

AB 2483

Resentencing Guidelines

Assemblymember
Phil Ting
19TH DISTRICT



SUMMARY

"Second look" sentencing authorizes courts to revisit criminal sentences. This bill addresses procedural issues by creating a standardized, best practices resentencing processes across the state.

BACKGROUND

Nearly 100,000 Californians are currently incarcerated in our overcrowded state prisons. Over a quarter of those people are over the age of 50 and many are serving exceptionally long sentences imposed during the "Tough on Crime" era from the 1970s to the early 2000s. Penal Code Section 1172.1 currently provides a unique and important opportunity to address the mass incarceration efforts of the past by granting three entities – District Attorneys, the Board of Parole Hearings, the California Department of Corrections and Rehabilitation (CDCR) Secretary, and judges – the authority to refer people back to court for a "second look" at their sentences.

Over the past few years, the CDCR Secretary and District Attorneys have begun using their resentencing authority more frequently, and as we continue to make positive changes to this area of the law, new implementation barriers are presented.

For example, there are no general procedures to follow for resentencing — and each new reform comes with its own distinct rules — resulting in wide variation and inefficiency across the state in how resentencing cases are handled.

The Committee on the Revision of the Penal Code's (CRPC) [2023 Report](#) provided recommendations to help give courts standardized guidelines, creating consistency across the state with the implementation of resentencing laws.

THIS BILL

AB 2483 follows CRPC's recommendations by setting statewide guidelines to ensure efficient and equitable resentencing procedures. Specifically, the bill:

- Requires the presiding judge of each county superior court to convene a meeting to develop a plan for fair and efficient handling of post-conviction proceedings in their jurisdiction.
- Standardizes post-conviction proceeding procedures.
- Ensures specified records are promptly provided.
- Requires that when a person's release is within 30 days of resentencing being granted, courts shall transmit necessary documents to the executing officer within 24 hours.

SUPPORT

Initiate Justice (Sponsor)

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