



# Roll Call Training Bulletin

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## Terms of Probation Reduced For Most Crimes AB1950 2-3-2021

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#### SUMMARY:

On January 1, 2021, Assembly Bill 1950 ("AB 1950") became effective. This law reduces the maximum terms of probation that a court may impose for both misdemeanor and felony convictions.

As amended, Penal Code section 1203a limits the court's authority to impose probation, upon conviction of a **misdemeanor offense**, to a term of **up to one year**, regardless of the maximum term of imprisonment, effectively reducing the maximum term of probation by at least two years. (The one-year limit does not apply to misdemeanor offenses that prescribe specific terms of probation).

As amended, Penal Code section 1203.1 limits the court's authority to impose probation, upon conviction of a **felony offense**, to a term of **up to two years**, regardless of the maximum term of imprisonment, effectively reducing the maximum term of probation by at least three years. The two-year limit does not apply to a "violent felony" within the meaning of Penal Code section 667.5, subdivision (c), grand theft, embezzlement, or theft by false pretenses, if the total value of property taken exceeds \$25,000, or a felony offense that prescribes a specific term of probation.

It is anticipated that this law will also be applied retroactively to subjects currently on probation. The Sacramento Probation Department estimates that this will affect approximately 13,000 probationers in Sacramento County. Sacramento Superior Court and the Probation Department are currently working on the implementation of this new law.

**Effective immediately, officers shall confirm the probation status of a subject immediately prior to all probation searches.**

#### Review Questions

1. I checked the probation status of someone last week and it said they were on probation. Can I do a probation search on that person today?

**Answer:** It depends. First, you must check the probation status immediately before conducting the search as the person may have been discharged from probation due to AB1950.

2. I stopped a subject and he tells me that he is on probation for a felony until 2024. Can I search the person?

**Answer:** You should still verify his probation conditions as the length of his probation may have been shortened retroactively by AB1950.