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**AB-169 Public safety juvenile justice trailer bill.** (2023-2024)

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**Assembly Bill No. 169**

**CHAPTER 50**

An act to amend Section 30061 of the Government Code, to amend Sections 6024 and 13800 of, and to repeal Section 13812 of, the Penal Code, and to amend Sections 209, 1961, 1962, 1980, 1981, 1982, 1984, 1991, 2200, and 8261 of, to amend the heading of Chapter 1.6 (commencing with Section 1980) of Division 2.5 of, to add Section 2202 to, to repeal Section 13704 of, and to repeal Article 5.3 (commencing with Section 1785) of Chapter 1 of Division 2.5 of, the Welfare and Institutions Code, relating to juveniles, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[ Approved by Governor July 02, 2024. Filed with Secretary of State July 02, 2024. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 169, Committee on Budget. Public safety juvenile justice trailer bill.

(1) Existing law establishes the Board of State and Community Corrections, and requires the board to act as the supervisory board of the state planning agency pursuant to the federal Juvenile Justice and Delinquency Prevention Act of 1974.

Existing law creates the Office of Youth and Community Restoration within the California Health and Human Services Agency to promote trauma-responsive, culturally informed services for youth involved in the juvenile justice system, as specified. Existing law grants the office the responsibility and authority to report on youth outcomes, identify policy recommendations, identify and disseminate best practices, and provide technical assistance to develop and expand local youth diversion opportunities. Existing law requires all juvenile justice grant administration functions in the Board of State and Community Corrections to be moved to the office no later than January 1, 2025. Existing law requires the office to, by July 1, 2025, evaluate the efficacy of local programs being utilized for realigned youth and report its findings to the Governor and the Legislature.

This bill would, commencing July 1, 2024, require the Office of Youth and Community Restoration to instead act as the designated state agency pursuant to the federal Juvenile Justice Reform Act of 2018 and would make conforming changes. The bill would additionally require the office, until January 1, 2030, to publish certain data on its internet website, at specified intervals, including the number of youth adjudicated for certain offenses and the number of youth committed to secure youth treatment facilities. The bill would also require counties, until January 1, 2030, to report the above-described data to the office. The bill would authorize the office to implement these provisions by means of written guidelines or similar instructions. By imposing additional duties on local entities to provide certain data, the bill would create a state-mandated local program.

(2) Under existing law, there is established in each county treasury a Supplemental Law Enforcement Services Account (SLESA) to receive all amounts allocated to a county for specified purposes. Existing law requires the moneys to be allocated in specified amounts to a county or city and county to implement a comprehensive multiagency juvenile justice plan, as specified. Existing law requires the plan to be annually submitted to the Board of State and Community Corrections. Existing law requires a county or

city and county to submit a report to the board of supervisors and the board to assess the effectiveness of the programs, strategies, and system enhancements funded under these provisions.

This bill would transfer the board's duties under these provisions to the Office of Youth and Community Restoration and make related, conforming changes.

(3) Existing law establishes the Juvenile Reentry Grant to provide for the local supervision of persons discharged from the custody of the Department of Corrections and Rehabilitation, Division of Juvenile Facilities. Existing law requires the amount allocated to each county probation department from the Juvenile Reentry Grant Special Account be distributed pursuant to specified criteria. Existing law requires the Board of State and Community Corrections to provide an annual report to the Department of Finance regarding each discharged ward returned to a local juvenile detention facility, as specified. Under existing law, the Division of Juvenile Justice closed on June 30, 2023.

This bill would remove references to the Division of Juvenile Justice and require distribution of funds under the Juvenile Reentry Grant for local supervision of persons discharged at the end of their baseline term or modified baseline term, as specified. The bill would additionally transfer responsibilities to provide annual reports regarding discharged youth to the Office of Youth and Community Restoration beginning with the 2024–25 fiscal year. The bill would specify the contents of the report to be provided to the Department of Finance, including, among other things, identifying information of each ward discharged from a secure youth treatment facility. The bill would remove obsolete cross-references and make other conforming changes to reflect the closure of the Division of Juvenile Justice.

(4) Existing law establishes the Juvenile Justice Realignment Block Grant program to provide county-based custody, care, and supervision of youth who are realigned from the Division of Juvenile Justice or who would have otherwise been eligible for commitment to the division. Existing law appropriates moneys from the General Fund for the fiscal years 2021–22, 2022–23, and 2023–24 in specified amounts for these purposes, and specifies how those funds are to be allocated to counties based on specified criteria. Existing law provides for an appropriation for the 2024–25 fiscal year and each year thereafter of \$208,800,000, for the same purposes, except the Governor and the Legislature are to work with stakeholders to establish a distribution methodology. Existing law requires the Department of Finance to increase to no more than \$250,000 the award amount for any county whose allocation calculated pursuant to the distribution methodology, as specified, totals less than \$250,000. Existing law requires the appropriation amount for these counties to be increased by the amount needed to bring each county's allocation to \$250,000. Existing law requires, commencing with the 2024–25 fiscal year, the appropriation allocations to be adjusted annually by a rate commensurate with any applicable growth in the Juvenile Justice Growth Special Account in the prior fiscal year, and this amount is additive to the next year's base allocation. Existing law requires the Department of Finance to, annually by July 1, allocate the amount calculated from the General Fund and to provide a schedule for the allocation of funds among counties to the Controller, who must then allocate the funds consistent with the schedule provided by the Department of Finance by no later than August 1 each year.

This bill would make an appropriation for the 2024–25 fiscal year, and extend the appropriation of moneys in the amount of \$208,800,000, with a specified distribution methodology. The bill would provide for an appropriation for the 2025–26 fiscal year and each year thereafter of \$208,800,000, for the same purposes, and would require the Governor and the Legislature to work with stakeholders to establish a distribution methodology. The bill would similarly extend the requirement for the Department of Finance to adjust the award amount of any county whose calculated allocation is less than \$250,000, and for the rate adjustment based commensurate with any applicable growth in the Juvenile Justice Growth Special Account. The bill would require any applicable growth amounts to be allocated based on a schedule provided by the Department of Finance, as described, to the Controller consistent with the timelines for other 2011 Public Safety Realignment growth allocations. The bill would also revise the annual deadline for the Department of Finance to allocate the amount calculated from the General Fund and to provide a schedule to the Controller from July 1 to July 31. The bill would revise the deadline for the Controller to allocate the funds consistent with the schedule provided by the Department of Finance from August 1 to August 31.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(6) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Vote: majority Appropriation: yes Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Section 30061 of the Government Code is amended to read:

**30061.** (a) There shall be established in each county treasury a Supplemental Law Enforcement Services Account (SLESA), to receive all amounts allocated to a county for purposes of implementing this chapter.

(b) In any fiscal year for which a county receives moneys to be expended for the implementation of this chapter, the county auditor shall allocate the moneys in the county's SLESA within 30 days of the deposit of those moneys into the fund. The moneys shall be allocated as follows:

(1) Five and fifteen-hundredths percent to the county sheriff for county jail construction and operation. In the case of Madera, Napa, and Santa Clara Counties, this allocation shall be made to the county director or chief of corrections.

(2) Five and fifteen-hundredths percent to the district attorney for criminal prosecution.

(3) Thirty-nine and seven-tenths percent to the county and the cities within the county, and, in the case of San Mateo, Kern, Siskiyou, and Contra Costa Counties, also to the Broadmoor Police Protection District, the Bear Valley Community Services District, the Stallion Springs Community Services District, the Lake Shastina Community Services District, and the Kensington Police Protection and Community Services District, in accordance with the relative population of the cities within the county and the unincorporated area of the county, and the Broadmoor Police Protection District in the County of San Mateo, the Bear Valley Community Services District and the Stallion Springs Community Services District in Kern County, the Lake Shastina Community Services District in Siskiyou County, and the Kensington Police Protection and Community Services District in Contra Costa County, as specified in the most recent January estimate by the Demographic Research Unit of the Department of Finance, and as adjusted to provide, except as provided in subdivision (i), a grant of at least one hundred thousand dollars (\$100,000) to each law enforcement jurisdiction. For a newly incorporated city whose population estimate is not published by the Department of Finance, but that was incorporated prior to July 1 of the fiscal year in which an allocation from the SLESA is to be made, the city manager, or an appointee of the legislative body, if a city manager is not available, and the county administrative or executive officer shall prepare a joint notification to the Department of Finance and the county auditor with a population estimate reduction of the unincorporated area of the county equal to the population of the newly incorporated city by July 15, or within 15 days after the Budget Act is enacted, of the fiscal year in which an allocation from the SLESA is to be made. No person residing within the Broadmoor Police Protection District, the Bear Valley Community Services District, the Stallion Springs Community Services District, the Lake Shastina Community Services District, or the Kensington Police Protection and Community Services District shall also be counted as residing within the unincorporated area of the County of San Mateo, Kern, Siskiyou, or Contra Costa, or within any city located within those counties. Except as provided in subdivision (i), the county auditor shall allocate a grant of at least one hundred thousand dollars (\$100,000) to each law enforcement jurisdiction. Moneys allocated to the county pursuant to this subdivision shall be retained in the county SLESA, and moneys allocated to a city pursuant to this subdivision shall be deposited in a SLESA established in the city treasury.

