

AMENDED IN ASSEMBLY JULY 8, 1996

**SENATE BILL**

**No. 1760**

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**Introduced by ~~Committee on Budget and Fiscal Review~~  
*Senator Lockyer and Assembly Member Goldsmith***

February 22, 1996

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~~An act relating to the Department of the Youth Authority; An act to add Article 18.7 (commencing with Section 749.2) to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to minors, making an appropriation therefor; and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1760, as amended, ~~Committee on Budget and Fiscal Review~~ *Lockyer. Youth Authority Juvenile crime enforcement.*

Existing law sets forth the powers and duties of the ~~Department of the Youth Authority Board of Corrections~~, as specified.

This bill would, ~~operative July 1, 1996, declare the intent of the Legislature with respect to implementing the Budget Act of 1996 relative to the Department of the Youth Authority~~ *create the Juvenile Crime Enforcement and Accountability Challenge Grant Program under the authority of the Board of Corrections, as specified, and would specify eligibility requirements for the grants.*

*The bill would direct the Board of Corrections to award grants that provide funding for 3 years.*

The bill would also authorize the Board of Corrections to award up to \$2,000,000 to counties, pursuant to those provisions. The bill would direct the Board of Corrections to develop an interim and a final report on the program, and to submit those reports to the Legislature, on or before March 1, 1999, and March 1, 2001, respectively. The bill would provide for funding for the program from the Budget Act of 1996, thereby making an appropriation.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

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

1 ~~SECTION 1. It is the intent of the Legislature in~~  
2 ~~enacting this act to make the necessary statutory changes~~  
3 ~~to implement the Budget Act of 1996 relative to the~~  
4 ~~Department of the Youth Authority.~~

5 ~~SEC. 2. This act shall become operative on July 1,~~  
6 ~~1996.~~

7 ~~SEC. 3. This act is an urgency statute necessary for the~~  
8 ~~immediate preservation of the public peace, health, or~~  
9 ~~safety within the meaning of Article IV of the~~  
10 ~~Constitution and shall go into immediate effect. The facts~~  
11 ~~constituting the necessity are:~~

12 ~~In order to become operative at the same time as the~~  
13 ~~Budget Act of 1996, it is necessary that this act take effect~~  
14 ~~immediately as an urgency statute.~~

15 *SECTION 1. In order to reduce the rate of juvenile*  
16 *crime in California, especially violent juvenile crime, it is*  
17 *the intent of the Legislature that grants shall be provided*  
18 *to counties that establish multiagency juvenile justice*  
19 *coordinating councils to develop and implement a*  
20 *comprehensive strategy for preventing and effectively*  
21 *responding to juvenile crime. Grants will be awarded on*  
22 *a competitive basis to counties that (a) develop and*  
23 *implement a comprehensive, multiagency plan that*  
24 *provides for a continuum of responses to juvenile crime*  
25 *and delinquency; and (b) demonstrate a collaborative*



1 and integrated approach for implementing a system of  
2 swift, certain, and graduated responses for at-risk youth  
3 and juvenile offenders.

4 SEC. 2. The Legislature hereby finds and declares all  
5 of the following:

6 (a) The threat of juvenile crime poses the most serious  
7 crime challenge facing California. The number of  
8 juveniles between the ages of 11 and 17 years, the ages of  
9 juveniles responsible for 99 percent of juvenile arrests,  
10 will increase 33 percent in the next decade. Juvenile  
11 arrests rates for violent crime have generally exceeded  
12 those for adults.

13 (b) Out of 1,000 police contacts with juvenile  
14 offenders, 100 are referred to probation departments, 50  
15 are accepted for booking at juvenile hall, 25 petitions are  
16 filed in juvenile court, 12 cases are heard in court, and six  
17 cases result in formal probation.

18 (c) Between 1983 and 1994, adult and juvenile  
19 probation caseloads increased 65 percent while the  
20 number of probation officers increased only 25 percent.

