
THIRD READING

Bill No: SB 1157
Author: Archuleta (D)
Amended: 4/22/26
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 4/14/26
AYES: Arreguín, Seyarto, Caballero, Cortese, Pérez, Wiener

SENATE APPROPRIATIONS COMMITTEE: 7-0, 5/14/26
AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

SUBJECT: Juveniles: secure youth treatment facilities: less restrictive programs

SOURCE: Chief Probation Officers of California

DIGEST: This bill 1) requires the Judicial Council to develop and adopt guidelines to assist the court in determining whether a particular less restrictive program (LRP) is an appropriate placement for a ward, and 2) requires the guidelines to direct the court to consider specified topics.

ANALYSIS:

Existing law:

- 1) Provides, generally, that a minor who is between 12 years of age and 17 years of age, inclusive, when the minor violates any law defining a crime, is subject to the jurisdiction of the juvenile court and to adjudication as a ward. (Welfare (Welf.) & Institutions (Inst.) Code, § 602, subd. (a).)
- 2) Authorizes a court to order a ward who is 14 years of age or older to be committed to a secure youth treatment facility (SYTF) for a period of confinement if the ward meets all of the following criteria:

- a) The juvenile is adjudicated and found to be a ward of the court based on an offense listed in subdivision (b) of Section 707 that was committed when the juvenile was 14 years of age or older.
 - b) The adjudication is the most recent offense for which the juvenile has been adjudicated.
 - c) The court has made a finding on the record that a less restrictive, alternative disposition for the ward is unsuitable. (Welf. & Inst. Code, § 875, subd. (a)(1)-(3).)
- 3) Requires the court, in determining whether a less restrictive disposition is suitable, to consider all relevant and material evidence, including the recommendations of counsel, the probation department, and any other agency or individual designated by the court to advise on the appropriate disposition of the case. (Welf. & Inst. Code, § 875, subd. (a)(3)(A)-(E).)
 - 4) Requires the court, in making its order of commitment for a ward, to set a baseline term of confinement for the ward that is based on the most serious recent offense for which the ward has been adjudicated. Requires the court to additionally set a maximum term of confinement for the ward. (Welf. & Inst. Code, § 875, subds. (b)(1), (c)(1).)
 - 5) Requires the court to receive, review, and approve an individual rehabilitation plan (IRP) that meets specified requirements for the ward that has been submitted to the court by the probation department and any other agencies or individuals the court deems necessary for the development of the plan. (Welf. & Inst. Code, § 875, subd. (d)(1).)
 - 6) Requires the court to schedule and hold a progress review hearing for the ward not less frequently than once every six months during the term of commitment. Authorizes the court to order that the ward remain in custody for the remainder of the baseline term or modify the ward's baseline term downward. Authorizes the court to additionally order that the ward be assigned to an LRP. (Welf. & Inst. Code, § 875, subd. (e).)
 - 7) Authorizes the court, upon a motion from the probation department or the ward, to order that the ward be transferred from an SYTF to an LRP. Requires the court to consider the recommendations of the probation department on the proposed change in placement. Requires approval of the request for an LRP to be made only upon the court's determination that the ward has made substantial progress toward the goals of the IRP and that placement is consistent with the

goals of youth rehabilitation and community safety. (Welf. & Inst. Code, § 875, subd. (f)(1).)

- 8) Requires the court, in making its determination to approve a transfer request to an LRP, to consider both of the following factors:
 - a) The ward's overall progress in relation to the rehabilitation plan during the period of confinement in an SYTF.
 - b) The programming and community transition services to be provided, or coordinated by the LRP, including, but not limited to, any educational, vocational, counseling, housing, or other services made available through the program. (Welf. & Inst. Code, § 875, subd. (f)(1).)
- 9) Authorizes the court, in any order transferring the ward from an SYTF to an LRP, to require the ward to observe any conditions of performance or compliance with the program that are reasonable and appropriate and that are within the capacity of the ward to perform. (Welf. & Inst. Code, § 875, subd. (f)(2).)
- 10) Authorizes the court, if it determines that the ward has materially failed to comply with the court-ordered conditions of placement in the LRP, to modify the terms and conditions of placement in the program or to order the ward to be returned to an SYTF for the remainder of the baseline term, or modified baseline term, and subject to further periodic review hearings and to the maximum confinement provisions of law. (Welf. & Inst. Code, § 875, subd. (f)(2).)