(4) Fifty percent to the county or city and county to implement a comprehensive multiagency juvenile justice plan as provided in this paragraph. The juvenile justice plan shall be developed by the local juvenile justice coordinating council in each county and city and county with the membership described in Section 749.22 of the Welfare and Institutions Code. The plan shall be reviewed and updated annually by the council. The plan or updated plan may, at the discretion of the county or city and county, be approved by the county board of supervisors. The plan or updated plan shall be submitted to the Office of Youth and Community Restoration by May 1 of each year in a format specified by the office that consolidates the form of submission of the annual comprehensive juvenile justice multiagency plan to be developed under this chapter with the form for submission of the annual Youthful Offender Block Grant plan that is required to be developed and submitted pursuant to Section 1961 of the Welfare and Institutions Code.

(A) The multiagency juvenile justice plan shall include, but not be limited to, all of the following components:

(i) An assessment of existing law enforcement, probation, education, mental health, health, social services, drug and alcohol, and youth services resources that specifically target at-risk juveniles, juvenile offenders, and their families.

(ii) An identification and prioritization of the neighborhoods, schools, and other areas in the community that face a significant public safety risk from juvenile crime, such as gang activity, daylight burglary, late-night robbery, vandalism, truancy, controlled substances sales, firearm-related violence, and juvenile substance abuse and alcohol use.

(iii) A local juvenile justice action strategy that provides for a continuum of responses to juvenile crime and delinquency and demonstrates a collaborative and integrated approach for implementing a system of swift, certain, and graduated responses for at-risk youth and juvenile offenders.

(iv) A description of the programs, strategies, or system enhancements that are proposed to be funded pursuant to this subparagraph.

(B) Programs, strategies, and system enhancements proposed to be funded under this chapter shall satisfy all of the following requirements:

(i) Be based on programs and approaches that have been demonstrated to be effective in reducing delinquency and addressing juvenile crime for any elements of response to juvenile crime and delinquency, including prevention, intervention, suppression, and incapacitation.

(ii) Collaborate and integrate services of all the resources set forth in clause (i) of subparagraph (A), to the extent appropriate.

(iii) Employ information sharing systems to ensure that county actions are fully coordinated, and designed to provide data for measuring the success of juvenile justice programs and strategies.

(C) To assess the effectiveness of programs, strategies, and system enhancements funded pursuant to this paragraph, each county or city and county shall submit, by October 1 of each year, a report to the county board of supervisors and to the Office of Youth and Community Restoration on the programs, strategies, and system enhancements funded pursuant to this chapter. The report shall be in a format specified by the office that consolidates the report to be submitted pursuant to this chapter with the annual report to be submitted to the office for the Youthful Offender Block Grant program, as required by subdivision (c) of Section 1961 of the Welfare and Institutions Code. The report shall include all of the following:

(i) An updated description of the programs, strategies, and system enhancements that have been funded pursuant to this chapter in the immediately preceding fiscal year.

(ii) An accounting of expenditures during the immediately preceding fiscal year for each program, strategy, or system enhancement funded pursuant to this chapter.

(iii) A description and expenditure report for programs, strategies, or system enhancements that have been cofunded during the preceding fiscal year using funds provided under this chapter and Youthful Offender Block Grant funds provided under Chapter 1.5 (commencing with Section 1950) of Division 2.5 of the Welfare and Institutions Code.

(iv) Countywide juvenile justice trend data available from existing statewide juvenile justice data systems or networks, as specified by the Office of Youth and Community Restoration, including, but not limited to, arrests, diversions, petitions filed, petitions sustained, placements, incarcerations, subsequent petitions, and probation violations, and including, in a format to be specified by the office, a summary description or analysis, based on available information, of how the programs, strategies, or system enhancements funded pursuant to this chapter have or may have contributed to, or influenced, the juvenile justice data trends identified in the report.

(D) The office shall, within 45 days of having received the county's report, post on its internet website a description or summary of the programs, strategies, or system enhancements that have been supported by funds made available to the county under this chapter.

(E) The Office of Youth and Community Restoration shall compile the local reports and, by March 1 of each year following their submission, make a report to the Governor and the Legislature summarizing the programs, strategies, and system enhancements and related expenditures made by each county and city and county from the appropriation made for the purposes of this paragraph. The annual report to the Governor and the Legislature shall also summarize the countywide trend data and any other pertinent information submitted by counties indicating how the programs, strategies, or system enhancements supported by funds appropriated under this chapter have or may have contributed to, or influenced, the trends identified. The office may consolidate the annual report to the Legislature required under this paragraph with the annual report required by subdivision (d) of Section 1961 of the Welfare and Institutions Code for the Youthful Offender Block Grant program. The annual report shall be submitted pursuant to Section 9795, and shall be posted for access by the public on the internet website of the office.

(c) Subject to subdivision (d), for each fiscal year in which the county, each city, the Broadmoor Police Protection District, the Bear Valley Community Services District, the Stallion Springs Community Services District, the Lake Shastina Community Services District, and the Kensington Police Protection and Community Services District receive moneys pursuant to paragraph (3) of subdivision (b), the county, each city, and each district specified in this subdivision shall appropriate those moneys in accordance with the following procedures:

(1) In the case of the county, the county board of supervisors shall appropriate existing and anticipated moneys exclusively to provide frontline law enforcement services, other than those services specified in paragraphs (1) and (2) of subdivision (b), in the unincorporated areas of the county, in response to written requests submitted to the board by the county sheriff and the district attorney. Any request submitted pursuant to this paragraph shall specify the frontline law enforcement needs of the requesting entity, and those personnel, equipment, and programs that are necessary to meet those needs.

(2) In the case of a city, the city council shall appropriate existing and anticipated moneys exclusively to fund frontline municipal police services, in accordance with written requests submitted by the chief of police of that city or the chief administrator of the

law enforcement agency that provides police services for that city.

(3) In the case of the Broadmoor Police Protection District within the County of San Mateo, the Bear Valley Community Services District or the Stallion Springs Community Services District within Kern County, the Lake Shastina Community Services District within Siskiyou County, or the Kensington Police Protection and Community Services District within Contra Costa County, the legislative body of that special district shall appropriate existing and anticipated moneys exclusively to fund frontline municipal police services, in accordance with written requests submitted by the chief administrator of the law enforcement agency that provides police services for that special district.

(d) For each fiscal year in which the county, a city, or the Broadmoor Police Protection District within the County of San Mateo, the Bear Valley Community Services District or the Stallion Springs Community Services District within Kern County, the Lake Shastina Community Services District within Siskiyou County, or the Kensington Police Protection and Community Services District within Contra Costa County receives any moneys pursuant to this chapter, in no event shall the governing body of any of those recipient agencies subsequently alter any previous, valid appropriation by that body, for that same fiscal year, of moneys allocated to the county or city pursuant to paragraph (3) of subdivision (b).

(e) For the 2011–12 fiscal year, the Controller shall allocate 23.54 percent of the amount deposited in the Local Law Enforcement Services Account in the Local Revenue Fund 2011 for the purposes of paragraphs (1), (2), and (3) of subdivision (b), and shall allocate 23.54 percent for purposes of paragraph (4) of subdivision (b).

(f) Commencing with the 2012–13 fiscal year, subsequent to the allocation described in subdivision (c) of Section 29552, the Controller shall allocate 23.54363596 percent of the remaining amount deposited in the Enhancing Law Enforcement Activities Subaccount in the Local Revenue Fund 2011 for the purposes of paragraphs (1) to (3), inclusive, of subdivision (b), and, subsequent to the allocation described in subdivision (c) of Section 29552, shall allocate 23.54363596 percent of the remaining amount for purposes of paragraph (4) of subdivision (b).

(g) Commencing with the 2013–14 fiscal year, subsequent to the allocation described in subdivision (d) of Section 29552, the Controller shall allocate 23.54363596 percent of the remaining amount deposited in the Enhancing Law Enforcement Activities Subaccount in the Local Revenue Fund 2011 for the purposes of paragraphs (1) to (3), inclusive, of subdivision (b), and, subsequent to the allocation described in subdivision (d) of Section 29552, shall allocate 23.54363596 percent of the remaining amount for purposes of paragraph (4) of subdivision (b). The Controller shall allocate funds in monthly installments to local jurisdictions for public safety in accordance with this section as annually calculated by the Director of Finance.

