



ASSEMBLYMEMBER – DISTRICT 44

Nick Schultz

AB 1595 – Clarifying Habeas Corpus

Summary:

AB 1595 strengthens California’s criminal legal system by ensuring courts can correct wrongful convictions while preserving appropriate judicial discretion. By reducing unnecessary litigation and conserving limited court resources, it allows courts to focus on the merits of credible claims rather than procedural technicalities.

Background:

California’s post-conviction statutes governing habeas corpus and motions to vacate have been amended repeatedly over the past decade. As documented in the [2024 Annual Report of the Committee on Revision of the Penal Code](#) (at page 11), these piecemeal amendments have produced:

- Inconsistent and unclear legal standards for evaluating wrongful conviction claims;
- Conflicting burdens of proof depending on custody status or statutory pathway;
- Unpredictable access to discovery, even after courts issue orders to show cause; and,
- Rigid procedural bars that can prevent courts from hearing meritorious claims of innocence.

As a result, similarly situated individuals are treated differently across courts and counties, courts expend significant resources litigating threshold procedural issues, and credible claims of wrongful conviction are delayed or never heard on the merits. For example, a person is convicted of a serious crime and maintains their innocence. Years later, new evidence comes to light, such as a credible witness coming forward, previously unavailable records, or information that directly contradicts key facts presented at trial. This evidence was not available at the time of conviction and could not have been discovered earlier with reasonable diligence. Under current law, whether a court can meaningfully consider this evidence may depend on which post-conviction statute applies, whether the person is still in custody, or whether procedural rules bar

the claim altogether. In some cases, courts must apply different legal standards to similar claims or deny review without reaching the merits.

A consistent statewide framework protects both represented and pro se petitioners, promoting equal treatment and predictable outcomes across counties. Most importantly, it enhances public safety by helping ensure the correct person is held accountable, while aligning California law with fundamental fairness, and long-standing constitutional principles that safeguard the integrity of criminal convictions.

AB 1595:

- aligns post-conviction review with well-established constitutional principles and clarifies the standard to be applied;
- allows courts to reach the merits of otherwise barred claims when new evidence undermines confidence in the outcome, preserving finality while preventing technical rules from blocking meritorious cases;
- requires courts to state reasons if a concession by the District Attorney or Attorney General on a factual or legal basis for relief is rejected;
- Clarifies courts’ authority to order discovery for good cause after an order to show cause issues; and,
- Simplifies access to identification, transitional services, health care, and housing support upon release of exonerated people.

Support:

California Innocence Coalition (Sponsor)

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