

SENATE THIRD READING

SB 357 (Menjivar)

As Amended July 17, 2025

Majority vote

SUMMARY

Authorizes a board of supervisors, in a county with a population of at least 6,000,000 people, to delegate to a county official who has jurisdiction over youth development, the duties and authorities that the county probation department has with respect to juveniles, as specified.

Major Provisions

- 1) Allows a board of supervisors, in a county of at least 6,000,000 people, to delegate to a county official who has jurisdiction over youth development, diversion, and reentry all or part of the duties and authorizes concerning juveniles, as specified.
- 2) States that a county official may only perform and discharge part of all of the duties concerning the operation of juvenile halls, camps, and ranches.
- 3) States that the county board of supervisors must delegate these duties to a county official that is part of a collective bargaining unit.
- 4) States that the delegation of these duties shall not result in the loss of represented staff currently employed by a county probation department or prohibit any department from performing duties delegated to it by the county board of supervisors.
- 5) States that a board of supervisors may not delegate a duty or authority to a county official that is required to be undertaken by a peace officer, as specified.
- 6) Allows for the inspection of a juvenile case file by county officials who have been delegated duties concerning juveniles, as specified.

COMMENTS**According to the Author**

"In 2020, when the Legislature directed the closure of the Division of Juvenile Justice (DJJ), it envisioned a system that would use public health approaches to support positive youth development, build the capacity of community-based programs and interventions, and reduce crime by youth.

"Senate Bill 81 (Budget – Chapter 275, Statutes of 2007) and Senate Bill 823 (Budget – Chapter 337, Statutes of 2020) transferred the custody, treatment, and supervision of youth from the state to local County Probation Departments. This added responsibilities such as providing wraparound services, specialized treatment, and managing juvenile facilities. However, some Probation Departments, particularly the Los Angeles one, have struggled to meet these responsibilities.

"Persistent challenges to implementing this new vision of youth justice have been ongoing. LA Probation has faced a staffing crisis, has had their juvenile facilities fail Board of State and Community Corrections inspections, currently has 30 officers indicted for running a fight club with the juveniles and a long history of committed sexual assault on these same youth. The staffing crisis has hindered the County's ability to implement effective programming and has fallen short in providing a safe environment for the juveniles within their facilities. SB 357 seeks to address the realignment efforts of California's youth justice system by granting the Los Angeles County Board of Supervisors the ability to delegate certain functions from County Probation Departments to another county entity.

"By granting LA County the authority to bring in another County entity to support their Probation Department, SB 357 will ensure the youth justice system prioritizes rehabilitation and the services, programs, and placements young people need to successfully return to the community."

Arguments in Support

According to *County of Los Angeles Board of Supervisors*, "We write in support of your bill, Senate Bill (SB) 357. Our Board adopted a motion on May 13, 2025, to support the bill if amended to allow the new lead designee and lead department staff access juvenile records. The recent amendments would provide such records access. Therefore, County of Los Angeles supports SB 357 because it is aligned with the County's long-standing objectives to decarcerate girls and gender-expansive youth, move more boys to less restrictive placements, and expand holistic, educational, and therapeutic services to the youth in our care.

"As you know, Los Angeles County (County) has embarked on a transformational journey to reimagine its youth justice system, committing to a care-first approach grounded in healing, accountability, and equity. The establishment and growth of the Department of Youth Development (DYD) reflects this vision: a commitment to preventative, rehabilitative, and developmentally appropriate services for young people, particularly those most impacted by systemic inequities. Since its launch, DYD has demonstrated measurable success by diverting youth away from punitive systems, reducing recidivism, and improving educational and mental health outcomes through community-based partnerships and holistic, trauma-informed programming. This approach is aligned with national best practices and garnered public support.

"DYD's 2024 evaluation report revealed that 95% of youth enrolled in the program remained free from legal trouble, compared to approximately 20 percent of those who did not participate. Additionally, the program resulted in cost savings of \$40,000 per youth by reducing the need for arrest or court involvement. Key outcomes of the participating young people included improvements in emotional regulation, school engagement, social support, and conflict resolution skills – critical outcomes that the Los Angeles County Probation Department (Probation) has failed to demonstrate success in. In contrast, Probation continues to experience deep-seated crises. Probation, the facilities they oversee, and most importantly, the youth in Probation's custody, remain in crisis. On April 18, 2025, Los Angeles Superior Court Judge Miguel Espinoza ordered Probation to depopulate Los Padrinos Juvenile (Los Padrinos) after the facility was deemed unsuitable for housing youth by state regulators due to staffing and other issues.

