

COMMONWEAL
The Juvenile Justice Program

**JUVENILE JUSTICE AND
YOUTH VIOLENCE PREVENTION BILLS**

Pending in the 2011 Session of the California Legislature

July 11, 2011

This bulletin contains digests of bills pending in the 2011 session California Legislature on the subjects of juvenile justice, youth crime and violence prevention and related youth program and placement issues. Amendments and status reports are current to July 11, 2011. The summer legislative recess is scheduled to begin on July 15 lasting until August 15. This digest includes bills selected for their relevance in the named fields, but some bills touching on the subject matter may be omitted from this review. The full text and status of all bills can be found on the California legislative website at www.leginfo.ca.gov.

Assembly bills

AB 8 (Huber, D. – Lodi). Moratorium on closing state youth correctional facilities. Imposes a six months moratorium, from the effective date of the bill if it becomes law, on closing any state youth correctional facility. Author's goal was to prevent the closure of the Preston youth facility operated by the Division of Juvenile Justice (DJJ) in Ione, California, on behalf of corrections employees whose jobs would be sacrificed upon closure. *Failed passage in the Assembly Public Safety Committee on 3/15.*

AB 9 (Ammiano, D. – S.F.). Bullying. Requires school district anti-discrimination policies to prohibit discrimination, intimidation and harassment and bullying based on the actual or perceived characteristics of others including disability, gender, sexual orientation, race or ethnicity, religion and other characteristics. Requires the policy to include a statement that it applies to all acts related to school activities or attendance. Requires school districts to modify their complaint and investigation process to conform to the new scope of the policy and to provide for additional interventions and procedures. Requires the anti-discrimination policies, as adjusted, to be published in handbooks and on the internet. States legislative intent to provide training to school personnel on implementation of the policy. *In the Senate Appropriations Committee.*

AB 12 (Swanson, D. – Oakland). Penalties for sex crimes involving minors under age 16. Requires any person convicted of procuring or seeking to procure prostitution services from a person under age 18 to pay, in addition to any other fine or penalty, an additional fine of up to \$25,000, the proceeds to be used to fund programs and services for commercially sexually exploited minors. *Passed both houses and enrolled to the Governor on 6/28.*

AB 66 (Chesbro, D- Eureka). Extension of vehicle license fee supplemental public safety tax. Would remove the June 2011 sunset of the vehicle license fee supplemental tax of .15% adopted in 2009 and dedicated to the support of local public safety grants. *In the Assembly Rev. and Tax Committee. Not moved. Superseded by subsequent budget action.*

AB 73 (Feuer, D. – L.A.). Opening juvenile court dependency hearings to the public. Establishes a four year pilot project under the auspices of the Judicial Council in Los Angeles, Ventura and a yet-to-be-named county in which juvenile dependency proceedings would be open to the public. Hearings would be presumed open but could be closed on the request of a party or by the court upon a determination that closed proceedings are in the best interests of the child. Limitations apply to the release of personally identifying information in opened hearings. The bill requires an independent evaluation of the pilot’s impact on children, on public reaction and on possible improvements in the foster care system. Contingent upon available funds for the pilot and the evaluation. *Held in the Assembly Human Services Committee.*

AB 99 (Assembly Budget Committee). Children and Families (First Five) Initiative Fund Redirection. Diverts \$1 billion in Proposition 10 funds, now supporting a range of programs and services for children up to age five, to cover General Fund Medi-Cal costs for FY 2011-12, on a one-time basis only. A key component of the Governor’s budget reduction plan and—though not without disagreement or possible legal challenge—may be approved by a two-thirds vote of the Legislature without resubmission of the Initiative to state voters. *Signed into law on 3/24, Stats. 2011 Chapter 4.*

AB 100 (Assembly Budget Committee). Mental Health Services Act Fund Redirection. Redirects \$860 million in Proposition 63 MHSA funds to cover General Fund costs of Medi-Cal mental health services, state EPSDT share AB 3632 mental health special education costs. The capture and diversion of MHSA funds would be for the FY 2011-12 year only, sunseting on July 1, 2012. A key component of the Governor’s budget deficit reduction plan and—though not without disagreement or possible legal challenge—may be approved by a two-thirds vote of the Legislature without resubmission to state voters. *Signed into law on 3/24, Stats. 2011 Chapter 5.*

