

AMENDED IN ASSEMBLY JUNE 1, 2007

AMENDED IN ASSEMBLY MAY 1, 2007

AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1291**

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**Introduced by Assembly Member Mendoza**

February 23, 2007

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An act to add Section 727.7 to the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1291, as amended, Mendoza. Antigang violence parenting classes.

Under existing law, if a minor has been adjudged a ward of the juvenile court, and the court finds that a specified notice has been given to the parent or guardian of the minor and orders that the parent or guardian shall retain custody of the minor either subject to or without the supervision of the probation officer, the parent or guardian may be required to participate with the minor in a counseling or education program, including, but not limited to, parent education and parenting programs operated by community colleges, school districts, or other appropriate agencies designated by the court.

This bill would ~~require~~ *authorize* the juvenile court, if a minor is found to be a ward of the court by reason of the commission of a gang-related offense, and the court finds that the minor is a first-time offender and orders that a parent or guardian ~~shall~~ retain custody of that minor, ~~either subject to or without the supervision of the probation officer,~~ to order the parent or guardian to attend antigang violence

parenting classes, ~~except as specified. The bill would require the probation officer, upon request of the court, to visit the home of the minor and make a recommendation as to whether the parenting classes are necessary. By increasing the duties of local probation officers, the bill would impose a state-mandated local program. The bill would provide that the parent or guardian is responsible for the cost of those classes, and would require the Department of Justice to establish the curriculum, including specified criteria.~~

~~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 these statutory provisions.~~

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

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

1 SECTION 1. Section 727.7 is added to the Welfare and  
2 Institutions Code, to read:

3 727.7. (a) If a minor is found to be a person described in  
4 Section 602 by reason of the commission of a gang-related offense,  
5 and the court finds that the minor is a first-time offender and orders  
6 that a parent or guardian ~~shall~~ retain custody of that minor, ~~either~~  
7 ~~subject to or without the supervision of the probation officer, the~~  
8 ~~court shall~~ *may* order the parent or guardian to attend antigang  
9 violence parenting classes, ~~except as provided in subdivision (b).~~

10 ~~(b) Upon request of the court, the probation officer shall visit~~  
11 ~~the home of the minor and make a recommendation as to whether~~  
12 ~~the antigang violence parenting classes are necessary. If the court~~  
13 ~~finds that the antigang violence parenting classes are not necessary,~~  
14 ~~the parent or guardian shall not be required to attend the classes.~~

15 (e)

16 (b) The Department of Justice shall establish curriculum for the  
17 antigang violence parenting classes required pursuant to this  
18 section, including, but not limited to, all of the following criteria:

- 19 (1) How to identify gang and drug activity in children.
- 20 (2) How to communicate effectively with adolescents.

1 (3) An overview of pertinent support agencies and organizations  
2 for intervention, education, job training, and positive recreational  
3 activities, including telephone numbers, locations, and contact  
4 names of those agencies and organizations.

5 (4) The potential fines and periods of incarceration for the  
6 commission of additional gang-related offenses.

7 (5) The potential penalties that may be imposed upon parents  
8 for aiding and abetting crimes committed by their children.

9 ~~(d)~~

10 (c) For purposes of this section, “gang-related” means that the  
11 minor was an active participant in a criminal street gang, as  
12 specified in subdivision (a) of Section 186.22 of the Penal Code,  
13 or committed an offense for the benefit of, or at the direction of,  
14 a criminal street gang, as specified in subdivision (b) or (d) of  
15 Section 186.22 of the Penal Code.

16 ~~(e)~~

17 (d) A parent or guardian who is required to attend antigang  
18 violence parenting classes pursuant to this section is responsible  
19 for the cost of those classes, and may pay by monthly installment  
20 if the court finds that the cost would cause undue financial  
21 hardship.

22 ~~SEC. 2. If the Commission on State Mandates determines that~~  
23 ~~this act contains costs mandated by the state, reimbursement to~~  
24 ~~local agencies and school districts for those costs shall be made~~  
25 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
26 ~~4 of Title 2 of the Government Code.~~