
SENATE COMMITTEE ON HUMAN SERVICES

Senator Becker, Chair

2025 - 2026 Regular

Bill No: SB 1190
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Consultant: Heather Hopkins
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Subject: Safe Passage for Youth Act

SUMMARY

This bill establishes standards governing private youth transportation companies that transport minors to residential treatment programs or similar facilities to ensure safety, transparency, and appropriate oversight. This bill requires the California Department of Social Services (CDSS) to license and regulate youth transportation companies in California.

ABSTRACT

Existing Law:

- 1) Establishes the “California Community Care Facilities Act” (CCFA) and requires CDSS to administer and license community care facilities providing nonmedical services, including adult residential facilities and short term residential therapeutic programs (STRTPs), among others. (*Health and Safety Code [HSC] 1500 et seq.*)
- 2) Provides that it is the policy of the state to facilitate the proper placement of every child in residential care facilities where the placement is in the best interests of the child. A county may require placement or licensing agencies, or both placement and licensing agencies, to actively seek out-of-home care facilities capable of meeting the varied needs of the child. Provides that in placing children in out-of-home care, particular attention should be given to the individual child’s needs, the ability of the facility to meet those needs, the needs of other children in the facility, the licensing requirements of the facility as determined by the licensing agency, and the impact of the placement on the family reunification plan. (*HSC 1501.1(a)*)
- 3) Defines “community care facility” as any facility, place, or building that is maintained and operated to provide nonmedical residential care, day treatment, adult daycare, or foster family agency services for children, adults, or children and adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children. (*HSC 1502(a)*)

- 4) Defines “residential facility” as any family home, group care facility, or similar facility determined by the department, for 24-hour nonmedical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual. *(HSC 1502(a)(1))*
- 5) Defines “community treatment facility” as any residential facility that provides mental health treatment services to children in a group setting and that has the capacity to provide secure containment. *(HSC 1502(a)(8)(A))*
- 6) Defines a STRTP as a residential facility operated by a public agency or private organization and licensed by CDSS that provides an integrated program of specialized and intensive care and supervision, services and supports, treatment, and short-term, 24-hour care and supervision to children. Further, requires the care and supervision provided by a STRTP be nonmedical, except as otherwise permitted, as specified. *(HSC 1502(a)(18))*
- 7) Defines “private alternative boarding school” as a group home licensed by CDSS to operate a program to provide youth with 24-hour residential care and supervision, that, in addition to providing educational services to youth, provides, or holds itself out as providing, behavioral-based services to youth with social, emotional, or behavioral issues. The care and supervision provided by a private alternative boarding school shall be nonmedical, except as otherwise permitted by law. *(HSC 1502(a)(19))*
- 8) Defines “private alternative outdoor program” as a group home licensed by CDSS to operate a program to provide youth with 24-hour residential care and supervision, that provides, or holds itself out as providing, behavioral-based services in an outdoor living setting to youth with social, emotional, or behavioral issues. The care and supervision provided by a private alternative outdoor program shall be nonmedical, except as otherwise permitted by law. *(HSC 1502(a)(19))*
- 9) Defines “children’s crisis residential program” as a facility licensed by the department as a short-term residential therapeutic program and approved by the State Department of Health Care Services, or a county mental health plan to which the State Department of Health Care Services has delegated approval authority, to operate a children’s crisis residential mental health program to serve children experiencing mental health crises as an alternative to psychiatric hospitalization. *(HSC 1502(a)(21))*
- 10) Defines “behavioral restraint” to mean a “mechanical restraint” or “physical restraint” used as an intervention when a person presents an immediate danger to self or to others. It does not include restraints used for medical purposes. *(HSC 11801.1(a))*
- 11) Defines “mechanical restraint” as the use of a mechanical device, material, or equipment attached or adjacent to the person’s body that he or she cannot easily remove and that restricts the freedom of movement of all or part of a person’s body or restricts normal access to the person’s body, and that is used as a behavioral restraint. *(HSC 11801.1(d))*
- 12) Defines “physical restraint” as the use of a manual hold to restrict freedom of movement of all or part of a person’s body, or to restrict normal access to the person’s body, and that is used as a behavioral restraint. “Physical restraint” is staff-to-person physical contact in

which the person unwillingly participates. “Physical restraint” does not include briefly holding a person without undue force in order to calm or comfort, or physical contact intended to gently assist a person in performing tasks or to guide or assist a person from one area to another. *(HSC 11801.11(d))*

- 13) Requires the development of technical assistance and training programs for specified health facilities to reduce or eliminate the use of seclusion and behavioral restraints in those facilities that utilize them. *(HSC 1180.3)*
- 14) Provides that the Secretary of California Health and Human Services (Secretary) or their designee shall take steps to establish a system of mandatory, consistent, timely, and publicly accessible data collection regarding the use of seclusion and behavioral restraints in all specified facilities that utilize seclusion and behavioral restraints. The Secretary shall develop a mechanism for making this information, as it becomes available, publicly available on the internet. For data currently being collected, implementation shall be done as soon as it reasonably can be achieved within existing resources. As new reporting requirements are developed and result in additional data becoming available, this additional data shall be included in the data publicly available on the internet. *(HSC 1180.3)*

