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JUVENILE JUSTICE BILLS
in the 2023 Session of the California Legislature

April 26, 2023

JUVENILE JUSTICE BILLS IN THE 2023 SESSION OF THE CALIFORNIA LEGISLATURE

This report covers bills tracked by Commonweal on the subjects of juvenile justice, youth crime prevention, probation foster care and related matters. Updates on bill amendments and committee status are current through Tuesday, April 25th. This is the last week for policy committees to meet and pass measures on to fiscal committees by the deadline of April 28th. Floor votes where shown are in the order of “aye-no-not voting”. The full text of bills can be found on the state legislative website: www.leginfo.legislature.ca.gov. Archived Commonweal reports and other information on legislation, budget and policy covering a range of California youth justice issues can be accessed on the Commonweal Juvenile Justice Program website: www.comjj.org.

Assembly bills

AB 61 (Bryan, D. – L.A.). Release of minor if probable cause determination not made within 48 hours. AB 61 modifies the process for arrest and detention of juveniles by adding a requirement that a minor who has been taken into custody must be released within 48 hours if the minor has not received an initial judicial determination of probable cause. The new 48 hour rule does not include extensions for weekends or holidays—it’s a straight 48 hours. The bill provides that the initial determination of probable cause may be based on sworn statements from the arresting officer, may be conducted in chambers or remotely by the court, and need not be an adversarial proceeding. The bill also provides that the determination may occur at the detention hearing described in Section 632 if that hearing occurs within 48 hours after arrest. Other, major sections of the bill modify adult criminal procedure by requiring that a magistrate’s probable cause determination must be made within 48 hours of a warrantless arrest, inclusive of weekends and holidays, with related provisions on how the probable cause determination is to be made. ***Passed the Assembly Public Safety Committee, to the Assembly Appropriations Committee.***

AB 268 (Weber, D. – San Diego). Board of State and Community Corrections (BSCC). AB 268 would add two new members to the 13 member BSCC Board—including a licensed health care provider and a licensed mental health care provider, both to be appointed by the Governor and subject to Senate confirmation. In addition, the bill requires BSCC to adopt new minimum standards for mental health care in local correctional facilities (i.e., jails) that meet or exceed the standards for health services established by the National Commission on Correctional Health Care. The bill includes specific requirements for the new standards, including that mental health screening at booking or intake must be done by a qualified mental health professional as defined in the bill. As drafted, the bill would not amend or augment BSCC standards for local juvenile justice facilities. ***Passed the Assembly Public Safety Committee, to the Assembly Appropriations Committee.***

AB 327 (Jones-Sawyer, D. – L.A.). Department of Justice crime data—incident-based reporting. The California Penal Code (Sections 13010, 13020) requires the state Dept. of Justice to collect and publish crime data including crime reports to the federal government. It further requires listed state and local law enforcement agencies to report crime data to the state Dept. of Justice in a form prescribed by the state Attorney General. This bill requires DOJ and local reporting agencies to collect and report crime data using incident-based reports rather than summary reports, in alignment with the federal National Incident Based Crime Reporting System, with a deadline of January 1, 2025, for conversion to the new system. **Passed the Assembly Public Safety Committee, on suspense in the Assembly Appropriations Committee.**

AB 328 (Essayli, R. - Riverside). Dismissals of enhancements in criminal proceedings. AB 328 amends Penal Code Section 1385 which establishes a court process for dismissals of sentence enhancements based on multiple criteria, including that the person was a juvenile when the offense triggering the enhancement occurred. This bill bars dismissals under any of the listed criteria where the enhancement is based on an offense listed in Penal Code Section 12022.53 (use of a firearm in the commission of a felony). **Failed passage in the Assembly Public Safety Committee.**

AB 428 (Waldon, R. - Escondido). New California Department of Reentry. As amended AB 428 would establish a new and independent California Department of Reentry. The mission of the new department is to provide “*leadership, coordination and technical assistance to promote effective state and local efforts and partnerships with California’s adult and juvenile criminal justice system to ensure successful reentry services are provided to incarcerated individuals preparing for release and within community supervision and parole*”. Among the specific tasks for the new Department is that it shall “*focus exclusively on reentry programs in state programs and juvenile justice facilities in coordination with the Department of Corrections and Rehabilitation to ensure successful restorative results*”. The provisions of the bill remain somewhat vague on the role of the new Department in relation to youth realigned from the state Div. of Juvenile Justice to local control and on other juvenile justice system specifics. **Passed the Assembly Public Safety Committee, to the Assembly Appropriations Committee.**

