



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS
770 L Street, Suite 1240 • Sacramento, California 95814-3368
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TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

STEVEN JAHR
Administrative Director of the Courts

CORY T. JASPERSON
Director, Office of Governmental Affairs

June 16, 2014

Hon. Bonnie Lowenthal
Member of the Assembly
State Capitol, Room 3152
Sacramento, California 95814

Subject: AB 2124 (Lowenthal), as amended May 23, 2014 - Support
Hearing: Senate Public Safety Committee – June 24, 2014

Dear Assembly Member Lowenthal:

The Judicial Council is pleased to support AB 2124, which authorizes a judge, at his or her discretion, to defer sentencing a defendant who has submitted a plea of guilty or nolo contendere for a period not to exceed 12 months and to order the defendant to comply with terms, conditions, and programs, as specified.

The Judicial Council supports AB 2124, as amended May 29, 2014 because the bill enhances judicial discretion in misdemeanor cases and has the potential to free up precious judicial resources. Of particular note to the council, the following provisions give courts greater flexibility to fashion remedies that are most appropriate for the facts and circumstances of an individual defendant:

- The bill specifies that a judge in the superior court of a county that has an established misdemeanor diversion program may, at his or her discretion and over the objection of a prosecuting attorney, offer misdemeanor diversion to a defendant and divert him or her into an existing program.

- The bill states that if the county has not established a misdemeanor program, the judge may, at his or her discretion, defer sentencing of a defendant.

The Judicial Council notes that oftentimes trying misdemeanors is very time consuming and AB 2124 has the potential to free up precious judicial resources. Further, council believes that AB 2124 enhances judicial discretion to fashion remedies that are appropriate to the individual facts and circumstances of a defendant.

For these reasons, the Judicial Council is pleased to support AB 2124.

Sincerely,

A handwritten signature in black ink that reads "Sharon Reilly". The signature is written in a cursive, flowing style.

Sharon Reilly
Senior Attorney

SR/yc-s

cc: Ms. June Clark, Deputy Legislative Secretary, Office of the Governor



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June 16, 2014

Hon. Loni Hancock, Chair
Senate Public Safety Committee
State Capitol, Room 2082
Sacramento, California 95814

Subject: AB 2124 (Lowenthal), as amended May 23, 2014 - Support
Hearing: Senate Public Safety Committee – June 24, 2014

Dear Senator Hancock:

The Judicial Council is pleased to support AB 2124, which authorizes a judge, at his or her discretion, to defer sentencing a defendant who has submitted a plea of guilty or nolo contendere for a period not to exceed 12 months and to order the defendant to comply with terms, conditions, and programs, as specified.

The Judicial Council supports AB 2124, as amended May 29, 2014 because the bill enhances judicial discretion in misdemeanor cases and has the potential to free up precious judicial resources. Of particular note to the council, the following provisions give courts greater flexibility to fashion remedies that are most appropriate for the facts and circumstances of an individual defendant:

- The bill specifies that a judge in the superior court of a county that has an established misdemeanor diversion program may, at his or her discretion and over the objection of a prosecuting attorney, offer misdemeanor diversion to a defendant and divert him or her into an existing program.

Hon. Loni Hancock

June 16, 2014

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- The bill states that if the county has not established a misdemeanor program, the judge may, at his or her discretion, defer sentencing of a defendant.

The Judicial Council notes that oftentimes trying misdemeanors is very time consuming and AB 2124 has the potential to free up precious judicial resources. Further, council believes that AB 2124 enhances judicial discretion to fashion remedies that are appropriate to the individual facts and circumstances of a defendant.

For these reasons, the Judicial Council is pleased to support AB 2124.

Sincerely,

A handwritten signature in black ink, reading "Sharon Reilly". The signature is written in a cursive, flowing style.

