
UNFINISHED BUSINESS

Bill No: SB 92
Author: Committee on Budget and Fiscal Review
Amended: 4/8/21
Vote: 21

SENATE FLOOR: Not relevant

ASSEMBLY FLOOR: 56-17, 4/29/21 - See last page for vote

SUBJECT: Juvenile Justice

SOURCE: Author

DIGEST: This is a budget trailer bill within the overall 2020-21 budget package with technical changes necessary to implement the realignment of the Division of Juvenile Justice that was included in the 2020 Budget Act.

Assembly Amendments delete the Senate version of the bill and instead add the current language.

ANALYSIS: The Governor's January Budget in 2020 proposed to transfer the Division of Juvenile Justice (DJJ) to a newly created independent department within the Health and Human Services Agency on July 1, 2020. That approach was intended to align the rehabilitative mission of the state's juvenile justice system with trauma-informed and developmentally appropriate services supported by programs overseen by the state's Health and Human Services Agency. The unprecedented fiscal impact of COVID-19 resulted in the withdrawal of this proposal.

Subsequently, through SB 823 (Committee on Budget and Fiscal Review, Chapter 337, Statutes of 2020), the Legislature and Governor agreed to expand on previous efforts to reform the state's juvenile justice system by transferring the responsibility for managing all youthful offenders to local jurisdictions and closing DJJ at a later specified date. SB 823 included several safeguards to reduce transfers of youth to adult jurisdiction. The bill also included Legislative intent to

establish a separate, long-term local dispositional track for higher-need youth by March 1, 2021.

This bill establishes this track--called the Secure Youth Treatment Facilities--states the DJJ closure date, and includes various technical changes to effectuate the provisions included in the 2020 Budget Act. Specifically, this bill:

- 1) Allows counties to establish secure youth treatment facilities for certain youth who are 14 years of age or older and found to be a ward of the court based on an offense that would have resulted in a commitment to DJJ.
- 2) Provides guidance on how counties will adjudicate, house and facilitate services for these youth.
- 3) Requires the court to set a maximum term of confinement for the youth in a secure treatment facility and requires the submission of a rehabilitation plan to the court from the probation department and any other entity that is designated by the court to develop the plan.
- 4) Requires the court to hold regular progress review hearings for youth who are in a secure youth treatment facility. It also allows probation or the youth to make a motion to the court for transfer to a less restrictive program.
- 5) Requires the Judicial Council to develop and adopt a matrix of offense-based classifications.
- 6) Closes DJJ on June 30, 2023 and requires the Director of DJJ to develop a plan by January 2, 2022, for the transfer of jurisdiction of any remaining youth in DJJ who are unable to be discharged or otherwise moved.

FISCAL EFFECT: Appropriation: Yes Fiscal Com.: Yes Local: No

According to the Senate Budget and Fiscal Review Committee, this trailer bill provides \$50,000 General Fund to the Adult Reentry Grant administered by the Board of State and Community Corrections.

SUPPORT: (Verified 4/29/21)

None received

OPPOSITION: (Verified 4/29/21)

None received

ASSEMBLY FLOOR: 56-17, 4/29/21

AYES: Aguiar-Curry, Arambula, Bauer-Kahan, Bennett, Berman, Bloom, Boerner Horvath, Burke, Calderon, Carrillo, Cervantes, Chau, Chen, Chiu, Cooley, Daly, Frazier, Friedman, Gabriel, Cristina Garcia, Eduardo Garcia, Gipson, Lorena Gonzalez, Gray, Grayson, Holden, Irwin, Jones-Sawyer, Kalra, Lee, Levine, Low, McCarty, Medina, Mullin, Muratsuchi, Nazarian, O'Donnell, Quirk, Quirk-Silva, Ramos, Reyes, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Stone, Ting, Villapudua, Waldron, Ward, Akilah Weber, Wicks, Wood, Rendon

NOES: Bigelow, Choi, Cunningham, Megan Dahle, Davies, Flora, Fong, Gallagher, Kiley, Lackey, Mathis, Nguyen, Patterson, Seyarto, Smith, Valladares, Voepel

NO VOTE RECORDED: Cooper, Maienschein, Mayes, Petrie-Norris, Luz Rivas

Prepared by: Christopher Francis / B. & F.R. / 916-651-4103
4/30/21 12:38:43

**** **END** ****