(h) Funds received pursuant to subdivision (b) shall be expended or encumbered in accordance with this chapter no later than June 30 of the following fiscal year. A local agency that has not met the requirement of this subdivision shall remit unspent SLESA moneys received after April 1, 2009, to the Controller for deposit in the Local Safety and Protection Account, after April 1, 2012, to the Local Law Enforcement Services Account, and after July 1, 2012, to the County Enhancing Law Enforcement Activities Subaccount. This subdivision shall become inoperative on July 1, 2015.

(i) In the 2010–11 fiscal year, if the fourth quarter revenue derived from fees imposed by subdivision (a) of Section 10752.2 of the Revenue and Taxation Code that are deposited in the General Fund and transferred to the Local Safety and Protection Account, and continuously appropriated to the Controller for allocation pursuant to this section, are insufficient to provide a minimum grant of one hundred thousand dollars (\$100,000) to each law enforcement jurisdiction, the county auditor shall allocate the revenue proportionately, based on the allocation schedule in paragraph (3) of subdivision (b). The county auditor shall proportionately allocate, based on the allocation schedule in paragraph (3) of subdivision (b), all revenues received after the distribution of the fourth quarter allocation attributable to these fees for which payment was due prior to July 1, 2011, until all minimum allocations are fulfilled, at which point all remaining revenue shall be distributed proportionately among the other jurisdictions.

(j) The county auditor shall redirect unspent funds that were remitted after July 1, 2012, by a local agency to the County Enhancing Law Enforcement Activities Subaccount pursuant to subdivision (h), to the local agency that remitted the unspent funds in an amount equal to the amount remitted.

**SEC. 2.** Section 6024 of the Penal Code is amended to read:

**6024.** (a) Commencing July 1, 2012, there is hereby established the Board of State and Community Corrections. The Board of State and Community Corrections shall be an entity independent of the Department of Corrections and Rehabilitation. The Governor may appoint an executive officer of the board, subject to Senate confirmation, who shall hold the office at the pleasure of the Governor. The executive officer shall be the administrative head of the board and shall exercise all duties and functions necessary to ensure that the responsibilities of the board are successfully discharged. As of July 1, 2012, any references to the Board of Corrections or the Corrections Standards Authority shall refer to the Board of State and Community Corrections. As of that date, the Corrections Standards Authority is abolished.

(b) The mission of the board shall include providing statewide leadership, coordination, and technical assistance to promote effective state and local efforts and partnerships in California's adult and juvenile criminal justice system, including addressing gang problems, and to promote legal and safe conditions for youth, inmates, and staff in local detention facilities. This mission shall reflect the principle of aligning fiscal policy and correctional practices, including, but not limited to prevention, intervention, suppression, supervision, and incapacitation, to promote a justice investment strategy that fits each county and is consistent with the integrated statewide goal of improved public safety through cost-effective, promising, and evidence-based strategies for managing criminal justice populations.

(c) The board shall regularly seek advice from a balanced range of stakeholders and subject matter experts on issues pertaining to adult corrections, juvenile justice, and gang problems relevant to its mission. Toward this end, the board shall seek to ensure that its efforts (1) are systematically informed by experts and stakeholders with the most specific knowledge concerning the subject matter, (2) include the participation of those who must implement a board decision and are impacted by a board decision, and (3) promote collaboration and innovative problem solving consistent with the mission of the board. The board may create special committees, with the authority to establish working subgroups as necessary, in furtherance of this subdivision to carry out specified tasks and to submit its findings and recommendations from that effort to the board.

(d) The board shall act as the supervisory board of the state planning agency pursuant to federal acts. It shall annually review and approve, or review, revise, and approve, the comprehensive state plan for the improvement of criminal justice and delinquency and gang prevention activities throughout the state, shall establish priorities for the use of funds as are available pursuant to federal acts, and shall approve the expenditure of all funds pursuant to such plans or federal acts, provided that the approval of those expenditures may be granted to single projects or to groups of projects.

(e) It is the intent of the Legislature that any statutory authority conferred on the Corrections Standards Authority or the previously abolished Board of Corrections shall apply to the Board of State and Community Corrections on and after July 1, 2012, unless expressly repealed by the act that added this section. The Board of State and Community Corrections is the successor to the Corrections Standards Authority, and as of July 1, 2012, is vested with all of the authority's rights, powers, authority, and duties, unless specifically repealed by this act.

(f) For purposes of this chapter, "federal acts" means Subchapter V of Chapter 46 of the federal Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90-351, 82 Stat. 197; 42 U.S.C. Sec. 3750 et seq.) and any act or acts amendatory or supplemental thereto.

**SEC. 3.** Section 13800 of the Penal Code is amended to read:

**13800.** Unless otherwise required by context, as used in this title:

(a) "Agency" means the Office of Emergency Services.

(b) "Board" means the Board of State and Community Corrections.

(c) "Federal acts" means Subchapter V of Chapter 46 of the federal Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. Sec. 3750 et seq.) and any act or acts amendatory or supplemental thereto.

(d) "Local boards" means local criminal justice planning boards.

(e) "Executive director" means the Executive Director of the Board of State and Community Corrections.

**SEC. 4.** Section 13812 of the Penal Code is repealed.

**SEC. 5.** Section 209 of the Welfare and Institutions Code is amended to read:

**209.** (a) (1) The judge of the juvenile court of a county, or, if there is more than one judge, any of the judges of the juvenile court shall, at least annually, inspect any jail, juvenile hall, lockup, special purpose juvenile hall, camp, ranch, or secure youth treatment facility situated in this state that, in the preceding calendar year, was used for confinement, for more than 24 hours, of any juvenile.

(2) The judge shall promptly notify the operator of the jail, juvenile hall, lockup, special purpose juvenile hall, camp, ranch, or secure youth treatment facility of any observed noncompliance with minimum standards for juvenile facilities adopted by the Board of State and Community Corrections under Sections 210, 875, 885, and subdivision (e) of Section 207.1. Based on the facility's subsequent compliance with the provisions of subdivisions (d) and (e), the judge shall thereafter make a finding whether the facility is a suitable place for the confinement of juveniles and shall note the finding in the minutes of the court.

(3) (A) The Board of State and Community Corrections shall conduct a biennial inspection of each jail, juvenile hall, lockup, special purpose juvenile hall, camp, ranch, or secure youth treatment facility situated in this state that, during the preceding

calendar year, was used for confinement, for more than 24 hours, of any juvenile. The board shall promptly notify the operator of any jail, juvenile hall, lockup, special purpose juvenile hall, camp, ranch, or secure youth treatment facility of any noncompliance found, upon inspection, with any of the minimum standards for juvenile facilities adopted by the Board of State and Community Corrections under Section 210, 210.2, 875, 885, or subdivision (e) of Section 207.1.

(B) Any duly authorized officer, employee, or agent of the board may, upon presentation of proper identification, enter and inspect any area of any juvenile local detention facility, without notice, to conduct an inspection required by this paragraph.

(4) If either a judge of the juvenile court or the board, after inspection of a jail, juvenile hall, special purpose juvenile hall, lockup, camp, ranch, or secure youth treatment facility finds that it is not being operated and maintained as a suitable place for the confinement of juveniles, the juvenile court or the board shall give notice of its finding to all persons having authority to confine juveniles pursuant to this chapter and, commencing 60 days thereafter, the facility shall not be used for confinement of juveniles until the time the judge or board, as the case may be, finds, after reinspection of the facility, that the conditions that rendered the facility unsuitable have been remedied, and the facility is a suitable place for confinement of juveniles.

(5) The custodian of each jail, juvenile hall, special purpose juvenile hall, lockup, camp, ranch, or secure youth treatment facility shall make any reports as may be requested by the board or the juvenile court to effectuate the purposes of this section.

(b) (1) The Board of State and Community Corrections may inspect any law enforcement facility that contains a lockup for adults and that it has reason to believe may not be in compliance with the requirements of subdivision (b) of Section 207.1 or with the certification requirements or standards adopted under Section 210.2. A judge of the juvenile court shall conduct an annual inspection, either in person or through a delegated member of the appropriate county or regional juvenile justice commission, of any law enforcement facility that contains a lockup for adults that, in the preceding year, was used for the secure detention of any juvenile. If the law enforcement facility is observed, upon inspection, to be out of compliance with the requirements of subdivision (b) of Section 207.1, or with any standard adopted under Section 210.2, the board or the judge shall promptly notify the operator of the law enforcement facility of the specific points of noncompliance.

