

Date of Hearing: April 7, 2026

ASSEMBLY COMMITTEE ON JUDICIARY
Ash Kalra, Chair
AB 2357 (Pellerin) – As Introduced February 19, 2026

As Proposed to be Amended

SUBJECT: COURTS: MENTAL HEALTH PILOT PROGRAM

KEY ISSUE: SHOULD THREE SUPERIOR COURTS BE AUTHORIZED TO CONDUCT A PILOT PROGRAM WHEREBY MENTAL HEALTH SERVICES ARE OFFERED TO JURORS WHO SERVED ON A TRIAL ADJUDICATING AN ALLEGED VIOLENT FELONY?

SYNOPSIS

Jury service is a fundamental obligation of all citizens. However, in addition to being disruptive to everyday life, some jury service can expose jurors to graphic and traumatic evidence and testimony. Jurors in violent felony cases may experience post-traumatic stress symptoms related to the evidence and testimony they see during jury service. To assist jurors exposed to trauma during their service, in 2024, the Legislature enacted AB 2985 (Hart) Chap. 204, Stats. 2024, to require the court to provide jurors with information about how to obtain mental health services following jury service. However, that bill did not directly provide for the mental health services, leaving jurors to find and fund a mental health service provider on their own accord.

This bill seeks to build on AB 2985 by authorizing a pilot program whereby three county superior courts would work with the county behavioral health office to link jurors to free mental health services. The bill mandates this service be offered to jurors in violent felony cases and permits the offer of free services to jurors in all other criminal and civil cases. It should be noted that nothing in the bill requires a juror to avail themselves of the services offered. This bill requires the Judicial Council to submit a report to the Legislature on the usage of the free mental health services by jurors. Finally, in recognition of the massive amount of data that the Judicial Council may have to compile to complete the reporting requirement of the bill, the proposed amendments give the Council 18 months from the completion of the pilot program to submit the final report to the Legislature.

This bill is supported by Mental Health America of California and California Peer Watch. These mental health advocates note that, presently, jurors can be exposed to significant trauma during mandatory jury service and then are left to navigate the mental health system without assistance. They contend this bill will remove barriers, particularly costs, to obtaining mental health services. This measure has no recorded opposition.

SUMMARY: Authorizes three county superior courts to conduct a pilot program to provide mental health services to jurors and alternate jurors following the receipt of a verdict in a criminal action or proceeding alleging a violent felony. Specifically, **this bill:**

- 1) Authorizes the Superior Court of the County of Santa Cruz, as well as two additional superior courts as determined by the Judicial Council, to conduct a pilot program for the provision of

no cost mental health services to jurors and alternate jurors following the receipt of a verdict in a criminal action or proceeding alleging a violent felony.

- 2) Requires, for counties that are identified by the Judicial Council and that elect to participate in the pilot program, the Judicial Council to enter into a memorandum of understanding with the behavioral health directors of the respective counties for the purpose of providing no cost mental health services to jurors and alternate jurors following the receipt of a verdict in a criminal action or proceeding alleging a violent felony.
- 3) Requires the memorandum of understanding specified in 2) to contain the following:
 - a) Number of mental health sessions available to jurors;
 - b) The length of time that jurors have to access the resources made available by the memorandum of understanding; and
 - c) A telephone number and an email for jurors to use to obtain services described in the memorandum of understanding.
- 4) Authorizes a court to share the information specified in 3) with jurors and alternate jurors following the conclusion of a civil action or criminal action or proceeding alleging an offense that is not a violent felony.
- 5) Requires, upon conclusion of the pilot program, a participating court to provide a report to the Judicial Council that contains, at a minimum, all of the following:
 - a) The number of jurors who were offered mental health resources;
 - b) The number of jurors who utilized mental health resources; and
 - c) Recommendations for improving outreach and access to mental health services for jurors.
- 6) Requires, upon receipt of the information specified in 5), the Judicial Council to compile the results from each participating superior court and prepare a report for the Legislature detailing the following:
 - a) The number of criminal actions or proceedings alleging a violent felony that proceeded to a jury trial in the participating counties during the duration of the pilot program;
 - b) The number of jurors who were offered mental health resources;
 - c) The number of jurors who accepted mental health services; and
 - d) Recommendations for improving outreach and access to mental health services for jurors.
- 7) Requires all pilot programs to conclude by January 1, 2034, and the Judicial Council to submit its report required pursuant to 6), by July 1, 2035.
- 8) Sunsets the provisions of the bill on January 1, 2036.

