

AMENDED IN SENATE JUNE 23, 1998

AMENDED IN SENATE JUNE 10, 1998

AMENDED IN ASSEMBLY MAY 26, 1998

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AMENDED IN ASSEMBLY APRIL 2, 1998

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 2594

Introduced by Assembly Member Wright
(Coauthors: Assembly Members Campbell, Napolitano,
Perata, and Washington)
(Coauthors: Senators Rainey and Schiff)

February 23, 1998

An act to amend Sections 743, 744, 745, 746, 747, 748, and 749 of, ~~and to add Section 749.1 to,~~ the Welfare and Institutions Code, relating to minors.

LEGISLATIVE COUNSEL'S DIGEST

AB 2594, as amended, R. Wright. Repeat Offender Prevention Project.

Existing law establishes a 3-year demonstration project, known as the "Repeat Offender Prevention Project," which is designed to provide a comprehensive intervention program in selected counties, administered by the Department of the Youth Authority, to reduce recidivism among juvenile offenders. Existing law establishes criteria for the selection of

minors to participate in, and standards for the implementation, operation, and evaluation of, the program.

This bill would revise and recast those provisions. Among other things, the bill would provide that the Board of Corrections, rather than the Department of the Youth Authority, shall administer the program. The bill would *specify the counties to which it applies*, and also revise the selection criteria for the participation of minors.

~~The bill would also establish a pilot program, as specified, to be known as the 8% Solution Intervention Program which would provide funding for projects similar to the Repeat Offender Prevention Project, except for specified revisions to the selection criteria for the participation of minors. The bill would also specify that funding for the program is contingent upon an *unspecified* appropriation in the 1998 Budget Act to fund the program.~~

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

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

1 SECTION 1. Section 743 of the Welfare and
 2 Institutions Code is amended to read:
 3 743. Contingent upon the appropriation of funds
 4 therefor, there is hereby established a three-year pilot
 5 project which shall be known as the “Repeat Offender
 6 Prevention Project.” This project shall operate in a
 7 ~~minimum of three counties or regions~~ *the Counties of*
 8 *Fresno, Humboldt, Los Angeles, Orange, San Diego, San*
 9 *Mateo, and Solano, and the City and County of San*
 10 *Francisco, unless the board of supervisors of one or more*
 11 *of these counties adopts a resolution to the effect it will*
 12 *not participate in the project*, each of which shall either
 13 design, establish, implement, and evaluate a model
 14 program to meet the needs of a juvenile offender
 15 population identified as having the potential to become
 16 repeat serious offenders utilizing the findings of
 17 exploratory studies conducted in Orange County
 18 between 1989 and 1993 by the research staff of the Orange
 19 County Probation Department and which identified



1 certain minors who were designated as the “8 percent”
2 population. The main goal of this program is to develop
3 and implement a cost-effective multiagency,
4 multidisciplinary program which targets youth
5 displaying behavior that may lead to delinquency and
6 recidivism.

7 SEC. 2. Section 744 of the Welfare and Institutions
8 Code is amended to read:

9 744. (a) The Repeat Offender Prevention Project
10 shall be administered by the Board of Corrections and
11 each program shall be under the onsite administration of
12 the chief probation officer in the county selected for
13 participation in the project or under a consortium of chief
14 probation officers representing each ~~region selected for~~
15 ~~program participation.~~ *participating county.*

16 (b) Pursuant to this article, a chief probation officer or
17 the regional consortium, with the approval of the
18 appropriate board or boards of supervisors, may apply to
19 the Board of Corrections for funding to implement a
20 program meeting the criteria specified in subdivision (b)
21 of Section 745. The goal of each program shall be to
22 develop and demonstrate intervention strategies which
23 will end each participating minor’s escalating pattern of
24 criminal and antisocial behavior, a pattern that leads to
25 chronic delinquency and, potentially, to adult criminal
26 careers. These strategies shall be provided within the
27 parameters of community protection and offender
28 accountability. Application for program funding shall be
29 made in accordance with written guidelines established
30 by the Board of Corrections in consultation with chief
31 probation officers throughout the state.

