

ASSEMBLY THIRD READING
AB 1759 (Elhawary)
As Amended May 18, 2026
Majority vote

SUMMARY

Requires a study of the current California Department of Corrections and Rehabilitation (CDCR) security classification system.

Major Provisions

- 1) Requires CDCR to contract with an independent research entity to conduct a study to reassess the entire current security classification system to ensure that classification decisions reflect actual safety risk and do not hold incarcerated people in higher-level facilities longer than necessary.
- 2) Requires the study to include at least all of the following:
 - a) Initial classification.
 - b) Annual classification and reclassification.
 - c) The methodology used for annual reclassification point adjustments and the use of administrative determinants and overrides at department facilities.
- 3) Requires the study to contain policy recommendations to enhance the effectiveness of the classification system.
- 4) Provides that the research entity's recommendations for a new classification system shall achieve all of the following objectives:
 - a) Expand access to rehabilitation, reducing both recidivism and violence.
 - b) Ensure that incarcerated people are not held at higher levels of security than necessary.
 - c) Improve institutional safety by accurately identifying who poses a higher risk of violence.
 - d) Save the state money by ensuring incarcerated people can earn programming credits that reduce sentence length.
- 5) Provides that the research entity selected to perform the study shall adhere to all of the following criteria:
 - a) Be governed by the University of California Board of Regents.
 - b) Have a history of partnering with government agencies.
 - c) Have a commitment to equity in their work and impacts.
 - d) The entity has demonstrated expertise on CDCR policy and data.

- 6) Requires CDCR, on or before January 1, 2030, to publish on its internet website and submit to the Legislature a report on the findings and recommendations of the study.
- 7) Provides a sunset date of January 1, 2031.
- 8) Includes findings and declaration.

COMMENTS

According to the Author

"For far too long, many incarcerated individuals have been held in higher levels of security than necessary. AB 1759 would take steps toward ensuring that our security classification system is reflective of actual safety risks. Doing so will expand access to rehabilitation programs, and thereby, reduce recidivism. This is important because we must build up, rather than tear down, those who have been system-impacted."

Arguments in Support

According to *Transformative Programming Works*, the bill's sponsor, "AB 1759 requires the California Department of Corrections and Rehabilitation (CDCR) to contract with a research entity to reassess the current security classification system and ensure that classification decisions reflect actual safety risks, thereby minimizing the number of incarcerated people unnecessarily held in higher-level facilities with inadequate access to rehabilitative programs.

"California currently spends millions of dollars housing people in high-security facilities who do not require that level of custody, while simultaneously restricting their access to programs proven to reduce recidivism. The current classification methodology relies heavily on static factors such as commitment offense, sentence length, age, and prior history. These factors often result in individuals being placed in Level III and Level IV facilities for extended periods of time, even when their in-custody behavior and demonstrated rehabilitation do not warrant high-security placement. As a result, many people are housed in restrictive settings with limited access to rehabilitative programming.

"The data is clear: access to rehabilitation improves outcomes, both inside and outside prisons. In 2024, CDCR reported that individuals who participated in CBO-led rehabilitative programs had a recidivism rate of 21.1%, compared to 45.6% for those who did not. Ensuring earlier and more equitable access to programming is one of the most effective tools for reducing recidivism and strengthening public safety.

"Community-based organizations play a unique and essential role in this work. CBO-led programming is often culturally responsive, trauma-informed, and rooted in lived experience.

"These programs build trust, increase engagement, and create space for accountability and behavioral change in ways that traditional institutional programming alone cannot. Access to this programming improves institutional behavior, reduces violence, and prepares individuals for successful reentry.

"This bill is also in line with the California Model, which seeks to create a correctional system centered on rehabilitation, normalization, and human dignity. An updated classification system is

essential to realizing that vision. Without expanding access to rehabilitative programming, the promise of the California Model cannot be fully achieved.

"This bill would ensure that resources are directed where they are most needed, allowing individuals to earn programming credits sooner and enabling rehabilitation to be accessible earlier and more consistently throughout a person's incarceration. This strengthens institutional safety and advances long-term public safety goals, while reducing state spending on incarceration."

Arguments in Opposition

None submitted.

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) Unknown but potentially significant costs (General Fund) to CDCR for a research contract with a university-based entity to reassess the department's security classification system. The bill requires a comprehensive study covering initial classification, annual reclassification, point adjustment methodology, and the use of administrative determinants and overrides, with policy recommendations for a new system. Comparable university-based corrections research contracts have cost in the range of several hundred thousand to low millions of dollars. CDCR anticipates that AB 1759 would result in General Fund cost pressures in the mid-millions of dollars to support a contract with an independent research entity to evaluate the CDCR's classification system. Costs would include the external research contract and limited-term positions to support data extraction, validation, and coordination with the research entity, and classification subject matter expertise.
- 2) The bill does not require CDCR to implement any recommendations. Potential savings from implementation of a revised classification system—which the LAO estimated in 2019 could reach tens of millions of dollars annually—would depend on future legislative or administrative action.

The Legislative Analyst's Office recently warned of General Fund structural deficits of around \$35 billion per year beginning in the 2027-28 fiscal year.

VOTES

ASM PUBLIC SAFETY: 9-0-0

YES: Schultz, Alanis, Mark González, Haney, Harabedian, Lackey, Nguyen, Ramos, Sharp-Collins

ASM APPROPRIATIONS: 11-0-4

YES: Wicks, Aguiar-Curry, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

ABS, ABST OR NV: Hoover, Dixon, Ta, Tangipa

UPDATED

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CONSULTANT: Andrew Ironside / PUB. S. / (916) 319-3744

FN: 0002912