

Assembly Bill No. 177

CHAPTER 258

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

[Approved by Governor September 6, 2011. Filed with
Secretary of State September 6, 2011.]

LEGISLATIVE COUNSEL'S DIGEST

AB 177, Mendoza. Juveniles: parenting classes.

Existing law authorizes the juvenile court, if a minor is found to be within the jurisdiction of the juvenile 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 retain custody of that minor, to order the parent or guardian to attend antigang violence parenting classes. Under existing law, the father, mother, spouse, or other person liable for the support of the minor, the estate of that person, and the estate of the minor are liable for the cost of the classes, unless the court finds that the person or estate does not have the financial ability to pay.

This bill would expand the authority of the juvenile court to order the parent or guardian of a minor to attend antigang violence parenting classes to additionally apply to a minor who is within the jurisdiction of the juvenile court for habitual disobedience, a curfew violation, truancy, or an offense that is not gang-related if the court finds the presence of significant risk factors for gang involvement on the part of the minor.

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

SECTION 1. Section 727.7 of the Welfare and Institutions Code is amended to read:

727.7. (a) If a minor is found to be a person described in Section 601 or 602 and the court finds that the minor is a first-time offender and orders that a parent or guardian retain custody of that minor, the court may order the parent or guardian to attend antigang violence parenting classes if the court finds the presence of significant risk factors for gang involvement on the part of the minor.

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

(1) A meeting in which the families of innocent victims of gang violence share their experience.

(2) A meeting in which the surviving parents of a deceased gang member share their experience.

(3) How to identify gang and drug activity in children.

(4) How to communicate effectively with adolescents.

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

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

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

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

(d) The father, mother, spouse, or other person liable for the support of the minor, the estate of that person, and the estate of the minor shall be liable for the cost of classes ordered pursuant to this section, unless the court finds that the person or estate does not have the financial ability to pay. In evaluating financial ability to pay, the court shall take into consideration the combined household income, the necessary obligations of the household, the number of persons dependent upon this income, and whether reduced monthly payments would obviate the need to waive liability for the full costs.