(2) If either the judge or the board finds after inspection that the facility is not being operated and maintained in conformity with the requirements of subdivision (b) of Section 207.1 or with the certification requirements or standards adopted under Section 210.2, the juvenile court or the board shall give notice of its finding to all persons having authority to securely detain juveniles in the facility, and, commencing 60 days thereafter, the facility shall not be used for the secure detention of a juvenile until the time the judge or the board, as the case may be, finds, after reinspection, that the conditions that rendered the facility unsuitable have been remedied, and the facility is a suitable place for the confinement of juveniles in conformity with all requirements of law.

(3) The custodian of each law enforcement facility that contains a lockup for adults shall make any report as may be requested by the board or by the juvenile court to effectuate the purposes of this subdivision.

(c) The board shall collect biennial data on the number, place, and duration of confinements of juveniles in jails and lockups, as defined in subdivision (g) of Section 207.1, and shall publish biennially this information in the form as it deems appropriate for the purpose of providing public information on continuing compliance with the requirements of Section 207.1.

(d) Except as provided in subdivision (e), a juvenile hall, special purpose juvenile hall, camp, ranch, secure youth treatment facility, law enforcement facility, or jail shall be unsuitable for the confinement of juveniles if it is not in compliance with one or more of the minimum standards for juvenile facilities adopted by the Board of State and Community Corrections under Section 210, 210.2, 875, 885, or subdivision (e) of Section 207.1, and if, within 60 days of having received notice of noncompliance from the board or the judge of the juvenile court, the juvenile hall, special purpose juvenile hall, camp, ranch, secure youth treatment facility, law enforcement facility, or jail has failed to file an approved corrective action plan with the Board of State and Community Corrections to correct the condition or conditions of noncompliance of which it has been notified. The corrective action plan shall outline how the juvenile hall, special purpose juvenile hall, camp, ranch, secure youth treatment facility, law enforcement facility, or jail plans to correct the issue of noncompliance and give a reasonable timeframe, not to exceed 90 days, for resolution, that the board shall either approve or deny. In the event the juvenile hall, special purpose juvenile hall, camp, ranch, secure youth treatment facility, law enforcement facility, or jail fails to meet its commitment to resolve noncompliance issues outlined in its corrective action plan, the board shall make a determination of suitability at its next scheduled meeting.

(e) If a juvenile hall, special purpose juvenile hall, camp, ranch, or secure youth treatment facility is not in compliance with one or more of the minimum standards for juvenile facilities adopted by the Board of State and Community Corrections under Section 210, 875, 885, or subdivision (e) of Section 207.1, and where the noncompliance arises from sustained occupancy levels that are above the population capacity permitted by applicable minimum standards, the juvenile hall shall be unsuitable for the confinement of juveniles if the board or the judge of the juvenile court determines that conditions in the facility pose a serious risk to the health, safety, or welfare of juveniles confined in the facility. In making its determination of suitability, the board or the judge of the juvenile court shall consider, in addition to the noncompliance with minimum standards, the totality of conditions in the

juvenile hall, special purpose juvenile hall, camp, ranch, or secure youth treatment facility, including the extent and duration of overpopulation as well as staffing, program, physical plant, and medical and mental health care conditions in the facility. The Board of State and Community Corrections may develop guidelines and procedures for its determination of suitability in accordance with this subdivision and to assist counties in bringing their juvenile halls, special purpose juvenile hall, camp, ranch, or secure youth treatment facility into full compliance with applicable minimum standards. This subdivision shall not be interpreted to exempt a juvenile hall, special purpose juvenile hall, camp, ranch, or secure youth treatment facility from having to correct, in accordance with subdivision (d), any minimum standard violations that are not directly related to overpopulation of the facility.

(f) All reports and notices of findings prepared by the Board of State and Community Corrections pursuant to this section shall be posted on the Board of State and Community Corrections' internet website in a manner in which they are accessible to the public.

(g) For the purposes of this section, the following definitions shall apply:

(1) "Juvenile" means a person who meets any of the following criteria:

(A) A person under 18 years of age.

(B) A person under the maximum age of juvenile court jurisdiction who is not currently an incarcerated adult as defined in paragraph (2) of this subdivision.

(C) A person whose case originated in the juvenile court and is subject to Section 208.5.

(2) "Incarcerated adult" means a person who is 18 years of age or older, not subject to the jurisdiction of the juvenile court, and has been arrested and is in custody for, or awaiting trial on, a criminal charge, or has been convicted of a criminal offense, and is not a juvenile defined in subparagraph (C) of paragraph (1) of this subdivision.

(3) "Subject to the jurisdiction of the juvenile court" means a person alleged or found to be subject to Section 601, 602, 607, or 875.

(h) This section does not require the judge of the juvenile court or the board to make determinations of suitability for local correctional facilities based on standards adopted pursuant to Section 6030 of the Penal Code.

**SEC. 6.** Article 5.3 (commencing with Section 1785) of Chapter 1 of Division 2.5 of the Welfare and Institutions Code is repealed.

**SEC. 7.** Section 1961 of the Welfare and Institutions Code is amended to read:

**1961.** (a) On or before May 1 of each year, each county shall prepare and submit to the Office of Youth and Community Restoration a Juvenile Justice Development Plan on its proposed programs, strategies, and system enhancements for the next fiscal year from the Youthful Offender Block Grant Fund described in Section 1951. The plan shall include all of the following:

(1) A description of the programs, placements, services, strategies, and system enhancements to be funded by the block grant allocation pursuant to this chapter, including, but not limited to, the programs, tools, and strategies outlined in Section 1960.

(2) A description of how the plan relates to or supports the county's overall strategy for dealing with youthful offenders who have not committed an offense described in subdivision (b) of Section 707, and who are no longer eligible for commitment to the Division of Juvenile Facilities under former Section 733 as of September 1, 2007.

(3) A description of any regional agreements or arrangements to be supported by the block grant allocation pursuant to this chapter.

(4) A description of how the programs, placements, services, or strategies identified in the plan coordinate with multiagency juvenile justice plans and programs under paragraph (4) of subdivision (b) of Section 30061 of the Government Code.

(b) The plan described in subdivision (a) shall be submitted to the Office of Youth and Community Restoration in a format, as specified by the office, that consolidates the form for submission of the plan with the form for submission of the multiagency juvenile justice plan to be developed and submitted to the office as provided by paragraph (4) of subdivision (b) of Section 30061 of the Government Code.

(c) Each county receiving an allocation from the Youthful Offender Block Grant Fund described in Section 1951 shall, by October 1 of each year, submit an annual report to the Office of Youth and Community Restoration on its utilization of the block grant funds in the preceding fiscal year. The report shall be in a format specified by the office that consolidates the report required by this subdivision with the annual report required to be submitted to the office under the provisions of subparagraph (D) of paragraph (4) of subdivision (b) of Section 30061 of the Government Code, and shall include all of the following:



(1) A description of the programs, placements, services, strategies, and system enhancements supported by block grant funds in the preceding fiscal year, and an accounting of all of the county's expenditures of block grant funds for the preceding fiscal year.

(2) A description and expenditure report for programs, strategies, and system enhancements that have been cofunded during the preceding fiscal year using funds provided under this chapter and juvenile justice funds provided under paragraph (4) of subdivision (b) of Section 30061 of the Government Code.

(3) Countywide juvenile justice trend data available from existing statewide juvenile justice data systems or networks, as specified by the office, including, but not limited to, arrests, diversions, petitions filed, petitions sustained, placements, incarcerations, subsequent petitions and probation violations, and including, in a format to be specified by the office, a summary description or analysis, based on available information, of how the programs, strategies, and system enhancements funded pursuant to this chapter have or may have contributed to, or influenced, the juvenile justice data trends identified in the report.

(d) The office shall prepare and make available to the public on its internet website summaries of the annual county reports submitted in accordance with subdivision (c). By March 1 of each year, the office also shall prepare and submit to the Governor and the Legislature a report summarizing county utilizations of block grant funds in the preceding fiscal year, including a summary of the programs, strategies, system enhancements, and related expenditures made by each county utilizing Youthful Offender Block Grant funds. The annual report to the Governor and the Legislature shall also summarize the countywide trend data and any other pertinent information submitted by counties indicating how the programs, strategies, and system enhancements supported by Youthful Offender Block Grant funds have or may have contributed to, or influenced, the trends identified. The office may consolidate the annual report to the Governor and the Legislature required under this section with the annual report required by subparagraph (E) of paragraph (4) of subdivision (b) of Section 30061 of the Government Code. The annual report shall be submitted in compliance with Section 9795 of the Government Code. The annual report shall also be posted for access by the public on the office's internet website.

