

Date of Hearing: May 6, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 2119 (Jackson) – As Amended April 8, 2026

Policy Committee: Public Safety Vote: 5 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: Yes

**SUMMARY:**

This bill establishes rights for victims of sexual assault and domestic violence to a fair, unbiased, and complete law enforcement investigation, requires state and local law enforcement agencies to adopt gender bias prevention policies, establishes a district attorney reinvestigation process, authorizes a civil action for violations of the specified victim rights, and requires a statewide public education campaign on sexual assault and domestic violence across all genders.

Specifically, this bill:

- 1) Requires the Department of Public Health (DPH), in collaboration with the California Victim Compensation Board (Cal VCB), the Office of Emergency Services (OES), and victim advocacy organizations, to develop and distribute statewide public education materials via television and radio PSAs, social media, and printed materials at public health offices, hospitals, schools, transit centers, and county offices.
- 2) Requires every state and local law enforcement agency to adopt a Gender Bias in Law Enforcement Response policy consistent with 2022 U.S. Department of Justice guidance.
- 3) Requires the Commission on Peace Officer Standards and Training (POST) to update its basic training with trauma-informed and gender-neutral language guidance and to prepare a new course of instruction on gender bias and law enforcement response to sexual assault and domestic violence.
- 4) Authorizes a victim to request the district attorney reinvestigate a complaint within 60 days after the initial report, and permits victims who reported between January 1, 2020 and January 1, 2027, to request reinvestigation at any time.
- 5) Requires each district attorney to establish a process for reviewing and investigating reported cases, including an independent investigation not conducted by the initial investigating agency, evaluation of whether the alleged perpetrator engaged in specified offenses, and a written report to the victim explaining the charging decision.
- 6) Prohibits a prosecutor from relying solely on the initial investigating agency's report when determining whether to bring criminal allegations.

**FISCAL EFFECT:**

- 1) Unknown, but potentially significant costs for the Department of Public Health (General Fund) to develop materials to educate the public, and to distribute by television and radio PSAs, social media content, and printed materials across multiple distribution channels. Previous campaigns to educate the public on matters of public health importance have cost DPH in the range of \$5 million to \$10 million, depending on the geographic scope of the campaign. Cal VCB and OES report that as agencies required to provide input, rather than develop the material, their costs are minor and absorbable.
- 2) Minor and absorbable costs to POST, which reports that the training material obligations imposed by this bill are already in its existing guidelines and training.
- 3) Unknown, potentially significant costs on county district attorneys to establish a process for reviewing and investigating reported sexual assault and domestic violence cases, commissioning independent investigations from outside agencies, and providing written reports to victims explaining charging decisions. The bill also requires every local law enforcement agency to adopt a new gender bias policy. These duties constitute a new program or higher level of service on local agencies, and are potentially reimbursable by the state, subject to a determination by the Commission on State Mandates.

#### COMMENTS:

- 1) **Purpose.** According to the author:

AB 2119 addresses a critical and long-standing gap in California law: the failure of our legal system to equally protect all victims of sexual assault and domestic violence regardless of gender. Current law lacks explicit requirements to prevent gender bias in law enforcement investigations, leaving male victims, LGBTQ+ survivors, and others who do not fit the cultural stereotype of a “typical” victim without the full protection of the law.

This bill requires law enforcement agencies to adopt gender bias prevention policies, prohibits the use of a victim's physiological response to undermine their credibility, creates independent oversight of charging decisions, and launches a statewide public education campaign to ensure all Californians know that sexual violence affects every gender and that every survivor deserves equal access to justice.

- 2) **Background.** Existing law requires POST to provide basic training on racial, identity, and cultural diversity under Penal Code section 13519.4, and establishes the Racial and Identity Profiling Advisory Board to analyze law enforcement training and practices. Existing POST Learning Domain 42 addresses recognition of gender bias and sexual orientation and gender identity bias as part of basic peace officer training. The Public Safety Committee analysis notes that POST’s existing Cultural Diversity and Discrimination training largely mirrors the recommendations of the 2022 U.S. Department of Justice guidance the bill would codify.

This bill builds on that framework by establishing enforceable victim rights, creating a civil cause of action, requiring every law enforcement agency to adopt a specific gender bias policy, and establishing a district attorney reinvestigation process. The bill also requires DPH to develop and distribute a statewide public education campaign.

The reinvestigation and independent investigation requirements are likely to be the most significant cost drivers for county district attorneys. Under the bill, a victim may request reinvestigation within 60 days of the initial report, and victims who reported between January 1, 2020, and January 1, 2027, may request reinvestigation at any time — creating a potentially substantial backlog workload. The bill requires that any reinvestigation be conducted by an agency other than the initial investigating agency, and that the district attorney provide a written charging decision report to the victim. The California District Attorneys Association, in its opposition letter, argues that these provisions would significantly increase workload and delay case processing, and that the bill’s referenced state reimbursement mechanism is “uncertain” and “chronically delayed.”

The Public Safety Committee analysis identifies several drafting concerns, including: (1) the ambiguity of the prohibition on law enforcement “implying” that a victim’s physiological sexual response constitutes consent, which may leave investigators uncertain about permissible lines of questioning; (2) the 60-day reinvestigation window, which does not account for the status of an ongoing investigation and could require duplicative investigation while the initial investigation is still active; and (3) the practical difficulty of securing independent investigations by outside law enforcement agencies given existing resource constraints.

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