

Date of Hearing: March 3, 2026
Counsel: Kimberly Horiuchi

ASSEMBLY COMMITTEE ON PUBLIC SAFETY
Nick Schultz, Chair

AB 1595 (Schultz) – As Amended February 23, 2026

SUMMARY: Authorizes a petitioner for habeas corpus relief, in order to overcome a procedural bar to relief based on untimeliness or successiveness, to identify changes in law or new evidence that create a reasonable probability of a different result sufficient to undermine confidence in the outcome of the case. Specifically, **this bill:**

- 1) States a habeas petition may be prosecuted for false evidence relating to a person’s guilt or punishment where there is any reasonable likelihood that the evidence would have affected the outcome of the case.
- 2) Revises the definition of “false evidence” in the listed grounds for a habeas petition to include “opinions of expert that have either been repudiated by the experts who originally provided the opinion at a hearing or trial that may have undermined the state of scientific knowledge or later scientific research or technological advances.”
- 3) Clarifies that new evidence exists for purposes of a habeas petition if there is a reasonable probability it would have produced a different result sufficient to undermine confidence in the outcome of the case.
- 4) Provides that a significant dispute regarding expert testimony need only exist and there is a reasonable probability that the testimony affected the outcome of the case.
- 5) Requires if a prosecutor knew or should have known evidence was false and failed to correct it at trial, the burden to shift to the respondent (or state) to demonstrate there is no likelihood the false evidence impacted the jury.
- 6) States that to overcome a procedural bar to relief based on untimeliness or successiveness in a habeas petition, the petitioner may either identify changes in law or new evidence, or establish that the allegations in the petition, if taken as true, create a reasonable probability of a different result sufficient to undermine confidence in the outcome of the case.
- 7) States that if the Attorney General or district attorney stipulates or concedes to any factual basis for habeas relief, that concession is binding on the parties. A concession in open court, or in a pleading including an informal response or a return to an order to show cause, cannot be withdrawn. A stipulation may be withdrawn only if the moving party proves by a preponderance of the evidence that the other party violated the stipulation’s terms or that the state withheld evidence that reasonably could have affected the petitioner’s decision to enter into the stipulation.

- 8) Requires a court to grant relief based on a concession or stipulation unless doing so would be contrary to law. If the court rejects a concession or stipulation, it shall issue a written order explaining its legal and factual basis, and that order is appealable.
- 9) Clarifies that a person may file a motion to vacate, as specified:
 - a) Where there is new evidence of fraud by a government official that demonstrates a reasonable probability, it would have produced a different result to undermine confidence in the outcome of the case.
 - b) Where there is new evidence that a government official testified falsely at trial that resulted in the conviction and that there is a reasonable probability the testimony of the government official would have produced a different result sufficient to undermine confidence in the outcome of the case.
- 10) States new evidence is evidence that has not previously been presented and heard at trial and has been discovered after trial without reference to whether the evidence could have been discovered with reasonable diligence prior to judgement.
- 11) States when filing a return of a habeas writ, as specified, the court has the full power and authority to require and compel production of discovery for good cause or witness attendance, by subpoena, and any other necessary acts to ensure a full and fair hearing on determination of the case.
- 12) Requires the court, after a habeas writ is returned and denied following formal briefing, to proceed to a hearing on any proof for or against imprisonment and to resolve the case as justice requires and in a manner that is appropriate and equitable based on the reasons for granting the writ and authorizes the court to dismiss a pending action with or without prejudice.
- 13) States for purposes of providing resources related housing and compensation for exonerated people, exonerated also means any person whose conviction or juvenile adjudication is reversed on appeal on the basis of insufficient evidence.
- 14) Provides that the Department of Corrections and Rehabilitation (CDCR) must assist a person who is exonerated from a juvenile adjudication as well as a conviction with a variety of exonerated services.
- 15) Includes other clarifying changes to harmonize various provisions related to various habeas petitions or motions to vacate a conviction or juvenile adjudication pertaining to new or false evidence.

