

GENERAL OFFICE MEMORANDUM 18-094

TO: ALL DEPUTY DISTRICT ATTORNEYS

FROM: JOHN K. SPILLANE   
Chief Deputy District Attorney

SUBJECT: RECENTLY ENACTED TRAILER BILLS AB 1810 (HEALTH)  
AND AB 1812 (PUBLIC SAFETY)

DATE: JULY 2, 2018

On June 27, 2018, Assembly Bills (AB) 1810 and 1812 were signed by the Governor and went into effect immediately.

- AB 1810 is the Health trailer bill. Sections 24-26 of the bill provide for mental health diversion without any limitations on the types of eligible offenses and only excludes from eligibility three mental disorders (pedophilia, antisocial personality disorder, and borderline personality disorder). The bill does not provide for victim restitution or firearms possession prohibition.
- AB 1812 is the Public Safety trailer bill, which permits the sentencing court to recall and resentence a defendant based upon post-conviction factors (such as performance in custody) with the recommendation of a detention facility, even when a defendant was sentenced pursuant to a negotiated plea.

The full text of each bill may be accessed by searching each bill on the California Legislative Information website:

<http://leginfo.legislature.ca.gov/faces/billSearchClient.xhtml>.

The Appellate Division is preparing a comprehensive analysis of each bill. Additional information and guidance will be forthcoming once the analyses have been completed.

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