

Date of Hearing: April 21, 2026

Chief Counsel: Andrew Ironside

ASSEMBLY COMMITTEE ON PUBLIC SAFETY

Nick Schultz, Chair

AB 2237 (Patterson) – As Introduced February 19, 2026

VOTE ONLY

As Proposed to be Amended in Committee

SUMMARY: Authorizes a court to extend misdemeanor probation for an offender required to register as a sex offender beyond the current one-year probation limit, not to exceed a total probationary period of two years, to allow for the offender to complete an approved sex offender management program; but requires the period of time exceeding the one-year limit to be terminated by the court once the program is completed.

EXISTING LAW:

- 1) Defines “probation” as the suspension of the imposition or execution of a sentence and the order of conditional and revocable release in the community under the supervision of a probation officer. (Pen. Code, § 1203.)
- 2) Provides that, in all counties and cities and counties, the courts therein, having jurisdiction to impose punishment in misdemeanor cases, may refer cases, demand reports, and to do and require anything necessary to carry out the purposes misdemeanor probation, as specified. (Pen. Code, § 1203a, subd. (a).)
- 3) Provides that the court may suspend the imposition or execution of the sentence and make and enforce the terms of probation for a period not to exceed one year. (Pen. Code, § 1203a, subd. (a).)
- 4) The one-year probation limit in subdivision (a) shall not apply to any offense that includes specific probation lengths within its provisions. (Pen. Code, § 1203a, subd. (b).)
- 5) Provides that the court, or judge thereof, in the order granting probation, may suspend the imposing or the execution of the sentence felony cases and may direct that the suspension may continue for a period of time not exceeding two years, and upon those terms and conditions as it shall determine. (Pen. Code, § 1203.1, subd. (a).)
- 6) Provides that the court, or judge thereof, in the order granting probation and as a condition thereof, may imprison the defendant in a county jail for a period not exceeding the maximum time fixed by law in the case. (Pen. Code, § 1203.1, subd. (a).)
- 7) Authorizes the court to impose and require any or all of the terms of imprisonment, fine, and conditions specified in this section, and other reasonable conditions, as it may determine are fitting and proper to the end that justice may be done, that amends may be made to society

for the breach of the law, for any injury done to any person resulting from that breach, and generally and specifically for the reformation and rehabilitation of the probationer, and that should the probationer violate any of the terms or conditions imposed by the court in the matter, it shall have authority to modify and change any and all the terms and conditions and to reimprison the probationer in the county jail within the limitations of the penalty of the public offense involved. (Pen. Code, § 1203.1, subd. (j).)

- 8) Upon the defendant being released from the county jail under the terms of probation as originally granted or any modification subsequently made, and in all cases where confinement in a county jail has not been a condition of the grant of probation, the court shall place the defendant or probationer in and under the charge of the probation officer of the court, for the period or term fixed for probation. (Pen. Code, § 1203.1, subd. (j).)
- 9) Provides that, upon the payment of any fine imposed and the fulfillment of all conditions of probation, probation shall cease at the end of the term of probation, or sooner, in the event of modification. (Pen. Code, § 1203.1, subd. (j).)
- 10) Provides that the two-year felony probation limit shall not apply to:
 - a) A violent felony, as specified, and an offense that includes specific probation lengths within its provisions. For these offenses, the court, or judge thereof, in the order granting probation, may suspend the imposing or the execution of the sentence and may direct that the suspension may continue for a period of time not exceeding the maximum possible term of the sentence and under conditions as it shall determine.
 - b) A felony conviction for grand theft, as specified, embezzlement, and fraudulently obtaining money, property, or labor, if the total value of the property taken exceeds twenty-five thousand dollars (\$25,000). For these offenses, the court, or judge thereof, in the order granting probation, may suspend the imposing or the execution of the sentence and may direct that the suspension may continue for a period of time not exceeding three years, and upon those terms and conditions as it shall determine. (Pen. Code, § 1203.1, subd. (1)(1)-(2).)
- 11) Provides that the following shall apply to felony probation, as specified:
 - a) The court may fine the defendant in a sum not to exceed the maximum fine provided by law in the case.
 - b) The court may, in connection with granting probation, impose either imprisonment in a county jail or a fine, both, or neither.
 - c) The court shall provide for restitution in proper cases.
 - d) The court may require bonds for the faithful observance and performance of any or all of the conditions of probation. (Pen. Code, § 1203.1, subd. (a)(1)-(4).)
- 12) Requires the court to consider whether the defendant as a condition of probation shall make restitution to the victim or the Restitution Fund. (Pen. Code, § 1203.1, subd. (b).)