EXISTING LAW:

- 1) Authorizes a person unlawfully imprisoned or restrained of their liberty, under any pretense, to prosecute a writ of habeas corpus to inquire into the cause of the imprisonment or restraint. (Pen. Code, § 1473, subd. (a).)

- 2) States a writ of habeas corpus may be prosecuted for, but not limited to, the following reasons:
- a) False evidence that is material on the issue of guilt or punishment was introduced against a person at a hearing or trial relating to the person's incarceration.
 - b) False physical evidence, believed by a person to be factual, probative, or material on the issue of guilt, which was known by the person at the time of entering a plea of guilty, which was a material factor directly related to the plea of guilty by the person.
 - c) New evidence exists that is presented without substantial delay, is admissible, and is sufficiently material and credible that it more likely than not would have changed the outcome of the case. "New evidence" means evidence that has not previously been presented and heard at trial and has been discovered after trial.
 - d) A significant dispute has emerged or further developed in the petitioner's favor regarding expert medical, scientific, or forensic testimony that was introduced at trial or a hearing and that expert testimony more likely than not affected the outcome of the case. Expert medical, scientific, or forensic testimony includes the expert's conclusion or the scientific, forensic, or medical facts upon which their opinion is based.
 - i. A significant dispute may be as to the reliability or validity of the diagnosis, technique, methods, theories, research, or studies upon which a medical, scientific, or forensic expert based their testimony.
 - ii. A significant dispute can be established by credible expert testimony or declaration, or by peer reviewed literature showing that experts in the relevant medical, scientific, or forensic community, substantial in number or expertise, have concluded that developments have occurred that undermine the reliability or validity of the diagnosis, technique, methods, theories, research, or studies upon which a medical, scientific, or forensic expert based their testimony.
 - iii. In assessing whether a dispute is significant, the court shall give great weight to evidence that a consensus has developed in the relevant medical, scientific, or forensic community undermining the reliability or validity of the diagnosis, technique, methods, theories, research, or studies upon which a medical, scientific, or forensic expert based their testimony or that there is a lack of consensus as to the reliability or validity of the diagnosis, technique, methods, theories, research, or studies upon which a medical, scientific, or forensic expert based their testimony.
 - iv. The significant dispute must have emerged or further developed within the relevant medical, scientific, or forensic community, which includes the scientific community and all fields of scientific knowledge on which those fields or disciplines rely and shall not be limited to practitioners or proponents of a particular scientific or technical field or discipline. (Pen. Code, § 1473, subd. (b)(1)(A-D).)

- 3) Specifies “false evidence” includes opinions of experts that have either been repudiated by the expert who originally provided the opinion at a hearing or trial or that have been undermined by the state of scientific knowledge or later scientific research or technological advances. (Pen. Code, § 1473, subd. (a)(2).)
- 4) States that for purpose of a habeas petition, if the district attorney in the county of conviction or the Attorney General concedes or stipulates to a factual or legal basis for habeas relief, there shall be a presumption in favor of granting relief. This presumption may be overcome only if the record before the court contradicts the concession or stipulation, or it would lead to the court issuing an order contrary to law. (Pen. Code, § 1473, subd. (g).)

FISCAL EFFECT: Unknown

COMMENTS:

- 1) **Author's Statement:** According to the author, "AB 1595 strengthens California’s criminal legal system by ensuring courts have clear and consistent authority to review credible claims supported by new evidence while preserving long-standing principles of finality and judicial discretion. Over the past decade, amendments to habeas corpus and related post-conviction statutes have produced inconsistent legal standards, conflicting burdens of proof, and uncertainty regarding discovery. These inconsistencies can result in similarly situated individuals being treated differently across jurisdictions and can require courts to expend significant resources resolving procedural disputes rather than evaluating the merits of a claim.

