

AMENDED IN ASSEMBLY AUGUST 7, 2006

AMENDED IN ASSEMBLY JUNE 21, 2006

AMENDED IN SENATE MAY 17, 2006

**SENATE BILL**

**No. 1589**

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**Introduced by Senator Romero**

February 24, 2006

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An act to add Section 1756.5 to the Welfare and Institutions Code, relating to the Division of Juvenile Justice.

LEGISLATIVE COUNSEL'S DIGEST

SB 1589, as amended, Romero. Division of Juvenile Justice: specialized ~~programming~~ *programs*.

The Division of Juvenile Justice is vested with all the powers, functions, duties, responsibilities, obligations, liabilities, and jurisdiction of the former Youth Authority. The Division of Juvenile Justice consists of the Division of Juvenile Facilities, the Division of Juvenile Programs, and the Division of Juvenile Parole Operations under the Chief Deputy of Juvenile Justice, each headed by a chief who is appointed by the Governor and subject to Senate confirmation.

This bill would require the Division of Juvenile Justice to explore options to provide specialized ~~programming~~ *programs* outside of division facilities for high risk or high need juvenile offenders, taking into account availability and specified criterion, *and for female offenders*. ~~The bill would further require the division to give priority for the placement of female offenders with governmental agencies or, if unavailable, to report alternatives to the Legislature at that time.~~ The bill would also require the division to transfer all female offenders out of division facilities as expeditiously as possible. ~~Upon that transfer, the~~

*The bill would further require the ~~Department of Corrections and Rehabilitation~~ division to ~~find an alternative use for~~ ensure that the requirements of the division’s Safety and Welfare Remedial Plan are met by outside contracting entities, if any, and would also require legislative approval for the transfer of the Ventura Youth Correctional Facility to the Division of Adult Institutions, if contemplated. ~~If used to house adult inmates, the bill would then require the department to implement an honor yard program at that facility, as specified.~~*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. The Legislature finds and declares all of the*  
2 *following:*

3     *(a) The Legislature believes that the Division of Juvenile*  
4 *Justice cannot provide female wards with the necessary*  
5 *programs and training to rehabilitate the majority of those*  
6 *female wards. Further, the maintenance of the Ventura Youth*  
7 *Correctional Facility as a female institution deprives the division*  
8 *of needed program capacity. Therefore, it is the intent of the*  
9 *Legislature that the division seek to enter into contracts to place*  
10 *female wards with providers outside of division facilities.*

11     *(b) If governmental entities can provide gender-specific*  
12 *programs that are equal to programs that can be provided by*  
13 *qualified private parties, it is further the intent of the Legislature*  
14 *that preference be given to placing those females with*  
15 *governmental entities.*

16     ~~SECTION 1.~~

17     *SEC. 2. Section 1756.5 is added to the Welfare and*  
18 *Institutions Code, to read:*

19     1756.5. (a) The Division of Juvenile Justice shall explore  
20 options to provide specialized ~~programming~~ *programs* outside of  
21 division facilities for high risk or high need offenders, if  
22 ~~programming~~ *is those programs are* available. Specialized  
23 programs for these offenders shall take into account commitment  
24 offenses, delinquency history, age, gender, medical and mental  
25 health condition, risk levels, and any other commitment criteria.

26     (b) The Division of Juvenile Justice may also consider  
27 changes with respect to eligibility, age, jurisdiction, or length of

1 confinement in order to ensure quality ~~programming~~ *programs*  
2 within division facilities.

3 (c) (1) Given the small number of female offenders and their  
4 specialized needs, the Division of Juvenile Justice shall explore  
5 options to provide ~~programming~~ *programs* for female offenders  
6 outside of division facilities. ~~In considering these options, the~~  
7 ~~division shall give priority for the placement of female offenders~~  
8 ~~to governmental agencies or, if those options are not appropriate~~  
9 ~~or available for the placement of female offenders, the division~~  
10 ~~shall report any and all other alternatives to the Legislature at that~~  
11 ~~time.~~ The division shall transfer all female offenders out of  
12 division facilities as expediently as possible.

13 (2) ~~Once the female offender population has been transferred~~  
14 ~~out of division facilities, the Department of Corrections and~~  
15 ~~Rehabilitation shall find an alternative use for the Ventura Youth~~  
16 ~~Correctional Facility. Options shall include housing male wards~~  
17 ~~of the Division of Juvenile Justice or low level offenders from~~  
18 ~~the adult inmate population. If adult inmates are housed in this~~  
19 ~~facility, the Department of Corrections and Rehabilitation shall~~  
20 ~~implement an honor yard program, such as exists at the~~  
21 ~~California State Prison, Los Angeles County, in Lancaster,~~  
22 ~~drawing on the policies set forth in its honor yard operational~~  
23 ~~procedures.~~

24 (2) *If the Division of Juvenile Justice contracts with outside*  
25 *entities to provide services to female wards, the division shall*  
26 *ensure that those contracting entities will meet the requirements*  
27 *of the division's Safety and Welfare Remedial Plan, dated July*  
28 *10, 2006, or any subsequently agreed to remedial plan,*  
29 *particularly the requirement that females receive gender-specific*  
30 *services equal to those provided to males under the rehabilitative*  
31 *model.*

32 (3) *If the Division of Juvenile Justice wishes to transfer*  
33 *control of the Ventura Youth Correctional Facility to the*  
34 *Division of Adult Institutions, the Division of Juvenile Justice*  
35 *shall seek the approval of the Legislature.*

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