- 13) Provides that, in counties or cities and counties where road camps, farms, or other public work is available the court may place the probationer in the road camp, farm, or other public work instead of in jail. (Pen. Code, § 1203.1, subd. (c).)
- 14) Provides that, in all cases of probation the court may require as a condition of probation that the probationer go to work and earn money for the support of the probationer's dependents or to pay any fine imposed or reparation condition, to keep an account of the probationer's earnings, to report them to the probation officer and apply those earnings as directed by the court. (Pen. Code, § 1203.1, subd. (d).)
- 15) Requires the court to consider whether the defendant as a condition of probation shall make restitution to a public agency for the costs of an emergency response, as specified. (Pen. Code, § 1203.1, subd. (e).)
- 16) Provides that, in all felony cases in which, as a condition of probation, a judge of the superior court sitting by authority of law elsewhere than at the county seat requires a convicted person to serve their sentence at intermittent periods the sentence may be served on the order of the judge at the city jail nearest to the place at which the court is sitting, and the cost of the convicted person's maintenance shall be a county charge. (Pen. Code, § 1203.1, subd. (f).)
- 17) Authorizes the court, upon conviction of any sex offense subjecting the defendant to the registration requirements of Section 290, to order as a condition of probation, at the request of the victim or in the court's discretion, that the defendant stay away from the victim and the victim's residence or place of employment, and that the defendant have no contact with the victim in person, by telephone or electronic means, or by mail. (Pen. Code, § 1203.1, subd. (h)(2).)
- 18) Requires every person who has been assessed with the State Authorized Risk Assessment Tool for Sex Offenders (SARATSO), as specified, and who has a SARATSO risk level of high to be continuously monitored while on probation, unless the court determines that such monitoring is unnecessary for a particular purpose. (Pen. Code, § 1202.8, subd. (b).)

FISCAL EFFECT: Unknown

COMMENTS:

- 1) **Author's Statement:** According to the author, "Protecting our communities must remain a top priority. AB 2237 strengthens accountability for individuals convicted of serious sex offenses by ensuring stronger oversight and longer supervision after release. Current law recognizes the seriousness of these crimes through registration requirements, but AB 2237 closes gaps by improving monitoring and reinforcing safeguarding that help prevent repeat offenses. AB 2237 is about putting the safety of California communities first and ensuring that those committing these crimes are held accountable."
- 2) **Effect of this Bill:** Probation is the suspension of a custodial sentence and a conditional release of a defendant into the community. Probation can be "formal" or "informal." "Formal" probation is under the direction and supervision of a probation officer. As a general proposition, the level of probation supervision will be linked to the level of risk the

probationer presents to the community.

Defendants convicted of misdemeanors, and most felonies, are eligible for probation based on the discretion of the court. When considering the imposition of probation, the court evaluates the safety of the public, the nature of the offense, the interests of justice, the loss to the victim, and the needs of the defendant. (Pen. Code, § 1202.7.) The court also has broad discretion to impose conditions that foster the defendant's rehabilitation and protect public safety. (*People v. Carbajal* (1995) 10 Cal.4th 1114, 1120.) A valid condition must be reasonably related to the offense and aimed at deterring misconduct in the future. (*Id.* at 1121.)

Prior to 2021, when a defendant was convicted of a felony, the court could impose a term of probation for up to five years, or no longer than the prison term that can be imposed if the maximum prison term exceeds five years. (Pen. Code, § 1203.1.) In misdemeanor cases, the court could impose a term of probation for up to three years, or no longer than the maximum term of imprisonment if more than three years. (Pen. Code, § 1203a.) AB 1950 (Kamlager), Chapter 328, Statutes of 2020, limited probation to two years for a felony and one year for a misdemeanor, except where "an offense that includes specific probation lengths within its provisions." (Pen. Code, § 1203.1, subd. (l)(1).) According to AB 1950's author:

Probation - originally meant to reduce recidivism - has instead become a pipeline for re-entry into the carceral system.

Research by the California Budget & Policy Center shows that probation services, such as mental healthcare and addiction treatment, are most effective during the first 18 months of supervision. Research also indicates that providing increased supervision and services earlier reduces an individual's likelihood to recidivate. A shorter term of probation, allowing for an increased emphasis on services, should lead to improved outcomes for both people on misdemeanor and felony probation while reducing the number of people on probation returning to incarceration.

AB 1950 would restrict the period of adult probation for a misdemeanor to no longer than one year, and no longer than two years for a felony. In doing so, AB 1950 allows for the reinvestment of funding into supportive services for people on misdemeanor and felony probation rather than keeping this population on supervision for extended periods.

This bill authorizes a court to extend misdemeanor probation for an offender required to register as a sex offender beyond the one-year probation limit, but not to exceed a total of probationary period of two years, to allow for the offender to complete an approved sex offender management program. This bill requires the period of time exceeding the one-year limit to be terminated by the court once the program is completed.