AB 505 (Ting, D – San Francisco). Office of Youth & Community Restoration, Board of State & Community Corrections. As amended, AB 505 makes extensive changes in the mission, scope and authority of the HHS Office of Youth and Community Restoration (OYCR). The bill moves all current juvenile justice functions and operations of the Board of State and Community Corrections (BSCC) to OYCR as of July 1, 2025, including local juvenile facility standards and inspections, juvenile justice grants and juvenile justice data collection. AB 505 is a complex and substantial re-write of California juvenile justice law that includes the following specific provisions:

- **Facility standards, inspections and enforcement.** The bill moves all Title 15 and 25 juvenile facility standards and inspections from BSCC to OYCR as of 7/1/25. AB 505 empowers OYCR to then enforce its juvenile facility standards by imposing newly defined sanctions for violations including fines, civil penalties and orders of facility closure. In addition, the language of WIC Sec. 209 that now requires county judges to inspect juvenile halls is expanded to mandate that judges must inspect all county juvenile facilities including halls, SYTFs, camps/ranches and adult lockups used to detain minors. If the judge finds violations, the local enforcement process (corrective action plans, determinations of unsuitability) would then apply to all those facility types. (These Sec. 209 judicial inspection changes would take effect on 1/1/24 if the bill is enacted this year). Later, when OYCR assumes control of state minimum standards for juvenile facilities in 2025, the enforcement provisions would change again by adding the discretionary sanctions mentioned above (fines, closure) and by adding a new requirement that OYCR unsuitability determinations must be considered in public hearings with public input, and with the decision to be published within 10 days of the hearing.

- *OYCR ombudsperson.* New authority is vested in the OYCR Ombudsperson including the right to inspect or visit any juvenile facility at any time (rather than on 48 hours notice under current law); the right to interview youth and make audio or video recordings or photos of the visit; and the right to inspect and make copies of any and all juvenile facility records. The ombudsperson staff are mandated to conduct a site visit at every juvenile facility under the control of a local agency including those run by contract agencies, at least once per year.
- *Grants.* Under AB 505 All current BSCC juvenile justice grants would move to OYCR as of 7/1/25, including JJCPA and YOBG grant programs. The bill moves the state planning agency (State Advisory Committee) for federal JJCPA grants from BSCC to OYCR as of 7/1/25. AB 505 makes extensive revisions to the terms of the Juvenile Justice Realignment Block Grant (JJRBG)—the funding stream that provides state funds to counties as an integral feature of 2020 DJJ realignment (SB 823). These changes to the JJRBG would take effect in 2024 if the bill passes this year (not deferred to 2025). They would include a new requirement that OYCR must approve each county JJRBG spending plan and must verify approval to the Controller before the Controller can release block grant funds to the county; that the local JJRBG planning group must meet twice per year (rather than once each 3 years) to produce annual plan updates; that the plan must include review by community members of the local JJRBG subcommittee, with majority approval by subcommittee members; and deletion of the current requirement that the JJRBG subcommittee be chaired by the chief probation officer.
- *Data.* All BSCC juvenile justice data collection tasks, including the Juvenile Detention Profile Survey, are moved to OYCR as of 7/1/25.
- *Case files.* WIC Section 827 is amended to provide for access to juvenile case files by OYCR personnel when carrying out their duties.

Passed the Assembly Public Safety Committee, to the Assembly Appropriations Committee.

AB 600 (Ting, D.- San Francisco). Resentencing procedure. AB 600 modifies the current procedure outlined in Penal Code Section 1172.1 for the resentencing of persons committed to state prison or county jail for the commission of a felony. Currently Section 1172.1 lists the trigger events and criteria that can generate the resentencing process. Among these is a provision that the court may on its own motion, and within 120 days of commitment, initiate the resentencing process. This bill modifies the 120 day window by adding the court may also initiate recall proceedings on its own motion “...at any time if the applicable sentencing laws at the time of original sentencing are subsequently changed by new statutory authority or case law.”. In addition, the bill removes the current requirement that both the defendant and the district attorney of the sentencing county must agree to any reduced term of imprisonment ordered by the court. The bill does not apply to juvenile court proceedings but could impact the resentencing process as applied to juveniles convicted in adult criminal courts. ***Passed the Assembly Public Safety Committee, in the Assembly Appropriations Committee.***

