Judicial Council *of* California

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SENATE FLOOR ALERT

Assembly Bill 1018 (Bauer-Kahan), as amended on September 5, 2025
Automated decision systems—Oppose, unless Amended
File #55

The Judicial Council opposes Assembly Bill 1018, which seeks to regulate the development and use of automated decision systems (ADS) that can be used to make consequential decisions. While the council appreciates and shares AB 1018's goal of ensuring natural persons do not abdicate their role as decisionmakers to automated systems, the council believes this bill overlooks existing guardrails on ADS tools and is overly broad in its attempt to set guidelines. See opposition letter.

Vote NO on Assembly Bill 1018 unless it is amended to exclude the judicial branch and its developers.

- The bill weakens courts' ability to make pretrial release determinations by removing the option to use pretrial risk assessment tools, leading to defendants languishing longer in jail.
  SB 36 (Hertzberg) Stats. 2019, ch. 589, requires the Judicial Council to publish an annual report with data related to outcomes and potential biases in pretrial release risk assessment tools. The reports indicate that the pretrial risk assessment tools are generally accurate in determining recidivism and court appearance rates.[1]
- Courts will not be able to properly sentence sex offenders. Courts are required to take into account the recommendation from a tool called SARATSO (State Authorized Risk Assessment Tools for Sex Offenders) to make a number of determinations, including what tier an offender should be placed in, for participation in an approved sex offender management program while on probation, and when determining whether to terminate a sex offender from the registry.
- Current law requires the branch to employ a convenient online tool, *MyCitations*, which allows low-income drivers to reduce the amount they owe on traffic tickets. Without funding to implement AB 1018's requirements, the branch will be unable to continue deploying *MyCitations* and thousands of drivers will be forced to appear in court to get relief.
- To meet the requirements under AB 1018, the Judicial Council estimates ongoing costs of $200 to $300 million annually. If AB 1018 is not funded, the branch may have to stop using ADS tools, which would result in estimated annual costs of $120 to over $200 million in additional workload.

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[1] Judicial Council. *Bias Mitigation in Pretrial Processing: Report to the Legislature*. (Jan. 2023) https://courts.ca.gov/sites/default/files/courts/default/2024-12/lr-2023-bias-mitigation-pretrial-processing-pen-1320.35.pdf at pp. 15-16.

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SENATE FLOOR ALERT

Assembly Bill 1018 (Bauer-Kahan), as amended on September 5, 2025
Automated decision systems—Oppose, unless Amended
File #211

The Judicial Council opposes Assembly Bill 1018, which seeks to regulate the development and use of automated decision systems (ADS) that can be used to make consequential decisions. While the council appreciates and shares AB 1018's goal of ensuring natural persons do not abdicate their role as decisionmakers to automated systems, the council believes this bill overlooks existing guardrails on ADS tools and is overly broad in its attempt to set guidelines. See opposition letter.

Vote NO on Assembly Bill 1018 unless it is amended to exclude the judicial branch and its developers.

- The bill weakens courts' ability to make pretrial release determinations by removing the option to use pretrial risk assessment tools, leading to defendants languishing longer in jail.
  SB 36 (Hertzberg) Stats. 2019, ch. 589, requires the Judicial Council to publish an annual report with data related to outcomes and potential biases in pretrial release risk assessment tools. The reports indicate that the pretrial risk assessment tools are generally accurate in determining recidivism and court appearance rates.[1]
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[1] Judicial Council. *Bias Mitigation in Pretrial Processing: Report to the Legislature*. (Jan. 2023) https://courts.ca.gov/sites/default/files/courts/default/2024-12/lr-2023-bias-mitigation-pretrial-processing-pen-1320.35.pdf at pp. 15-16.

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SENATE FLOOR ALERT

Assembly Bill 1018 (Bauer-Kahan), as amended on July 17, 2025
Automated decision systems—Oppose, unless Amended
Senate Third Reading

The Judicial Council opposes Assembly Bill 1018, which seeks to regulate the development and use of automated decision systems (ADS) that can be used to make consequential decisions. While the council appreciates and shares AB 1018's goal of ensuring natural persons do not abdicate their role as decisionmakers to automated systems, the council believes this bill overlooks existing guardrails on ADS tools and is overly broad in its attempt to set guidelines. See opposition letter.

Vote NO on Assembly Bill 1018 unless it is amended to exclude the judicial branch and its developers.

- The bill weakens courts' ability to make pretrial release determinations by removing the option to use pretrial risk assessment tools, leading to defendants languishing longer in jail.
  SB 36 (Hertzberg) Stats. 2019, ch. 589, requires the Judicial Council to publish an annual report with data related to outcomes and potential biases in pretrial release risk assessment tools. The reports indicate that the pretrial risk assessment tools are generally accurate in determining recidivism and court appearance rates.[1]
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- To meet the requirements under AB 1018, the Judicial Council estimates ongoing costs of $200 to $300 million annually. If AB 1018 is not funded, the branch may have to stop using ADS tools, which would result in estimated annual costs of $120 to over $200 million in additional workload.

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