AB 109 (Assembly Budget Committee). Corrections Budget Trailer Bill-- Realignment of the Division of Juvenile Justice. Incorporates the Governor’s proposal to shift major state corrections and criminal justice populations and operations to counties, as part of a larger Realignment Plan that would transfer \$ 6 billion of state-funded programs to counties, contingent upon voter approval of tax extensions to pay counties for the realigned operations. On the adult side, AB 109 moves persons convicted of first-time specified non-violent/non-serious/non-sex (so called “triple Ns”) to county jails instead of state prisons and moves a major share of the adult parole population to county control. On the juvenile justice side, AB 109 provides that the Division of Juvenile Justice (DJJ) shall no longer accept commitments of juveniles to its facilities unless the Division has a memorandum of understanding with a county that provides for such commitment. A new WIC Sec. 1710.5 permits a county to enter into an MOU with the state for the commitment of minors adjudicated for offenses listed in WIC Section 707 (b). (Notably, the new section makes no mention of non-707 sex offenders that are currently eligible for DJJ). While this is the functional equivalent of full fiscal realignment of the Division of Juvenile Justice, this is “placeholder language” meaning that the details of DJJ realignment are deferred to future negotiation and adoption. AB 109 makes all of its realignment provisions contingent upon the adoption of a community corrections grant program with an appropriation to fund the shifted operations. *Signed into law on 4/4, Stats. 2011 Chapter 15. DJJ realignment provisions modified and superseded by subsequent budget trailer bill—see SB 92.*

AB 161 (Eng, D.- Monterey Park). New criminal trespass crime for juveniles. Would create a new misdemeanor for any juvenile who enters or refuses to leave private property, including property open to the public and any adjacent properties under the same ownership, if the juvenile has been previously adjudicated for any criminal offense on the property. *Failed passage in Assembly Public Safety Com.*

AB 168 (Gorell, R. – Camarillo). Appropriation for public safety grants. Would appropriate \$506 million from the General Fund for FY 11-12 to support local public safety programs (including the Juvenile Justice Crime Prevention Act and the Juvenile Probation Camp Fund) that will soon lose present funding due to the expiration of a Vehicle License Fee supplemental public safety tax in July 2011. *Failed passage in the Assembly Public Safety Committee on 5/3.*

AB 177 (Mendoza, D.- Artesia). Court ordered anti-gang classes for parents of adjudicated minors. Under existing law the parents of a minor found to have committed a gang-related offense may be ordered by the Juvenile Court to participate in an “antigang violence parenting class”. This bill eliminates the requirement that the minor must have committed a gang-related offense as a basis for ordering parents into these classes. Instead, the bill provides that a parent may be ordered to attend anti-gang classes if the minor is found to be a person described in WIC Sec. 601 or 602 and if the court finds “the presence of significant factors for gang involvement on the part of the minor”. *To the Senate Floor.*

AB 181 (Portantino, D. – Pasadena and Beall, D- San Jose). Foster care bill of mental health rights. States that it is the policy of the state that all children in foster care and transition age foster youth shall have enumerated mental health rights. As amended on 4/28, vastly revises the rights listed in the bill. Specifies numerous mental health screening, assessment and treatment rights for foster youth, with specific age references. Requires the state Foster Care Ombudsperson to disseminate information to foster youth regarding these rights. *Held in the Assembly Appropriations Committee, two year bill.*

AB 192 (Logue, R.- Chico). Public safety grants and Vehicle License Fees.. Would appropriate \$500 million per year for five years from the state General Fund to the Local Public Safety and Protection Account presently funded by a Vehicle License Fee supplemental tax that expires in July, 2011. The programs supported by the Local Public Safety and Protection Fund include including the Juvenile Justice Crime Prevention Act and the Juvenile Probation Camp Fund. *Held in the Assembly Rev. and Tax Committee.*

