
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguín, Chair
2025 - 2026 Regular

Bill No: AB 2237 **Hearing Date:** June 30, 2026
Author: Patterson
Version: April 23, 2026
Urgency: No **Fiscal:** Yes
Consultant: ML

Subject: *Probation: term length*

HISTORY

Source: Placer County District Attorney

Prior Legislation: AB 1087 (Patterson), Ch. 180, Stats. of 2025
AB 2823 (Joe Patterson), not heard in Assembly Public Safety, 2023
AB 2943 (Zbur), Ch. 168, Stats. of 2024
AB 1950 (Kamlager), Ch. 328, Stats. of 2020

Support: (EM)Power + Resilience Project; California Police Chiefs Association; California State Sheriffs' Association; Chief Probation Officers of California; League of Women Voters of California; Los Angeles County District Attorney's Office; Peace Officers Research Association of California; The California Baptist Capitol Ministry

Opposition: ACLU California Action; California Attorneys for Criminal Justice; California Public Defenders Association; Californians for Safety and Justice; Ella Baker Center for Human Rights; Initiate Justice; Justice2Jobs Coalition; La Defensa; Local 148 Los Angeles County Public Defender's Union; Smart Justice California

Assembly Floor Vote: 71 - 0

PURPOSE

The purpose of this bill is to authorize 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.

Existing law 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.)

Existing law authorizes 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 do and require anything necessary to carry out the purposes of misdemeanor probation, as

specified. (Pen. Code, § 1203a, subd. (a).)

Existing law authorizes 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).)

Existing law states that the one-year probation limit above must not apply to any offense that includes specific probation lengths within its provisions. (Pen. Code, § 1203a, subd. (b).)

Existing law authorizes that the court, or judge thereof, in the order granting probation, may suspend the imposing or the execution of the sentence in 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 must determine. (Pen. Code, § 1203.1, subd. (a).)

Existing law 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).)

Existing law 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 must 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).)

Existing law requires that the court must 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, 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. (Pen. Code, § 1203.1, subd. (j).)

Existing law requires that, upon the payment of any fine imposed and the fulfillment of all conditions of probation, probation must cease at the end of the term of probation, or sooner, in the event of modification. (Pen. Code, § 1203.1, subd. (j).)

Existing law provides that the two-year felony probation limit must not apply to:

- 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 must determine.
- 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 must determine. (Pen. Code, § 1203.1, subd. (l)(1)-(2).)

Existing law provides that the following must apply to felony probation, as specified:

- The court may fine the defendant in a sum not to exceed the maximum fine provided by law in the case.
- The court may, in connection with granting probation, impose either imprisonment in a county jail or a fine, both, or neither.
- The court must provide for restitution in proper cases.
- 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).)

Existing law requires the court to consider whether the defendant as a condition of probation must make restitution to the victim or the Restitution Fund. (Pen. Code, § 1203.1, subd. (b).)

Existing law authorizes 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).)

Existing law authorizes 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 to apply those earnings as directed by the court. (Pen. Code, § 1203.1, subd. (d).)

Existing law requires the court to consider whether the defendant as a condition of probation must make restitution to a public agency for the costs of an emergency response, as specified. (Pen. Code, § 1203.1, subd. (e).)

Existing law 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 must be a county charge. (Pen. Code, § 1203.1, subd. (f).)

Existing law 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).)

Existing law 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).)

Existing law establishes the California Sex Offender Management Board (CASOMB) under the jurisdiction of California Department of Corrections and Rehabilitation (CDCR) states that CASOMB will consist of 17 members. Requires membership of the board to reflect, to the extent possible, representation of northern, central, and southern California as well as both urban and rural areas. (Pen. Code, § 9001, subd. (a).)

Existing law requires CASOMB to address any issues, concerns, and problems related to the community management of adult sex offenders. States that the main objective of CASOMB, which must be used to guide the board in prioritizing resources and use of time, is to achieve safer communities by reducing victimization. (Pen. Code, § 9002.)

Existing law requires that CASOMB develop and update standards for certification of sex offender management professionals. Requires that all those professionals who provide sex offender management programs and risk assessments, as specified, be certified by the board according to these standards. Requires that the standards be published on the board's website. Allows that professionals may apply to the board for certification on or after August 1, 2011. (Pen. Code, § 9003, subd. (a).)