“This bill clarifies the standard courts apply when assessing whether new evidence undermines confidence in the outcome of a conviction, aligns post-conviction review with well-established constitutional principles, and clarifies courts’ authority to order discovery for good cause after issuing an order to show cause. AB 1595 also promotes transparency by requiring courts to state their reasons when declining to accept a factual or legal concession from a prosecuting agency, while fully preserving the court’s role as the ultimate decision-maker.

“Importantly, AB 1595 does not expand relief or mandate that courts grant petitions. Instead, it ensures courts retain the discretion necessary to distinguish between non-meritorious claims and those that warrant careful judicial review. By reducing unnecessary litigation over threshold procedural issues, the bill helps conserve limited judicial resources and allows courts to focus on claims that meaningfully call the integrity of a conviction into question.

“A consistent statewide framework promotes equal treatment for both represented and self-represented petitioners and reinforces public confidence in the justice system. Ensuring that courts can evaluate credible new evidence helps protect the integrity of convictions, supports victims by promoting accuracy and accountability, and strengthens public safety by helping ensure that the correct person is held responsible for the crime.

“AB 1595 is a measured, procedural clarification that improves fairness, efficiency, and transparency in California’s post-conviction process while respecting the balance between finality and justice.”

- 2) **Habeas Petitions Generally:** Habeas corpus, also known as “the Great Writ,” is a process guaranteed by both the federal and state constitutions to obtain prompt judicial relief from unlawful restraint. The function of a writ is set forth in Penal Code section 1473, subdivision (a): “Every person unlawfully imprisoned or restrained of his or her liberty, under any pretense whatever, may prosecute a writ of habeas corpus, to inquire into the cause of such imprisonment or restraint.” Penal Code section 1473, subdivision (d) specifies that “nothing in this section shall be construed as limiting the grounds for which a writ of habeas corpus may be prosecuted.”

A writ of habeas corpus may be prosecuted for, but not limited to, the following reasons: false evidence that is substantially material or probative on the issue of guilt, or punishment was introduced against a person at any hearing or trial relating to his incarceration; or false physical evidence believed by a person to be factual, material or probative on the issue of guilt, which was known by the person at the time of entering a plea of guilty and which was a material factor directly related to the plea of guilty by the person. (Pen. Code, § 1473, subd. (b)(1) & (2).) Any allegation that the prosecution knew or should have known of the false nature of the evidence is immaterial to the prosecution of a writ of habeas corpus based on false evidence. (Pen. Code, § 1473, subd. (c).)

A habeas corpus claim of false testimony requires proof that false evidence was introduced against petitioner at his or her trial and that such evidence was material or probative on the issue of his or her guilt. (*In re Bell* (2007) 42 Cal.4th 630, 637.) A habeas writ may also be prosecuted based on newly discovered evidence. The new evidence must be “credible, material, presented without substantial delay, and of such decisive force and value that it would have more likely than not changed the outcome at trial.” (Pen. Code, §1473, subd. (b)(3).)

The Legislature has also codified the right to prosecute a petition for writ of habeas corpus when evidence of intimate partner battering was not presented at trial. (Pen. Code, § 1473.5.) Again, the evidence must be of such substance that had it been presented there is a “reasonable probability, sufficient to undermine confidence in the judgment of conviction or sentence, that the result of the proceedings would have been different.” (Pen. Code, § 1473.5, subd. (a).)

- 3) **Habeas Petitions Based on False or New Evidence:** Habeas petitions may be prosecuted on the grounds that that the state adduced false evidence at trial. False evidence may include false witness or victim testimony and faulty forensic or scientific evidence. According to a report from UC Berkeley School of Law and the University of Pennsylvania Law School, erroneous convictions cost California taxpayers over \$282 million between 1989 and 2012.

False or misleading forensic evidence was a contributing factor in 24% of all wrongful convictions nationally, according to the National Registry of Exonerations, which tracks both DNA and non-DNA based exonerations.¹

¹ See https://www.law.umich.edu/special/exoneration/Pages/browse.aspx?View={B8342AE7-6520-4A32-8A06-4B326208BAF8}&FilterField1=Contributing_x0020_Factors_x0020&FilterValue1=False%20or%20Misleading%20Forensic%20Evidence.