- 3) **Committee Amendments:** As introduced, this bill would have authorized a court, in the order granting felony or misdemeanor probation for an offender required to register as sex offender, as specified, to impose a period of probation not exceeding three years, and upon those terms and conditions as it shall determine. The committee amendments limit this bill to misdemeanor diversion, and provide that a court may extend misdemeanor probation for an offender required to register as a sex offender beyond the current one-year probation limit, not to exceed a total probationary period of two years, to allow for the offender to complete

an approved sex offender management program; but the bill requires the period of time exceeding the one-year limit to be terminated by the court once the program is completed.

- 4) **Argument in Support:** According to the *Placer County District Attorney*, “Under current law, misdemeanor probation is generally capped at one year and felony probation at two years—limitations that now apply to certain sex offenses requiring registration.

“While felony sex offenses undeniably need longer probation, there are very serious concerns for misdemeanor sex offense crimes. Under California law, misdemeanor sex offenses requiring registration can include crimes such as indecent exposure, annoying a child, possession of certain sexual material involving minors, and other sexually motivated conduct that poses a continued risk to the community. While these offenses may be classified as misdemeanors, the requirement to register under Penal Code §290 reflects the Legislature’s recognition of their seriousness and potential for re-offense.

“Unfortunately, the current one-year probation cap does not align with the realities of supervision and rehabilitation for these offenders. Standard sex offender treatment programs often require 18 to 36 months to complete. With probation limited to one year, individuals are frequently released from supervision before completing treatment, before meaningful monitoring can occur, and before probation officers can adequately assess compliance or risk.

“Our prosecutors and probation partners have seen firsthand how shortened probation terms reduce accountability, undermine rehabilitation, and limit the ability to intervene when warning signs emerge. Effective supervision requires time—time to monitor behavior, enforce conditions, ensure participation in treatment, and protect the public.

“Assembly Bill 2237 restores judicial discretion to impose probation terms of up to three years for individuals required to register as sex offenders. This ensures that supervision aligns with treatment timelines, enhances accountability, and strengthens community safety.

“As criminal justice professionals, we are committed to ensuring that our laws reflect both the seriousness of these offenses and the practical realities of rehabilitation and monitoring. This bill is a reasonable and necessary step toward closing a gap that is currently undermining both.”

- 5) **Argument in Opposition:** According to the *California Public Defenders Association*, “AB 2237 would authorize courts to impose probation terms of up to three years for individuals granted probation who are required to register under Penal Code section 290. While framed as a public safety measure, this proposal moves California away from evidence-based supervision policies adopted by the Legislature in recent years, increases supervision costs for counties, and risks increasing incarceration for technical violations without improving public safety.

“California has already taken deliberate steps to align probation policy with research on what actually reduces recidivism. In 2020, the Legislature enacted Assembly Bill 1950, which limited probation terms to one year for most misdemeanors and two years for most felonies. The reform was based on research demonstrating that supervision is most effective early in the probation period and that extending supervision beyond that period often produces

diminishing public safety benefits while increasing the likelihood of technical violations.

“Recent national research reinforces these conclusions. The Council of State Governments Justice Center’s 2025 national analysis found that nearly 200,000 people were admitted to prison in 2023 for violating probation or parole, including more than 110,000 individuals incarcerated for technical violations such as missed meetings, failed drug tests, or other rule infractions rather than new criminal conduct. The report further found that people on community supervision account for less than two percent of arrests nationwide, underscoring that revocations frequently stem from supervision rules rather than new crimes. Extending probation terms therefore expands the period during which individuals can be incarcerated for technical violations without demonstrating a corresponding improvement in public safety.

“The fiscal consequences of this dynamic are substantial. In 2023, California led the nation in costs associated with incarcerating people for probation and parole violations, spending approximately \$216 million incarcerating individuals for technical violations alone. (See Council of State Governments Justice Center, *Supervision Violations and Their Impact on Incarceration: Key Findings* (2025), available at: <https://projects.csgjusticecenter.org/supervision-violations-impact-on-incarceration/key-findings/>.) AB 2237 will increase the length of probation supervision and expand the period during which individuals can be incarcerated for technical violations, likely increasing these already substantial costs without demonstrating a corresponding improvement in public safety.

“AB 2237 would also increase the administrative and fiscal burden on county probation departments. Probation resources are finite, and effective supervision policies prioritize focusing those resources on individuals who present the greatest public safety risk. The Legislative Analyst’s Office has recognized that public safety resources are most effective when targeted at people who are assessed as presenting a greater risk of reoffending, because lower-risk individuals are less likely to reoffend regardless of intervention. (See California Legislative Analyst’s Office, *The 2016-17 Budget: Governor’s Criminal Justice Proposals* (2016), available at: <https://www.lao.ca.gov/Publications/Report/3359>.) Expanding probation terms for a broad category of individuals risks diluting resources by increasing caseloads and supervision obligations for probation departments already operating under significant workload pressures. Evidence-based supervision models consistently emphasize that focusing supervision intensity on higher-risk individuals produces better public safety outcomes than expanding supervision broadly.