This Bill:

- 1) Provides that the purpose of the Safe Passage for Youth act is to establish standards governing private youth transportation companies that transport minors to residential treatment programs or similar facilities in order to ensure safety, transparency, and appropriate oversight.
- 2) Defines “youth transportation company” as a business entity that transports a minor to a residential treatment program, therapeutic boarding school, wilderness program, behavioral modification program, or other residential youth placement.
- 3) Requires CDSS to license and regulate youth transportation companies operating in California and do all of the following:
 - a. Establish application requirements and criteria for licensure necessary to ensure that youth transportation companies satisfy minimum safety and operational standards.
 - b. Conduct criminal background checks of applicants and other individuals.
- 4) Provides that, in licensing and regulating youth transportation companies, CDSS may do all of the following:
 - a. Establish operational standards.
 - b. Investigate complaints and potential violations of operational standards.
 - c. Issue administrative citations and impose administrative penalties and civil fines.

- d. Refer cases to the Attorney General for a civil enforcement action.
- 5) Allows CDSS to establish a reasonable licensing fee that is no more than the amount necessary to cover the cost of administering and enforcing this chapter.
- 6) Provides that a youth transportation company shall not operate in California without a license pursuant to this chapter.
- 7) Exempts from the licensure requirement, all of the following:
 - a. County child welfare agencies and their employees, including, but not limited to, child protective services workers.
 - b. Licensed child daycare facilities transporting children in their care.
 - c. Nonemergency medical transportation providers otherwise operating in compliance with state law.
 - d. Emergency ambulance providers.
 - e. Law enforcement and juvenile justice entities transporting individuals in their custody.
 - f. Parents, legal guardians, or family members transporting a minor.
- 8) Provides CDSS may review, suspend, or revoke a license under any of the following circumstances:
 - a. The licensee is the subject of a criminal investigation related to the transportation of minors.
 - b. Law enforcement reports indicate conduct that may endanger the safety or welfare of minors.
 - c. CDSS receives credible complaints regarding abuse, neglect, or unlawful conduct during the transportation of minors.
 - d. The licensee fails to comply with program requirements established by CDSS.
- 9) Provides CDSS may coordinate with law enforcement agencies and other state or local authorities when investigating potential violations of law or operational standards.
- 10) Requires a youth transportation company licensed pursuant to this chapter do all of the following:
 - a. Enroll all drivers in the pull-notice system established by Section 1808.1 of the Vehicle Code in order to monitor driver records.
 - b. Ensure that all individuals involved in transporting minors completes training that addresses, at a minimum, all of the following:

- i. First aid and cardiopulmonary resuscitation (CPR) training and certification.
 - ii. Duties imposed under the Child Abuse and Neglect Reporting Act (Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code).
 - iii. Behavioral de-escalation techniques.
 - iv. Safe transportation practices.
 - c. Prior to transporting a minor, obtain written consent from the parent or legal guardian of the child and maintain documentation that written consent was obtained. The documentation shall include authorization for transportation, identification of the destination facility or program, and contact information for the youth transportation company.
 - d. Document incidents occurring during transportation including, but not limited to, injuries, medical emergencies, use of physical restraints, and significant behavioral incidents, and maintain incident reports.
 - e. Requires the youth transportation company to submit a copy of all incident reports to CDSS within 24 hours of the incident.
 - f. Requires the youth transportation company to submit a copy of an incident report to a parent within 24 hours of an incident involving their child.
 - g. Maintain written policies governing the safety and welfare of minors during transport. The policies shall address, at a minimum, access to food and water, access to restroom facilities, lodging when overnight transport occurs, and procedures for delays or itinerary changes.
- 11) Prohibits a youth transportation company licensed pursuant to this chapter from doing either of the following:
- a. Use any of the following during transport:
 - i. Blindfolds.
 - ii. Hoods.
 - iii. A device to obstruct a minor's vision.
 - iv. Mechanical restraints, including, but not limited to, handcuffs, chains, irons, and straight jackets, or physical restraints.
 1. Restraints may be used while transporting a minor if it is necessary to prevent imminent, serious physical harm and less restrictive alternatives are not available. Restraints shall not be used pursuant

to this subparagraph as a punishment, for staff convenience, or as a substitute for supervision of minors.

- b. Pick up a minor for transport between the hours of 9:00 p.m. and 6:00 a.m.
- 12) Provides the Attorney General may bring an action in superior court to enforce the provisions of this chapter if a youth transportation company fails to obtain licensure in compliance with this chapter or engages in repeated or egregious violations of this chapter. The Attorney General may seek the recovery of civil penalties, and shall be entitled to specific performance, injunctive relief, and other equitable remedies a court deems appropriate for enforcement of this chapter, including, but not limited to, an order prohibiting the company from operating within the state. The Attorney General shall be entitled to recover attorney's fees and costs incurred in remedying each violation.

