



JUDICIAL COUNCIL OF CALIFORNIA  
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*Director, Governmental Affairs*

September 8, 2021

Hon. Scott D. Wiener  
Member of the Senate  
State Capitol, Room 5100  
Sacramento, California 95814

Subject: Senate Bill 357 (Wiener), as amended September 1, 2021—Neutral, if amended.

Dear Senator Wiener:

The Judicial Council is neutral on SB 357 if amended to allow either the prosecution or the applicant to request a hearing on an application to have their conviction dismissed and sealed when the applicant has completed their sentence for a conviction of the section that would be repealed by SB 357 (loitering for the purpose of prostitution). As currently in print SB 357 only authorizes the applicant to request a hearing.

The council is concerned that a prosecutor may have evidence showing the person does not qualify for relief, but if the applicant doesn't ask for a hearing, the prosecutor would not have the opportunity to have a hearing on the issue. The requested amendment protects the independence of judicial decisionmaking to ensure the fair, impartial, and efficient delivery of justice.

For these reasons the Judicial Council is neutral on SB 357, if amended.

Should you have any questions or require additional information, please contact Sharon Reilly at 916-323-3121 or [sharon.reilly@jud.ca.gov](mailto:sharon.reilly@jud.ca.gov).

Sincerely,

Cory T. Jasperson  
Director, Governmental Affairs

CJ/SR/lb

cc: Ms. Jessica Devencenzi, Deputy Legislative Affairs Secretary, Office of the Governor  
Mr. Martin Hoshino, Administrative Director, Judicial Council of California