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**WELFARE AND INSTITUTIONS CODE - WIC**

**DIVISION 2. CHILDREN [100 - 1500]** ( *Division 2 enacted by Stats. 1937, Ch. 369.* )

**PART 1. DELINQUENTS AND WARDS OF THE JUVENILE COURT [100 - 1459]** ( *Part 1 enacted by Stats. 1937, Ch. 369.* )

**CHAPTER 3. Institutions for Delinquents [1000 - 1258]** ( *Chapter 3 enacted by Stats. 1937, Ch. 369.* )

**ARTICLE 8. Paroles and Dismissals [1176 - 1180]** ( *Article 8 enacted by Stats. 1937, Ch. 369.* )

**1176.** When, in the opinion of the Youth Authority Board, any person committed to or confined in any such school deserves parole according to regulations established for the purpose, and it will be to his or her advantage to be paroled, the board may grant parole under conditions it deems best. A reputable home or place of employment shall be provided for each person so paroled.

(*Amended by Stats. 2003, Ch. 4, Sec. 6. Effective April 8, 2003. Operative January 1, 2004, by Sec. 52 of Ch. 4.*)

**1177.** (a) Pursuant to Section 1178, if a person discharged from the Department of Corrections and Rehabilitation, Division of Juvenile Facilities by the Board of Juvenile Hearings has proven that person's ability to desist from criminal behavior and to initiate a successful transition into adulthood, the board may grant that person an honorable discharge.

(b) The purposes of an honorable discharge are to recognize and reward youth who have avoided reoffending and have pursued productive and engaged roles as members of society; to remove barriers to a youth's successful integration into society and to enable the pursuit of greater opportunities; to serve as an incentive for youth to participate in treatment and training while placed in the Division of Juvenile Facilities; to connect youth with resources and opportunities upon their reentry into the community; and to inspire and motivate youth committed to the Division of Juvenile Facilities to plan and pursue a positive life.

(c) When determining whether to grant an honorable discharge to a person who petitions the board pursuant to Section 1178, the board shall consider, but is not limited to, both of the following:

(1) The petitioner's offense history, if any, while the petitioner was under the jurisdiction of the Division of Juvenile Facilities, or during or after completion of local probation supervision.

(2) Efforts made by the petitioner toward successful community reintegration, including employment history, educational achievements or progress toward obtaining a degree, vocational training, volunteer work, community engagement, positive peer and familial relationships, and any other relevant indicators of successful reentry and rehabilitation.

(d) The board shall promulgate regulations setting forth the criteria for the award of an honorable discharge.

(e) The board shall promote the purposes of an honorable discharge designation and communicate the success of recipients of honorable discharge to youth currently committed to the Department of Corrections and Rehabilitation, Division of Juvenile Facilities.

(f) The board shall inform youth about the opportunity to earn an honorable discharge at initial case reviews, annual reviews, and discharge consideration hearings.

(g) The board may collaborate with public, private, and nonprofit organizations to assist youth in the fulfillment of the criteria described in subdivision (d) and in the completion of a petition for an honorable discharge.

(*Repealed and added by Stats. 2017, Ch. 683, Sec. 3. (SB 625) Effective January 1, 2018.*)

**1178.** (a) A person previously committed to the Department of Corrections and Rehabilitation, Division of Juvenile Facilities may petition the Board of Juvenile Hearings for an honorable discharge upon his or her completion of local probation supervision following discharge, but not sooner than 18 months following the date of discharge, by the board.

(b) Commencing on or after July 1, 2018, a person housed at the Division of Juvenile Facilities pursuant to paragraph (3) of subdivision (c) of Section 1731.5 or Section 1731.7 may petition the Board of Juvenile Hearings for an honorable discharge upon his

or her completion of parole or local probation supervision following release, but not sooner than 18 months following the date of release.

(c) (1) The county of commitment shall inform youth currently or previously under its supervision, who were previously under the jurisdiction of the division, about the opportunity and process of petitioning the board for an honorable discharge.

(2) The county of commitment shall send a letter regarding the opportunity and process of petitioning the board for an honorable discharge to the last known residence of a person previously under the supervision of the county of commitment.

(d) Upon receiving a petition for an honorable discharge, the board shall request of the county of commitment, and the county of commitment shall provide, a summary report of the petitioner's performance while on probation after release from the Division of Juvenile Facilities.

(e) The Division of Juvenile Facilities shall promulgate regulations to implement this section.

*(Amended by Stats. 2018, Ch. 36, Sec. 32. (AB 1812) Effective June 27, 2018.)*

**1179.** (a) Each person honorably discharged by the Board of Juvenile Hearings shall thereafter be released from all penalties or disabilities resulting from the offenses for which the person was committed, including, but not limited to, penalties or disabilities that affect access to education, employment, or occupational licenses. However, a release from all penalties and disabilities shall not affect a person's duty to register pursuant to Section 290.008 of the Penal Code. A person in receipt of an honorable discharge is not eligible for appointment as a peace officer employed by any public agency if that person's appointment is otherwise prohibited by Section 1029 of the Government Code.

(b) Persons who receive an honorable discharge and who petition the court for relief otherwise provided for by law may cite and the court shall recognize receipt of an honorable discharge as evidence of rehabilitation.

(c) Notwithstanding subdivision (a), a person may be appointed and employed as a peace officer by the Department of Corrections and Rehabilitation, Division of Juvenile Facilities if (1) at least five years have passed since that person's honorable discharge, and the person has had no misdemeanor or felony convictions except for traffic misdemeanors since the person was honorably discharged by the board, or (2) the person was employed as a peace officer by the department on or before January 1, 1983. A person who is under the jurisdiction of the Division of Juvenile Facilities or a county probation department shall not be admitted to an examination for a peace officer position with the Division of Juvenile Facilities unless and until the person has been honorably discharged from the jurisdiction of the Division of Juvenile Facilities pursuant to Sections 1177 and 1719.

(d) In the case of a person granted an honorable discharge, the Department of Corrections and Rehabilitation, Division of Juvenile Facilities shall immediately certify the discharge or dismissal in writing, and shall transmit the certificate to the committing court and the Department of Justice. The court shall thereupon dismiss the accusation and the action pending against that person.

*(Amended by Stats. 2017, Ch. 683, Sec. 6. (SB 625) Effective January 1, 2018.)*

**1180.** The Department of the Youth Authority shall provide, within 10 days, upon request to the chief of police of a city or the sheriff of a county information available to the department, including actual, glossy photographs, no smaller than  $3\frac{1}{8} \times 3\frac{1}{8}$  inches in size, and, in conjunction with the Department of Justice, fingerprints concerning persons then on parole who are or may be residing or temporarily domiciled in that city or county.

*(Amended (as amended by Stats. 1983, Ch. 196, Sec. 10) by Stats. 1986, Ch. 600, Sec. 6.)*