21 (d) Between the 1984–85 and 1990–91 fiscal years, the  
22 percentage of county funds allocated to probation  
23 departments declined 9 percent, while the percentage  
24 allocated to the sheriffs' departments increased 1 percent  
25 and the percentages allocated to the offices of the district  
26 attorneys increased 3 percent. Since 1993, while the  
27 sheriffs' departments and the offices of the district  
28 attorneys have benefited from Proposition 172 revenues,  
29 the probation departments generally have not benefited  
30 from those revenues.

31 (e) Between 8 and 12 percent of juvenile offenders  
32 account for 60 percent of juvenile and subsequent adult  
33 crime. These repeat offenders are arrested between four  
34 and 14 times during their criminal careers. Youth  
35 Authority wards typically have been arrested between  
36 eight and 33 times.

37 (f) Responses that are swift and certain after a first  
38 offense have been shown to be more effective at  
39 deterring juvenile crime than the possibility of detention  
40 after multiple offenses.



1 SEC. 3. Article 18.7 (commencing with Section 749.2)  
2 is added to Chapter 2 of Part 1 of Division 2 of the Welfare  
3 and Institutions Code, to read:

4  
5 Article 18.7. Juvenile Crime Enforcement and  
6 Accountability Challenge Grant Program  
7

8 749.2. This article shall be known and may be cited as  
9 the Juvenile Crime Enforcement and Accountability  
10 Challenge Grant Program.

11 749.21. The Juvenile Crime Enforcement and  
12 Accountability Challenge Grant Program shall be  
13 administered by the Board of Corrections for the purpose  
14 of reducing juvenile crime and delinquency. This  
15 program shall award grants on a competitive basis to  
16 counties that (a) develop and implement a  
17 comprehensive, multiagency plan that provides for a  
18 continuum of responses to juvenile crime and  
19 delinquency; and (b) demonstrate a collaborative and  
20 integrated approach for implementing a system of swift,  
21 certain, and graduated responses for at-risk youth and  
22 juvenile offenders.

23 749.22. To be eligible for this grant, each county shall  
24 be required to establish a multiagency juvenile justice  
25 coordinating council that shall develop and implement a  
26 continuum of county-based responses to juvenile crime.  
27 The coordinating councils shall, at a minimum, include  
28 the chief probation officer, as chair, and one  
29 representative each from the district attorney's office,  
30 the public defender's office, the sheriff's department, the  
31 board of supervisors, the department of social services,  
32 the department of mental health, a community-based  
33 drug and alcohol program, a city police department, the  
34 county office of education or a school district, and an  
35 at-large community representative. The coordinating  
36 councils shall develop a comprehensive, multiagency  
37 plan that identifies the resources and strategies for  
38 providing an effective continuum of responses for the  
39 prevention, intervention, supervision, treatment, and  
40 incarceration of juvenile offenders. Counties may utilize



1 community punishment plans developed pursuant to  
2 grants awarded from funds included in the 1995 Budget  
3 Act to the extent the plans address juvenile crime and the  
4 juvenile justice system. The plan shall include, but not be  
5 limited to, the following components:

6 (a) An assessment of existing law enforcement,  
7 probation, education, mental health, health, social  
8 services, drug and alcohol and youth services resources  
9 which specifically target at-risk juveniles, juvenile  
10 offenders, and their families.

11 (b) An identification and prioritization of the  
12 neighborhoods, schools, and other areas in the  
13 community that face a significant public safety risk from  
14 juvenile crime, such as gang activity, daylight burglary,  
15 late-night robbery, vandalism, truancy, controlled  
16 substance sales, firearm-related violence, and juvenile  
17 alcohol use within the council's jurisdiction.

18 (c) A local action plan (LAP) for improving and  
19 marshaling the resources set forth in subdivision (a) to  
20 reduce the incidence of juvenile crime and delinquency  
21 in the areas targeted pursuant to subdivision (b) and the  
22 greater community. The councils shall prepare their  
23 plans to maximize the provision of collaborative and  
24 integrated services of all the resources set forth in  
25 subdivision (a), and shall provide specified strategies for  
26 all elements of response, including prevention,  
27 intervention, suppression, and incapacitation, to provide  
28 a continuum for addressing the identified juvenile crime  
29 problem.