**SEC. 8.** Section 1962 of the Welfare and Institutions Code is amended to read:

**1962.** The Office of Youth and Community Restoration may monitor the forms, documents, and information submitted by counties pursuant to Section 1961 and may advise counties and provide technical assistance on the implementation and requirements of Section 1961.

**SEC. 9.** The heading of Chapter 1.6 (commencing with Section 1980) of Division 2.5 of the Welfare and Institutions Code is amended to read:

**CHAPTER 1.6. Juvenile Reentry Grant**

**SEC. 10.** Section 1980 of the Welfare and Institutions Code is amended to read:

**1980.** The purpose of this chapter is to provide for the local supervision of persons discharged from the custody of the Division of Juvenile Justice or at the conclusion of their baseline term or modified baseline term pursuant to subdivision (e) of Section 875.

**SEC. 11.** Section 1981 of the Welfare and Institutions Code is amended to read:

**1981.** (a) There is hereby established a Juvenile Reentry Fund. Moneys allocated for local supervision of persons discharged from the custody of the Division of Juvenile Justice or discharged at the conclusion of their baseline term or modified baseline term, pursuant to subdivision (e) of Section 875 authorized in Sections 1983 and 1984 shall be deposited into this fund from the General Fund. Any moneys deposited into this fund shall be administered by the Controller and the share calculated for each county probation department shall be transferred to its Juvenile Reentry Fund authorized in subdivision (b).

(b) Each county is hereby authorized to establish in each county treasury a Juvenile Reentry Fund to receive all amounts allocated to that county probation department for purposes of implementing this chapter.

(c) Allocations from the Juvenile Reentry Fund shall be expended exclusively to address local program needs for persons discharged from the custody of the Division of Juvenile Justice or discharged at the conclusion of their baseline term or modified baseline term pursuant to subdivision (e) of Section 875. County probation departments, in expending the Juvenile Reentry Grant allocation, shall provide evidence-based supervision and detention practices and rehabilitative services to persons who are subject to the jurisdiction of the juvenile court who were committed to and discharged from the Department of Corrections and Rehabilitation, Division of Juvenile Justice or discharged at the conclusion of their baseline term or modified baseline term pursuant to subdivision (e) of Section 875. "Evidence-based" refers to supervision and detention policies, procedures, programs, and practices demonstrated by scientific research to reduce recidivism among individuals on probation or under postrelease supervision.

(d) Funds allocated pursuant to subdivision (c) shall not be used by local agencies to supplant other funding for Public Safety Services, as defined in Section 36 of Article XIII of the California Constitution.

(e) The funding provided under this chapter is intended to provide payment in full for all local government costs of the supervision, programming, education, incarceration or any other cost resulting from persons discharged from custody or held in local facilities pursuant to the provisions of this act.

**SEC. 12.** Section 1982 of the Welfare and Institutions Code is amended to read:

**1982.** (a) The Department of Corrections and Rehabilitation, Division of Juvenile Justice, shall provide an annual report, commencing July 10, 2011, and annually thereafter, for the preceding fiscal year, through the 2023–24 fiscal year, with information sorted by county, to the Department of Finance that includes, but is not limited to, the following:

(1) Identifying information of each ward discharged from a Division of Juvenile Justice facility on or after 90 days after the enactment of this section, excluding parole violators who were originally released to parole on or after 90 days after the enactment of this section, and the date each ward was released to local supervision.

(2) The name of each parolee recalled pursuant to Section 731.1 on or after 90 days after the enactment of this section, the remaining term of supervision, and the date each ward was recalled.

(b) Commencing with the 2024–25 fiscal year, and annually thereafter, the Office of Youth and Community Restoration shall provide a report for the preceding fiscal year, with information sorted by county, to the Department of Finance. The Office of Youth and Community Restoration may audit the information included in the annual report required by this section. A county that does not submit data pursuant to this subdivision may not receive funding pursuant to subdivision (c) of Section 1984. The information in the report shall include, but is not limited to, both of the following:

(1) Identifying information of each ward discharged at the conclusion of their baseline term or modified baseline term, pursuant to subdivision (e) of Section 875, and the date each ward was released to local supervision.

(2) Identifying information of each discharged ward returned to a local juvenile detention facility for violating a condition of court-ordered supervision that occurred during the first 24 months after the ward's initial release to local supervision, and the number of months each violator was housed in a local juvenile detention facility.

(c) For the purposes of this section, "identifying information" means a unique identifier, which may include the ward's initials, that allows the Department of Finance to reconcile information provided pursuant to subdivisions (a) and (b) while preserving the confidentiality of the ward. The reports created pursuant to this section shall not be considered record information within the meaning of Section 11075 of the Penal Code or Section 825 of this code.

**SEC. 13.** Section 1984 of the Welfare and Institutions Code is amended to read:

**1984.** (a) The amount allocated to each county probation department from the Juvenile Reentry Grant Special Account established in paragraph (2) of subdivision (c) of Section 30025 of the Government Code shall be allocated in monthly installments. In each fiscal year, the amount allocated to each county probation department from the Juvenile Reentry Grant Special Account shall be distributed pursuant to the criteria set forth in this section.

(b) For the 2024–25 fiscal year, funds shall be distributed pursuant to the following criteria:

(1) For wards discharged from the Division of Juvenile Justice, the following criteria shall apply:

(A) Consistent with Section 1766, funds shall be allocated in the amount of fifteen thousand dollars (\$15,000) on an average daily population basis per ward discharged to the jurisdiction of the court and ordered by the court to be supervised by local county probation for monitoring and services during the previous fiscal year based on the actual number of discharged wards supervised at the local level. For each discharged ward, this funding shall be provided for 24 months.

(B) Consistent with Sections 208.5 and 1767.35, additional funding, beyond the initial fifteen thousand dollars (\$15,000) provided pursuant to subparagraph (A), shall not be allocated to counties for discharged wards who are housed in county jail or in any other county correctional facility for violating a condition of court-ordered supervision during the previous fiscal year.

(C) Consistent with Sections 208.5 and 1767.35, funds shall be allocated in the amount of one hundred fifteen thousand dollars (\$115,000) on an average daily population basis per discharged ward transferred to a local juvenile facility for violating a condition of court-ordered supervision during the previous fiscal year based on the actual number of discharged wards housed in a local juvenile detention facility or court-ordered placement facility where the costs of the housing are not reimbursable to the county through Title IV-E of the federal Social Security Act, or Medi-Cal. For each discharged ward, this

funding shall be provided for the actual number of months the ward is housed in a facility up to 12 months. This funding shall not be provided for wards housed in a jail under any circumstances.

(D) Consistent with Section 1766, funds shall be allocated in the amount of fifteen thousand dollars (\$15,000) on an average daily population basis per discharged ward transferred to the county of commitment for monitoring and services during the previous fiscal year based on the actual number of wards transferred. For each ward transferred on and after July 1, 2014, this funding shall be provided for the remaining duration of the term of juvenile court jurisdiction, not to exceed 24 months.

(E) Consistent with Sections 208.5 and 1767.35, additional funding, beyond the initial fifteen thousand dollars (\$15,000) provided pursuant to subparagraph (A), shall not be allocated to counties for discharged wards who are housed in a state juvenile facility for violating a condition of court-ordered supervision during the previous fiscal year.

(2) For wards discharged at the conclusion of their baseline term or modified term pursuant to subdivision (e) of Section 875, the following criteria shall apply:

(A) Funds shall be allocated in the amount of fifteen thousand dollars (\$15,000) on an average daily population basis per ward discharged at the conclusion of their baseline term or modified baseline term pursuant to subdivision (e) of Section 875 to the jurisdiction of the court and ordered by the court to be supervised by local county probation for monitoring and services during the previous fiscal year based on the actual number of discharged wards supervised at the local level. For each discharged ward, this funding shall be provided for 24 months.

(B) Additional funding, beyond the initial fifteen thousand dollars (\$15,000) provided pursuant to subparagraph (A), shall not be allocated to counties for wards discharged at the conclusion of their baseline term or modified baseline term pursuant to subdivision (e) of Section 875 who are housed in county jail or in any other county correctional facility for violating a condition of court-ordered supervision during the previous fiscal year.

(C) Consistent with Section 208.5, funds shall be allocated in the amount of one hundred fifteen thousand dollars (\$115,000) on an average daily population basis per ward discharged at the conclusion of their baseline term or modified baseline term pursuant to subdivision (e) of Section 875 who is transferred to a local juvenile facility for violating a condition of court-ordered supervision during the previous fiscal year based on the actual number of discharged wards housed in a local juvenile detention facility or court-ordered placement facility where the costs of the housing are not reimbursable to the county through Title IV-E of the federal Social Security Act, or Medi-Cal. For each discharged ward, this funding shall be provided for the actual number of months the ward is housed in a facility up to 12 months. This funding shall not be provided for wards housed in a jail under any circumstances.

