



## Judicial Council of California

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May 21, 2026

Hon. Juan Carrillo  
Member of the Assembly, 39th District  
1021 O Street, Suite 5610  
Sacramento, California 95814

**Subject: Assembly Bill 2104 (Carrillo), as amended March 9, 2026—Oppose**

Dear Assembly Member Carrillo:

The Judicial Council regrettably opposes Assembly Bill 2104 requiring all proceedings conducted under the Sexually Violent Predators Act (SVPA) (Welf. & Inst. Code, § 6600 *et seq.*), that are open to the public, to include a remote observation option for members of the public.

While the courts are supportive of remote technology being used in the courts, remote participation is generally limited to those who are a party to the case or involved in the hearing (e.g. a witness). Some courts, including Los Angeles and San Bernardino, already have a process where the public can request a remote access option to these commitment hearings given the hardship the geographical distances present in those counties can create. A statewide mandate for all of these public hearings to be a live video broadcast online creates a significant fiscal impact to the courts that would need to implement technology upgrades, including purchasing additional video equipment and livestreaming capabilities for the impacted courtrooms. Livestreaming court proceedings can also have the unintended consequence of disrupting proceedings and requiring additional court staff to ensure the video feed is functioning properly.

Furthermore, the unique considerations involving sexually violent predators (SVPs) and the caselaw outlining when an SVP proceeding “is open”, as stated in the bill, complicate future

Hon. Juan Carrillo

May 21, 2026

Page 2

attempts to implement AB 2104's mandate. The caselaw surrounding the right of public access to SVP proceedings, seems to suggest that the inclusion of mostly sensitive information, such as the defendant's psychological treatment and testimony from victims of sex crimes, serves as, "a compelling basis for arguing that involuntary civil commitment proceedings under the SVPA are not ordinary civil proceedings that must be open to the public." (*People v. Dixon* (2007) 148 Cal.App.4th 414, 429.) Based on the fact that, "such proceedings are aimed at determining the status of a person's mental health, they involve primarily personal and confidential matters." (*Id.* at 428.) The initial psychiatric evaluations to classify a defendant as an SVP, the trial proceedings, and release evaluations all, to some degree, do involve confidential information. (See Welf. & Inst. Code, § 6600 *et seq.*) In turn, courts must carefully examine constitutional precedent to determine which proceedings must be open or closed. (*Dixon, supra*, 148 Cal.App.4th at 429.) AB 2104 inserts a general mandate to livestream proceedings without appearing to consider any specific determinations in line with constitutional requirements. Such a general rule potentially imposes on courts a rule to spasmodically turn the livestream either on or off, thereby unduly burdening proceedings under the SVPA.

Due to the reasons mentioned above, the council must oppose AB 2104.

Should you have any questions or require additional information, please contact Morgan Lardizabal at 916-323-3121.

Sincerely,



Cory T. Jaspersen

Director

Judicial Council Governmental Affairs

CTJ/ML/ad

cc: Brenda Contreras, Legislative Director, Office of Assembly Member Carrillo  
Matthew Fleming, Deputy Legislative Secretary, Office of the Governor  
Michelle Curran, Administrative Director, Judicial Council of California