

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

ASSEMBLY COMMITTEE ON PUBLIC SAFETY
Nick Schultz, Chair

AB 1656 (Davies) – As Introduced January 29, 2026

As Proposed to be Amended in Committee

SUMMARY: Expands the list of crimes that may support a finding of good cause to continue a case to include human trafficking, as specified and specifies that a good cause continuance in a human trafficking case may only be granted once per case.

EXISTING LAW:

- 1) States that in order to continue any hearing in a criminal proceeding, including the trial, a written notice shall be filed and served on all parties to the proceeding at least two court days before the hearing sought to be continued, together with affidavits or declarations detailing specific facts showing that a continuance is necessary. (Pen. Code, § 1050, subd. (b)(1).)
- 2) Requires that within two court days of learning that a person has a conflict in the scheduling of any court hearing, including a trial, an attorney must notify the calendar clerk of each court involved, in writing, indicating which hearing was set first. (Pen. Code, § 1050, subd. (b)(2).)
- 3) Provides that a party shall not be deemed to have been served until that party actually receives a copy of the documents to be served, unless the party, after receiving actual notice of the request for continuance, waives the right to have the documents served in a timely manner. Regardless of the proponent of the motion, the prosecuting attorney must notify the people's witnesses, and the defense attorney shall notify the defense's witnesses of the notice of motion, the date of the hearing, and the witnesses' right to be heard by the court. (Pen. Code, § 1050, subd. (b)(2).)
- 4) Mandates that continuances be granted only upon a showing of good cause. Neither the convenience of the parties nor a stipulation of the parties is in and of itself good cause. (Pen. Code, § 1050, subd. (d).)
- 5) Mandates that when deciding whether or not good cause for a continuance has been shown, the court consider the general convenience and prior commitments of all witnesses, including peace officers. Both the general convenience and prior commitments of each witness also shall be considered in selecting a continuance date if the motion is granted. The facts as to inconvenience or prior commitments may be offered by the witness or by a party to the case. (Pen. Code, § 1050, subd. (g)(1).)
- 6) Defines "good cause" to include, but is not limited to, those cases involving murder, stalking related to a specified sex offense, domestic violence, a case being handled in the Career Criminal Prosecution Program, or a hate crime, has occurred and the prosecuting attorney

assigned to the case has another trial, preliminary hearing, or motion to suppress in progress in that court or another court. A continuance under this paragraph shall be limited to a maximum of 10 additional court days. (Pen. Code, § 1050, subd. (g)(2).)

- 7) States that only one continuance per case may be granted to the prosecutor for cases involving stalking, hate crimes, or cases handled under the Career Criminal Prosecution Program. Any continuance granted to the people in a case involving stalking or handled under the Career Criminal Prosecution Program shall be for the shortest time possible, not to exceed 10 court days. (Pen. Code, § 1050, subd. (g)(3).)
- 8) States that the court, unless good cause to the contrary is shown, shall order the action to be dismissed in the following cases:
 - a) When a person has been held to answer for a public offense and an information is not filed against the person within 15 days.
 - b) In a felony case, when a defendant is not brought to trial within 60 days of the defendant's arraignment or an indictment or information, or reinstatement of criminal proceedings after a declaration of doubt of defendant's mental competency, or if a case is to be retried following a mistrial or an order granting a new trial, as specified.
 - c) When a defendant in a misdemeanor or infraction case is not brought to trial within 30 days after being arraigned or enters their plea, whichever occurs later, if the defendant is in custody, or within 45 days if the defendant is out of custody. (Pen. Code, § 1382, subd. (a)(1)-(3).)
- 9) Provides that a felony case shall not be dismissed if the defendant enters a general waiver of the 60-day trial requirement or if the defendant requests or consents to the setting of trial beyond the 60-day period. (Pen. Code, § 1382, subd. (a)(2)(A)-(B).)
- 10) States that a misdemeanor or infraction shall not be dismissed if the defendant enters a general time waiver of the 30-day or 45-day trial requirement, the defendant requests or consents to the setting of the trial beyond the 30-day or 45-day period, or the defendant fails to appear at a hearing prior to trial and a bench warrant has been issued, then the defendant will be deemed to have been arraigned on the date of their subsequent arraignment on their bench warrant. (Pen. Code, § 1382, subd. (a)(3)(A)-(C).)