This includes convictions based on forensic evidence that is unreliable or invalid and expert testimony that is misleading. It also includes mistakes made by practitioners and in some cases misconduct by forensic analysts. In some cases, scientific testimony that was generally accepted at the time of a conviction has since been undermined by new scientific advancements in disciplines including:

- a) Hair comparisons: Microscopic hair analysis involves comparing hair found at a crime scene with the hair of the defendant. A 2009 National Academy of Sciences report stated that microscopic hair comparisons could not be used to match hair with a specific individual. In 2015, the FBI announced that its hair microscopy experts overstated the probability of a match between hair evidence and the defendant's hair in 95 percent of the 268 cases it had reviewed.²
- b) Arson: Two decades of fire research has debunked evidence that was used to convict people of arson. The 1992 publication of National Fire Protection Association (NFPA) 921 noted that many of the physical artifacts previously thought to occur only in intentional fires—such as “alligating” of wood, crazed glass, and sagged furniture springs—could actually occur in accidental fires.³ NFPA 921 only became generally accepted by the relevant scientific community in the early 2000's.
- c) Comparative Bullet Lead Analysis: Comparative Bullet Lead Analysis (“CBLA”) was believed to be able to link bullets found at a crime scene to bullets possessed by a suspect based on the assumption that the lead composition in a bullet was unique and limited to the batch that it came from. Since the early 1980's the FBI conducted bullet lead examined in over 2,500 cases. The FBI stopped using CLBA after a 2002 National Academy of Sciences (NAS) report found problems with interpretations of the results of these analyses.⁴

In a habeas petition based on false evidence, a court considering the effect of false evidence must consider whether the evidence **was material**, and not whether substantial evidence supported the conviction absent the false evidence. (*In re Richards* (2016) 63 C.4th 291, 309; *In re Sassounian* (1995) 9 Cal.4th 535, 546, 550, fn. 13.)

Under the materiality standard of *Napue v. Illinois* (1959) 360 U.S. 264, a conviction must be reversed where a reasonable likelihood exists that the false testimony could have affected the judgment of the jury. (See *Glossip v. Oklahoma* (2024) 604 U.S. 226.) That standard is equivalent to the “harmless beyond a reasonable doubt” standard for determining whether constitutional error is prejudicial (see 6 Cal. Crim. Law (5th), Reversible Error, § 11 et seq.).

As *Napue* made clear, however, “[a] lie is a lie, no matter what its subject.” *Napue*, 360 U. S., at 269-270, (internal citation omitted)). Nothing in *Napue* requires ignoring the fact of Sneed's

² <https://www.ncjrs.gov/pdffiles1/nij/grants/228091.pdf>

³ NFPA 921 Fire & Explosion Investigations Guide (2004), <https://studylib.net/doc/18648668/national-fire-protection-association--nfpa-921--guide-for>

⁴ <https://archives.fbi.gov/archives/news/pressrel/press-releases/fbi-laboratory-announces-discontinuation-of-bullet-lead-examinations>

perjury in the prejudice analysis. To the contrary, materiality instead always requires courts to assess whether “the error complained of” could have contributed to the verdict. See *Chapman v. California* (1967) 386 U. S. 18, 24; *U.S. v. Bagley* (1985) 473 U. S. 667, 680, fn. 9. Here, the prosecutor’s failure to correct Sneed’s false testimony is the relevant error, so the Court asks whether a correction could have made a material difference. The answer is clearly yes. (*Glossip, supra*, 604 U.S., at 253.)