AB 194 (Beall, D. – San Jose). Higher education admission preferences for foster youth. Requires the California State University system and community college districts, and requests the University of California, to grant priority for enrollment to foster youth or former foster youth as defined. *In Senate Appropriations Committee.*

AB 220 (Solorio, D. – Santa Ana). Office of Gang and Youth Violence Policy. Significantly amended on 6/28 to extend the Interstate Compact on Juveniles in California to 2014. Former provisions relating to the role of the Office of Gang and Youth Violence Policy in streamlining gang and youth violence grant programs were removed as the Office was eliminated in budget trailer bills this year. *As amended, to the Senate Appropriations Committee.*

AB 321 (Hernandez, D. – W. Covina). Penalties for minors in possession of sexually explicit material and related school instruction. Requires the Court, in addition to other sentencing options, to impose community service and counseling on any minor adjudicated as a delinquent under WIC Section 602 for the crime of possessing sexually explicit materials depicting children (PC 311.11). As amended, authorizes a school district to provide instruction on the risks and consequences of creating or sharing sexually explicit material on phones, internet or social media. *Held in Assembly Appropriations Committee, two year bill.*

AB 396 (Mitchell, D-L.A.). Medi-Cal services for detained juveniles. Requires the Department of Health Care Services to develop processes to allow counties and the state Division of Juvenile Justice (DJJ) to receive available federal benefits for health care provided to juvenile detainees who are admitted as inpatients to a medical institution. Provides that a juvenile detainee who becomes an inpatient in a medical institution shall not be denied Medi-Cal eligibility because of his or her detainee status. Provides that the process shall only be implemented to the extent that participating counties or DJJ agree to pay the non-federal share of Medi-Cal expenditures for juveniles covered by the bill. *In the Senate Appropriations Committee.*

AB 419 (Mitchell, D.- L.A.). Community care facility licenses and inspections. Amended 4/28 to eliminate the bill's proposed increases in application and renewal fees for licenses for community care facilities. Alters Department of Social Service inspection schedules and requirements for various types of community and residential care facilities, and requires the Department to establish a stakeholder workgroup to review its inspection protocols. Requires the Department of Social Services to conduct unannounced inspections of community care facilities at least once every two years and as necessary to ensure the quality of care provided. *Held in the Assembly Appropriations Committee, two year bill.*

AB 446 (Carter, D. – Rialto). Balanced and restorative justice programs. A reintroduction of the restorative justice bill twice vetoed by Gov. Schwarzenegger. Permits a county to adopt a restorative justice program to address the needs of minors, victims and the community. The programs would be implemented via a local restorative justice protocol involving the Juvenile Court, public defender, prosecution, law enforcement, service providers and clinicians. Permits referrals to a restorative justice program for minors on WIC 654.2 informal court supervision, minors with non-wardship probation under WIC 725, minors on deferred entry of judgment under WIC 790 and as a delinquency disposition option for the court under WIC 727. Specifies that no state General Fund money shall be used to implement these programs. *To the Senate Appropriations Committee.*

AB 489 (Cook, R.- Yucaipa). Corrections Peace Officer Standards and Training (CPOST). Reverses the 2005 Corrections Reorganization consolidation of CPOST into the Corrections Standards Authority by removing the training program from CSA and establishing it as an independent unit within the Department of Corrections and Rehabilitation. Establishes a new CPOST executive board of seven members designated by CDCR and the California Correctional Peace Officers Association. Transfers current CSA training operations to the new entity. *Held in Assembly Appropriations Committee.*

AB 519 (Hernandez, D. – Baldwin Park). Prohibition on use of physical, mechanical or chemical restraints or seclusion to discipline school pupils. Adds new provisions to the Education Code prohibiting the use on pupils mechanical and chemical restraints. Places specified limits and conditions on the use of physical restraints on pupils. Bans pupil seclusion as a disciplinary measure as of January 2014 and, prior to that date, impose limits on the use of seclusion. *To the Assembly Education Committee, first hearing on 5/4 canceled by the author.*