FISCAL EFFECT: Unknown

COMMENTS:

- 1) **Author's Statement:** According to the author, "AB 1656 is a critical step in modernizing the state's judicial approach to some of the most heinous crimes. By expanding the definition of "good cause" for trial continuances, the bill ensures that human trafficking and child sexual exploitation cases receive the same legal priority and scheduling flexibility as murder and domestic violence trials. This change provides prosecutors with the necessary time to manage the immense complexities of trafficking litigation, such as coordinating witness testimony and handling sensitive evidence, without being forced into rushed proceedings. Ultimately, passing AB 1656 would strengthen the justice system's ability to hold traffickers

accountable while reducing the risk of procedural dismissals that can re-traumatize victims.”

- 2) **Human Trafficking:** According to the California Department of Justice (DOJ), human trafficking is a crime involving the coercion or compelling of a person to provide labor or services, or to engage in commercial sex acts. The coercion can be physical or psychological, and may involve the use of violence, threats, lies, or debt bondage. It is among the world’s fastest growing criminal enterprises and is estimated to be a \$150 billion-a-year worldwide industry. The International Labor Organization estimates that there are approximately 24.9 million human trafficking victims globally at any given time.¹

At the federal level, it is estimated that 14,500 to 17,500 victims are trafficked into the U.S. annually. Additionally, victims of trafficking are also from the U.S. At the state level, California is one of the nation’s top destination states for human trafficking. Human trafficking victims do not necessarily fit into any one profile.² Victims of human trafficking include men, women, and children from diverse backgrounds in terms of race, color, national origin, religion, sexual orientation, socioeconomic status, and education level. Many domestic victims of sex trafficking are runaway or homeless youth with backgrounds of sexual and physical abuse, poverty, or addiction; these vulnerabilities are often exploited by traffickers.³

To help provide services to human trafficking victims in California, on April 26, 2022, California Office of Emergency Services (Cal OES) announced \$20 million in grants for local partners. These grants were distributed to 31 community-based organizations for purposes such as survivor-centered counseling, outreach and referral programs, and reentry back into society. Funding also would be used to assist with cell phones, relocations expenses, court/legal fees, and medical care.⁴

- 3) **Right to a Speedy Trial:** Generally, the U.S. and State Constitutions and the California state law provide for the right to a speedy trial. (U.S. Const., amend VI; Cal. Const., art. I, sec. 15; Pen. Code, § 1382.) The right to a speedy trial is “an important safeguard to prevent undue and oppressive incarceration prior to trial, to minimize anxiety and concern accompanying public accusation and to limit the possibilities that long delay will impair the ability of an accused to defend himself.” (*United States v. Ewell* (1966) 383 U.S. 116, 120.)

The speedy trial time frame is stated in Penal Code section 1382 and has been determined to be 60 days for a felony trial and either 30 or 45 days for a misdemeanor trial. (See *People v. Shane* (2004) 115 Cal.App.4th 196, 203.) Failure to bring a case to trial within the statutory speedy trial deadline will result in dismissal, unless defendant has entered a general time waiver or the defendant has consented to the extension, or if good cause is shown. (*Baustert v. Superior Court (People)* (2005) 129 Cal.App.4th 1269, 1275.)

¹ DOJ. What is Human Trafficking? <<https://oag.ca.gov/human-trafficking/what-is#top>>; DOJ. Human Trafficking. <<https://oag.ca.gov/human-trafficking>>

² *Id.*

³ Department of Justice, Victim Services Unit *Article*, “What is Human Trafficking?” <https://oag.ca.gov/human-trafficking/what-is#top>; See generally, <https://oag.ca.gov/human-trafficking>.

⁴ Cal Office of Emergency Services, Press Release, *Cal OES Announces \$20 million in Grants to Protect and Empower Survivors of Human Trafficking* <<https://news.caloes.ca.gov/human-trafficking-grant/>>

The general time waiver entitles the superior court “to set or continue a trial date without the sanction of dismissal should the case fail to proceed on the date set for trial.” (Pen. Code, § 1382, subd. (a)(2)(A), (a)(3)(A).) If the defendant, after proper notice to all parties, later withdraws the waiver in the superior court, the defendant must be brought to trial within 60 days of the date of that withdrawal. (*Ibid.*) If the defendant requests or consents to a trial date beyond the statutory deadline, the defendant must be brought to trial on the agreed-upon date or within 10-calendar days thereafter. (Pen. Code, § 1382, subd. (a)(2)(B), (a)(3)(B).)

