

ASSEMBLY THIRD READING
AB 2237 (Patterson and Hoover)
As Amended April 23, 2026
Majority vote

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.

Major Provisions

COMMENTS

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. (Penal Code, Section 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. (Penal Code, Section 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. (Penal Code, Section 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." (Penal Code, Section 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 require 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.

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."

Arguments 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 Section 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."

Arguments 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."

FISCAL COMMENTS

According to the Assembly Committee on Appropriations:

- 1) Unknown, potentially minor to moderate costs to county probation departments (local costs) for continued supervision of offenders whose probation is extended by up to one year under this bill. Probation supervision costs are borne by county general funds and are potentially reimbursable as a state-mandated local program.
- 2) Unknown, potentially minor costs to trial courts (Trial Court Trust Fund) for additional hearings on petitions to extend probation and for other probationary review hearings that would occur during the extended supervision period. According to the Judicial Council, additional court workload would be minor.
- 3) Unknown cost pressure on county jails. To the extent the bill results in longer probation terms, it increases the likelihood that offenders will violate probation and be incarcerated in county jail — even for technical violations that are not criminal offenses. These county jail costs are not reimbursable state mandates but place additional pressure on the General Fund to provide funding to alleviate jail overcrowding. The bill provides that, if the Commission on State Mandates determines that it contains costs mandated by the state, reimbursement shall be made pursuant to existing statutory provisions.

VOTES

ASM PUBLIC SAFETY: 9-0-0

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

ASM APPROPRIATIONS: 15-0-0

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

ASM PUBLIC SAFETY: 3-2-4

YES: Alanis, Lackey, Ramos

NO: Schultz, Sharp-Collins

ABS, ABST OR NV: Mark González, Haney, Harabedian, Nguyen

UPDATED

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