32 SEC. 3. Section 745 of the Welfare and Institutions
33 Code is amended to read:

34 ~~745. (a) Of the counties or regions selected for~~
35 ~~demonstration project participation, at least one county~~
36 ~~or region shall be from northern California, at least one~~
37 ~~from the bay or central area of California, and at least one~~
38 ~~shall be another county located in southern California. Of~~
39 ~~the counties selected for demonstration project~~
40 ~~participation, at least one county shall contain a~~



1 ~~population of 1,000,000 or more, at least one county shall~~
 2 ~~contain a population of at least 100,000, but less than~~
 3 ~~1,000,000, and at least one county shall contain a~~
 4 ~~population of less than 100,000.~~

5 ~~(b)~~

6 745. The Board of Corrections shall establish goals and
 7 deadlines against which the success or failure of the
 8 program demonstration projects may be measured. The
 9 board shall also develop selection criteria and funding
 10 schedules for participating counties ~~or regions~~ which shall
 11 take into consideration, but not be limited to, all of the
 12 following:

13 (1) Size of the eligible target population as defined in
 14 Section 746.

15 (2) Demonstrated ability to administer the program.

16 (3) Identification of service delivery area.

17 (4) Demonstrated ability to provide or develop the
 18 key intervention strategies described in Section 748 to the
 19 eligible target population and their families.

20 (5) A formal research component utilizing an
 21 experimental research design and random assignment to
 22 the program.

23 SEC. 4. Section 746 of the Welfare and Institutions
 24 Code is amended to read:

25 746. A minor shall be selected for participation in a
 26 program established pursuant to this article based upon
 27 the following factors:

28 (a) The minor is 15^{1/2} years of age or younger, has
 29 been declared a ward of the juvenile court for the first
 30 time and is to be supervised by a probation department
 31 selected for participation in this project.

32 (b) The minor has been evaluated and found to have
 33 at least three of the following factors, that place the minor
 34 at a significantly greater risk of becoming a chronic
 35 juvenile or adult offender:

36 (1) School behavior and performance problems. This
 37 shall include at least one of the following: attendance
 38 problems; school suspension or expulsion; or failure in two
 39 or more academic classes during the previous six months
 40 or comparable academic period.



1 (2) Family problems. These shall include at least one
2 of the following: poor parental supervision or control;
3 documented circumstances of domestic violence; child
4 abuse or neglect; or family members who have engaged
5 in criminal activities.

6 (3) Substance abuse. This shall include any regular use
7 of alcohol or drugs by the minor, other than
8 experimentation.

9 (4) High-risk predelinquent behavior. This shall
10 include at least one of the following: a pattern of stealing;
11 chronic running away from home; or gang membership
12 or association.

13 (5) The minor matches the at-risk profile for
14 becoming a chronic and repeat juvenile offender
15 according to the criteria developed by the Multi-Agency
16 At-Risk Youth Committee (MAARYC).

17 SEC. 5. Section 747 of the Welfare and Institutions
18 Code is amended to read:

19 747. The Board of Corrections shall adopt written
20 minimum standards for project implementation,
21 operation, and evaluation which shall include a written
22 commitment by a county or region to the following
23 objectives:

24 (a) Teamwork on the part of all treatment and
25 intervention agents involved in the project including the
26 family, the professionals, and any community volunteers.

27 (b) Empowerment of the family to recognize and,
28 ultimately, to solve the problems related to their minor's
29 delinquent behavior and their involvement as an integral
30 part of the treatment team and process.

31 (c) Creation of a multiagency, multidisciplinary, and
32 culturally competent team so that the program can
33 effectively draw on the professional knowledge, skill, and
34 experience of many treatment disciplines in areas
35 including, but not limited to, the following: education; job
36 preparation and search; job skills and vocational training;
37 life skills; psychological counseling; mental health
38 services; drug and alcohol treatment; health care;
39 parenting skills; community service opportunities;
40 building self-esteem and self-confidence; mentoring



1 programs; restitution programs; gang intervention; crime
2 prevention; recreational, social, and cultural activities;
3 and transportation and child care as needed.

4 SEC. 6. Section 748 of the Welfare and Institutions
5 Code is amended to read:

6 748. Each county or region shall, in implementing
7 their respective programs, provide the following key
8 intervention strategies to ensure the following:

9 (a) Adequate levels of supervision, structure, and
10 support to minors and their families both during and after
11 the intervention and treatment process, in order to
12 accomplish the following:

13 (1) Ensure protection of the community, the minor,
14 and his or her family.

15 (2) Facilitate the development of new patterns of
16 thinking and behavior.

17 (3) Eliminate any obvious stumbling blocks to the
18 family's progress.

19 (4) Facilitate the development of enhanced parenting
20 skills and parent-child relationships.

21 (b) Accountability on the part of the minor for his or
22 her actions and assistance to the minor in developing a
23 greater awareness and sensitivity to the impact of his or
24 her actions on both people and situations.