AB 695 (Pacheco, D. - Downey). Juvenile Detention Facilities Improvement Grant Program. AB 695 creates a new juvenile facility grant program to be administered by the Board of State and Community Corrections (BSCC). The bill states a “critical need for infrastructure improvements” to ensure that the needs of adjudicated youth are addressed. The bill vests BSCC with broad discretion to create the grant program “based on the priorities for infrastructure improvement” and to meet “preliminary performance outcomes” as defined by the Board. The bill limits the grant program to counties of the “first class” as defined in Govt. Code Section 28022. The only county that qualifies as a county of the first class under that code section ([population exceeding 4 million) is Los Angeles. ***Passed the Assembly Public Safety Committee with pending amendments, to the Assembly Appropriations Committee.***

AB 702 (Jackson, D. - Riverside). Juvenile Justice Crime Prevention Act (JJCPA). AB 702 would overhaul the planning and administration requirements for the state’s long-standing Juvenile Justice Crime Prevention (JJCPA). The JJCPA was enacted in the year 2000 as a progressive response by the Legislature to the punitive provisions of Proposition 21, the Juvenile Crime Initiative sponsored by then-Governor Pete Wilson. Since then, the JJCPA has provided counties with an average of \$170 million per year statewide, plus annual adjustments, to support local juvenile crime prevention and supervision programs described in plans submitted to the Board of State and Community Corrections (BSCC) by local Juvenile Justice Coordinating Councils (JJCC’s). AB 702 responds to criticism by youth advocacy organizations that JJCPA funds are spent predominantly on probation department operations rather than for community-based youth services. AB 702 would require that 95 percent of each county’s JJCPA fund share must be allocated to community based organizations or public agencies that are not law enforcement agencies. County JJCPA spending plans are subject to new requirements as to the description and makeup of the target population to be served, and as to other elements including the requirement that the plan must provide for a continuum of care that is “*..modeled on a framework of positive youth development and demonstrates a healing-centered, community-based, collaborative and integrated approach for at-promise youth and youth involved in the juvenile court system.*” The makeup of the JJCC that produces each local plan is altered by amendments to WIC Sec. 749.22 that require half of its members to be “community representatives” including “at promise” and “currently or formerly system-involved” individuals, with one of the community representatives serving as a JJCC co-chair. AB 702 is a reintroduction of similar measures that failed to make it out of legislative committees in 2020 and 2021. ***In the Assembly Public Safety Committee, hearing on 4/25 cancelled by the author.***

AB 808 (Mathis, R. - Porterville). Increased penalty for rape of developmentally disabled persons. AB 808 amends Penal Code Section 264 to increase the penalties for rape of a person who is developmentally disabled, with longer prison terms where the victim is a disabled person under the age of 14. ***Failed passage in the Assembly Public Safety Com.***

AB 862 (Bauer-Kahan, D. – Orinda). Sheriff reports to BSCC on county jail programs and recidivism rates. AB 862 requires each county sheriff by 1/1/25 to compile and submit data to the Board of State and Community Corrections on all education, rehabilitation and exercise opportunities provided in each county jail, and on the overall recidivism rate for each county jail. The measure of recidivism in the bill is any new misdemeanor or felony conviction or probation violation incurred within three years of release. BSCC is to produce a report to the Legislature by 7/1/25 based on the data submitted. Juvenile justice facilities are not referenced in the bill. ***Passed the Assembly Public Safety Committee, on suspense in Assembly Appropriations.***

AB 898 (Lackey- R. - Palmdale). Reports on injuries to juvenile hall staff. AB 898 requires each juvenile probation department to file an annual report with the Board of State and Community Corrections describing any and all injuries to the staff or residents of a juvenile hall the facility, including information on the ages of residents involved, the extent of injuries sustained, staffing ratios at the time of the incident, whether the incident occurred at a Secure Youth Treatment Facility, and whether the DA filed criminal charges. ***Passed the Assembly Public Safety Committee, on suspense in the Assembly Appropriations Committee,***