EXISTING LAW:

- 1) Establishes the Trial Jury Selection and Management Act, to outline the rules and procedures governing the selection of jurors for criminal and civil trials. (Code of Civil Procedure Section 190 *et seq.*)
- 2) Requires all persons summoned for jury service to be selected at random, from a source or sources inclusive of a representative cross section of the population of the area served by the court. (Code of Civil Procedure Section 197 (a).)
- 3) Requires, prior to discharging the jury from the case, the judge in a criminal action to inform the jurors that they have an absolute right to discuss or not to discuss the deliberation or verdict with anyone. (Code of Civil Procedure Section 206 (a).)
- 4) Requires, prior to discharging the jury in a case involving a violent felony, the court to provide written information to all jurors, including alternates, about mental health awareness, including information about stress relief and symptoms that may be experienced following exposure to trauma, as specified. (Code of Civil Procedure Section 242.)
- 5) Details the 26 crimes that are deemed a “violent felony” which includes the crimes of murder, mayhem, rape, lewd acts on a child under the age of 14, explosion of a destructive device causing death or great bodily injury, and arson. (Penal Code Section 667.5 (c).)

FISCAL EFFECT: As currently in print this bill is keyed fiscal.

COMMENTS: Jury service is a key aspect of American citizenship. However, in some violent felony trials, 12 ordinary citizens are exposed to gruesome images and traumatic testimony. Upon the conclusion of such a trial, these jurors are then left to fend for themselves in terms of their mental health, despite being exposed to harrowing images and testimony. Although existing law now requires the court to provide information regarding the availability of mental health services to jurors (AB 2985 (Hart) Chap. 204, Stats. 2024), the law does not provide the services free of charge and still requires jurors to do the leg work to avail themselves of these services.

To further the efforts made by AB 2985, this bill would authorize three superior courts to conduct a pilot program to directly provide jurors with access to mental health resources. In support of the bill the author states:

Jurors perform one of the most important civic duties in our democracy, yet we ask them to carry an extraordinary emotional burden with little support. In serious criminal trials, jurors are often exposed to graphic evidence and deeply traumatic testimony that can leave lasting impacts on their mental health, including anxiety, depression, and PTSD.

Jury service should not require a sacrifice of one’s own mental health. AB 2357 establishes a pilot program to provide jurors with access to mental health services after a verdict, ensuring they have a structured opportunity to process the trail they’ve experienced. With a focus on highly traumatic cases, AB 2357 requires the Judicial Council of California to partner with county behavioral health departments through a memorandum of understanding, ensuring jurors are proactively linked to care.

Trial jurors can be exposed to horrific images and testimony. Jury service presents a significant disruption in a juror's life. Not only are they asked to forego their daily business, but they are sometimes exposed to upsetting information in the process, and are prohibited from speaking about their jury service until the conclusion of the case. This can be particularly difficult for those serving in a case involving one of the 26 crimes deemed to be a violent felony under California law. These crimes, which include murder, rape, sexual violence against children, and bombings, can force witnesses to view graphic images or listen to explicit and emotional testimony. In order to protect the sanctity of deliberations, jurors are unable to discuss this testimony with anyone during the trial. Jurors in the recent trial of the man convicted of murdering college student Kristin Smart noted that they had to spend three months listening to traumatic testimony without being able to discuss the matter with anybody. As juror 273 in that case noted, "It's very traumatizing to go through something like that. Having nightmares, experiencing something, and not being able to tell each other, 'This is what we're going through. This is what I'm feeling. This is what I'm thinking. Is this normal?'" (Chloe Jones, *Jurors in Kristin Smart Murder Trial Speak Out for First Time*, San Luis Obispo Tribune (Apr. 29, 2023).)