Sharon Reilly
Senior Attorney

SR/yc-s

cc: Members, Senate Public Safety Committee
Hon. Bonnie Lowenthal, Member of the Assembly
Ms. Mary Kennedy, Counsel, Senate Public Safety Committee
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor
Mr. Eric Csizmar, Consultant, Senate Republican Office of Policy



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TANI G. CANTIL-SAKAUYE
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CORY T. JASPERSON
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August 26, 2014

Hon. Bonnie Lowenthal
Member of the Assembly
State Capitol, Room 3152
Sacramento, California 95814

Subject: AB 2124 (Lowenthal), as amended August 22, 2014 - Support

Dear Assembly Member Lowenthal:

The Judicial Council is pleased to continue to support AB 2124, which establishes a pilot program in the County of Los Angeles to authorize a judge in the superior court, at the judge's discretion and over the objection of the prosecution, to defer sentencing a defendant who has submitted a plea of guilty or nolo contendere to a misdemeanor for a period not to exceed 12 months and to order the defendant to comply with terms, conditions, and programs, as specified.

The Judicial Council supports AB 2124, as amended August 22, 2014, because the council believes the bill enhances judicial discretion in misdemeanor cases and has the potential to free up precious judicial resources. As a pilot program, the bill will provide the legislative, judicial, and executive branches with important information about the value of misdemeanor deferral of sentencing programs. Of particular note to the council, the bill enhances judicial discretion by giving the pilot superior court greater flexibility to fashion remedies that are most appropriate for the facts and circumstances of an individual defendant by providing that a judge may, at his or her discretion and over the objection of a prosecuting attorney, offer misdemeanor diversion to a defendant and divert him or her into an existing program.

Hon. Bonnie Lowenthal
August 26, 2014
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Finally, the Judicial Council notes that oftentimes trying misdemeanors is very time consuming and AB 2124 has the potential to demonstrate that the a misdemeanor deferral of sentencing program will free up precious judicial resources.

For these reasons, the Judicial Council is pleased to support AB 2124.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Reilly". The signature is written in black ink and is positioned above the typed name and title.

Sharon Reilly
Senior Attorney

SR/yc-s

cc: Ms. June Clark, Deputy Legislative Secretary, Office of the Governor



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STEVEN JAHR
Administrative Director

CORY T. JASPERSON
Director, Governmental Affairs

September 4, 2014

Hon. Edmund G. Brown, Jr.
Governor of California
State Capitol, First Floor
Sacramento, California 95814

Subject: AB 2124 (Lowenthal) – Request for Signature

Dear Governor Brown:

The Judicial Council is pleased to support AB 2124, which establishes a pilot program in the County of Los Angeles to authorize a judge in the superior court, at the judge's discretion and over the objection of the prosecution, to defer sentencing a defendant who has submitted a plea of guilty or nolo contendere to a misdemeanor for a period not to exceed 12 months and to order the defendant to comply with terms, conditions, and programs, as specified.

The Judicial Council supports AB 2124, as amended August 22, 2014, because the council believes the bill enhances judicial discretion in misdemeanor cases and has the potential to free up precious judicial resources. As a pilot program, the bill will provide the legislative, judicial, and executive branches with important information about the value of misdemeanor deferral of sentencing programs. Of particular note to the council, the bill enhances judicial discretion by giving the pilot superior court greater flexibility to fashion remedies that are most appropriate for the facts and circumstances of an individual defendant by providing that a judge may, at his or

Hon. Edmund G. Brown, Jr.

September 4, 2014

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her discretion and over the objection of a prosecuting attorney, offer misdemeanor diversion to a defendant and divert him or her into an existing program.

Finally, the Judicial Council notes that oftentimes trying misdemeanors is very time consuming and AB 2124 has the potential to demonstrate that the a misdemeanor deferral of sentencing program will free up precious judicial resources.

For these reasons, the Judicial Council requests your signature on AB 2124.

Sincerely,

A handwritten signature in cursive script, reading "Sharon Reilly". The signature is written in dark ink and is positioned above the typed name.

Sharon Reilly
Senior Attorney

SR/yc-s

cc: Hon. Bonnie Lowenthal, Member of the Assembly
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor