

AMENDED IN ASSEMBLY MAY 26, 2000

AMENDED IN ASSEMBLY MAY 16, 2000

AMENDED IN ASSEMBLY MAY 4, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2228**

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**Introduced by Assembly Member Aroner  
(Coauthors: Assembly Members Bock, Dutra, and  
Strom-Martin)**

February 24, 2000

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An act relating to mental health, ~~and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2228, as amended, Aroner. Juvenile offenders: mental health screening.

Existing law, the Arnold-Kennick Juvenile Court Law, provides for the adjudication of a minor as a ward of the juvenile court on the basis of criminal or certain noncriminal behavior.

Existing law also directs county mental health departments that receive specified funding to provide mental health screening, assessment, and other services to the extent resources are available to children served by county social services and probation departments.

This bill would establish the Juvenile Probation Assessment Pilot Project to be administered by the State Department of Mental Health in ~~an unspecified number of~~ 3 counties, for 3

years. The project would require, in order to be eligible for the program, a county probation department to develop a local plan for assessing the service needs of minors in the county who have been arrested or cited on charges based on criminal conduct. ~~The bill would appropriate an unspecified sum to the State Department of Mental Health for these purposes.~~ *Implementation of the project would be contingent on an appropriation in the annual Budget Act.* The bill would also express the intent of the Legislature to enact legislation to provide appropriate screening and assessment of juvenile offenders to detect mental or emotional disorders, and to provide a continuum of appropriate mental health services for juvenile offenders at the local level.

Vote:  $\frac{2}{3}$  majority. Appropriation: ~~yes~~ no. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. The Legislature hereby finds and  
2 declares all of the following:

3 (a) The federal Office of Juvenile Justice and  
4 Delinquency Prevention estimates that 60 percent of  
5 young people in the juvenile system suffer from  
6 behavioral, mental, or emotional disorders.

7 (b) The National Mental Health Association reports  
8 that, according to data obtained from site visits to a  
9 nationally representative sample of 95 public and private  
10 juvenile facilities, 73 percent of the young people in those  
11 facilities reported mental health problems, and 57  
12 percent reported that they had been previously treated  
13 for mental health problems.

14 (1) The prevalence of mental disorders among young  
15 people in juvenile justice facilities ranges from 50 to 75  
16 percent.

17 (2) From one-quarter to one-third of the young people  
18 suffered from anxiety or mood disorders, nearly one-third  
19 of the girls suffered from posttraumatic stress syndrome,  
20 and up to 19 percent of the young people may be suicidal.

21 (3) Young people with learning disabilities or serious  
22 emotional problems are arrested at higher rates than



1 other young people who do not suffer from those  
2 disabilities.

3 (4) Young people involved with the juvenile justice  
4 system have substantially higher rates of mental disorders  
5 than young people in the general population.

6 (c) Many young people involved in the juvenile justice  
7 system in California suffer from mental health problems,  
8 substance abuse problems, and other problems that  
9 frequently are undiagnosed or untreated due to the lack  
10 of proper screening and assessment or the unavailability  
11 of appropriate treatment resources.

12 (d) The Legislature recognizes the value of  
13 comprehensive strength-based assessments and  
14 coordination of appropriate services for young people  
15 and their families, including intensive followup to ensure  
16 the availability and accessibility of services.

17 Therefore, it is the intent of the Legislature to enact  
18 legislation that will provide appropriate screening and  
19 assessment of juvenile offenders to detect mental or  
20 emotional disorders, and to provide a continuum of  
21 appropriate mental health services for juvenile offenders  
22 at the local level.

23 SEC. 2. (a) There is hereby established the Juvenile  
24 Probation Assessment Pilot Project to be administered by  
25 the State Department of Mental Health in            *three*  
26 counties. The project shall be in effect for three years.

27 (b) In order to be eligible for this program, a county  
28 probation department shall comply with guidelines set  
29 out by the department and shall develop a local plan for  
30 assessing the service needs of minors in the county who  
31 have been arrested or cited on charges that bring them  
32 within the jurisdiction of the juvenile court pursuant to  
33 Section 602 of the Welfare and Institutions Code.

34 (c) The local plan shall provide for all of the following:

35 (1) The development and application of uniform  
36 screening and needs assessment instruments and  
37 protocols to be administered to minors coming within the  
38 provisions of this section, including provisions for the  
39 uniform collection of demographic information and the  
40 minor's history of substance abuse, mental health, health,



1 education, and information on the minor's family history  
2 and offense history. The screening and assessment  
3 instruments shall be strength based and meet the  
4 minimum guidelines established by the department.

5 (2) The screening of minors within timeframes  
6 identified by the department, and the referral of minors  
7 for a more extensive assessment, including evaluation by  
8 the county probation assessment team.

9 (3) A county probation assessment team that at a  
10 minimum includes representatives from the county  
11 probation department which shall act as the lead, and  
12 from the county mental health department, the county  
13 office of education, and local substance abuse and health  
14 programs. To the extent practicable, the assessment team  
15 shall also involve county social services, foster youth  
16 services, and other local programs serving delinquent or  
17 at-risk youth.

18 (4) Protocols for the referral of minors who have been  
19 screened and determined to need additional assessment.  
20 These assessments shall be used for developing case plans  
21 or referrals to service, to the extent that local resources  
22 are available. Referral to programs and services should be  
23 consistent with the minor's individual needs, and the  
24 safety of the community.

25 (5) Staff to administer the screening and assessment  
26 instruments identified in this section, and minimum  
27 requirements for the prior education and training of  
28 those staff members. The plan shall also contain  
29 provisions for the ongoing training of staff involved in the  
30 program, including guidelines established by the  
31 department.

32 (d) (1) The department, in consultation with the  
33 pilot counties and other individuals or organizations with  
34 expert knowledge regarding the assessment of juvenile  
35 offenders, shall develop minimum screening and  
36 assessment instruments and protocols to be used by pilot  
37 counties. The department shall provide technical  
38 assistance to the pilot counties, including training relative  
39 to quality screening and assessment of minors.



1 (2) The department shall establish minimum  
2 standards, funding schedules, procedures for the  
3 collection of data, and procedures for the review and  
4 approval of a local plan developed pursuant to subdivision  
5 (c).

6 (e) County probation departments involved in this  
7 pilot project are authorized to release information to the  
8 department regarding minors involved in the program  
9 for purposes of oversight and evaluation.

10 (f) County probation departments involved in this  
11 pilot project shall use data collected through the  
12 screening and assessment process to identify service  
13 needs of juveniles in the county, and work in  
14 collaboration with the assessment team to develop a plan  
15 for developing an appropriate continuum of treatment  
16 services. They shall also identify existing local, state,  
17 federal, and private resources that may be used to fund  
18 these services.

19 (g) The funding schedule developed by the  
20 department shall include a set rate allocated to counties  
21 for screening and for assessing minors identified in this  
22 section, and an allocation for staff training and  
23 administration.

24 (h) The pilot project shall be evaluated independently  
25 to judge the effectiveness of the screening and assessment  
26 protocol and processes used to implement the programs,  
27 including whether the assessments and screenings  
28 provide adequate background data on the minor and the  
29 minor's family unit, improve achievement of case plan  
30 goals, are judged useful to counties and services  
31 providers, and can be applied with ease.

32 (i) Upon satisfactory completion of the pilot project  
33 described in this section and development of formal  
34 screening and assessment processes and protocols, the  
35 department, in collaboration with the evaluators, and  
36 participating counties shall integrate information  
37 obtained from the pilot project and make it available to  
38 the statewide chief probation officers organization.

39 ~~SEC. 3. The sum of \_\_\_\_\_ dollars (\$\_\_\_\_\_) is~~  
40 ~~hereby appropriated from the General Fund to the State~~



1 ~~Department of Mental Health for the purpose of~~  
2 ~~administering the Juvenile Probation Assessment Pilot~~  
3 ~~Project as set forth in this act. Of this sum, \_\_\_\_\_~~  
4 ~~percent may be retained by the department for~~  
5 ~~administration of the program and no more than \_\_\_\_\_~~  
6 ~~percent shall be available for contracting with an~~  
7 ~~independent evaluator to assess data obtained from the~~  
8 ~~pilot counties and the overall success of the program.~~  
9 *SEC. 3. Implementation of the Juvenile Probation*  
10 *Assessment Pilot Project, as described in Section 2 of this*  
11 *act, shall be contingent on an appropriation therefor in*  
12 *the annual Budget Act.*

