

New Laws for 2025

- *Proposition 36*
- *Retail-Theft Restraining Orders*
 - *Street-Takeovers*
 - *Domestic Violence*
 - *Artificial Intelligence*

New Year – New Laws:

With the new year comes some important changes to the law that you should be aware of. These updates, including amendments to Prop 36, affect everything from retail theft and street takeovers to domestic violence and AI-generated content. Here’s a breakdown of what’s new in 2025.

Proposition 36 Refresher- What’s Changed?

Prop 36 has introduced two new offenses related to drug and theft crimes that can now be bumped up to felonies if the person has prior convictions. These offenses are known as “wobblers”, meaning they could be charged as misdemeanors or felonies depending on the circumstances.

Drug-related changes:

- ❖ Fentanyl is now included in laws about “possessing drugs with a loaded firearm”; (HS §11370.1); and
- ❖ If drugs sold or provided by someone cause great bodily injury or death, there’s a new enhancement to the charge. (PC §12022.7)

Theft-related changes:

- ❖ Police can now combine the value of stolen goods from multiple thefts to hit the \$950 threshold needed to charge felony grand theft. (PC §490.3); and
- ❖ An enhancement is added if two or more people are involved in stealing or destroying property during the commission of a felony. (PC §12022.65)

Retail-Theft Restraining Orders:

Thanks to Assembly Bill 3209, stores can now request a restraining order against someone who has committed theft, vandalism, organized retail theft, shoplifting or assault of an employee, on at least two separate occasions at their store. This order can last up to two years and can even apply to multiple locations if the store is chain. Violation of the order is a misdemeanor. (PC §490.8)

Bystanders in Street-Takeovers:

Starting July 1, 2025, people who help facilitate (“aid and abet”) street takeovers, sideshows or street racing (by blocking traffic, for example) can face penalties of up to 90 days in jail, license suspension for 90 days to 6 months and a \$500 fine. (VC §23109)

Domestic Violence and Firearms: What’s New?

In 2025, the law now gives authorities seven years (up from five) to charge someone with domestic violence under PC §273.5.

If arresting a suspect for domestic violence, officers **must** now follow new steps: (1) check if arrestee owns any firearms using AFS database; (2) take temporary custody of any firearm found during the investigation; (3) document all firearm-related info in the arrest report.

Failure to follow these steps could result in the denial of protective orders or even disciplinary action against the officer. PC §273.76.

AI Generated Sexual Content: New Legal Restrictions

Starting January 1, 2025, it’s now a misdemeanor to create or share sexually explicit deepfakes (AI-generated content) depicting real people. (PC §647(j)). And it’s

a felony to create, distribute or possess AI generated deepfakes involving someone under 18. (PC §311) This is part of a growing effort to curb the harmful effect of AI technology on personal privacy.

Stay Safe and Informed!