AB 906 (Gipson, D. – L.A.). Alternative and juvenile court schools. AB 906 adjusts the local control school funding formula by increasing the base grant component of the alternative education grant and by revising the calculation of average daily attendance for the alternative education grant. The bill increases annual funding for local education agencies operating juvenile court schools (by \$150,000) or community schools (by \$300,000) juvenile court and schools. AB 906 also establishes a “necessary juvenile court school” allocation for the FY 23/24 fiscal year. ***In the Assembly Education Committee, hearing 4/26/23.***

AB 912 (Jones-Sawyer, D. – L.A.). Strategic Anti-Violence Funding Efforts Act. AB 912 creates the following new state-level youth justice grant programs. Since its introduction it has been amended to adjust each of the grant programs established by the bill, with these current provisions:

- **Youth Reinvestment Grant Program.** The Youth Reinvestment Grant program located at the Board of State and Community Corrections (BSCC) is moved to the Office of Youth and Community Restoration (OYCR). The bill appropriates \$50 million to OYCR to administer a new round of YRG grants. As renewed, the grant program is modeled closely on the last round of YRG grants awarded by BSCC in 2019, supporting “trauma-informed health and development” diversion programs, with 90% of funds allocated for nonprofit, nongovernmental organizations that are not law enforcement and 10% set aside for a Native American tribal grant component.
- **School based Health Center Support Program.** AB 912 directs the state Dept. of Public Health to establish a School-based Health Center Support Program in coordination with the state Department of Education. Grants under the program would support technical assistance, and funding for the renovation and expansion of existing school-based health centers and the development of new ones. As amended, the bill sets out extensive requirements for the school-based health center grants including eligibility criteria, health services to be provided, allocation levels, technical assistance, data collection and other program components. The bill appropriates \$50 million to the Dept. of Public Health for the program.
- **CHHS Trauma Intervention Program.** This grant program replaces the “Cognitive Behavioral Intervention for Trauma Pilot Program” found in prior versions of the bill. As amended, the bill would establish a program within the Health and Human Services Agency to provide grants to local education agencies, including charter schools, to implement evidence-based interventions for pupils impacted by trauma. A research grant component is included to track how grant funds have been spent, with listed outcomes. Priority for grants is to be given to applicants located in the counties of Alameda, Fresno, Kern, Merced, Tulare and Los Angeles. The bill appropriates \$50 million to HHS for this grant program.
- **Dept. of Justice Violence Reduction Grant program.** AB 912 directs the state Department of Justice to award competitive grants “*...to support, expand, and replicate evidence-based, focused-deterrence collaborative programs that conduct outreach to targeted gangs and offer supportive services in order to preemptively reduce and eliminate violence and gang involvement*”. Grants made to “cities or other local jurisdictions” must allocate at least 50% of grant funds to community based agencies or to public agencies dedicated to community safety or violence prevention. The bill appropriates \$35 million to DOJ for the grant program.
- **Dept. of Parks and Recreation grants.** AB 912 directs the Department of Parks and Recreation to administer a program of grants to local governments, CBOs and schools to support sports and education programs to enhance recreation and health based interventions for youth impacted by gangs and violence, with a focus on programs operating during “peak times of violence”. The bill appropriates \$50 million to the Dept. of Parks & Recreation.

Passed the Assembly Public Safety and Education Committees, to the Assembly Appropriations Committee.

AB 945 (Reyes, D. – Colton). ~~Community-based corrections spot bill.~~ Gut & amend. As amended the bill requires local courts to submit reports to the state Dept. of Justice on individuals petitioning to have their convictions dismissed after participating in a California Conservation Camp program or another listed camp or fire crew program. Not a juvenile justice bill; will be taken off our tracking list in future reports.

AB 1039 (Rodriguez, D. - Chino). Sex offenses by employees of public health, public detention and state corrections facilities. As amended, AB 1039 amends Penal Code Sec. 289.6 which presently establishes a misdemeanor for a public health or public detention facility officer or employee who engages in sexual activity with a consenting adult who is confined in the facility. PC 289.6 also covers employees in CDCR and CDCR contract facilities who engage in defined sexual acts with inmates, wards or parolees. Covered detention facilities include those

confining both adults and minors. The definition of sexual activity is expanded to include touching of the anus, groin or buttocks, and the penalty is increased from a misdemeanor to a wobbler. ***In the Assembly Public Safety Committee; hearing 4/18 cancelled by the author.***

AB 1090 (Jones-Sawyer, D. – L.A.) Management of juvenile halls. Gut & amend. This bill has been gutted and amended into a completely different measure that establishes new procedures for removals of county sheriffs from office. No longer a juvenile justice bill; will be removed from our tracking reports.