AB 526 (Dickinson, D. - Sacramento). Office of Gang and Youth Violence Policy. Requires the Governor's Office of Gang and Youth Violence Policy to include within its deliberations the development of a plan to shift state-funded crime prevention and juvenile justice programs toward evidence-based practices over a three year period. *Double-referred to the Committees on Gov't Organization and Public Safety, not moved. Office of Gang & Youth Violence Policy has been abolished effective 1/1/12 by budget trailer bill (SB 92).*

AB 630 (Hueso, D. – Chula Vista). Bullying. Expresses the intent of the Legislature to encourage schools districts to establish anti-bullying programs within the regular curricula of schools during National Bullying Prevention Month and throughout the school year. States legislative intent to create positive school environments where staff and students are trained on bullying prevention. *In the Assembly Education Committee.*

AB 653 (Galgani, D. - Tracy). Sex offender registration requirements and limits on internet use. Adds new requirements and restrictions for individuals required to register as sex offenders under the Penal Code, including certain parolees from the Division of Juvenile Justice. Registrants must disclose to law enforcement agencies the establishment of any internet account and internet user ID. Requires courts to impose additional prohibitions on internet use and social networking by persons convicted of designated sex crimes. *In the Assembly Public Safety Committee, hearing canceled by author, not reset.*

AB 694 (Gorell, R. – Camarillo). Expanded criteria for commitment to the Division of Juvenile Facilities (DJF). Amends Welfare and Institutions Code Sec. 733 to expand eligibility for commitment of juvenile offenders to DJF. Currently, WIC 733 provides that in order to be eligible for DJF, a juvenile's most recently adjudicated offense must be on the WIC 707 (b) list of serious crimes for which minors may be tried as adults, or must be a sex offense on the Penal Code 290.008 sex offender registration list. AB 694 eliminates the "most recent offense" limitation, allowing DJF commitment for any misdemeanor or felony if the minor has ever been previously adjudicated for WIC 707(b) or registerable sex offense. Would bypass recent California Appellate Court decisions reversing DJF commitments based on court dismissals of intervening priors in order to meet the current "most recent offense" criterion for DJF commitment. *Failed passage in Assembly Public Safety Committee.*

AB 702 (Swanson, D.- Oakland). Sealing juvenile records and setting aside adult convictions in prostitution cases. Provides that a person adjudicated in Juvenile Court for a prostitution offense may, upon turning 18, apply to the Court and have their records sealed without having to prove the absence of subsequent criminal convictions. Establishes a process for adults convicted of prostitution crimes to have the conviction set aside by the court if the petitioner was a victim of human trafficking. *In the Assembly Public Safety Committee, hearing canceled by author, not reset.*

AB 709 (Brownley, D. – Santa Monica). School placements for foster children. Existing law permits children in foster care, including probation-placed youth, to continue in their school of origin while under the jurisdiction of the Juvenile Court, or to transfer to a new school on the approval of the person entitled to make educational decisions for the child. For foster children transferring to new schools, this bill requires the school to immediately accept the foster child even if certain disease immunization records, otherwise required for admission, are not available or are missing. *On Senate Floor.*

AB 746 (Campos, D. – San Jose). Bullying. Expands the definition of bullying as grounds for suspension or expulsion of students by specifically including posts on social networking sites as electronic acts that qualify under the Education Code as bullying tactics. *Passed both houses, enrolled to Governor on 6/24.*

AB 755 (Galgani, D. – Tracy). Sex offender registration and internet use. Requires persons who must register as sex offenders under the Penal Code, including certain Div. of Juvenile Justice parolees, to update law enforcement agencies on changes in their internet accounts and user names. Requires CDCR and local probation departments to use the State-Authorized Risk Assessment Tool for Sex Offenders (SARATSO) when making probation or parole release decisions. *Failed passage in the Assembly Public Safety Committee.*

AB 884 (Cook, R. –Yucca Valley). Sex offender registration notice to neighbors and schools.