This bill:

- 1) Requires the Judicial Council to develop and adopt guidelines by July 1, 2028 to assist the court in determining whether a particular LRP is an appropriate placement for a ward.
- 2) Requires the guidelines to direct the court to, at a minimum, consider all of the following:
 - a) Whether and what type of insurance coverage a program is required to possess.
 - b) The type of training a program's staff has received.

- c) Whether a residential program has conducted a criminal background check of prospective employees, if not already required to do so by law.
- d) Whether a program has demonstrated ability to address the risk needs of wards being transferred to the less restrictive program from a secure youth treatment facility.
- e) Whether a program has provided proof of notice to the city and county in which it operates.
- f) Whether a program utilizing residential facilities meets state and local zoning and land use requirements for residential facilities.

Background

With the passage of SB 823 (Senate Committee on Budget, Chapter 337, Statutes of 2020), the state planned the closure of the Division of Juvenile Justice (DJJ) and realigned the responsibility for managing all youth under the jurisdiction of the juvenile courts to county probation departments. This change resulted in the reallocation of funding to counties to enable them to meet the needs of youth who would have previously been committed to DJJ. SB 823 also established the Office of Youth and Community Restoration (OYCR) within the California Health & Human Services (CalHHS) Agency. OYCR's mission is to "promote[] trauma responsive, culturally informed, gender honoring, and developmentally appropriate services for youth involved in the juvenile justice system that support the youths' successful transition into adulthood" and its "vision of youth justice is one that is framed by accountability and healing rather than punishment, and has been driven by on-the-ground advocates, researchers and probation departments, along with policy, funding, and practice changes, working together to make this new vision of youth justice a reality." (OYCR, *About OYCR* available at <<https://www.oocr.ca.gov/about/#our-mission> .)

SB 92 (Senate Committee on Budget, Chapter 18, Statutes of 2021), was enacted the following year to establish a new dispositional option for juveniles ages 14 and over who are adjudicated for a Welfare and Institutions Code section 707(b) offense (i.e., a specified serious or violent felony) and for whom a less restrictive alternative disposition is not suitable. This dispositional option—commitment to an SYTF—is a secured, custodial setting. Counties are not required to establish an SYTF and may contract with another county that has an SYTF to house this population. A county is also authorized to establish an SYTF to serve as a regional center for the commitment of juveniles from one or more counties. A county that elects to establish an SYTF is required to notify and submit a description of the

facility to the BSCC to ensure compliance with standards pertaining to facility design and security, among other things.

LRPs. As mentioned above, Welfare and Institutions Code section 875 authorizes a court to commit a youth to an SYTF if: the juvenile was adjudicated for and found to have committed a Section 707(b) offense when the juvenile was 14 and older; the adjudication is the most recent offense for which the juvenile has been adjudicated; and the court has made a finding on the record that a less restrictive, alternative disposition for the ward is unsuitable. (Welf & Inst. Code, § 875, subd. (a)(1).) In other words, the court must decide, following a youth's adjudication for an eligible offense, whether an SYTF is the appropriate placement for a youth who qualifies for commitment to an SYTF. Once the SYTF commitment is ordered, the court conducts review hearings at least every six months. In reviewing the youth's progress, the court may order that the youth be assigned to an LRP.

The court may order that the youth be transferred from an SYTF to an LRP, such as a halfway house, a camp or ranch, or a community residential or nonresidential service program, upon a motion from the probation department or the youth. (Welf & Inst. Code, § 875, subd. (f)(1).) The stated purpose of an LRP is "to facilitate the safe and successful reintegration of the ward into the community." (Welf & Inst. Code, § 875, subd. (f)(1).) When a request for a transfer from an SYTF to an LRP is made, the court must consider the request at the next scheduled review hearing or at a separately scheduled hearing, and must consider the probation department's recommendations. (Welf & Inst. Code, § 875, subd. (f)(1).)