Existing law requires on or before July 1, 2011, CASOMB must develop and update standards for certification of sex offender management programs, which must include treatment and dynamic and future violence risk assessments, as specified. Requires that the standards be published on the board's Internet web site. Requires that all those programs must include polygraph examinations by a certified polygraph examiner, which must be conducted as needed during the period that the offender is in the sex offender management program. States that only certified sex offender management professionals whose programs meet the standards set by the board are eligible to provide sex offender management programs, as specified. (Pen. Code, § 9003, subd. (b).)

Existing law requires that people placed on formal probation or parole for a sex offense on or after July 1, 2012, must successfully complete a CASOMB-approved sex offender management program. Requires that individuals placed on formal probation or parole for a sex offense prior to that date must participate in—but need not complete—an approved program. (Pen. Code, § 1203.067, subd. (b); Pen. Code, § 3008, subds. (d)(1)-(2).)

Existing law requires that the sex offender management program meet the certification requirements developed by CASOMB. States that probation departments and CDCR must not employ or contract with, and must not allow a sex offender to employ or contract with, an individual or entity to provide sex offender evaluation or treatment services unless the sex offender evaluation or treatment services to be provided by the individual or entity conform with the standards established by CASOMB. (Pen. Code, § 290.09, subd. (a)(2).)

Existing law requires that such treatment program participation be for no less than one year or the remaining term of probation if it is less than one year. States that the length of the period in the program is to be determined by the certified sex offender management professional in consultation with the probation officer and as approved by the court. (Pen. Code, § 1203.067, subd. (b).)

Existing law requires that, as a term of probation, a person convicted of a sex offense must waive any privilege against self-incrimination and participation in polygraph examinations, which must be a part of the sex offender management program. (Pen. Code, § 1203.067, subd. (b).)

Existing law requires that, as a term of probation, a person convicted of a sex offense must waive any psychotherapist-patient privilege to enable communication between the sex offender management professional and supervising probation officer. (Pen. Code, § 1203.067, subd. (b).)

Existing law requires that the certified sex offender management professional must communicate with the offender's probation officer or parole agent on a regular basis, but at least once a month, about the offender's progress in the program and dynamic risk assessment issues and must share pertinent information with the certified polygraph examiner as required. (Pen. Code, § 290.09, subd. (c).)

Existing law states that, for people on parole, at the conclusion of a treatment program, the treatment team—composed of a parole agent, a parole unit supervisor or assistant unit supervisor, contracted clinician (licensed psychiatrist, psychologist, or psychiatric social worker), and victim advocacy representative—may make a determination to retain a participant in a sex offender management program, but the determination must be supported by good cause. (Cal. Code Regs. tit. 15, § 3574, subd. (b).)

This bill states that the one-year probation limit shall not apply to an offender granted probation and ordered to register as a sex offender.

This bill 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.

This bill states that the period of time exceeding the one-year limit authorized pursuant to this bill must be terminated by the court upon the offender's successful completion of the approved sex offender management program.

COMMENTS

1. Need for This Bill

The author writes:

AB 2237 reinforces public safety by providing individuals convicted of certain sex offenses enough time to complete court-ordered treatment programs. It keeps existing probation limits in place while allowing limited flexibility to ensure treatment can be completed. AB 2237 simply keeps protecting California communities and families at the forefront while recognizing that effective treatment can work toward reducing recidivism.

2. Probation for People Convicted of Sex Offenses

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.¹ The court also has broad discretion to impose conditions that foster the defendant's rehabilitation and protect public safety.² A valid condition must be reasonably related to the offense and aimed at deterring misconduct in the future.³

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.⁴ 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.⁵ AB 1950 (Kamlager), Chapter 328, Statutes of 2020, limited probation to two years for a felony and one year for a misdemeanor, except for "an offense that includes specific probation lengths within its provisions."⁶ 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.

Although most sex offenses requiring registration on California's sex offender registry are felonies, there are some wobblers and a few are straight misdemeanors. For example, sexual battery, indecent exposure, and obtaining consent by fraud are misdemeanors. Possession of child pornography, and annoying or molesting a child, are wobblers.⁷ These offenses, if charged as misdemeanors, allow for a maximum probation term of one year.