Requires law enforcement agencies to provide specified details about persons required to register as sex offenders, including certain parolees from the Division of Juvenile Justice, to persons living within 1000 feet of the residence of the registered sex offender and to other listed persons in the area including school superintendents and pre-school and child care center administrators. *In the Assembly Public Safety Committee, hearing canceled by author, not reset.*

AB 918 (Block, D.- San Diego). Pimping, pandering and human trafficking as criminal gang

offenses. Amends Proposition 21, the year 2000 Juvenile Crime Initiative, by adding pimping, pandering and human trafficking to the list of offenses which may be used to establish a pattern of criminal gang activity. Amended 3/25 to remove the new crime for pimping, pandering or human trafficking activity occurring within 1000 feet of a school. *Held in Assembly Appropriations Committee.*

AB 980 (Bonillo, D. - Martinez). Handling of confidential information in School Attendance Review Board (SARB) proceedings.

Permits members of SARBs to exchange confidential information gleaned from school, probation, social service and law enforcement sources if the information is reasonably believed by a board member to be relevant to the prevention, identification or treatment of truancy. Provides that discussion of such information in board meetings shall be confidential. *Double-referred to the Assembly Education and Judiciary Committees; Assembly Ed. hearing cancelled, not re-set.*

AB 996 (Donnelly, D. -Hesperia). Gang-crime-enhancements. Sex offender registration for human

trafficking. Gutted and amended to add human trafficking for purposes of sexual slavery to the list of offenses triggering sex offender registration. *Failed passage in the Assembly Public Safety Committee.*

AB 1072 (Fuentes, D. – L.A.) Promise Neighborhoods.

The federal Promise Neighborhoods Initiative is an Obama Administration program that has provided funds through the U.S. Dept. of Education to 21 low-income communities across the nation to support a range of community development activities. This bill would implement a California version of the Promise Neighborhoods Initiative. It requires the California Office of Economic Development develop an application process for sites to become promise neighborhoods. Requires the Office to establish 40 Promise Neighborhoods in California, including three that already participate in the federal initiative (Hayward, Pacoima and Pico-Aliso). Requires the Office to work with diverse agencies to identify grant opportunities and to access the federal tax credits for promise neighborhoods. Specifies criteria for non-profit organizations to receive grants based on low high school graduation rates combined with high poverty and unemployment rates. As amended June 21, establishes funding priority for schools and school districts in promise neighborhoods for funding under the After School Education and Safety Act (ASESA), the California Partnership Academies program, School Improvement Grants, and other listed education grant programs. Also establishes funding priority for cities and counties in promise neighborhoods for a range of employment grants and other programs identified by the Office, including priority for state funding for new parks and recreation activities. *In Senate Appropriations Committee, set for hearing 8/15/11.*

AB 1111 (Fletcher, R. – San Diego and Mitchell, D. – L.A.). Court fines owed by homeless youth.

Bars wage and bank garnishment to collect unpaid court fines or fees for truancy, loitering or curfew citations from a homeless person as defined until the person attains the age of 25 or is no longer homeless. *In the Senate Appropriations Committee.*

AB 1122 (John Perez, D. – L.A. and Ammiano, D. – S.F.). California voluntary tattoo removal program.

Establishes the California Voluntary Tattoo Removal Program to be administered by

CaEMA. The program is designed to serve individuals aged 14 through 24 who are in the custody or under the supervision of CDCR or a county probation department, or who are in a community-based at-risk youth program. To the extent funds become available, CaEMA is to award competitive grants to public or private organizations described in the bill for tattoo removal services to youth based on eligibility criteria listed in the bill. No appropriation. *In Senate Appropriations Committee.*

AB 1156 (Eng, D.- Monterey Park). Bullying. Provides that a pupil who has been a victim of bullying in one school district meets residency requirements for admission to a school in another district if he or she is unable to transfer to another school in the first district. Expands the definition of bullying at Ed. Code Sec. 48900 (r) as grounds for pupil suspension or expulsion to include elements of physical and verbal abuse including electronic communications. Encourages school districts to include in school safety plans policies and procedures for the prevention of bullying. Requires the state Departments of Justice and Education to contract for training of school personnel on bullying prevention. *In the Senate Appropriations Committee.*