According to the Committee on the Revision on the Penal Code in its 2024 Report:

As a result of these changes, in order to vacate a conviction, some claims require showing (in order of difficulty for the petitioner) a ‘reasonable probability’ of a different result, others require showing that a different result is ‘more likely than not’ that is, by a preponderance of evidence, and at least one path to relief requires evidence that ‘completely undermines the prosecution’s case, is conclusive, and points unerringly to [the person’s] innocence.’ (See *In re Richards, supra*, 63 Cal.4th 312-313; *People v. Watson* (1956) 46 Cal.2d 818; Pen. Code, §§1473, subd. (b)(1)(C-D); 1473.6, subd. (a)(1).) It is also unclear what someone with new evidence of innocence must prove to have a conviction vacated if they are no longer in custody as the language for this type of petition is different from all the others.⁵

This bill seeks to unify the standards between habeas petitions based on new evidence and false testimony requiring a showing of a reasonable probability of a different outcome in the case. The “reasonable probability” standard currently applies to “false testimony” claims in existing habeas statutes and is used to “assess state-law errors on appeal and important federal constitutional rights, including the ineffective assistance of counsel and claims that the prosecution did not disclose important evidence.” (See *Glossip, supra*, 604 U.S., at pp. 251-52; see fn. 5, *supra*, p. 14.)

- 4) **Untimeliness and Successiveness in Habeas Petitions Based on New Evidence:** Under existing law, a person who wishes to challenge their conviction by filing a petition for a writ of habeas corpus in state court must present each claim in a timely fashion.⁶ There is no express time period in which to seek state habeas corpus relief in a non-capital criminal case. (*In re Douglas* (2011) 200 Cal.App.4th 236, 242.) Whether a claim has been timely presented is assessed based on an indeterminate reasonableness standard. A petition is timely if filed “within a reasonable time.” (*Evans v. Chavis* (2006) 546 U.S. 189, 191-192.)

Generally, delay in seeking habeas corpus relief in a non-capital case is measured from the time a petitioner or petitioner’s counsel becomes aware of the grounds for relief, which may

⁵ Committee on Revision of the Penal Code, 2024 Annual Report, pp. 13-14.

⁶ The changes made by this bill would apply to non-capital cases only. Proposition 66, codified as California Penal Code section 1509, provides that the initial habeas petition in a death penalty case must be filed within one year of the order in which habeas corpus counsel was appointed. (See also, *Briggs v. Brown* (2017) 3 Cal.5th 808.)

be as early as the date of conviction. (*Douglas, supra*, 200 Cal.App.4th at 243.) To show that there was not a substantial delay in filing a habeas petition, the “petitioner must allege, with specificity, facts showing when information offered in support of the claim was obtained, and that the information neither was known, nor reasonably should have been known, at any earlier time.” (*In re Reno* (2012) 55 Cal.4th 428, 461.)

There are exceptions to the rule. California courts allow a longer delay if the petitioner demonstrates good cause. (*In re Robbins* (1998) 18 Cal.4th 770, 780.) “A petitioner may establish good cause by showing particular circumstances to justify substantial delay.” (*Ibid.*) A petitioner can also bring an untimely habeas petition if they can show “error of constitutional magnitude led to a trial that was so fundamentally unfair that absent the error no reasonable judge or jury would have convicted the petitioner”; that they are “actually innocent of the crime or crimes of which he or she was convicted”; or that they were “convicted or sentenced under an invalid statute.” (*In re Reno* (2012) 55 Cal.4th 428, 460; *In re Clark* (1993) 5 Cal.4th 750, 797–98.)

Pursuant to the “actual innocence” exception to the court's timeliness rules for subsequent petitions for writs of habeas corpus in death penalty cases, evidence relevant only to an issue already disputed at trial, which does no more than conflict with trial evidence, does not constitute new evidence that fundamentally undermines the judgment. Rather, a petitioner must show the evidence of innocence could not have been, and presently cannot be, refuted.

This bill authorizes a habeas petitioner, in order to overcome a procedural bar to relief based on untimeliness or successiveness, to demonstrate that the allegations in the petition, if taken as true, combined with any other evidence before the court, including any new or changed law, creates a reasonable probability of a different result sufficient to undermine confidence in the outcome of the case. Finally, this bill also specifies that where the prosecutor concedes or stipulates to a factual basis forming the basis of a habeas petition, it is binding on the parties and may not generally be withdrawn. A stipulation may only be withdrawn if the moving party proves beyond a preponderance of evidence that the other party violated the stipulation's terms or that the state withheld evidence that reasonably could have affected the petitioner's decision to enter into the stipulation.