¹ Pen. Code, § 1202.7.

² *People v. Carbajal* (1995) 10 Cal.4th 1114, 1120.

³ *Id.* at p. 1121.

⁴ Pen. Code, § 1203.1.

⁵ Pen. Code, § 1203a.

⁶ Pen. Code, § 1203.1, subd. (1)(1).

⁷ See Pen. Code, § 243.4 (sexual battery); Pen. Code, § 266c (obtaining sexual consent by fraud); Pen. Code, §§ 311.1, 311.2, subd. (c), 311.4, 311.11 (child pornography); Pen. Code § 647.6 (annoying or molesting a child); and Pen. Code, § 314, (1) & (2) (indecent exposure).

3. Sex Offender Treatment

The CASOMB was created under the jurisdiction of the CDCR through AB 1015 in 2006 “to provide the Governor and the State Legislature as well as relevant state and local agencies with an assessment of current sex offender management practices and recommended areas of improvement.”⁸

CASOMB is also tasked with developing and updating standards for certification of sex offender management programs. According to CASOMB’s year-end report for 2025, as of December 31, 2025, CASOMB had a total of 69 certified treatment provider agencies representing 411 providers for the period of time of December 31, 2024 to December 31, 2025.⁹

People placed on formal probation or parole for a sex offense on or after July 1, 2012, must successfully complete a CASOMB-approved sex offender management program. However, individuals placed on formal probation or parole for a sex offense prior to that date must participate in—but need not complete—an approved program.¹⁰ Such treatment program participation must be for no less than one year or the remaining term of probation if it is less than one year. The length of the period in the program is to be determined by the certified sex offender management professional in consultation with the probation officer and as approved by the court.¹¹

According to CDCR regulations, for people on parole, at the conclusion of a treatment program, the treatment team—composed of a parole agent, a parole unit supervisor or assistant unit supervisor, the contracted clinician (licensed psychiatrist, psychologist, or psychiatric social worker), and a victim advocacy representative—may make a determination to retain a participant in a sex offender management program, but the determination must be supported by good cause.¹² Good cause means a finding based upon a preponderance of the evidence that there is a factual basis and good reason for the decision made.¹³ It is not clear, based on existing law, what standard is used for people on probation, or how probation determines that treatment is concluded.

As a term of probation, a person convicted of a sex offense must waive any privilege against self-incrimination and participation in polygraph examinations, which must be a part of the sex offender management program.¹⁴ The person must also waive any psychotherapist-patient privilege to enable communication between the sex offender management professional and supervising probation officer. The certified sex offender management professional must communicate with the offender’s probation officer or parole agent on a regular basis, but at least once a month, about the offender’s progress in the program and dynamic risk assessment issues and must share pertinent information with the certified polygraph examiner as required.¹⁵

⁸ CASOMB, *Recommendations Report*, (Jan. 2010), p. 50.

<https://casomb.org/docs/CASOMB%20Report%20Jan%202010_Final%20Report.pdf> [as of June 2, 2026].

⁹ CASOMB, *2025 Year End Report*, (2025) <https://casomb.org/pdf/Year_End_Report_FINAL.pdf> [as of June 2, 2026].

¹⁰ Pen. Code, § 1203.067, subd. (b); Pen. Code, § 3008, subds. (d)(1)-(2).

¹¹ Pen. Code, § 1203.067, subd. (b).

¹² *Ibid.*

¹³ Cal. Code Regs. Tit. 15, § 3000.

¹⁴ Pen. Code, § 1203.067, subd. (b).

¹⁵ Pen. Code, § 290.09, subd. (c).

CASOMB released a report in 2026 analyzing sex offender treatment programs. It noted that, “Few County Probation Departments in California subsidize and/or cover the cost of intake, treatment, polygraph, and risk testing services for probationers.”¹⁶ By contrast, CDCR subsidizes treatment for people on parole. Probationers must pay for these services, which poses a challenge due to the difficulty of people with sex convictions in finding stable employment and housing. A 2023 CASOMB survey of County Probation Departments reflected 40% of the Departments do not have funding for sex offender treatment for their probationers.

