

SENATE THIRD READING
SB 1056 (Grayson and Wahab)
As Amended August 13, 2026
Majority vote

SUMMARY

Requires a court to issue a protective order governing the disclosure of sexually explicit material of an adult victim (SEMAV), as specified, in any case where a defendant is being prosecuted for a serious felony, as specified, that is required to register as a sex offender, or any case pertaining to specified offenses involving distributing intimate images of another person without consent.

Major Provisions

- 1) Mandates a court issue, upon a noticed motion of either the prosecutor or the defense attorney, or on its own motion with notice and a meaningful opportunity to be heard by both parties, a protective order governing the disclosure of SEMAV by any party, with conditions sufficient to do all of the following:
 - a) Safeguard the adult victim's privacy.
 - b) Prevent unnecessary copying, transmission, or dissemination of the material.
 - c) Ensure the defendant's right to a fair trial and a meaningful opportunity to participate in their own defense.
- 2) Mandates, if a defendant is representing themselves, that the court consider whether the protective order should include a requirement that the material be viewed in a secured location. In any case, the defendant shall not retain a copy of the material after the case has ended.
- 3) States if the court issues a protective order, the parties are prohibited from disclosing to any person copies of SEMA, unless specifically permitted to do so by the terms of the protective order.
- 4) Authorizes an attorney for any party to disclose SEMAV, subject to the protective order, to any person necessary for the preparation of the case, including the defendant.
- 5) Specifies that the provisions of this bill do not relieve the prosecution from the duty to disclose the existence of any relevant or exculpatory evidence.
- 6) States that this bill is not intended to affect the admissibility of any relevant evidence in any court proceeding.

COMMENTS

According to the Author

"California law mandates strong court oversight over the handling of highly sensitive child sexual abuse material. Under Penal Code Section 1054.10, courts, not individual attorneys,

control the copying and dissemination of such material, and disclosure is tightly regulated. While child sexual abuse material is appropriately subject to explicit statutory safeguards, no parallel provision expressly requires similar court supervision when the material depicts or involves adult victims. As a result, safeguards may depend on prosecutorial discretion rather than consistent judicial oversight.

"Further, survivors of sexual violence and privacy-based crimes may face a heightened risk of unnecessary copying, transmission, or dissemination of deeply personal material. This inconsistency undermines survivor privacy and public confidence in the justice system. SB 1056 extends a proven statutory framework currently applied to child sexual abuse material to similarly sensitive material involving adult survivors, while preserving defendants' rights to reasonable access necessary to prepare a defense."

Arguments in Support

According to *Volare*, the bill's sponsor, "Volare is a survivor-centered organization dedicated to advancing policies that prevent gender-based violence, strengthen protections for victims, and promote a justice system that recognizes the long-term impact of trauma. We work closely with survivors, advocates, and policymakers to identify gaps in law and policy that leave victims vulnerable to continued harm. SB 1056 directly advances that mission by addressing a critical but often overlooked issue: the handling of sexually explicit evidence involving adult victims in criminal proceedings.

"We know that the harms of sexual violence do not end when an assault is over. For many survivors, the continued existence, circulation, and exposure of sexually explicit images or videos can become an ongoing source of fear, humiliation, and trauma. When those materials become evidence in a criminal case, survivors should not have to choose between seeking justice and protecting their privacy and dignity. "SB 1056 was inspired by the experience of Denise Huskins and Aaron Quinn, whose story exposed a troubling reality: California lacks a clear legal framework for handling sexually explicit evidence involving adult victims. While state law recognizes the extraordinary sensitivity of child sexual abuse material and provides specific safeguards governing its handling, there are no comparable standards for material depicting adult victims—even when that material constitutes evidence of sexual assault, coercion, exploitation, or other serious crimes.

"This gap has real consequences. In the absence of clear rules, courts and parties are left to

navigate some of the most sensitive evidence imaginable without consistent standards governing how that material should be identified, accessed, protected, or safeguarded from unnecessary dissemination. In an era where a single image or video can be copied, transmitted, manipulated, and shared instantly and indefinitely, the consequences of getting this wrong can be devastating for victims. SB 1056 fills this gap by creating a clear procedural framework for courts to identify protected material, issue and enforce protective orders, and prevent unnecessary copying, transmission, and dissemination. The bill recognizes that sexually explicit evidence involving adult victims presents unique privacy, safety, and dignity concerns and deserves the same thoughtful judicial oversight that California has provided in other contexts involving highly sensitive material.

"Most importantly, SB 1056 affirms a simple principle: survivors should not experience

additional harm because the legal system lacks clear procedures for handling evidence of their victimization. No survivor should have to fear that images or recordings documenting one of the worst moments of their life could be unnecessarily circulated in the course of seeking justice. California has long been a leader in protecting victims and responding to emerging harms. SB 1056 continues that tradition by bringing our laws into alignment with the realities of the digital age and ensuring that survivors are treated with the dignity, respect, and protection they deserve."

Arguments in Opposition

No longer applicable.

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) Cost pressures (Trial Court Trust Fund, General Fund) of an unknown but potentially moderate amount to the courts for calendaring impacts from new hearings required to establish the protective orders. The courts have no estimate of the affected population — persons who commit a strike offense and are also required to register pursuant to Penal Code section 290 — but do not anticipate it to be significant. Actual costs will depend on the number of protective order hearings and the amount of court time needed for each hearing. It generally costs approximately \$1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding for courts from the General Fund.

VOTES

SENATE FLOOR: 39-0-1

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Niello

ASM PUBLIC SAFETY: 9-0-0

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

ASM APPROPRIATIONS: 11-0-4

YES: Wicks, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

ABS, ABST OR NV: Hoover, Dixon, Ta, Tangipa

UPDATED

VERSION: August 13, 2026

CONSULTANT: Kimberly Horiuchi / PUB. S. / (916) 319-3744

FN: 0003545