(D) Funds shall be allocated in the amount of fifteen thousand dollars (\$15,000) on an average daily population basis per ward discharged at the conclusion of their baseline term or modified baseline term pursuant to subdivision (e) of Section 875 transferred to the county of commitment for monitoring and services during the previous fiscal year based on the actual number of wards transferred. This funding shall be provided for the remaining duration of the term of juvenile court jurisdiction, not to exceed 24 months.

(c) Commencing with the 2025–2026 fiscal year, funds shall be distributed pursuant to the following criteria:

(1) Funds shall be allocated in the amount of fifteen thousand dollars (\$15,000) on an average daily population basis per ward discharged at the conclusion of their baseline term or modified baseline term pursuant to subdivision (e) of Section 875 to the jurisdiction of the court and ordered by the court to be supervised by local county probation for monitoring and services during the previous fiscal year based on the actual number of discharged wards supervised at the local level. For each discharged ward, this funding shall be provided for 24 months.

(2) Additional funding, beyond the initial fifteen thousand dollars (\$15,000) provided pursuant to subparagraph (A), shall not be allocated to counties for wards discharged at the conclusion of their baseline term or modified baseline term pursuant to subdivision (e) of Section 875 who are housed in county jail or in any other county correctional facility for violating a condition of court-ordered supervision during the previous fiscal year.

(3) Consistent with Section 208.5, funds shall be allocated in the amount of one hundred fifteen thousand dollars (\$115,000) on an average daily population basis per ward discharged at the conclusion of their baseline term or modified baseline term pursuant to subdivision (e) of Section 875 who is transferred to a local juvenile facility for violating a condition of court-ordered supervision during the previous fiscal year based on the actual number of discharged wards housed in a local juvenile detention facility or court-ordered placement facility where the costs of the housing are not reimbursable to the county through Title IV-E of the federal Social Security Act, or Medi-Cal. For each discharged ward, this funding shall be provided for the actual number of months the ward is housed in a facility up to 12 months. This funding shall not be provided for wards housed in a jail under any circumstances.

(4) Funds shall be allocated in the amount of fifteen thousand dollars (\$15,000) on an average daily population basis per ward discharged at the conclusion of their baseline term or modified baseline term pursuant to subdivision (e) of Section 875 to the county of commitment for monitoring and services during the previous fiscal year based on the actual number of wards transferred. This funding shall be provided for the remaining duration of the term of juvenile court jurisdiction, not to exceed 24 months.

(d) In each fiscal year, consistent with subdivision (b) of Section 30029.11 of the Government Code, the Department of Finance shall use the criteria outlined in this section to determine each county's allocation as a percentage of the funds deposited in the Juvenile Reentry Grant Special Account. Actual allocations provided to counties pursuant to subdivisions this section shall vary based on the amount of funds deposited in the Juvenile Reentry Grant Special Account pursuant to subdivision (b) of Section 30028.1 of the Government Code.

**SEC. 14.** Section 1991 of the Welfare and Institutions Code is amended to read:

**1991.** (a) Commencing with the 2021–22 fiscal year, and annually thereafter, there shall be an allocation to the county for use by the county to provide appropriate rehabilitative housing and supervision services for the population specified in subdivision (b) of Section 1990. In making allocations, the county board of supervisors shall consider the plan required in Section 1995. Any entity receiving a direct allocation of funding from the county board of supervisors under this section for any secure residential placement for court-ordered detention will be subject to existing regulations. With the exception of county probation departments, a local public agency that has primary responsibility for prosecuting or making arrests or detentions shall not provide rehabilitative and supervision services for the population specified in subdivision (b) of Section 1990 or receive funding pursuant to this section:

(1) For the 2021–22 fiscal year, thirty-nine million nine hundred forty-nine thousand dollars (\$39,949,000) shall be appropriated from the General Fund to provide appropriate rehabilitative and supervision services for the population specified in subdivision (b) of Section 1990 based on a projected average daily population of 177.6 wards. The by-county distribution shall be based on 30 percent of the per-county percentage of the average number of wards committed to the Department of Corrections and Rehabilitation, Division of Juvenile Justice, as of December 31, 2018, June 30, 2019, and December 31, 2019, 50 percent of the by-county distribution of juveniles adjudicated for certain violent and serious felony crime categories per 2018 Juvenile Court and Probation Statistical System data, updated annually based on the most recently available data, and 20 percent of the by-county distribution of all individuals between 10 and 17 years of age, inclusive, from the preceding calendar year.

(2) For the 2022–23 fiscal year, one hundred eighteen million three hundred thirty-nine thousand dollars (\$118,339,000) shall be appropriated from the General Fund to provide appropriate rehabilitative and supervision services for the population specified in subdivision (b) of Section 1990. The by-county distribution is based on the per-county percentage referenced in paragraph (1) of subdivision (a) and a projected average daily population of 526 wards.

(3) For the 2023–24 fiscal year, one hundred ninety-two million thirty-seven thousand dollars (\$192,037,000) shall be appropriated from the General Fund to provide appropriate rehabilitative and supervision services for the population specified in subdivision (b) of Section 1990. The by-county distribution is based on the per-county percentage referenced in paragraph (1) of subdivision (a) and a projected average daily population of 853.5 wards.

(4) For the 2024–25 fiscal year, two hundred eight million eight hundred thousand dollars (\$208,800,000) shall be appropriated from the General Fund to provide appropriate rehabilitative and supervision services for the population specified in subdivision (b) of Section 1990. The by-county distribution is based on the per-county percentage referenced in paragraph (1) of subdivision (a) and a projected average daily population of 928 wards.

(5) For the 2025–26 fiscal year and each year thereafter, two hundred eight million eight hundred thousand dollars (\$208,800,000) shall be appropriated from the General Fund to provide appropriate rehabilitative and supervision services for the population specified in subdivision (b) of Section 1990 based on a projected average daily population of 928 wards. The Governor and the Legislature shall work with stakeholders to establish a distribution methodology for the funding in this paragraph by January 10, 2025, and ongoing that improves outcomes for this population.

(6) The Department of Finance shall increase to no more than two hundred fifty thousand dollars (\$250,000) the award amount for any county whose allocation as calculated pursuant to paragraphs (1), (2), (3), (4), and (5) totals less than two hundred fifty thousand dollars (\$250,000). The appropriation in paragraphs (1), (2), (3), (4), and (5) shall be increased by the amounts needed to bring each county's allocation to two hundred fifty thousand dollars (\$250,000).

(b) Commencing with the 2024–25 fiscal year, the allocations determined by paragraphs (4), (5), and (6) of subdivision (a) shall be adjusted annually by a rate commensurate with any applicable growth in the Juvenile Justice Growth Special Account in the prior fiscal year. Each year, this growth shall become additive to the next year's base allocation. Any applicable growth amounts pursuant to this subdivision shall be allocated based on a schedule provided by the Department of Finance, as described in subdivision (c), to the Controller consistent with the timelines for other 2011 Public Safety Realignment growth allocations.

(c) By July 1, 2021, and by July 31 annually thereafter, the Department of Finance shall allocate the amount calculated in paragraphs (1), (2), (3), (4), (5), and (6) of subdivision (a) from the General Fund and provide a schedule for the allocation of funds among counties to the Controller. The controller shall allocate these funds no later than August 31 each year, consistent with the schedule provided by the Department of Finance.

**SEC. 15.** Section 2200 of the Welfare and Institutions Code, as amended by Section 5.5 of Chapter 528 of the Statutes of 2023, is amended to read:

**2200.** (a) Commencing July 1, 2021, there is in the California Health and Human Services Agency the Office of Youth and Community Restoration.

(b) The office's mission is to promote trauma responsive, culturally informed services for youth involved in the juvenile justice system that support the youths' successful transition into adulthood and help them become responsible, thriving, and engaged members of their communities.

(c) The office shall have the following responsibility and authority:

(1) Once data becomes available as a result of the plan developed to Section 13015 of the Penal Code, develop a report on youth outcomes in the juvenile justice system.

(2) Identify policy recommendations for improved outcomes and integrated programs and services to best support delinquent youth.

(3) Identify and disseminate best practices to help inform rehabilitative and restorative youth practices, including education, diversion, re-entry, religious and victims' services.

(4) Provide technical assistance as requested to develop and expand local youth diversion opportunities to meet the varied needs of the delinquent youth population, including but not limited to sex offender, substance abuse, and mental health treatment.

(5) Report annually on the work of the Office of Youth and Community Restoration.

(d) The office shall have an ombudsperson, who has the authority to do all of the following:

(1) Investigate complaints from youth.

