

Introduced by Senator YeeFebruary 19, 2014

An act to amend Section 725.5 of the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1088, as introduced, Yee. Juveniles: disposition.

Existing law generally subjects any person under 18 years of age who commits a crime to the jurisdiction of the juvenile court, which may adjudge that person to be a ward of the court. Existing law requires minors under the jurisdiction of the juvenile court as a consequence of delinquent conduct to receive care, treatment, and guidance that is consistent with his or her best interest, that holds him or her accountable for his or her behavior, and that is appropriate for the circumstances in conformity with the interests of public safety and protection.

After a minor is adjudged to be a ward of the court, existing law requires the court to hear evidence on the question of the proper disposition to be made of the minor. Existing law requires the judge to consider, in addition to other relevant and material evidence, the age of the minor, the circumstances and gravity of the offense committed by the minor, and the minor's previous delinquent history.

This bill would also require the judge to consider the minor's personal history, including, but not limited to, whether the minor is a victim of child abuse and neglect, as defined.

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

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

1 SECTION 1. Section 725.5 of the Welfare and Institutions
2 Code is amended to read:
3 725.5. (a) In determining the judgment and order to be made
4 in any case in which the minor is found to be a person described
5 in Section 602, the court shall consider, in addition to other relevant
6 and material evidence, (1) the age of the minor, (2) the
7 circumstances and gravity of the offense committed by the minor,
8 ~~and~~ (3) the minor’s previous delinquent history, *and (4) the*
9 *personal history of the minor, including, but not limited to, whether*
10 *the minor is a victim of child abuse and neglect.*
11 (b) *For purposes of this section, “child abuse and neglect” is*
12 *defined in Section 11165.6 of the Penal Code, and may include*
13 *acts described in Section 300.*

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