
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 1959 (Patel) - Juvenile justice

Version: April 9, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: PUB. S. 5 - 0

Mandate: No

Consultant: Bob Franzoia

Bill Summary: AB 1959 would authorize a prosecuting attorney to file a motion to transfer a person who was previously convicted in adult court for a crime committed at age 14 or 15, who is now subject to resentencing by the juvenile court pursuant to a grant of recall under provisions of law that authorizes a persons who received a sentence of life without the possibility of parole, to file a motion for recall and resentencing.

Fiscal Impact: Potentially major incarceration costs on CDCR. To the extent the bill results in individuals being resentenced in adult court rather than juvenile court, it could result in longer periods of incarceration in state prison rather than disposition through the juvenile system. CDCR estimates the average annual cost to incarcerate one person in state prison is \$138,000. (General Fund)

Likely significant court cost pressure for additional transfer hearings in juvenile court. The bill applies to a narrow population: individuals who were convicted in adult court for crimes committed at age 14 or 15 and whose sentences have been recalled and referred to juvenile court for resentencing. If the juvenile court grants transfer to adult court, the case would be resentenced in adult criminal court rather than adjudicated in juvenile court.

Transfer hearings are the costliest hearings held in juvenile courts. Though these hearings for 14-15 year olds rarely result in transfer, as opposed to 16-18 year olds, each hearing may last at least a week of court time, with concomitant costs to the District Attorney, appointed defense counsel, and the juvenile probation department. Additionally, there are court costs for expert witnesses that are routinely necessary, including experts in adolescent neuropsychology and state prison conditions, and for those required in individual cases, such as gang influence experts, country of origin conditions experts, and intellectual disability experts.

An eight-hour court day costs approximately \$10,500 based on the hourly rate of court personnel including at minimum the judge, clerk, bailiff, court reporter, jury administrator, administrative staff, and jury per-diems. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would increase pressure to fund additional staff and resources. The FY 2026-27 Budget appropriated \$70 million General Fund for this purpose (Trial Court Trust Fund, General Fund).

Background: Existing law provides, generally, that a minor who is between 12 years of age and 17 years of age, when the minor violates the law, is subject to the jurisdiction of

the juvenile court and to adjudication as a ward. In a case in which a minor is alleged to have committed any felony or any of the enumerated felonies, as specified, when the minor was 16 years of age or older, the prosecutor may make a motion to transfer the minor from juvenile court to a court of criminal jurisdiction.

In a case in which a minor is alleged to have committed any of the enumerated felonies, when the minor was 14 or 15 years of age, but was not apprehended prior to the end of juvenile court jurisdiction, the prosecutor may make a motion to transfer the minor from juvenile court to a court of criminal jurisdiction. The court, in order to find that the minor should be transferred to a court of criminal jurisdiction, to find by clear and convincing evidence that the minor is not amenable to rehabilitation while under the jurisdiction of the juvenile court.