AB 1118 (Kalra, D. – San Jose). Racial Justice Act appeals. As amended, AB 1118 modifies the Racial Justice Act which prohibits discrimination in juvenile and criminal proceedings and provides remedies for prosecutions, convictions or adjudications involving racial bias or discrimination. AB 1118 authorizes a defendant to raise a claim of racial discrimination in the trial record directly on appeal after conviction or sentencing. It further authorizes the defendant to move to stay the appeal and to request remand to the superior court for the filing of a motion to vacate the sentence based on a discrimination claim. ***Passed the Assembly 65-0-15, to the Senate for committee assignment.***

AB 1186 (Bonta, D. – Oakland). Elimination of juvenile justice restitution orders. Bonta's bill states intent to eliminate the court's authority to impose financial restitution orders on juveniles, citing the harm done to youth who cannot make payments as well as evidence of racial bias in the current restitution system. AB 1186 would replace juvenile restitution orders with a mechanism to compensate crime victims through the California Victim's Compensation Board, in satisfaction of court-ascertained economic losses. The new victim compensation system is described in an amendment to WIC Section 730.6 stating *"...it is the intent of the legislature that no minor or the minor's parent or guardian shall be ordered to pay restitution to a victim that incurred economic loss as a result of the conduct of that minor. Upon issuance of a restitution order from the juvenile court, victims shall receive restitution directly from the California Victim Compensation Board"*. AB 1186 makes multiple changes to code sections that presently reference or authorize juvenile restitution orders imposed on youth or their families. WIC Sec 202 (the "purpose" section) and WIC Section 730 (ward dispositions) are amended to explicitly remove the court's authority to impose a restitution payment order, and to instead authorize the court to order the minor to *"make amends...by participating in a restorative justice program, performing community service, or participating in an educational, employment, youth development, or mental health program."* The amendment to WIC Sec. 730 adds that *"All of these nonmonetary accountability options shall be youth appropriate, limited to no more than 25 hours, not interfere with the minor's school or work commitments, and provided at no cost to the minor or their parent or guardian."* Multiple other WIC and Penal Code sections are amended or repealed to enact a replacement system of juvenile accountability that eliminates monetary payments in favor of restorative justice alternatives and publicly funded payments to victims. Other amendments revise program-related orders of the court--- for example, an amendment to WIC Section 730 eliminates the requirement that a minor or parents must pay the costs of a court-ordered sex offender treatment program. The bill retains current provisions allowing minors to dispute a prior restitution order. This bill is drafted at a high level of detail, and interested persons are advised to read the full text of the bill. ***Passed the Assembly Public Safety Committee, to Assembly Appropriations Committee, hearing set for 4/26.***

AB 1226 (Haney, D. – San Francisco). State prison placements near home and child. AB 1226 would replace Penal Code Section 5080 with updated provisions on the placements of new prisoners in proximity to their homes and families. The revised Section 5080 requires the state Department of Corrections & Rehabilitation to perform a more thorough evaluation of each person newly committed to state prison, to ensure that the person is assigned to the most appropriate state institution that is closest to the incarcerated person's home. If the newly committed person has a child under the age of 18, the bill also requires CDCR to place the person in the institution that is *"...located nearest to the primary place of residence of the person's child, provided that the*

*placement is suitable and appropriate, would facilitate increased contact between the person and their child, and the incarcerated parent gives their consent to the placement.” If the person has more than one child under age 18, the Department must make separate prisoner placement determinations in relation to each child. As amended, the bill also authorizes CDCR to review an inmate request to be transferred to a different institution closer to his/her child and authorizes inmates to make such requests based on changes in the residence of their children. **Passed the Assembly Public Safety Committee, in the Assembly Appropriations Com. for hearing 4/26.***