A continuance beyond the statutory periods may only be issued by a court for a maximum of ten days and only for good cause. “Good cause” can be based on witness availability, judge or courtroom availability, illness or emergency, or a specific type of case.

- 4) **Good Cause Continuances:** Penal Code section 1050 generally requires any party seeking to continue any hearing in a criminal proceeding to demonstrate good cause. Neither the convenience of the parties nor a stipulation of the parties is, in and of itself, good cause. (See Pen. Code, § 1050, subd. (e).) Added to the Penal Code in 1959, the introduction to Penal Code section 1050 states the intent of the Legislature, as follows:

The welfare of the people of the State of California requires that all proceedings in criminal cases shall be set for trial and heard and determined at the earliest possible time. To this end, the Legislature finds that the criminal courts are becoming increasingly congested with resulting adverse consequences to the welfare of the people and the defendant. Excessive continuances contribute substantially to this congestion and cause substantial hardship to victims and other witnesses. Continuances also lead to longer periods of presentence confinement for those defendants in custody and the concomitant overcrowding and increased expenses of local jails. It is therefore recognized that the people, the defendant, and the victims and other witnesses have the right to an expeditious disposition, and to that end it shall be the duty of all courts and judicial officers and of all counsel, both for the prosecution and the defense, to expedite these proceedings to the greatest degree that is consistent with the ends of justice. (Pen. Code, § 1050, subd.(a).)

Despite the intent of the 1959 amendment, over time the Legislature has added additional exceptions to the general rule that criminal trials must occur at the “earliest possible time.” Specifically, the convenience of witnesses, including peace officers, may constitute good cause. (Pen. Code, § 1050, subd. (g)(1).) Moreover, Penal Code section 1050, subdivision (g)(2) states certain types of cases necessarily constitute “good cause” including, homicide, stalking, child abuse, specific sex offenses, domestic violence, hate crimes, or cases being handled by the Career Criminal Prosecution Program.⁵

⁵ Penal Code section 999c defined the Career Criminal Prosecution Program as additional resources for district attorneys who handle cases involving “career criminals.” Career criminals are generally defined as an offender “who

Several factors are relevant in determining good cause: “(1) the nature and strength of the justification for the delay, (2) the duration of the delay, and (3) the prejudice to either the defendant or the prosecution that is likely to result from the delay. In making its good-cause determination, a trial court must consider all the relevant circumstances of the particular case, applying principles of common sense to the totality of the circumstances.” (*People v. Ingram* (2010) 50 Cal.4th 1131, 1163.)

Additionally, in determining “good cause,” the court will consider whether the party seeking a continuance demonstrated it has prepared for the hearing or trial with due diligence. If the party is seeking a continuance to secure a witness's testimony, the party must show that he or she exercised due diligence to secure the witness's attendance, that the witness would be available to testify within a reasonable time, and that the testimony was material and not cumulative. (*People v. Johnson* (2013) 218 Cal.App.4th 938, 942.) If the court grants a good cause continuance, the district attorney may only continue the case for ten days.

This bill seeks to add human trafficking. In many cases, district attorneys and public defenders handle multiple trials and hearings at one time. Expanding the crimes forming the basis of a good cause continuance means a district attorney may get a continuance of preliminary hearing or trial if they must appear at a proceeding elsewhere. Public defenders and private defense counsel are not granted the same right even though the specialization of specific kinds of cases should apply to both the prosecution and the defense. The consequence of this is that the prosecutor may continue a case beyond the statutory period designed to ensure a speedy trial to ensure they are present (meaning they are not fungible); defense counsel, on the other hand, must arrange for another, possibly less knowledgeable or experienced attorney to step in if they must appear elsewhere.