- 5) **Argument in Support:** According to the *California Innocence Coalition*, “Over the past decade, California's post-conviction statutes governing Habeas Corpus have been repeatedly amended, crowding California policy with unnecessary litigation that results in inconsistent legal standards for evaluating wrongful conviction claims, conflicting burdens of proof depending on custody status or statutory pathways, unpredictable access to discovery even after courts issue orders to show cause, and rigid procedural bars that can prevent courts from hearing meritorious claims of innocence.

“Due to these inconsistent legal standards, individuals are treated differently depending on the court and district their cases are heard under. Additionally, courts expend significant resources on evaluating procedural issues rather than contents of the cases themselves, and credible claims of wrongful conviction are either delayed or never heard despite merit. For example, new evidence, not available or not able to be discovered with reasonable diligence at the time of conviction, may surface that undermines or directly contradicts key facts present at trial. In California, a court may or may not meaningfully consider this new

evidence depending on which post-conviction statute applies, the defendant's custody status, or if procedural rules bar the claim altogether.

“AB 1595 provides guidelines that would undermine these inconsistent legal standards. In clarifying the standard to be applied to post-conviction review; allowing courts to reach the merits of otherwise barred claims when new evidence undermines the original conviction's validity in meeting the burden of proof; requiring courts to state reasons if a concession by the District Attorney or Attorney General on a factual or legal basis for relief is rejected; clarifying courts' authority to order discovery for good cause after an order to show cause issue; simplifying access to identification, transitional services, health care, and housing support for exonerated people, AB 1595 helps to amend current legal inconsistencies and their unfair ramifications for defendants navigating the California legal system.

“In wanting to align California law with well-established Constitutional principles and fundamental fairness, we support AB 1595, a bill clarifying habeas corpus, which will result in justice for thousands of innocent people who are currently unfairly reliant on which court or district might hear them rather than if their case has merit.”

- 6) **Argument in Opposition:** According to the *California District Attorneys Association*, “One of the goals of this legislation is to align the “new evidence” standards with the standard for “ineffective assistance of counsel” set forth in *Strickland v. Washington*,⁷ which is a “reasonable probability of a different result sufficient to undermine confidence in the outcome of the case.” This standard, according to the 2024 Annual Report from the Committee on Revision of the Penal Code, is applied in only four other states. This limited application likely stems from *Strickland* itself,⁸ which explains that its standard should not apply to new evidence claims.

“Instead, our Supreme Court explained that the standard for new evidence claims should be higher. And the Legislature has already corrected course in 2016 through SB 1134 by establishing the current new evidence standard, that it be “credible, material, presented without substantial delay, and of such decisive force and value that it would have more likely than not changed the outcome at trial.” In fact, the analysis prepared for the Assembly Committee on Public Safety on SB 1134 stated that this standard was consistent with other standards of post-conviction relief such as ineffective assistance of counsel and would make California's post-conviction standard consistent with 43 other states. For this reason, we suggest amendments that apply our current new evidence standard consistently in 1473, 1473.6 and 1473.7.

“Another concern is the potential impact on the courts with the amendments to lower the standards exempting a petitioner from the requirement that petitions not be successive and untimely. This could result in overburdening the court with repetitive piecemeal petitions that should be procedurally barred. An additional consideration relating to the court is the requirement that the court and parties be bound by a stipulation or concession by the District Attorney or Attorney General granting relief which divests the court of its current discretion to determine first whether the stipulation or concession is valid based on the record. The

⁷ *Strickland v. Washington* (1984) 466 U.S. 668.

⁸ *Strickland, supra*, at p. 694.

related mandate that the court grant relief unless it demonstrates by written opinion why doing so would be contrary to law may also create another burden for the court.

