behavior, and better understand the complex relationship between the risk of reoffending and treatment needs.

ASSEMBLY FLOOR: 75-0, 3/16/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Jackson, Johnson, Kalra, Krell, Lackey, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Jeff Gonzalez, Irwin, Lee, Patterson, Celeste Rodriguez

Prepared by: Marshal Lawler / PUB. S. /
6/10/26 16:58:14

**** END ****