AB 1294 (Furutani, D. – Long Beach). Juvenile Re-entry programs. Defines “community re-entry programs” as programs operated by nonprofit organizations or school districts to serve juvenile offenders including those with gang histories or affiliations. As defined, a community re-entry program must have multiple components including enriched education programs, bi-lingual services, job training, financial aid assistance, counseling services, housing and home ownership services and leadership development services. No funding is provided by the bill to establish community re-entry programs. To the extent funding is appropriated, a county juvenile probation department must, 45 days before release, determine a youth’s eligibility for a community re-entry program and, not less than 20 days prior to release, must coordinate the enrollment of the youth in the program. An eligible youth is a person between the ages of 16 and 23 who is “disadvantaged” for one of many reasons listed in the federal codes at Title 42, Sec. 12511 (e.g., “at risk of delinquency” or “aging out of foster care”). *Held in the Assembly Appropriations Committee.*

Senate bills

SB 9 (Yee, D. – S.F.). Juvenile life without parole (LWOP) sentences. Reintroduction of this author’s juvenile LWOP bills that failed passage in previous sessions. Provides for periodic review and resentencing of juveniles with LWOP sentences. After having served 10 or 15 years of an LWOP sentence (depending on how recently the sentence was imposed), a defendant who was under 18 at the time of the crime may petition the sentencing court for recall of the LWOP sentence and re-sentencing. The court must then hold a recall and resentencing hearing if the defendant meets one of four criteria related to criminal and rehabilitation history. Based upon review at the hearing of eight factors related to the defendant’s criminal and developmental history and progress toward rehabilitation, the Court may recall the LWOP sentence and re-sentence the defendant, provided that the new sentence is not greater than the initial sentence. If the LWOP sentence is not recalled on the first attempt, the defendant may reapply for recall after having served 15, 20 and (for the last time) 24 years. Other procedural details are in the bill which has retroactive application. *In Assembly Appropriations Committee.*

SB 13 (Correa, D. – Santa Ana). Teen dating violence prevention. Authorizes school districts to provide teen dating violence prevention education as part of the sexual health and health education program for grades 7 through 12. Specifies the contents, materials and objectives for the program. Requires notice to parents about the program and includes opt-out provisions for parents not wishing to involve their child in the program. *Failed passage in the Senate Education Committee on 5/4.*

SB 26 (Padilla, D. – Pacoima). Prohibition on cell phones in prisons. Provides penalties for CDCR prisoners possessing cell phones in the form of loss of time credits. Provides that a ward in the Division of Juvenile Facilities found to be in possession of a wireless communication device shall have his or her discharge consideration date extended (time added) by Division staff. Provides for the confiscation of cell phones found on inmates or visitors. *Heard and re-referred to the Assembly Public Safety Committee with amendment removing the DJJ time-add for possession of a wireless device.*

SB 57 (Runner, R. - Lancaster). Sex offender registration requirements on internet use. Effective January 2013, requires any person subject to Penal Code sex offender registration requirements, including certain parolees of the Division of Juvenile Justice, to inform law enforcement of on-line addresses, e-mail and user names for all existing and new social networking internet accounts as defined. Provides for sharing of this information between law enforcement agencies. *In the Assembly Appropriation Committee, set for 7/5/11.*

SB 92 (Senate Budget and Fiscal Review Committee). Corrections budget trailer bill- replacement of the Corrections Standards Authority. Among many other provisions, abolishes the Corrections Standards Authority and replaces it with the Board of State and Community Corrections, outside CDCR. The mission of the Board is to provide statewide leadership and coordination for state/local partnerships in the adult and juvenile justice systems, including addressing gang problems, with a focus on developing evidence-based practices. A new 12 member Board is chaired by the Secretary of CDCR with the head of CDCR parole; two sheriffs and one police chief; two probation chiefs; one judge; one county supervisor or CAO; and three community and public members. The bill mandates the Board, among other things, to develop recommendations for crime prevention, provide technical assistance for evidence-based programs and coordinate gang violence programs. All prior CSA functions not changed by the bill are moved to the new Board. The bill contains numerous other corrections provisions related to adult corrections, peace officer training and the office of the Inspector General. It incorporates the Administration's decision not to realign the remaining DJJ population this year, while providing that if revenue targets stated in the Budget Bill are not met, counties will have to pay DJJ \$125,000 per ward per year for committed juveniles. Eliminates the California Council on Criminal Justice and the Governor's Office of Gang and Youth Violence Prevention. *Signed into law, Stats 2011 Ch. 36.*