(2) Decide, in its discretion, whether to investigate complaints from youth who are detained in the, or committed to, juvenile facilities, families, staff, and others about harmful conditions or practices, violations of laws and regulations governing facilities, and circumstances presenting an emergency situation, or refer complaints to another body for investigation.

(3) Publish and provide regular reports to the Legislature about complaints received and subsequent findings and actions taken, pursuant to Section 2200.5.

(4) Have access to, review, and receive and make copies of any record of a local agency, and contractors with local agencies, including, but not limited to, all juvenile facility records, at all times, except personnel records legally required to be kept confidential. Access to records shall be in accordance with existing law and rules of court governing juvenile confidentiality and all other applicable laws.

(5) Meet or communicate privately with any youth, personnel, or volunteer in a juvenile facility and premises within the control of a county or local agency, or a contractor with a county or local agency, and may interview any relevant witnesses. The ombudsperson may interview sworn probation personnel in accordance with applicable federal and state law, local probation department policies, and collective bargaining agreements. The ombudsperson shall be granted access to youth at all times, and may take notes, audio or video recording, or photographs during the meeting or communication with youth, to the extent not otherwise prohibited by applicable federal or state law. The ombudsperson shall be permitted to carry with them and use the equipment necessary to document the meeting or communication with youth as described in this section, to the extent not otherwise prohibited by applicable federal or state law. Access shall be in accordance with existing law and rules of court governing juvenile confidentiality and all other applicable laws.

(6) Disseminate information and provide training and technical assistance to youth who are involved in the juvenile justice system, social workers, probation officers, tribal child welfare agencies, child welfare organizations, children's and youth advocacy groups, consumer and service provider organizations, and other interested parties on the rights of youth involved in the juvenile justice system and the services provided by the ombudsperson. The rights shall include rights set forth in federal and state law and regulations for youth detained in or committed to juvenile justice facilities. The information shall include methods of contacting the ombudsperson and notification that conversations with the office may be disclosed to other persons, as necessary to adequately investigate and resolve a complaint.

(7) Access, visit, and observe juvenile facilities and premises within the control of a county, or local agency, or a contractor with a county, or local agency, serving youth involved in the juvenile justice system. The ombudsperson shall be granted access to the facilities at any time with or without prior notice.

(8) For purposes of this section, "record" means documents, papers, memoranda, logs, reports, letters, calendars, schedules, notes, files, drawings, and electronic content, including, but not limited to, videos, photographs, blogs, video blogs, instant and text messages, email, or other items developed or received under law or in connection with the transaction of official business, but does not include material that is protected by privilege.

(9) Ombudsperson staff shall conduct a site visit to every juvenile facility and premises within the control of a county or local agency, or a contractor with a county or local agency, no less frequently than once per year.

(e) The Division of the Ombudsperson of the Office of Youth and Community Restoration shall design posters and provide the posters to each juvenile facility operator subject to Section 224.72. These posters shall include the toll-free telephone number of the Ombudsperson of the Office of Youth and Community Restoration.

(f) Consistent with Chapter 17.5 (commencing with Section 7290) of Division 7 of Title 1 of the Government Code, on or before July 1, 2023, the Office of Youth and Community Restoration shall ensure the listing of rights and posters described in this section are translated into Spanish and other languages as determined necessary and distribute to each juvenile facility operator.

(g) (1) The Office of Youth and Community Restoration shall evaluate the efficacy of local programs being utilized for realigned youth. No later than July 1, 2025, the office shall report its findings to the Governor and the Legislature.

(2) To meet the need to monitor and evaluate local responses for youth realigned to counties from the Division of Juvenile Justice, the Office of Youth and Community Restoration shall collect the data described in this paragraph not less frequently than two times per year. Commencing no later than April 1, 2025, for the reporting period from July 1, 2024, through December 31, 2024, and no later than October 1, 2025, for the reporting period from January 1, 2025, through June 30, 2025, and on this schedule every six months thereafter through October 1, 2029, county probation departments shall provide the office with the data described in this paragraph in a format designated by the office. The office shall publish a report of state and county findings not less frequently than annually. The submissions by county probation departments to the office shall include all of the following, disaggregated by gender, age, and race or ethnicity:

(A) Number of youth and their most serious commitment offense, if known, who are under the county's supervision who are committed to a secure youth treatment facility, including youth committed to secure youth treatment facilities in another county.

(B) Number of individual youth in the county who were adjudicated for an offense pursuant to subdivision (b) of Section 707 of this code or Section 290.008 of the Penal Code.

(C) Number of youth, including their commitment offense or offenses, if known, transferred from a secure youth treatment facility to a less restrictive program under the terms and provisions of subdivision (f) of Section 875, disaggregated by program description, as defined by the office.

(D) Number of youth for whom a hearing to transfer jurisdiction to an adult criminal court was held, and the number of youth whose jurisdiction was transferred to adult criminal court.

(3) The reporting and data collection provisions of paragraph (2) shall become inoperative on January 1, 2030.

(4) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), for the purposes of paragraph (2), the office may, if it deems it appropriate, implement, interpret, or make specific paragraph (2) by means of written guidelines or similar instructions from the office.

(h) Juvenile grants shall not be awarded by the Board of State and Community Corrections without the concurrence of the office. All juvenile justice grant administration functions in the Board of State and Community Corrections shall be moved to the office no later than January 1, 2025. The allocation of funds dedicated to the Local Revenue Fund 2011 and its accounts, subaccounts, and special accounts shall be consistent with Chapter 6.3 (commencing with Section 30025) of Division 3 of Title 3 of the Government Code.

(i) The Office of Youth and Community Restoration shall submit to the Department of Justice fingerprint images and related information required by the Department of Justice for all employees, prospective employees, contractors, subcontractors, and volunteers requiring direct contact with young people in juvenile facilities or access to criminal offender record information, as defined by Section 11075 of the Penal Code, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- or federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

(j) Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the Office of Youth and Community Restoration may establish grantmaking programs with the funding designated in the Budget Act of 2021 and with other funding available for that purpose by means of information notices or other similar instructions, without taking further regulatory action.

(k) The Office of Youth and Community Restoration may enter into exclusive or nonexclusive contracts, or amend existing contracts, on a bid or negotiated basis for purposes of implementing those activities funded by the Budget Act of 2021 and other funding available for these purposes. Contracts entered into or amended pursuant to this section are exempt from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, Section 19130 of the Government Code, Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code, the State Administrative Manual, and the State Contracting Manual, and are exempt from the review or approval of any division of the Department of General Services.

(l) This section shall remain in effect only until January 1, 2028, and as of that date is repealed.

**SEC. 16.** Section 2200 of the Welfare and Institutions Code, as amended by Section 6.5 of Chapter 528 of the Statutes of 2023, is amended to read:

**2200.** (a) Commencing July 1, 2021, there is in the California Health and Human Services Agency the Office of Youth and Community Restoration.

(b) The office's mission is to promote trauma-responsive, culturally informed services for youth involved in the juvenile justice system that support the youths' successful transition into adulthood and help them become responsible, thriving, and engaged members of their communities.

(c) The office shall have the following responsibility and authority:

(1) Once data becomes available as a result of the plan developed to Section 13015 of the Penal Code, develop a report on youth outcomes in the juvenile justice system.

(2) Identify policy recommendations for improved outcomes and integrated programs and services to best support delinquent youth.

(3) Identify and disseminate best practices to help inform rehabilitative and restorative youth practices, including education, diversion, re-entry, religious and victims' services.

(4) Provide technical assistance as requested to develop and expand local youth diversion opportunities to meet the varied needs of the delinquent youth population, including but not limited to sex offender, substance abuse, and mental health treatment.

(5) Report annually on the work of the Office of Youth and Community Restoration.

(d) The office shall have an ombudsperson, who has the authority to do all of the following:

(1) Investigate complaints from youth.

(2) Decide, in its discretion, whether to investigate complaints from youth who are detained in the, or committed to, juvenile facilities, families, staff, and others about harmful conditions or practices, violations of laws and regulations governing facilities, and circumstances presenting an emergency situation, or refer complaints to another body for investigation.

(3) Publish and provide regular reports to the Legislature about complaints received and subsequent findings and actions taken, pursuant to Section 2200.5.

(4) Have access to, and make copies of any record of a local agency, and contractors with local agencies, including, but not limited to, all juvenile facility records, at all times, except personnel records legally required to be kept confidential. Access to records shall be in accordance with existing law and rules of court governing juvenile confidentiality and all other applicable laws.

