

Introduced by Senator Leno

February 18, 2016

An act to amend Section 208.5 of the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1143, as introduced, Leno. Juveniles.

Existing law provides that the purpose of the juvenile court law is to provide for the protection and safety of the public and of minors under the jurisdiction of the juvenile court. Existing law requires that minors under the jurisdiction of the juvenile court receive the care, treatment, and guidance consistent with their best interests. Existing law requires a minor detained or committed to a juvenile facility who reaches a certain age to be transferred to an adult facility, unless the juvenile court orders continued detention in a juvenile facility, as specified.

This bill would make technical, nonsubstantive changes to that provision.

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 208.5 of the Welfare and Institutions
2 Code is amended to read:
3 208.5. (a) Notwithstanding any other law, in any case in which
4 a minor who is detained ~~in~~ *in*, or committed ~~to~~ *to*, a county
5 institution established for the purpose of housing juveniles attains
6 18 years of age prior to or during the period of detention or
7 ~~confinement~~ *confinement*, he or she may be allowed to come or

1 remain in contact with those juveniles until 19 years of age, at
2 which time he or she, upon the recommendation of the probation
3 officer, shall be delivered to the custody of the sheriff for the
4 remainder of the time he or she remains in custody, unless the
5 juvenile court orders continued detention in a juvenile facility. If
6 continued detention is ordered for a ward under the jurisdiction of
7 the juvenile court who is 19 years of age or ~~older~~ *older*; but under
8 21 years of age, the detained person may be allowed to come into
9 or remain in contact with any other person detained in the
10 institution subject to the requirements of subdivision (b). The
11 person shall be advised of his or her ability to petition the court
12 for continued detention in a juvenile facility at the time of his or
13 her attainment of 19 years of age. Notwithstanding any other law,
14 the sheriff may allow the person to come into and remain in contact
15 with other adults in the county jail or in any other county
16 correctional facility in which he or she is housed.

17 (b) The county shall apply to the Corrections Standards
18 Authority for approval of a county institution established for the
19 purpose of housing juveniles as a suitable place for confinement
20 before the institution is used for the detention or commitment of
21 an individual under the jurisdiction of the juvenile court who is
22 19 years of age or ~~older~~ *older*, but under 21 years of age where
23 the detained person will come into or remain in contact with
24 persons under 18 years of age who are detained in the institution.
25 The authority shall review and approve or deny the application of
26 the county within 30 days of receiving notice of this proposed use.
27 In its review, the authority shall take into account the available
28 programming, capacity, and safety of the institution as a place for
29 the combined confinement and rehabilitation of individuals under
30 the jurisdiction of the juvenile court who are over 19 years of age
31 and those who are under 19 years of age.