
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguín, Chair
2025 - 2026 Regular

Bill No: AB 1681 **Hearing Date:** June 30, 2026
Author: Ramos
Version: May 18, 2026
Urgency: No **Fiscal:** Yes
Consultant: SJ

Subject: *Victim's and witness' rights*

HISTORY

Source: California District Attorneys Association; Orange County District Attorney; San Bernardino County District Attorney

Prior Legislation: AB 88 (Sanchez), Ch. 795, Stats. of 2023
AB 89 (Sanchez), held in Senate Appropriations, 2023
Proposition 9, approved by the voters on November 4, 2008

Support: Unknown

Opposition: None known

Assembly Floor Vote: 78 - 0

PURPOSE

The purpose of this bill is to require the prosecutor's office ensure that the contact information of the victim and the victim's next of kin is provided to the California Department of Corrections and Rehabilitation (CDCR) at the time of sentencing in cases that result in a sentence to state prison, to the extent that contact information is reasonably available.

Existing law, known as Marsy's Law, enumerates a number of rights to victims of crime, including the right to have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant; to reasonable notice of all public proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings; to restitution; to be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender; and to be informed of their enumerated rights, among others. (Cal. Con., art. I, § 28.)

Existing law establishes the following statutory rights of victims and witnesses of crimes:

- To be notified as soon as feasible that a court proceeding to which the victim or witness has been subpoenaed as a witness will not proceed as scheduled, provided the prosecuting attorney determines that the witness' attendance is not required.

- Upon request of the victim or a witness, to be informed by the prosecuting attorney of the final disposition of the case.
- For the victim, the victim's parents or guardian if the victim is a minor, or the next of kin of the victim if the victim has died, to be notified of all sentencing proceedings, and of the right to appear, to reasonably express their views, have those views preserved by audio or video means, and to have the court consider their statements.
- For the victim, the victim's parents or guardian if the victim is a minor, or the next of kin of the victim if the victim has died, to be notified of all juvenile disposition hearings in which the alleged act would have been a felony if committed by an adult, and of the right to attend and to express their views.
- Upon request by the victim or the next of kin of the victim if the victim has died, to be notified of any parole eligibility hearing and of the right to appear, either personally or by other means, to reasonably express their views, and to have their statements considered.
- Upon request by the victim or the next of kin of the victim if the crime was a homicide, to be notified of an inmate's placement in a reentry or work furlough program, or notified of the inmate's escape.
- To be notified that a witness may be entitled to witness fees and mileage.
- For the victim, to be provided with information concerning the victim's right to civil recovery and the opportunity to be compensated from the Restitution Fund.
- To the expeditious return of property that has allegedly been stolen or embezzled, when it is no longer needed as evidence.
- To an expeditious disposition of the criminal action.
- To be notified, if applicable, if the defendant is to be placed on parole.
- For the victim, upon request, to be notified of any pretrial disposition of the case, to the extent required by Section 28 of Article I of the California Constitution.
- For the victim, to be notified by the district attorney's office of the right to request, upon a form provided by the district attorney's office, and receive a notice, if the defendant is convicted of specified sex offenses.
- When a victim has requested notification, the sheriff must inform the victim that the person who was convicted of the offense has been ordered to be placed on probation, and give the victim notice of the proposed date upon which the person will be released from the custody of the sheriff.
- For the victim, to be notified of the availability of community-based restorative justice programs and processes available to them, including, but not limited to, programs serving their community, county, county jails, juvenile detention facilities, and CDCR. The victim has a right to be notified as early and often as possible, including during the initial contact, during follow-up investigation, at the point of diversion, throughout the process of the case, and in postconviction proceedings. (Pen. Code, § 679.02, subd. (a).)

Existing law requires that the above listed rights are included in the information and educational materials that local law enforcement agencies and local victims' programs are required to distribute. (Pen. Code, § 679.02, subd. (b).)

Existing law requires local law enforcement agencies to make available copies of the information and educational materials that outline the rights of crime victims and witnesses of crimes to victims and witnesses. (Pen. Code, § 679.02, subd. (c).)

