
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair

2025 - 2026 Regular Session

SB 1009 (Becker) - Juveniles: detention

Version: April 7, 2026

Urgency: No

Hearing Date: May 14, 2026

Policy Vote: PUB. S. 4 - 1

Mandate: No

Consultant: Bob Franzoia

Bill Summary: SB 1009 would require a juvenile court to order a minor released from custody unless the court finds by clean and convincing evidence that one of several specified criteria has been met. The bill would require that whenever a court orders a minor detained in the juvenile hall, the court shall, upon request, reconsider whether continued detention in the juvenile hall is necessary, based on current information.

***** ANALYSIS ADDENDUM – SUSPENSE FILE *****

**The following information is revised to reflect amendments
adopted by the committee on May 14, 2026**

Fiscal Impact: Unknown, potentially significant costs to probation agencies, county welfare services and juvenile courts. Probation agencies would need to develop a stronger evidentiary basis for detention likely requiring additional staff resources to accomplish that goal. The provision allowing a court to revisit detention, upon request, would create some additional hearings, though some courts may hold these hearings already when they are requested. Board of State and Community Corrections data on how many juveniles are held in detention shows that the average daily population in pre-disposition detention last year was just over 1,100 so courts are holding potentially thousands of these hearings annually. While there were just over 30,000 total delinquency filings not all of them would involve detained youth. There is uncertainty whether the changes will result in these hearings taking longer as judges generally already considering whether a less restrictive option was available as part of their findings.

Typically, a court reporter is present in juvenile justice cases so judges can orally state these findings on the record but where there is a shortage of court reporters and judges are required to put these findings in writing it would create a new additional workload. Welfare and Institutions Code 726 (d) (3), as added by this bill, would result in additional workload by requiring a written statement of decision, similar to what is expected in a transfer hearing at a dispositional hearing (WIC 707), even where there is a court reporter's transcript.

Cost pressures (Trial Court Trust Fund, General Fund) to the courts will depend on the number of actions and the amount of court time required by each action. It generally costs \$1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding for courts from the General Fund. The FY 2025-26 state budget provided \$82 million ongoing General Fund support to the Trial Court Trust Fund for court operations. The proposed FY 2026-07 budget would provide \$70 million General Fund support.

Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund and staff workload may create a need for increased funding for courts from the General Fund to perform existing duties. Numerous trial court operations are funded through the imposition and collection of criminal fines and fees. However, the Legislature has reduced and eliminated criminal fines and fees over the past several years. As a result, annual appropriations from the General Fund are needed to address declining revenue to the Trial Court Trust Fund.

Unknown, potentially significant to major, county specific cost savings to the extent a higher evidentiary standard and requested hearings on the current detention of minors results in moving minors from more costly placements, for example, juvenile halls or secure youth treatment facilities to less costly placements (camps and ranches, group homes or foster homes or home detection utilizing electronic monitoring). While enabling additional requests for hearings, presumably because there is a change in circumstances, may not always result in more hearings, the effect could be longer hearings. Savings may increase due to credits juvenile wards may accumulate while doing electronic monitoring. Smaller counties may have fewer options for less restrictive non-detention options.

Committee Amendments: Amend to delete use of adult evidence standard in juvenile court.

-- END --