FISCAL IMPACT

This bill has not yet been analyzed by a fiscal committee.

BACKGROUND AND DISCUSSION

Purpose of the Bill:

According to the author, “SB 1190 addresses a gap in California law by establishing oversight for private companies that transport minors to residential treatment and behavioral programs. These companies often serve vulnerable youth but currently operate with little to no statewide regulation, leading to reports of traumatic and, in some cases, cruel practices during transport. SB 1190 creates a commonsense framework requiring licensing, background checks, training, and clear safety standards. This bill ensures that when a child is being transported to receive care, that process is safe, accountable, and not a source of further harm.”

The Troubled Teen Industry

The so-called “troubled teen industry” includes a range of youth residential programs designed to address emotional, behavioral, or substance abuse issues. These programs include such things as boot camps, secured group homes, therapeutic boarding schools, conversion therapy, and wilderness therapy. These programs are estimated to have between 120,00–200,00 youth residing in them¹ and many are located in Utah. In 2021, California prohibited sending youth, including foster children, to out-of-state for-profit treatment centers after reports of rampant abuse.² However, families who private pay are still able to send their children to these out-of-state facilities, which are a billion-dollar industry.

This bill focuses on how youth are transported to these facilities, which often uses the tactic of “gooning” where men show up under cover of darkness, forcing youth into a vehicle, and taking

¹ <https://www.americanbar.org/groups/litigation/resources/newsletters/childrens-rights/five-facts-about-troubled-teen-industry/>

² <https://imprintnews.org/special-series/far-from-home>

them to facilities against their will.³ Parents often hire transport services to stage kidnappings of their children, violently extracting them from their homes, often in the middle of the night, to take them to facilities. Two states have passed laws regulating this practice.

In 2021, Oregon passed Senate Bill 710⁴. The bill establishes regulations and clarifications about types of restraints and holds that can be used on children at residential facilities as well as regulations regarding the use of involuntary seclusion. It also contains provisions regarding secure transportation service providers. Specifically, the bill provided that a person or organization that makes a referral or recommendation related to the use of a secure transportation services provider to transport a child to a school, agency, organization or program must provide a specified written referral disclosure if the child to be transferred is a resident of this state or if the school, agency, organization or program to which the secure transportation services provider will deliver the child is located in this state. The bill further provides that the referral disclosure must state “ORS 418.215 requires a secure transportation services provider that transports children to or from a school, agency, organization or program along a route that begins or ends in Oregon to be licensed by the Department of Human Services.”

In 2025, Maryland passed HB 497⁵, the Preventing Abduction in Youth Transport Act of 2025. This law provides that when a youth is transported to a residential child care program, the youth transportation company may not use specified restraints. These include visual impairment, such as blindfolds and hoods; mechanical restraints, such as handcuffs, chains, irons, straitjackets, cloth restraints, leather restraints, plastic restraints, or other similar items; or physical restraints, including holds, or other use of physical force to restrict free movement. Such physical restraints are only allowed to prevent imminent serious physical harm to a child or others as long as there are no less restrictive alternatives. The law further provides that physical restraints may not be used as punishment, for convenience, or as a substitute for staff supervision. For youth transportation companies not under contact with the Department of Human Services, when the final intended destination is a residential child care program, a youth transportation company may not pick up a child for transport to a residential child care program between the hours of 9 p.m. and 6 a.m.

This bill seeks to follow in the lead of these states and provide rules to ensure proper treatment of young people who are transported to residential treatment facilities.

Related/Prior Legislation:

SB 1043 (Grove, Chapter 628, Statutes of 2024) requires facilities operating STRTPs to provide specified information to a child subject to seclusion or behavioral restraints, their parent, foster parent, guardian, or tribal representative, and CDSS. Requires CDSS to review all reported incidents involving the use of seclusion or behavioral restraints and investigate any incidents that indicate a potential health and safety concern or licensing violation. Requires CDSS to display data that is specific to STRTPs on its website regarding the use of seclusion or behavioral restraints.

³ <https://apnews.com/article/charles-dickens-94038022dc9af71dd9f73158cd53e945>

⁴ <https://legiscan.com/OR/bill/SB710/2021>

⁵ <https://legiscan.com/MD/bill/HB497/2025>

COMMENTS

The troubled teen industry operates across the country, with many locations in Utah. The private transportation companies that transport youth to these programs are largely unregulated. This bill establishes licensing and a regulatory framework for how these vulnerable youth can be transported to these facilities. This bill is narrowly focused on private transportation companies, and excludes counties, law enforcement, and parents, among others, from its provisions. It additionally contains a reporting requirement to ensure both the state, via CDSS, and parents are aware, within 24 hours of any incident reports involving the treatment of a youth. This reporting will provide concrete data to CDSS, the department tasked with regulating the transportation companies, regarding how youth are being treated.

POSITIONS**Support:**

11:11 Media Impact (Sponsor)
Courage California
Educate. Advocate.
LatinoJustice PRLDEF
Lives in the Balance
Orange County United Way
Unsilenced

Oppose:

None Received

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