“Other concerns relate to the bill’s addition of language shifting the burden to the prosecution to prove there is no likelihood that known false evidence impacted the verdict as well as the proposed deletion of the word “credible” replaced with “qualified” to describe expert testimony. This appears to broaden habeas claims to include those where the evidence in support of the claim is not credible or reliable. Further, replacing the phrase, “newly discovered” with “new” and deleting language that “new evidence” be defined as evidence “that could not have been discovered with reasonable diligence prior to judgment” (also from SB 1134) could impact a defendant’s right to a fair trial where it appears to disincentivize the exercise of diligence by counsel to investigate a case fully knowing that habeas no longer requires it.

“Moreover, where the court already has broad powers to fashion appropriate remedies tailored to the specific violation, it appears unnecessary to encourage dismissal with prejudice as a remedy where like others, it is included in the panoply of remedies that already exists. And while the findings and declarations state that this provision is supported by the 2024 Annual Report’s findings that judges rarely use their 1385 authority in habeas proceedings “which leads to years of unnecessary legal limbo and litigation while the district attorney reviews the case and determines whether to retry the case” that information does not appear in that Annual Report. Lastly, the amendments to 3007.05 which appears to expand the definition of exonerated person eligible for benefits poses fiscal concerns.”

- 7) **Related Legislation:** AB 2014 (Elhawary) authorizes a writ of habeas corpus to be prosecuted on the basis that gender-biased evidence or argument was admitted or relied upon by the prosecution at trial in a manner that created a reasonable probability that the outcome would have been different if such evidence was not admitted, or argument offered. AB 2014 is pending referral.
- 8) **Prior Legislation:**
 - a) AB 3088 (Friedman), of the 2023-24 Legislative Session, requires a habeas corpus petition to be considered on the merits and not dismissed on grounds that it is untimely or successive if, the allegations in the petition taken as true, establish by a preponderance of evidence that at least one juror would not have convicted the petitioner in light of the new evidence. AB 3088 was held in the Senate Committee on Appropriations suspense file.
 - b) SB 97 (Wiener), Chapter 381, Statutes of 2023, authorizes a broader basis for the prosecution of a writ of habeas corpus when new evidence is discovered after plea or trial, creates a presumption in favor of granting relief if the prosecution stipulates to a factual or legal basis for the relief, and provides for continuity of counsel on retrial.
 - c) SB 467 (Wiener), Chapter 982, Statutes of 2022, permits a person to bring a habeas writ where a significant dispute has developed regarding expert medical, scientific, or forensic testimony that would have more likely than not changed the outcome of their trial, and expands the definition of false evidence for the purpose of a habeas writ.

- d) SB 1134 (Leno), Chapter 785, Statutes of 2016, codified a standard for habeas corpus petitions filed on the basis of new evidence.
- e) SB 1058 (Leno), Chapter 623, Statutes of 2014, allows a writ of habeas corpus to be prosecuted when evidence given at trial has subsequently been repudiated by the expert that testified or undermined by later scientific research or technological advances.

REGISTERED SUPPORT / OPPOSITION:

Support

After Innocence
Bridges of Hope CA
California Attorneys for Criminal Justice
California Innocence Coalition
California Public Defenders Association
Communities United for Restorative Youth Justice (CURYJ)
Courage California
Ella Baker Center for Human Rights
Exonerated Nation
Friends Committee on Legislation of California
Initiate Justice
Justice2jobs Coalition
LA Defensa
Legal Services for Prisoners With Children / All of US or None
Local 148 LA County Public Defenders Union
Rubicon Programs
San Francisco Public Defender
Sister Warriors Freedom Coalition
Smart Justice California, a Project of Beyond Impact
The Change Parallel Project
Western Center on Law & Poverty, INC.
3 private Individuals

Opposition

California District Attorneys Association

Analysis Prepared by: Kimberly Horiuchi / PUB. S. / (916) 319-3744