

JUVENILE JUSTICE LEGISLATION 2020 CALIFORNIA LEGISLATIVE SESSION

BILL	TITLE/DESCRIPTION	SUMMARY	STATUS
AB 901 Gipson, D., Carson	<i>Juveniles – Truancy</i>	<p>Elimination of 601 Jurisdiction for truancy; related education law changes; probation supervision programs; notices to appear; referrals to district attorney</p> <ul style="list-style-type: none"> • Strikes references to pupils that have been insubordinate or disorderly during attendance in provisions that authorize a court to render judgment that the parent, guardian, or person having the control or charge of the pupil shall deliver the pupil to school. • Repeals the authority (and associated requirements stemming therefrom) of the SARB or probation officer to direct the county superintendent of schools to request a petition on behalf of the pupil in the juvenile court of the county. • Specifies that services or programs offered to minors or minor’s parents or guardians who are not on probation are voluntary and shall not include probation conditions or consequences as a result of not engaging in or completing those programs or services. • Specifies, for minors not on probation, that the provision of services or programs shall not be construed to allow probation departments to maintain a formal or informal caseload, establish formal or informal contracts with minors or minor’s parents or guardians, or create mandated-probation conditions. • Repeals the procedures for when a minor is before the court on the basis of truancy. <p>Repeals the provision that provides that a minor is within the jurisdiction of the juvenile court, which may adjudge the minor to be a ward of the court, when a minor between 12 years of age and 17 years of age, inclusive, has four or more truantries within one school year, as defined, or a school attendance review board or probation officer determines that the available public and private services are insufficient or inappropriate to correct the habitual truancy of the minor, or to correct the minor’s persistent or habitual refusal to obey the reasonable and proper orders or directions of school authorities, or if the minor fails to respond to directives of a school attendance review board or probation</p>	<p>8/13 Read third time and amended. Ordered to second reading.</p> <p>7/29 Heard in Senate Ed Comm. From Committee: That measure be returned to Senate Floor for consideration (Ayes 4, Noes 0)</p>

		<p>officer or to services provided.</p> <ul style="list-style-type: none">• Repeals the authority of any peace officer or school administrator to issue a notice to appear to a minor who is within the jurisdiction of the juvenile court and instead authorizes any peace officer to issue a notice to appear to a minor who is within the jurisdiction of the juvenile court for persistently or habitually refusing to obey the reasonable and proper orders or directions of the minor’s parents, guardian, or custodian, or who is beyond the control of that person, or when the minor violated any ordinance of any city or county of this state establishing a curfew based solely on age; requires a peace officer to refer a minor to community-based diversion before issuing a notice to appear; and requires the probation department to offer the services if community-based diversion is unavailable.• Requires the district attorney and the probation officer to coordinate their efforts and to cooperate in determining whether another public agency, a community-based organization, the probation department, or the district attorney is best able to operate a truancy mediation program in their county.• Requires a probation officer, if the probation officer determines that it is appropriate to recommend services to the family to prevent or eliminate the need for removal of the minor from the minor’s home, to refer the youth to services provided by a health agency, community-based organization, LEA, an appropriate non-law enforcement agency, or the probation department.• Defines “community-based organization” to mean a public or private nonprofit organization of demonstrated effectiveness that is representative of a community or significant segments of a community and provides educational, physical, or mental health, recreational, arts, and other youth development or related services to individuals in the community.• Repeals the authority for a probation officer to take actions when the probation officer concludes that a minor will probably soon be within that jurisdiction, and revises that actions that a probation officer is authorized to take when the probation officer concludes that a minor is within the jurisdiction of the juvenile court by making the following revisions:• Provides that if a probation officer concludes that a minor is within the jurisdiction of the juvenile court, or would come within the jurisdiction of the court if a petition were filed, then the probation officer may, in lieu of requesting that a petition be filed by the prosecuting attorney to declare a minor a ward of the court and with consent of the minor and the minor’s parent	
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<p>SB 1111 Durazo, D., L.A.</p>	<p><i>Juveniles: Detention Facilities</i></p>	<p>Requires any person whose case originated in juvenile court to remain in a county juvenile facility until they turn 21, except as specified.</p> <ul style="list-style-type: none"> • Requires that any person whose case originated in juvenile court remain in a county juvenile facility until the person turns 21 years of age, except as specified. • Deletes the current place-of-detention scheme in WIC Section 208.5 & replaces it with a new section that would allow any person whose case originated in juvenile court, if detained, to remain in the juvenile facility until age 21. They can only be moved to an adult facility with the approval of the Juvenile Court. <ul style="list-style-type: none"> ○ The trigger in current law that allows transfers of juveniles reaching age 	<p>Set for Hearing on 8/18 before Com. on APPR.</p> <p>8/5 From Committee: Do pass and re-refer to Com. on APPR. Re-referred to Com. on APPR.</p>

		<p>18 or 19 to county jails is removed.</p> <ul style="list-style-type: none"> ○ Additionally, the BSCC approval process for mixed-age facilities is removed. ● Authorizes probation dept. petition the court to house person 19 or older in jail or other adult facility ● Prohibits a court, judge, referee, peace officer or employee of detention facility from knowingly detaining minor in jail or lockup (exceptions WIC 207.1 (a)) ● Requires court to hold a hearing and make written findings based on the totality of criteria (outlines 5 criteria) 	
<p>SB 203 (Bradford)</p>	<p>Juveniles: Custodial Interrogation</p>	<ul style="list-style-type: none"> ● Applies provisions prior to a custodial interrogation to youth 17 or younger ● Directs a court deciding the admissibility of statements made by a youth 17 or younger during or after a custodial interrogation to consider the effects of failing to provide counsel before the custodial interrogation ● Directs a court to consider any willful failure of a law enforcement officer to allow a youth 17 or younger to speak with counsel before a custodial interrogation in determining the credibility of that law enforcement officer <p>Existing law applies to youth 15 and younger</p>	<p>Set for Hearing on 8/18 before Com. on APPR.</p> <p>8/5 From Committee: Do pass and re-refer to Com. on APPR. (Ayes 6, Noes 1). Re-referred to Com. on APPR.</p>