AB 1506 (Quirk-Silva, D. – Fullerton). Foster care bill of rights, school changes. AB 1506 adds to the foster care bill of rights (WIC Sec. 16001.9) which presently includes the right of a child to attend school, to remain in the school of origin, to immediate enrollment upon a change of school, to credits for completed coursework, to priority enrollment in listed school programs, and to receive all educational supports and benefits described in the Education Code. AB 1506 adds that the child shall “... *be provided with the opportunity to return to the child’s school with an adult of their choosing to accompany the child in a trauma-informed manner to collect their belongings when a move or change in placement requires the child to change schools,*” **Passed Assembly Human Services Committee, on the Assembly Floor (non-fiscal bill).**

AB 1514 (Reyes, D. – Colton). ~~Division of Juvenile Justice, spot bill.~~ Gut & amend. This bill has been converted into a measure adjusting how case data is managed under CalWORKS and changing how CalFRESH applications are processed through the CalSAWS automated welfare system. Not a juvenile justice bill; will be removed from further tracking reports.

AB 1547 (McKinnor, D. – L.A.) Childhood sexual assault actions, statute of limitations. California Code of Civil Procedure (CCP) Section 340.1 extends the statute of limitations for filing an action for damages due to a childhood sexual assault to 22 years from the date the plaintiff attains age of majority or five years from when the damage was discovered, whichever comes later. This bill would, for short extension periods, revive a childhood sexual assault claim against an employee of a juvenile probation camp or detention facility, or against an employee of the Division of Juvenile Justice, where that claim would otherwise have been barred by the statute of limitations. **Passed Assembly Judiciary Committee, to the Appropriations Committee.**

AB 1582 (Dixon, R. – Huntington Beach). Secure Youth Treatment Facilities. AB 1582 amends the eligibility and criteria for commitment of a juvenile to a Secure Youth Treatment Facility (SYTF). The bill eliminates the provision at WIC Sec. 875 (a) (2) that in order to qualify for an SYTF commitment, the individual’s qualifying WIC 707 (b) offense must be the “most recent offense for which the juvenile has been adjudicated”. In effect, this would allow a current SYTF commitment for an older WIC 707 (b) offense that was previously handled without a commitment to DJJ or to a Secure Youth Treatment Facility. **Failed passage in the Assembly Public Safety Committee on 4/11.**

AB 1643 (Bauer-Kahan, D. – Orinda). Damage value threshold for probation referrals to the DA and for informal supervision programs. Under current law, a minor referred to the probation department for an offense for which victim restitution exceeds \$1,000 must be referred within 48 hours to the district attorney for a prosecutor decision whether to file formal charges in the case (WIC. Sec. 653.5). In addition, under current law where the minor’s behavior would trigger restitution exceeding \$1,000, the minor becomes ineligible for referral to an informal program of supervision by the probation officer (WIC Sec. 654) or by the court (WIC Sec. 654.2). This bill raises the damage threshold for mandatory referral to the DA, or for referral to a program of informal supervision, from \$1,000 to \$5,000. In other words, juveniles presently excluded from probation-only processing and informal supervision programs, due to exceeding the \$1,000 damage threshold, would have eligibility restored for those informal dispositions as long as the restitution value does not exceed \$5,000. **Passed the Assembly Public Safety Committee, in the Assembly Appropriations Committee for hearing 5/3.**

Senate bills

SB 9 (Cortese, D – San Jose). Extending dependency jurisdiction to age 22. Current law (WIC Section 303) provides that the juvenile court may retain jurisdiction over any person who is found to be a ward or dependent child until the ward or dependent child attains 21 years of age. SB 9 extends the court’s non-minor dependency jurisdiction to age 22 “...if the nonminor dependent is experiencing homelessness or is at reasonable risk of homelessness if they are not under the jurisdiction of the juvenile court”. Intent language in the bill cites research conducted by the Chapin Hill School of Social Work in Chicago indicating that outcomes for foster youth are improved during longer periods of court jurisdiction and access to benefits. The bill makes other changes as to the process for extension of jurisdiction beyond age 21 for youth meeting the homelessness criteria. The prior version of the bill that proposed extending dependency jurisdiction to age 26 was amended to the current version which authorizes extension of jurisdiction to age 22. **Passed the Senate Human Services and Judiciary Committees, in the Senate Appropriations Committee for hearing 5/1.**