30 (d) Develop information and intelligence sharing  
31 systems to ensure that county actions are fully  
32 coordinated, and to provide data for measuring the  
33 success of the grantee in achieving its goals. The plan shall  
34 develop goals related to the outcome measures that shall  
35 be used to determine the effectiveness of the program.

36 (e) Identify outcome measures which shall include,  
37 but not be limited to, the following:

38 (1) The rate of juvenile arrests per 100,000 of  
39 population.

40 (2) The rate of successful completion of probation.



1 (3) *The rate of successful completion of restitution and*  
2 *court-ordered community service responsibilities.*

3 749.23. *The Board of Corrections shall award grants*  
4 *that provide funding for three years. Funding shall be*  
5 *used to supplement, rather than supplant, existing*  
6 *programs. Grant funds shall be used for programs that are*  
7 *identified in the local action plan as part of a continuum*  
8 *of responses to reduce juvenile crime and delinquency.*  
9 *No grant shall be awarded unless the applicant makes*  
10 *available resources in an amount equal to at least 25*  
11 *percent of the amount of the grant. Resources may*  
12 *include in-kind contributions from participating*  
13 *agencies. In awarding grants, priority shall be given to*  
14 *those proposals which include additional funding that*  
15 *exceeds 25 percent of the amount of the grant.*

16 749.24. *The Board of Corrections shall establish*  
17 *minimum standards, funding schedules, and procedures*  
18 *for awarding grants, which shall take into consideration,*  
19 *but not be limited to, all of the following:*

20 (a) *Size of the eligible high-risk youth population.*

21 (b) *Demonstrated ability to administer the program.*

22 (c) *Demonstrated ability to provide and develop a*  
23 *continuum of responses to juvenile crime and*  
24 *delinquency that includes prevention, intervention,*  
25 *diversion, suppression, and incapacitation.*

26 (d) *Demonstrated ability to implement a plan that*  
27 *provides a collaborative and integrated approach to*  
28 *juvenile crime and delinquency.*

29 (e) *Demonstrated history of maximizing federal,*  
30 *state, local, and private funding sources.*

31 (f) *Demonstrated efforts to implement a multicounty*  
32 *juvenile justice program.*

33 (g) *Likelihood that the program will continue to*  
34 *operate after state grant funding ends.*

35 749.25. *The Board of Corrections may award up to a*  
36 *total of two million dollars (\$2,000,000) statewide, in*  
37 *individual grants not exceeding one hundred and fifty*  
38 *thousand dollars (\$150,000), on a competitive basis to*  
39 *counties to assist in establishing a multiagency*  
40 *coordinating group or developing a local action plan.*



1 749.26. *The Board of Corrections shall create an*  
2 *evaluation design for the Juvenile Crime Enforcement*  
3 *and Accountability Challenge Grant Program that will*  
4 *assess the effectiveness of the program. The board shall*  
5 *develop an interim report to be submitted to the*  
6 *Legislature on or before March 1, 1999, and a final analysis*  
7 *of the grant program in a report to be submitted to the*  
8 *Legislature on or before March 1, 2001.*

9 749.27. *Funding for the Juvenile Crime Enforcement*  
10 *and Accountability Challenge Grant Program shall be*  
11 *provided from the amount appropriated in Item*  
12 *5430-101-0001 of the Budget Act of 1996. Up to 5 percent*  
13 *of the amount appropriated in Item 5430-101-0001 of the*  
14 *Budget Act of 1996 shall be transferred upon the approval*  
15 *of the Director of Finance, to Item 5430-001-0001 for*  
16 *expenditure as necessary for the board to administer this*  
17 *program, including technical assistance to counties and*  
18 *the development of an evaluation component.*

19 SEC. 4. *This act is an urgency statute necessary for the*  
20 *immediate preservation of the public peace, health, or*  
21 *safety within the meaning of Article IV of the*  
22 *Constitution and shall go into immediate effect. The facts*  
23 *constituting the necessity are:*

24 *In order to enable counties to begin to establish*  
25 *juvenile crime enforcement programs pursuant to the*  
26 *guidelines set forth herein as soon as possible, it is*  
27 *necessary that this act take effect immediately.*