25 (c) Assistance to families in their efforts to ensure that
26 minors are attending school regularly.

27 (d) Assistance to the minor in developing strategies
28 for attaining and reinforcing educational success.

29 (e) Promotion and development of positive social
30 values, behavior, and relationships by providing
31 opportunities for the minor to directly help people; to
32 improve his or her community; to participate in positive
33 leisure-time activities specially chosen to match his or her
34 individual interests, skills, and abilities; and to have
35 greater access and exposure to positive adult and juvenile
36 role models.

37 (f) Promotion of partnerships between public and
38 private agencies to develop individualized intervention
39 strategies which shall include, but not be limited to, the
40 following:



1 (1) Delivery of services in close proximity to the
2 minor's or the minor's family's home.

3 (2) Community case advocates to assist in building
4 bridges of trust, communication, and understanding
5 between the minor, the family, and all treatment and
6 intervention agents.

7 (g) Provision of a continuum of care with strong
8 followup services that continue to be available to the
9 minor and family as long as needed, not just on a crisis
10 basis.

11 SEC. 7. Section 749 of the Welfare and Institutions
12 Code is amended to read:

13 749. (a) The Board of Corrections shall be
14 responsible for monitoring demonstration project and
15 expansion program implementations in accordance with
16 an annual program plan submitted by the participating
17 counties or regions. Written progress and evaluation
18 reports shall be required of all participating counties
19 pursuant to a schedule and guidelines developed by the
20 Board of Corrections.

21 (b) The success of each funded demonstration project
22 shall be determined, at a minimum, by comparing a
23 control group, consisting of juvenile offenders who were
24 not selected for participation in the project, to an
25 experimental group, consisting of juvenile offenders who
26 have participated in the project. Juveniles in each group
27 shall be evaluated at 6-, 12-, 18-, and 24-month intervals,
28 according to the following criteria:

29 (1) The number of subsequent petitions to declare the
30 minor a ward of the juvenile court, pursuant to Section
31 602, and the subject matter and disposition of each of
32 those petitions.

33 (2) The number of days served in any local or state
34 correctional facilities.

35 (3) The number of days of school attendance during
36 the current or most recent semester.

37 (4) The minor's grade point average for the most
38 recently completed school semester.

39 (c) The Board of Corrections, based on reports
40 provided pursuant to subdivision (a), shall report upon



1 request to the Legislature on the effectiveness of these
2 programs in achieving the demonstration project and
3 program goals described in this article.

4 (d) The Board of Corrections shall determine county
5 or regional eligibility for funding and, from money
6 appropriated therefor, the board shall allocate and award
7 funds to those counties or regions applying and eligible
8 therefor and selected for project participation.

9 (e) The Repeat Offender Prevention Project shall be
10 implemented within six months of the appropriation of
11 funds therefor and shall terminate at the end of three
12 years from that appropriation.

13 (f) Five percent of the funds allocated each fiscal year
14 for the Repeat Offender Prevention Project shall be set
15 aside for the administrative expenses of the Board of
16 Corrections.

17 ~~SEC. 8. Section 749.1 is added to the Welfare and
18 Institutions Code, to read:~~

19 ~~749.1. There is hereby created a pilot program, to be
20 known as the 8% Solution Intervention Program that
21 shall include all of the elements set forth in Sections 743,
22 744, 745, 746, 747, 748, and 749, and any project selected
23 for funding shall provide services only to minors who
24 have been evaluated and been found to meet any three
25 of the risk factors described in paragraphs (1) to (5),
26 inclusive, of subdivision (b) of Section 746 only.~~

27 ~~The Counties of Fresno, Humboldt, Los Angeles,
28 Orange, San Diego, San Mateo, and Solano, and the City
29 and County of San Francisco, shall be eligible for 8%
30 Solution Intervention Program funds, but may not use the
31 funds to duplicate services already provided by the
32 Repeat Offender Prevention Project described in Section
33 745.~~

34 ~~Funds shall be divided evenly among the participating
35 counties.~~

36 ~~SEC. 9. Funding for the 8% Solution Intervention
37 Program established by this act is contingent upon an
38 appropriation in the 1998 Budget Act from the General
39 Fund to the Board of Corrections for the purposes of that
40 program.~~



1 *SEC. 8. This act shall be funded from moneys*
2 *appropriated therefor pursuant to Provision ____ of*
3 *Item ____ of the 1998–99 Budget Act for support of*
4 *the Repeat Offender Prevention Project. Funds shall be*
5 *divided equitably among the participating counties.*

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