“California’s probation funding structure also reflects the Legislature’s long-standing commitment to reducing incarceration resulting from supervision failures. The California Community Corrections Performance Incentives Act (SB 678) created a performance-based funding system that rewards counties for reducing the number of people sent to prison for probation violations and for implementing evidence-based supervision practices. A statewide evaluation found that the program reduced prison revocations by more than 30 percent, lowered the state prison population by more than 6,000 individuals in its first year, and produced more than \$1 billion in state correctional cost savings, while crime rates continued to decline. (See California Probation Officers of California / California Probation Resource Institute, *SB 678 Incentive-Based Funding and Evidence-Based Practices Enacted by the California Community Corrections Performance Incentives Act of 2009* (Mar. 2020), available at: <https://www.cpoc.org/sites/main/files/file-attachments/capri-sb-678-report->

[march-2020.pdf?1588169880](#).) Policies that expand probation terms and increase the likelihood of revocation risk undermine the progress that this successful incentive-based model was designed to achieve.

“AB 2237 also creates redundant monitoring requirements. Individuals subject to this proposal are already monitored through California’s sex offender registration system, which requires registration for 10 years, 20 years, or life depending on the offense tier. (See California Department of Justice, *Sex Offender Registration Requirements – FAQ – California Tiered Sex Offender Registration*, available at:

<https://oag.ca.gov/system/files/media/sb384-registrant-faqs.pdf>.) Because these registration requirements already impose long-term reporting and monitoring obligations, extending probation supervision duplicates existing oversight mechanisms rather than addressing a demonstrated gap in accountability.

“Public safety policy should be guided by evidence regarding what actually reduces crime and promotes successful reintegration. Research consistently shows that excessively long supervision terms can destabilize employment and housing, increase technical violations, and divert supervision resources away from individuals who pose the greatest risk to public safety. AB 2237 moves California away from the evidence-based probation framework the Legislature adopted only a few years ago, without any new evidence that such a change is necessary or would produce meaningful public safety benefits.”

- 6) **Related Legislation:** AB 1816 (Davies) would increase the maximum term of probation from two years to the period of time not exceeding the maximum possible term of the sentence for registerable sex offenses and serious felonies, as defined; and authorizes the court to extend the term of probation upon a filing by the probation department and a finding that the defendant has not successfully completed probation and additional time is needed for programing. AB 1816 (Davies) is scheduled to be heard today in this committee.
- 7) **Prior Legislation:**
 - a) AB 1087 (Patterson), Chapter 180, Statutes, of 2025, would provide for a period of probation of between three and five years for vehicular manslaughter while intoxicated and gross vehicular manslaughter while intoxicated.
 - b) AB 2823 (Joe Patterson), of the 2023-2024 Legislative Session, was identical to AB 1087. AB 2823 did not receive a hearing in this committee.
 - c) AB 2943 (Zbur), Chapter 168, Statutes of 2024, among other things, increased the maximum term of probation for shoplifting from up to one year to a period not to exceed two years. AB 2943 is pending in Assembly Appropriations Committee.
 - d) AB 1950 (Kamlager), Chapter 328, Statutes of 2020, specifies that a court may not impose a term of probation longer than two years for a felony conviction and one year for a misdemeanor conviction.

REGISTERED SUPPORT / OPPOSITION:**Support**

EM)power + Resilience Project
Arcadia Police Officers' Association
Be the Solution (BTS) Commission
Brea Police Association
Burbank Police Officers' Association
California Association of School Police Chiefs
California Coalition of School Safety Professionals
California Narcotic Officers' Association
California Police Chiefs Association
California Reserve Peace Officers Association
Chief Probation Officers' of California (CPOC)
Claremont Police Officers Association
Corona Police Officers Association
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
Palos Verdes Police Officers Association
Peace Officers Research Association of California (PORAC)
Placer County Deputy Sheriffs' Association
Placer County District Attorney's Office
Pomona Police Officers' Association
Riverside Police Officers Association
Riverside Sheriffs' Association

Opposition

ACLU California Action
California Attorneys for Criminal Justice
California Public Defenders Association
Californians for Safety and Justice (CSJ)
Californians United for a Responsible Budget
Community Works West
Ella Baker Center for Human Rights
Initiate Justice
Justice2jobs Coalition
LA Defensa
Local 148 Los Angeles County Public Defender's Union
San Francisco Public Defender
Smart Justice California, a Project of Beyond Impact

Analysis Prepared by: Andrew Ironside / PUB. S. / (916) 319-3744