

DA Anne Marie Schubert Strongly Opposes Bill that Threatens Public Safety and Victims' Rights



Sacramento County District Attorney's Office

Semper Justitia

District Attorney Anne Marie Schubert strongly opposes Assembly Bill 3234, which threatens public safety and victims' rights.

This bill has been rushed through the legislative process without allowing for public comment or careful consideration.

AB 3234 allows for diversion programs in most misdemeanor cases, even over the objection of the prosecutor and/or the victim in the case. A judge could effectively halt the prosecution of misdemeanor crimes including extremely serious offenses.

Instead, these offenders can be offered diversion programs with no jail time. Charges are then dismissed at completion of the program with no record of the crimes.

This bill will directly place the safety and well-being of our communities at risk:

- **VIOLENT CRIMES.** Allows diversion for sexual assault on a minor 14 years or older; vehicular manslaughter; elder abuse; assault by means of force likely to cause great bodily injury; child abuse; possession of a firearm in a school zone; hate crimes; and criminal threats.
- **ANIMAL ABUSE.** Includes sexual abuse of an animal and other animal cruelty offenses. Offenders granted diversion would make the five-year ban on abusers from owning animals unenforceable.

- **DUI CASES.** Applies to repeat and violent offenders. New offenses will no longer be able to allege prior diverted charges, which means offenses that should be charged as felonies would be misdemeanors – including felony DUIs and possession of a firearm by a prohibited person.
- **MURDERS & SEX CRIMES.** Increases eligibility for “elder parole” by reducing the required age of 60 to 50, including those convicted of most murders and sex offenses.
- **DENIES VICTIM RESTITUTION.** If offenders are granted diversion, there will be no conviction and restitution cannot be ordered or collected. This effectively denies a victim his or her constitutional right to restitution.

DA Schubert states, “Our office is a partner in 12 collaborative courts that currently allow for diversion programs rather than jail time for certain types of offenders. AB 3234 will undermine these specialized diversion courts that balance public safety with providing offenders with services while protecting victims’ rights.”

DA Anne Marie Schubert urges the community to voice their opinion on AB 3234 by calling the Governor’s office at (916) 445-2841 or writing to the Governor at <https://govapps.gov.ca.gov/gov40mail/>.

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