In order to approve a transfer request to an LRP, the court must find that the youth has made substantial progress toward the goals of the IRP and that placement in an LRP is consistent with the goals of youth rehabilitation and community safety. (Welf & Inst. Code, § 875, subd. (f)(1).) In making its determination, the court must consider the youth's overall progress in relation to the IRP during the period of confinement in an SYTF as well as the programming and community transition services to be provided or coordinated by the LRP, including any educational, vocational, counseling, housing, or other services made available through the program. (Welf & Inst. Code, § 875, subd. (f)(1)(A) & (B).)

The court may order any reasonable and appropriate conditions that are within the capacity of the youth to perform when ordering a transfer from an SYTF to an LRP. (Welf & Inst. Code, § 875, subd. (f)(2).) The length of time the youth is to remain in an LRP cannot exceed the remainder of the baseline or modified baseline term, prior to a probation discharge hearing. (Welf & Inst. Code, § 875, subd.

(f)(2).) A youth who fails to comply with the court-ordered conditions of placement in the program may have the conditions modified or be returned to an SYTF for the remainder of the baseline term, or modified baseline term. (Welf & Inst. Code, § 875, subd. (f)(2).)

Step Downs to LRPs. With respect to transfers to LRPs, 100 youths were stepped down to an LRP during fiscal year 2022-23, and 161 youths were stepped down to an LRP during fiscal year 2023-24. (OYCR, *AB 102 Report* (Sept. 2025), p. 27 available at <https://oycr.ca.gov/wp-content/uploads/sites/346/2025/09/2025-AB-102-Report_FINAL.pdf .) Notably, 14 counties transferred youth from an SYTF to an LRP during fiscal year 2022-23, and 26 counties did the same during fiscal year 2023-24. Among those counties, half were in Northern California, 27% were in Southern California, 23% were in Central California. (*Ibid.*) Three-quarters of those stepped down to an LRP in fiscal year 2023-24 were age 19 or older, and the most commonly adjudicated offenses for those who were stepped down to LRPs were homicide, robbery, assault, and attempted homicide. (*Id.* at pp. 28-29.)

The proponents of this bill assert that it is critical that statewide standards pertaining to LRPs be adopted. To accomplish that, this bill requires the Judicial Council to develop and adopt guidelines by July 1, 2028 to assist the court in determining whether a particular LRP is an appropriate placement for a ward. The guidelines must direct the court to, at a minimum, consider all of the following:

- Whether and what type of insurance coverage a program is required to possess.
- The type of training a program's staff has received.
- Whether a residential program has conducted a criminal background check of prospective employees, if not already required to do so by law.
- Whether a program has demonstrated ability to address the risk needs of wards being transferred to the less restrictive program from a secure youth treatment facility.
- Whether a program has provided proof of notice to the city and county in which it operates.
- Whether a program utilizing residential facilities meets state and local zoning and land use requirements for residential facilities.

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

According to the Senate Appropriations Committee:

- Unknown, estimated cost one time ranging between \$150,000 and \$250,000 to contract for consulting and a limited term attorney to develop and adopt the required guidelines (Trial Court Trust Fund).
- Unknown, potential future year savings to the extent the guidelines increase the court's efficiency when making ward placement decisions.

SUPPORT: (Verified 5/14/26)

Chief Probation Officers of California (source)
Contra Costa County
County of Fresno
Inyo County Board of Supervisors
Kern County Board of Supervisors
League of California Cities
Marin County Board of Supervisors
Peace Officers Research Association of California
Shasta County Board of Supervisors

OPPOSITION: (Verified 5/14/26)

Alliance for Boys and Men of Color
California Coalition for Women Prisoners
California Public Defenders Association
California Youth Defender Center
Californians United for a Responsible Budget
Center on Juvenile and Criminal Justice
Communities United for Restorative Youth Justice
Community Works
Felony Murder Elimination Project
Fresh Lifelines for Youth
Glide Foundation
Justice2Jobs Coalition
La Defensa
Legal Services for Prisoners With Children
Local 148 Los Angeles County Public Defender's Union
National Center for Youth Law
National Institute for Criminal Justice Reform
Peace and Justice Law Center
San Francisco Public Defender's Office

Sister Warriors Freedom Coalition
Smart Justice California
Starting Over Strong
The Collective for Liberatory Lawyering
The Place4Grace
W. Haywood Burns Institute
Youth Law Center

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