“Probationers who are required to register under Penal Code section 290 face extraordinary and compounding barriers to employment, housing, and treatment—barriers that are intensified by public registration requirements and the stigma associated with sexual offenses. Among these challenges, the lack of consistent, designated funding for CASOMB-certified sex offender treatment for probationers represents a critical gap in California’s sex offender management framework.”¹⁷

Anyone who does not undergo probation or parole supervision in California is not required to participate in or complete treatment. Notably, this can include people convicted of sex offenses in other states’ courts, federal court, or military court.

4. Effect of This Bill

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 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 treatment is completed.

The sponsor claims that standard sex offender treatment programs often require 18 to 36 months to complete, thus requiring an extended term of probation to ensure compliance. However, as the opponents of this bill note, many programs, such as those in Los Angeles, are 12 months.

Notably, probation supervision is not the only way in which California incentivizes completion of sex offender treatment. Under existing law, people convicted of misdemeanor sex offenses must still register on California’s sex offender registry for at least ten years.¹⁸ When determining whether to grant a petition to be removed from the registry after a person has served their registration term, a court must consider “successful completion, if any, of a CASOMB-certified sex offender treatment program.”¹⁹ Thus, people convicted of misdemeanor sex offenses still have an incentive to complete treatment, even after probation is concluded, because doing so will enable them to be discharged from the registry.

¹⁶ CASOMB, *Community Transition Paper* (2026) <https://casomb.org/pdf/Community_Transition_Paper_FINAL_4.2026.pdf> [as of June 2, 2026].

¹⁷ *Ibid.*

¹⁸ Pen. Code, § 290, subd. (d)(1).

¹⁹ Pen. Code, § 290.5, subd. (a)(3).

In general, recidivism is lower among people convicted of sex offenses in California than people convicted of other offenses. The three-year conviction rate for non-sex registrants is 40.5 percent, while the rate for people convicted of sex offenses is 26.9 percent.²⁰ Recidivism decreases significantly as offenders age and the longer offenders are in the community. 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.²¹

5. Argument in Support

The Chief Probation Officers of California write:

Assembly Bill 1950, (Chapter 328, Statutes of 2020), set the maximum term of probation for most misdemeanor crimes at one year and the maximum term of probation for most felonies at two years. This arbitrary cap set by AB 1950 shifted probation from an evidence-based model to a time-based model, which resulted in limiting the time to reasonably complete treatment for these specified offenses.

Rehabilitation related to these criminogenic needs often require targeted, structured, and closely monitored programming to address underlying risks and needs. This approach is consistent with evidence-based practices, which emphasize that supervision should end based on progress, stability, and successful completion of programming rather than the simple passage of time.

6. Argument in Opposition

The California Public Defenders Association writes:

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.

...

The amendment narrows the category of individuals affected by the bill, but it does not alter the underlying principle that longer supervision periods do not necessarily improve outcomes. Indeed, AB 2237 would allow probation to be extended based not on new criminal conduct or demonstrated risk, but on whether an individual has completed an approved treatment program. Program completion, however, may be delayed for many reasons unrelated to a person's

²⁰ CDCR, *Statewide Recidivism Report for Individuals Released in Fiscal Year 2019-20* (2025) <<https://www.cdcr.ca.gov/research/wp-content/uploads/sites/174/2025/04/Statewide-Recidivism-Report-for-Individuals-Released-in-Fiscal-Year-2019-20.pdf>> [as of June 2, 2026].

²¹ Legis. Analyst's Off., *The 2016-17 Budget: Governor's Criminal Justice Proposals* (2016) <<https://www.lao.ca.gov/Publications/Report/3359>> [as of June 7, 2026].

compliance or public safety risk, including provider shortages, waitlists, insurance barriers, transportation limitations, geographic access issues, or scheduling constraints. AB 2237 effectively shifts responsibility for these systemic societal challenges and deficits onto the individual by extending supervision beyond the statutory limit.

...

Recent national research reinforces concerns about prolonged supervision. 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.... AB 2237 expands the period during which individuals remain subject to supervision and revocation, likely increasing these already substantial costs without demonstrating a corresponding improvement in public safety.

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