"...SB 357 is designed to support the County's shift toward a more developmentally appropriate and health-focused youth justice system by expanding the role of DYD while maintaining

Juvenile Division Courts' authority and the peace officer duties that only Probation's POST-certified staff are able to perform. The bill does not alter the current relationship between the courts and Probation regarding recommendations about dispositions or conditions of supervision. Probation will continue to offer recommendations to the court as it does today.

"This bill enables the County to enact and expand the goals of youth justice reimagined by allowing DYD to lead programming and supportive services, giving capacity to Probation deputies to focus on its primary duties of keeping all involved safe and secure. A memorandum of understanding would define the roles and boundaries between the two departments. Over time, the County could place lower-risk youth in less restrictive, community-based placements under DYD oversight, while higher-risk youth would remain in secure facilities where Probation will ensure safety and DYD will deliver rehabilitative programming. SB 357 has potential to close a gap in the way that the County approaches oversight for the youth in our care."

Arguments in Opposition

According to the *Chief Probation Officers of California (CPOC)*, "This proposal, including the 5/29 amendments gives rise to fundamental issues of concern regarding the safe and effective supervision and provision of services to the juvenile justice population. This population includes juveniles and emerging adults up to age 25, adjudicated for misdemeanors to serious and violent felonies such as murder, rape, arson, robbery and assault with a firearm, many of whom would have previously been required to serve their time at the state Division of Juvenile Justice and which was recently realigned to counties. Further the amendments do not address opposition for the following reasons:

- 1) Referencing peace officer duties in PC 830 does not set necessary guardrails for the specific duties and responsibilities regarding juvenile supervision, detention and release decisions, and reporting to the court. Accordingly, under the bill all of these functions could still be transferred to a non-law enforcement entity as the bill continues to amend the government code section authorizing transfer of these duties and does not account for the many duties imparted to probation, as an arm of the court, throughout the Welfare and Institutions Code Section. The cross reference to the penal code peace officer section does not address the entirety of code sections and rules of court which spell out the duties and authority of probation.
- 2) The bill authorizes a new entity access to juvenile case files which gives rise to questions of confidentiality and the role of non-peace-officers in making decisions about filing court petitions and detention decisions. Probation officers are trained in confidentiality and records, legal foundations and liability, court report writing, testifying in court, and restitution orders that have interplay with the important work of accessing juvenile court records to provide required reports to the court for their determinations. There is no training or guardrails for the access and use of juvenile case records for a new entity.
- 3) Changing the population minimum does not address the issue that the bill will impact other counties as there is interoperability among probation departments and courts statewide necessitated by transfers of youth and young adults. The bill would continue to impact court jurisdiction and probation supervision of court ordered conditions as youth are transferred between counties due to a change in residence or because they committed an offense in a

county outside of their place of residence. Further, what impacts would result when courts are considering whether to transfer cases to a court in another county if youth are not supervised and supported by the probation department?

"As Probation Chiefs with extensive training and experience in evidence-based approaches to working with youth and young adults, CPOC is deeply concerned not only about the potential impacts of this bill on community safety, service coordination at the county level, coordination with the courts, and the justice system's ability to function effectively."

FISCAL COMMENTS

Unknown. This bill has been keyed non-fiscal by Legislative Counsel.

VOTES

SENATE FLOOR: 25-6-9

YES: Allen, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Cervantes, Cortese, Gonzalez, Grayson, Grove, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Ochoa Bogh, Padilla, Pérez, Smallwood-Cuevas, Stern, Wahab, Weber Pierson, Wiener

NO: Alvarado-Gil, Choi, Jones, Niello, Seyarto, Strickland

ABS, ABST OR NV: Archuleta, Caballero, Dahle, Durazo, Reyes, Richardson, Rubio, Umberg, Valladares

ASM PUBLIC SAFETY: 5-1-3

YES: Schultz, Mark González, Haney, Harabedian, Sharp-Collins

NO: Alanis

ABS, ABST OR NV: Lackey, Nguyen, Ramos

UPDATED

VERSION: July 17, 2025

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