SB 105 (Yee, D. – S.F.). Helmets for skiers and snowboarders. Requires persons under 18 to wear a certified and properly fitted snow sport helmet while skiing or snowboarding, subject to a \$25 fine. Exempts Nordic skiing. Requires notices to be posted by ski resorts. *In Assembly Appropriations.*

SB 119 (Lowenthal, D. – Long Beach). Emergency youth shelter facilities. Adds to the list of licensed community care facilities in the Health & Safety Code (Sec. 1503) a new category of "emergency youth shelter facility" defined as a "group care facility that provides voluntary temporary emergency shelter and case management to minors". These facilities are to serve youth between the ages of 12 and 18 who are homeless or at risk of homelessness, including foster youth. Requires the state Dept. of Social Services to adopt standards and licensing criteria for emergency youth shelters by Jan. 2013. *In the Assembly Appropriations Committee.*

SB 123 (Liu, D.- Pasadena). Runaway, Homeless and Exploited Youth Act. Subject to the availability of "adequate resources", requires the California Emergency Management Agency (CalEMA) to develop, a statewide plan for runaway, homeless and exploited youth. Exploited youth are defined as persons under age 18 who are involved in human trafficking or sexual commerce. The plan is to be developed in collaboration with the Senate Office of Research and a broad spectrum of stakeholders, Elements of the plan are specified in the bill including: identify data and outcome measures to evaluate relevant programs, and describe roles of law enforcement and child welfare system in preventing runaway/homeless outcomes. *Held in the Senate Appropriations Committee.*

SB 247 (Wyland, R. - Escondido). Crimes added to WIC 707 (b) list of adult court offenses. Adds two crimes to the existing list of crimes in Welfare and Institutions Code Sec. 707 (b) for which minors are subject to judicial transfers or prosecutor “direct files” in adult criminal court. The added crimes are vehicular manslaughter while intoxicated and great bodily injury committed while driving a vehicle under the influence of alcohol or drugs. *In Senate Public Safety Committee, hearing canceled, not re-set.*

SB 248 (Wyland, R. – Escondido). DNA samples and prints for additional misdemeanors. Adds several misdemeanor offenses to the Penal Code list of crimes for which adults and juveniles must, upon conviction or juvenile court adjudication, submit DNA samples, finger and palm prints and blood samples to law enforcement, including disorderly conduct, animal cruelty and loitering with intent to commit prostitution. *Failed passage in the Senate Public Safety Committee.*

SB 296 (Wright, D. – L.A.) Exemption from gang injunctions. Amends gang crime provisions in the Penal Code to allow an individual subject to a court-ordered gang injunction to petition the Court to exempt him or her from all or any part of the injunction. Specifies eight criteria that must be met in order for the exemption to be granted including that the individual is not a member of the enjoined gang and that he/she has not violated the injunction, has not belonged to or associated with any other criminal gang, and has not been arrested during the last three years. *In the Assembly Appropriations Committee.*

SB 486 (Dutton), Reallocation of Children and Family Initiative Funds. Would unwind the spending provisions of Prop 10, the California Children and Families Act of 1998 (“First Five Initiative”). Redirects the tobacco tax revenues raised by the Initiative—now allocated to a variety of prevention and support programs for children up to age five—to the General Fund for redistribution to cover cuts to state-funded Healthy Families and Medi-Cal programs. The author’s objective is also met by AB 99, the budget trailer bill that has already been signed by the Governor (see above). *To the Senate Health and Governance & Finance Committees; Senate Health hearing canceled by author, not reset.*