- 5) **Argument in Support:** According to *Riverside Sheriff's Association*, “Survivors of human trafficking frequently experience severe trauma, coercive control, and psychological harm. Some are under debt bondage, immigration coercion, or family threats. It is very hard for survivors to trust persons with authority, such as prosecuting attorneys who work overtime to establish trust and communication with the victims. Continuances preserve continuity of counsel, which is particularly important where victims rely on a single, trusted point of contact. Forcing victims to proceed with a substitute attorney due to scheduling conflicts may undermine victim cooperation, increase anxiety and lead to delayed or incomplete testimony.”
- 6) **Argument in Opposition:** According to the *San Francisco Public Defender's Office*, “Existing law establishes the requirements for a continuance to be granted in a criminal case, including a showing of good cause. Existing law defines “good cause” for this purpose to include, but not be limited to, cases involving specified crimes, including murder and domestic violence, and to apply when the prosecuting attorney assigned to the case has another trial, preliminary hearing, or motion to suppress in progress in that court or another

is either being prosecuted for three or more separate offenses not arising out of the same transaction involving one or more of those felonies or has been convicted during the preceding 10 years for a specified felony, or at least two convictions during the preceding 10 years for any [specified felony] shall be the subject of career criminal prosecution efforts.” (Pen. Code, § 999c, subd. (a).) Specific felonies include everything from homicide and sexual assault to burglary and auto theft.

court. AB 1656 would expand the list of crimes to specifically include, among other crimes, human trafficking.

“AB 1656 adds yet another category of crimes providing prosecutors with a unilateral exception to the requirements of “good cause” within the meaning of Penal Code § 1050. AB 1656 contravenes the core legislative intent of Section 1050, which states that “all proceedings in criminal cases shall be set for trial and heard and determined at the earliest possible time” because “criminal courts are becoming increasingly congested with resulting adverse consequences to the welfare of the people and the defendant” and “[e]xcessive continuances contribute substantially to this congestion and cause substantial hardship to victims and other witnesses . . . [and] lead to longer periods of presentence confinement for those defendants in custody and the concomitant overcrowding and increased expenses of local jails.” An additional class of crimes that fall within the meaning of “good cause” would only cause more delay, more congestion, more hardship, and longer periods of presentence confinement for people who have not been convicted of a crime. “

- 7) **Related Legislation:** AB 1541 (Dixon) requires DOJ to post specified information related to labor and commercial sex trafficking on its OpenJustice website. AB 1541 is currently set for a hearing in the Assembly Public Safety Committee.
- 8) **Prior Legislation:**
 - a) AB 1239 (Dixon), Chapter 393, Statutes of 2025, requires DOJ to include in the information made available on the OpenJustice Web portal information concerning arrests for human trafficking and the number of individuals who have been a victim of human trafficking as reported through the California Incident-Based Reporting System.
 - b) AB 2843 (Rodriguez), of the 2021-22 Legislative Session, would have created the Regional Task Forces Against Human Trafficking Grant Program to be administered by OES to assist local and tribal governments with creating and funding multiagency, multijurisdictional efforts to eliminate human trafficking. AB 2843 was held on the Assembly Appropriations suspense file.
 - c) SB 236 (Jones), of the 2023-24 Legislative Session, establishes within the Office of Emergency Services (OES) a pilot program to fund up to 11 district attorney offices to employ vertical prosecution for human trafficking crimes. SB 236 was held on the Assembly Appropriations Committee suspense file.
 - d) SB 35 (Chang), of the 2019-2020 Legislative Session, would have reestablished the California Alliance to Combat Trafficking and Slavery (California ACTS) for the purpose of gathering data on the nature and extent of human trafficking in California. SB 35 was vetoed by the Governor.

REGISTERED SUPPORT / OPPOSITION:

Support

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
California Tribal Business Alliance
Claremont Police Officers Association
Corona Police Officers Association
Crime Victims United
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
North San Diego County Human Trafficking Collaborative
Orange County Sheriff's Department
Palos Verdes Police Officers Association
Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Riverside Police Officers Association
Riverside Sheriffs' Association
San Diego County District Attorney's Office

Opposition

Californians United for a Responsible Budget
California Public Defenders Association
Ella Baker Center for Human Rights
Initiate Justice
Justice2jobs Coalition
LA Defensa
Local 148 LA County Public Defenders Union
San Francisco Public Defender

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