(5) Meet or communicate privately with any youth, personnel, or volunteer in a juvenile facility and premises within the control of a county or local agency, or a contractor with a county or local agency, and may interview any relevant witnesses. The ombudsperson may interview sworn probation personnel in accordance with applicable federal and state law, local probation department policies, and collective bargaining agreements. The ombudsperson shall be granted access to youth at all times, and may take notes, audio or video recording, or photographs during the meeting or communication with youth, to the extent not otherwise prohibited by applicable federal or state law. The ombudsperson shall be permitted to carry with them and use the equipment necessary to document the meeting or communication with youth as described in this section, to the extent not

otherwise prohibited by applicable federal or state law. Access shall be in accordance with existing law and rules of court governing juvenile confidentiality and all other applicable laws.

(6) Disseminate information and provide training and technical assistance to youth who are involved in the juvenile justice system, social workers, probation officers, tribal child welfare agencies, child welfare organizations, children's and youth advocacy groups, consumer and service provider organizations, and other interested parties on the rights of youth involved in the juvenile justice system and the services provided by the ombudsperson. The rights shall include rights set forth in federal and state law and regulations for youth detained in or committed to juvenile justice facilities. The information shall include methods of contacting the ombudsperson and notification that conversations with the office may be disclosed to other persons, as necessary to adequately investigate and resolve a complaint.

(7) Access, visit, and observe juvenile facilities and premises within the control of a county, or local agency, or a contractor with a county, or local agency, serving youth involved in the juvenile justice system. The ombudsperson shall be granted access to the facilities at any time with or without prior notice.

(8) For purposes of this section, "record" means documents, papers, memoranda, logs, reports, letters, calendars, schedules, notes, files, drawings, and electronic content, including, but not limited to, videos, photographs, blogs, video blogs, instant and text messages, email, or other items developed or received under law or in connection with the transaction of official business, but does not include material that is protected by privilege.

(9) Ombudsperson staff shall conduct a site visit to every juvenile facility and premises within the control of a county or local agency, or a contractor with a county or local agency, no less frequently than once per year.

(e) The Division of the Ombudsperson of the Office of Youth and Community Restoration shall design posters and provide the posters to each juvenile facility operator subject to Section 224.72. These posters shall include the toll-free telephone number of the Ombudsperson of the Office of Youth and Community Restoration.

(f) Consistent with Chapter 17.5 (commencing with Section 7290) of Division 7 of Title 1 of the Government Code, on or before July 1, 2023, the Office of Youth and Community Restoration shall ensure the listing of rights and posters described in this section are translated into Spanish and other languages as determined necessary and distribute to each juvenile facility operator.

(g) (1) The Office of Youth and Community Restoration shall evaluate the efficacy of local programs being utilized for realigned youth. No later than July 1, 2025, the office shall report its findings to the Governor and the Legislature.

(2) To meet the need to monitor and evaluate local responses for youth realigned to counties from the Division of Juvenile Justice, the Office of Youth and Community Restoration shall collect the data described in this paragraph not less frequently than two times per year. Commencing no later than April 1, 2025, for the reporting period from July 1, 2024, through December 31, 2024, and no later than October 1, 2025, for the reporting period from January 1, 2025, through June 30, 2025, and on this schedule every six months thereafter through October 1, 2029, county probation departments shall provide the office with the data described in this paragraph in a format designated by the office. The office shall publish a report of state and county findings not less frequently than annually. The submissions by county probation departments to the office shall include all of the following, disaggregated by gender, age, and race or ethnicity:

(A) Number of youth and their most serious commitment offense, if known, who are under the county's supervision who are committed to a secure youth treatment facility, including youth committed to secure youth treatment facilities in another county.

(B) Number of individual youth in the county who were adjudicated for an offense pursuant to subdivision (b) of Section 707 of this code or Section 290.008 of the Penal Code.

(C) Number of youth, including their commitment offense or offenses, if known, transferred from a secure youth treatment facility to a less restrictive program under the terms and provisions of subdivision (f) of Section 875, disaggregated by program description, as defined by the office.

(D) Number of youth for whom a hearing to transfer jurisdiction to an adult criminal court was held, and the number of youth whose jurisdiction was transferred to adult criminal court.

(3) The reporting and data collection provisions of paragraph (2) shall become inoperative on January 1, 2030.

(4) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), for the purposes of paragraph (2), the office may, if it deems it appropriate, implement, interpret, or make specific paragraph (2) by means of written guidelines or similar instructions from the office.



(h) Juvenile grants shall not be awarded by the Board of State and Community Corrections without the concurrence of the office. All juvenile justice grant administration functions in the Board of State and Community Corrections shall be moved to the office no later than January 1, 2025. The allocation of funds dedicated to the Local Revenue Fund 2011 and its accounts, subaccounts, and special accounts shall be consistent with Chapter 6.3 (commencing with Section 30025) of Division 3 of Title 3 of the Government Code.

(i) The Office of Youth and Community Restoration shall submit to the Department of Justice fingerprint images and related information required by the Department of Justice for all employees, prospective employees, contractors, subcontractors, and volunteers requiring direct contact with young people in juvenile facilities or access to criminal offender record information, as defined by Section 11075 of the Penal Code, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- or federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

(j) This section shall become operative on January 1, 2028.

**SEC. 17.** Section 2202 is added to the Welfare and Institutions Code, to read:

**2202.** (a) Commencing July 1, 2024, the Office of Youth and Community Restoration shall act as the designated state agency pursuant to the federal Juvenile Justice Reform Act of 2018 (34 U.S.C. Sec. 11101 et seq.) and subsequent reauthorizations.

(b) The office shall do all of the following:

(1) Carry out all grant administration functions, such as the annual review and approval, or review, revision, and approval, of the comprehensive state plan for the improvement of juvenile justice and delinquency prevention activities throughout the state.

(2) Establish priorities for the use of funds as are available pursuant to the federal Juvenile Justice Reform Act of 2018 (34 U.S.C. Sec. 11101 et seq.) and subsequent reauthorizations.

(3) Approve the expenditure of all funds, provided that the approval of those expenditures may be granted to single projects or to groups of projects.

(c) In accordance with the federal Juvenile Justice Reform Act of 2018 (34 U.S.C. Sec. 11101 et seq.) and subsequent reauthorizations, the office shall inspect and collect relevant data from any secure facility that may be used for the secure detention of juveniles.

**SEC. 18.** Section 8261 of the Welfare and Institutions Code is amended to read:

**8261.** (a) The council shall set and measure progress towards goals to prevent and end homelessness among youth in California by doing both of the following:

(1) Setting specific, measurable goals aimed at preventing and ending homelessness among youth in the state. These goals shall include, but not be limited to, all of the following:

(A) Measurably decreasing the number of young people experiencing homelessness in the state.

(B) Measurably increasing permanency rates among young people experiencing homelessness by decreasing the length and occurrences of young people experiencing homelessness caused by a youth's separation from family or a legal guardian.

(C) Decreasing the duration and frequency of experiences of homelessness among California's youth.

(D) Decreasing barriers to services through promoting cross-systems partnerships to expedite access to services, including social services, child welfare services, regional center services, and mental health services.

(2) Defining outcome measures and gathering data related to the goals.

(A) The council shall develop and collect data on county-level and statewide measures, including, but not limited to, the number of young people experiencing homelessness in California and their dependency status, delinquency status, family reunification status, housing status, program participation, and runaway status.

(B) Data collection and sharing among state and county agencies and service providers shall be a condition upon the receipt of any state funding for programs related to youth homelessness and its prevention. All recipients shall be required to share with the council any relevant data from their Homeless Management Information Systems. Data collection and sharing pursuant to this chapter shall be conducted and maintained in accordance with all applicable state and federal privacy and confidentiality laws and regulations.

(C) The council shall seek data from any and all relevant sources, including the Homeless Management Information System (HMIS), if available, in order to meet the requirements of this section.

(D) Providers of data shall do either of the following:

(i) Redact the names, dates of birth, and addresses of victims of domestic violence, as defined in Section 6211 of the Family Code, prior to reporting data to the council.

(ii) Obtain informed consent from a victim of domestic violence, as defined in Section 6211 of the Family Code and in accordance with all applicable state and federal confidentiality laws, before disclosing confidential information about that individual pursuant to this section.

(b) In order to coordinate a spectrum of funding, policy, and practice efforts related to young people experiencing homelessness, the council shall do both of the following:

(1) Coordinate with young people experiencing homelessness, the State Department of Social Services, other appropriate state and county agencies and departments, and other stakeholders to inform policy, practices, and programs.

(2) To the extent that funding is made available, provide technical assistance and program development support to increase capacity among new and existing service providers to best meet statewide needs, particularly in areas where services for young people experiencing homelessness have not been established, and provide support to service providers in making evidence-informed and data-driven decisions.

**SEC. 19.** Section 13704 of the Welfare and Institutions Code is repealed.

**SEC. 20.** If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

**SEC. 21.** This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.