SB 578 (Negrete McLeod, D. – Chino). School credits for children in foster care. Requires school districts and county offices of education to accept the coursework satisfactorily completed by a pupil in foster care while attending school in another public school, a juvenile court school or a nonpublic, nonsectarian school and to issue full or partial credit for the work he or she has completed. Prohibits the public school from requiring the pupil to retake a portion of a course which he or she has completed and limits the conditions under which a pupil would be required to retake courses that were not completed. Prohibits foster youth from being prevented from taking or retaking a course to qualify for admission for California State University or the University of California. *In the Assembly Appropriations Committee.*

SB 661 (Lieu, D. – Redondo Beach). Firearm restrictions near schools. Modifies the existing prohibition against possession of a firearm within 1,000 feet of a school by extending the “gun free school zone” to 1,500 feet. Modifies the existing exception for handguns locked in car trunks to specify that the exception applies only to lawfully possessed and unloaded guns that are in a locked container in the car or locked in the car’s trunk. *In Senate Public Safety Committee, not moved.*

SB 695 (Hancock, D. – Berkeley). Medi-Cal benefits for detained minors. Under federal law, incarcerated persons under age 21 are not eligible for Medi-Cal health benefits. This bill would, subject to federal financial participation, provide that a juvenile who is in a county detention facility awaiting adjudication may be provided with Medi-Cal benefits if he or she a) was eligible for Medi-Cal when admitted or is subsequently determined to be eligible and if b) the county agrees to pay the state’s share of Medi-Cal costs. Benefits would be suspended if, upon adjudication, the individual becomes an inmate of a public institution. The bill would not take effect until the state Director of Social Services issues a declaration stating that implementation of the bill will not jeopardize the state’s access to federal funds. *In the Assembly Appropriations Committee.*

SB 803 (DeSaulnier, D.- Concord). California Youth Leadership Project.. Establishes the California Youth Leadership Project to support civic engagement by youth through scholarship awards. Youth receiving scholarship funds are to be given an opportunity to make “meaningful recommendations regarding legislation and policies” that impact their lives. Establishes a state income tax check-off for donations to a Youth Leadership Project Fund. Funds are to be used to inform, support and engage youth in a range of civic advocacy activities enumerated in the bill. Establishes a Project Committee, chaired by the state Superintendent of Public Instruction, having not more than six members, including designated youth members, to oversee the project and to distribute scholarship awards to deserving youth as described in the bill. *Held in the Senate Appropriations Committee.*

SB 913 (Pavley, D. – Agoura Hills). Probation-authorized medical exams and treatment. Existing law permits the probation officer to authorize medical treatment for a minor who is taken into temporary custody and is in need of medical, surgical, dental or other remedial care. As amended, the bill would allow the probation officer to authorize a medical exam for a minor in temporary custody. Also, during the period of temporary custody (prior to a detention hearing), allows the probation officer to authorize medical treatment recommended by the examining physician after documented, reasonable efforts to obtain parental consent. After the detention hearing, the court must approve non-emergency medical treatment for a detained minor; however, the bill expands the definition of emergency treatment to allow the probation officer to authorize medical treatment meeting emergency criteria in the bill after reasonable efforts to notify parents and obtain their consent. Permits certain minors to provide their own consent or refusal for treatment based on consent provisions in the Family Code. *Passed Assembly Public Safety Committee as amended, to the Assembly Floor.*

SB 927 (Runner, R. – Lancaster). Access to Juvenile Court case file. Adds to the list of persons authorized to inspect a minor’s Juvenile Court case file, by providing that, upon executing a declaration of need for the information, an attorney for a party in a juvenile dependency proceeding may inspect the dependency case file of a non-client sibling of his or her client. Provides for the redaction of certain information in the files inspected and excludes mental health and counseling records from access and inspection. Requires notice to the parties and counsel that the records are being accessed if the record sought is that of a dependent child. *In Senate Judiciary Committee, not moved.*

Bill digests by David Steinhart, Director, Commonweal Juvenile Justice Program

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