This bill requires, in cases that result in a state prison sentence, the prosecutor to ensure that the contact information of the victim and the victim's next of kin is provided to CDCR at the time of sentencing, to the extent that contact information is reasonably available.

This bill provides that the failure of a victim to submit a separate request for services or notification does not relieve the state of its duty to provide the information that it is required to provide to victims under existing law.

COMMENTS

1. Need For This Bill

According to the author:

Making sure that victims are kept up to date on critical notifications about an offender is crucial. The current process is burdensome on victims because they must complete a form to receive notifications about an offender although the courts and attorneys already have the victim's information on hand. Improving the accessibility and completion of CDCR Form 1707 must become an immediate priority to safeguard victims' rights. It is a burden that should be removed from their shoulders and avoids revictimizing them.

2. Marsy's Law

In 2008, voters approved Proposition 9, known as Marsy's Law, which amended the California Constitution to provide a victim's Bill of Rights. (Cal. Const., art. I, § 28, subd. (b).) In order to preserve a victims' right to due process and justice, the victim is, among other things, entitled to: reasonable notice of all public proceedings which the defendant and the prosecutor are entitled to be present at and of all parole or other post-conviction release proceedings, as well as to be present at these proceedings; be heard, upon request, at any proceeding, including sentencing, a post-conviction release decision, or any proceeding in which a right of the victim is at issue; and be informed of all parole procedures, to participate in the parole process, and to provide information to the parole authority to be considered before the person is paroled. (Cal. Const., art. I § 28, subd. (b)(7)-(8) & (15).)

3. Victim Notification

Once a defendant is sentenced, the victim is not entitled to automatic notice of possible release when the defendant is sentenced to a determinate term. Instead, victims must submit paperwork to request notification. CDCR's Office of Victim and Survivor Rights and Services (OVSRS) is responsible for providing victim services and information to victims and their families. According to the OVSRS website:

The victim of crime, family member to a victim, or a witness who testified against the offender may request to be notified of a change to the custody status of the offender. A change in custody status includes release, death, escape, parole hearing (Victims/Victims' family members only), transfer to another prison, discharge from parole, contract, or scheduled execution. Requests can be made by completing the CDCR form 1707, Request for Victim Services. (CDCR, *Victim*

Request for Services, available at <<https://www.cdcr.ca.gov/victim-services/application/>>.)

The proponents of this bill assert that many victims or next of kin are unaware of the CDCR process for requesting victim notification or find the process of requesting notice overwhelming. To address these concerns, this bill requires the prosecutor to ensure that the contact information of the victim and the victim's next of kin is provided to CDCR at the time of sentencing, to the extent that contact information is reasonably available. This bill additionally states that the failure of a victim to submit a separate request for services or notification does not relieve the state of its duty to provide the information that it is required to provide to victims under existing law.

4. Argument in Support

The Orange County District Attorney's Office, one of the bill's co-sponsors, writes:

Marsy's Law, approved by California voters in 2008 and codified in the California Constitution, guarantees victims the right to timely notification of key developments in an offender's custody, including release, parole hearings, escapes, and supervision conditions. Unfortunately, these rights often go unrealized in practice. According to the California Department of Corrections and Rehabilitation Office of Victim and Survivor Rights and Services, approximately 75 percent of victims do not complete CDCR Form 1707, the form required to activate these notifications.

Victims frequently report that Form 1707 is confusing, overwhelming, or burdensome-particularly during periods of acute trauma. Many also mistakenly believe that their information is automatically transmitted from the courts to CDCR, only to later discover that they were never enrolled to receive notifications. The result is that victims are left uninformed about critical events affecting their safety and peace of mind.

These failures are especially concerning given California's evolving sentencing and release framework. With expanded early-release programs, enhanced credit earning, and resentencing reforms, offenders may be released significantly earlier than victims were originally told to expect. In this environment, timely and reliable victim notification is more important than ever.

AB 1681 addresses this problem by closing a procedural gap-not by creating new rights, but by ensuring that existing constitutional protections are actually delivered. By allowing required victim notification information to be transmitted to CDCR at sentencing, alongside the abstract of judgment already provided by the court, this bill removes unnecessary barriers and ensures victims are not forced to navigate a separate administrative process at an already traumatic time.

-- END --