SB 46 (Roth, D. - Riverside). Elimination of mandatory drug education and treatment programs for minors. Health & Safety Code Sec. 11373 which presently requires a juvenile who is adjudicated for possession of a controlled substance to “receive education or treatment” from a local community agency if the service is available and the person is likely to benefit from the service. Current law also requires the juvenile court to order the minor’s parents to participate in the program, to the extent the court determines that parental participation will aid the education or treatment of the minor. As introduced, SB 46 adjusted the Sec. 11373 program requirements for completion of mandatory drug education programs by minors and their parents. As now amended, the bill completely deletes all Sec.11373 requirements for minors or their parents to participate in drug education or treatment programs upon adjudication of the minor for possession of a controlled substance. The bill retains changes in drug education and treatment programs mandated for adults with drug possession offenses. **Passed the Senate Public Safety Committee, on suspense in the Senate Appropriations Committee.**

SB 266 (Newman, D. – Fullerton). Public Safety Collaborative Fund. As amended SB 266 creates a state Public Safety Collaborative Fund and authorizes the Board of State and Community Corrections (BSCC) to make grants from the fund to “...regional public safety collaboratives established for violence prevention, intervention, and suppression activities.” Grants are to be used to support a range of violence reduction strategies and may include programs to address youth violence prevention and intervention in K-12 schools; programs promoting successful offender re-entry; and programs to address homeless outreach and intervention. Preference in funding goes to “existing collaboratives” specifically including but not limited to the North Orange County Public Safety Collaborative. **In the Senate Public Safety Committee for hearing 4/25.**

SB 442 (Limon, D. – Santa Barbara). Sexual battery. SB 442 amends the sexual battery statute (PC 243.4) to add to the existing elements of that crime the element of “causing another, against that person’s will, to masturbate or touch an intimate part of either of those persons or a third person.” **Passed the Senate Public Safety Committee, on suspense in the Senate Appropriations Committee.**

SB 448 (Becker, D. – Menlo Park). Juvenile detention criteria. SB 448 amends the criteria for a court order that a minor be securely detained (at WIC Sections 635 and 636), by specifying that a court’s decision to detain the minor “...shall not be based on the minor’s county of residence”. **Passed Senate Public Safety and Appropriations Committees. On the Sente Floor.**

SB 519 (Atkins, D. – San Diego). Local departments of corrections and rehabilitation.

Existing law authorizes a county Board of Supervisors to establish a local department of corrections having jurisdiction over local detention facilities and personnel engaged in the punishment, care or treatment of incarcerated persons. The title of the local entity, if established, is changed to a “department of corrections and rehabilitation”. The bill augments provisions that transfer the sheriff’s responsibility for jail management to the new department. The bill additionally would open certain local detention facility and detention employee records to public inspection where a death is involved. Other local detention facility oversight provisions are included in the bill. Local detention facilities covered by the bill include those that hold both adults and minors but not those holding only minors. The bill also amends the statutory mission statement for the Board of State and Community Corrections in Penal Code Section 6024 to add that BSCC mission includes “..to promote legal and safe conditions for youth, inmates, and staff in local detention facilities.” **Not yet assigned to committee.**

SB 545 (Rubio, D. – Baldwin Park). Transfers of minors to adult criminal courts. SB 545 imposes a ban on the transfer of a juvenile to the jurisdiction of the criminal court, where the court finds by clear and convincing evidence that the juvenile who is the subject of the transfer proceeding has been trafficked, sexually abused or sexually battered by the alleged victim of the transfer offense. If the court has already ordered the transfer, and the court then finds by clear and convincing that the juvenile has been trafficked, sexually abused or sexually battered by the alleged victim, the case must be remanded back to the juvenile court for further proceedings. **Passed the Senate Public Safety and Appropriations Committees, to the Senate Floor.**

SB 761 (Laird – Santa Cruz). Access to juvenile records in civil rights actions. Among its other provisions, SB 761 amends WIC Sec. 827 on access to juvenile case files to permit the state Dept. of Justice to access a juvenile case file “...to carry out investigations regarding civil rights violations at the discretion of the Attorney General under Section 12535 of the Government Code.” **In the Sen. Judiciary Committee for hearing 4/25.**

Bill digests by David Steinhart, Director of the Commonweal Juvenile Justice Program. Copies of this report can be accessed on the Commonweal Juvenile Justice Program website at: www.comjj.org