Presently, the Judicial Council is required to provide jurors, as they are being discharged following the conclusion of a case, written information about mental health awareness, including information about stress relief and symptoms that may be experienced following exposure to trauma. Although this notice, which was enacted with the aforementioned AB 2985 two years ago, is a significant improvement over the basic pamphlet courts previously provided to jurors, it may not be enough. Given that trauma can manifest in a myriad of ways and at different times in different jurors, a more direct approach may be needed. Given that jurors are average citizens fulfilling a civic duty, the courts should strive to do everything possible to protect jurors from the potential long-term impacts of jury service.

This bill would more directly link jurors with mental health services. This bill builds on the Legislature's prior attempts to ensure that jurors have access to mental health services after serving on a jury by creating a pilot program whereby a jury would be directly provided access to free mental health services. The bill would require the three counties picked for the pilot program to work with their county mental health services offices to give free mental health services to jurors in violent felony cases. As proposed to be amended, the bill would permit a county to provide these services to all jurors but only mandates the service for jurors in violent felony trials.

The bill would require the Judicial Council to report to the Legislature on the usage of the free mental health services turning the pilot program. Finally, proposed amendments give the court an additional year to compile the data and submit the report to the Legislature regarding the outcome of the pilot program.

Proposed amendments clarify that the mental health services are free to jurors and extend the operation of the pilot project. The bill in print implies that jurors would be offered free mental health services but is not explicit as to who will pay for the services. Given that existing law already requires that jurors be provided information on the availability of mental health services, one may surmise the biggest barrier remaining to a juror seeking counseling is the cost. Accordingly, the author is proposing to amend the bill to make it clear that the mental health services provided to jurors be free. Accordingly, subdivisions (a) and (c) of the proposed Code of Civil Procedure Section 242.1 will now read:

(a) The County of Santa Cruz and two other counties selected by Judicial Council are authorized to conduct a pilot program for the provision of *no cost* mental health services to jurors and alternate jurors following the receipt of a verdict in a criminal action or proceeding alleging a violent felony.

(c) For counties that are identified by the Judicial Council and that elect to participate in the pilot program, the Judicial Council shall enter into a memorandum of understanding with the behavioral health directors of the respective counties for the purpose of providing *no cost* mental health services to jurors and alternate jurors following the receipt of a verdict in a criminal action or proceeding alleging a violent felony

Similarly, paragraph (1) of subdivision (d) will also now read:

(d) The memorandum of understanding described in subdivision (c) shall include, but is not limited to, all of the following:

(1) Number of *free* mental health sessions available to jurors.

...

The author and Committee also note that exposure to traumatic events and images may not be limited to violent criminal cases. While the bill already permits a superior court to offer mental health services in any criminal case, while mandating the offer for violent felonies, the bill in print overlooks potentially traumatic civil cases. To ensure that all jurors exposed to trauma have the potential to access mental health resources the author is proposing to amend subdivision (e) to read:

(e) A participating court may share this information with jurors and alternate jurors following the conclusion of a *civil action or a* criminal action or proceeding alleging an offense that is not a violent felony.

Finally, recognizing the resource constraints facing the courts, this bill delays the due date of the report from the Judicial Council by a year. Accordingly, paragraph (1) of subdivision (h) will read:

(h) (1) The Judicial Council shall compile the results from each participating superior court and prepare a report for the Legislature. This report shall be presented to the Legislature, in accordance with Section 9795 of the Government Code, no later than July 1, ~~2035~~ **2034**.

Similarly subdivision (j) will now read:

(j) This section shall remain in effect only until January 1, ~~2036~~ **2035**, and as of that date is repealed.

ARGUMENTS IN SUPPORT: This bill is supported by Mental Health America of California and California Peer Watch, both advocates for improved mental health services. In support of the bill, Mental Health America of California writes:

Traumatic events, lack of access to care, and limited social support all increase the risk of developing poor mental health outcomes.¹ Jurors are often exposed to graphic and explicit content during trials, especially when the cases involve murder, sexual assault, or

kidnapping. This exposure may be traumatic for jurors to hear and see for the first time. It may also trigger memories from previous traumatic experiences. The pilot program this bill establishes would offer mental health services to jurors who experience this trauma. Early intervention can prevent jurors from developing long-term mental health challenges such as anxiety, depression, and PTSD.

REGISTERED SUPPORT / OPPOSITION:

Support

California Peer Watch
Mental Health America of California

Opposition

None on file

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