

AMENDED IN SENATE AUGUST 8, 2000
AMENDED IN SENATE JUNE 28, 2000
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

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

February 24, 2000

An act relating to mental health.

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 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 require the department to evaluate or contract for an evaluation of the pilot project and to submit the evaluation to specified committees of the Legislature on or before March 1, 2003. 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: 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. 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



1 of the girls suffered from posttraumatic stress syndrome,
2 and up to 19 percent of the young people may be suicidal.

3 (3) Young people with learning disabilities or serious
4 emotional problems are arrested at higher rates than
5 other young people who do not suffer from those
6 disabilities.

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

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

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

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

27 SEC. 2. (a) There is hereby established the Juvenile
28 Probation Assessment Pilot Project to be administered by
29 the State Department of Mental Health in three counties.
30 The project shall be in effect for three years.

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

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

39 (1) The development and application of uniform
40 screening and needs assessment instruments and



1 protocols to be administered to minors coming within the
2 provisions of this section, including provisions for the
3 uniform collection of demographic information and the
4 minor's history of substance abuse, mental health, health,
5 education, and information on the minor's family history
6 and offense history. The screening and assessment
7 instruments shall be strength based and meet the
8 minimum guidelines established by the department.

9 (2) The screening of minors within timeframes
10 identified by the department, and the referral of minors
11 for a more extensive assessment, including evaluation by
12 the county probation assessment team.

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

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

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

36 (d) (1) The department, in consultation with the
37 pilot counties and other individuals or organizations with
38 expert knowledge regarding the assessment of juvenile
39 offenders, shall develop minimum screening and
40 assessment instruments and protocols to be used by pilot



1 counties. The department shall provide technical
2 assistance to the pilot counties, including training relative
3 to quality screening and assessment of minors.

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

9 (e) County probation departments involved in this
10 pilot project are authorized to release *summary*
11 information to the department *relating to the Juvenile*
12 *Probation Assessment Pilot Project*, regarding minors
13 involved in the program for purposes of oversight and
14 evaluation. *The information released shall not include*
15 *any information that would permit the identification of*
16 *an individual minor. If information regarding an*
17 *individual minor is to be included for any reason, such as*
18 *for illustrative purposes, the name of the minor and any*
19 *other individual shall be redacted from the information*
20 *that is to be provided to the department prior to its*
21 *release.*

22 (f) County probation departments involved in this
23 pilot project shall use data collected through the
24 screening and assessment process to identify service
25 needs of juveniles in the county, and work in
26 collaboration with the assessment team to develop a plan
27 for developing an appropriate continuum of treatment
28 services. They shall also identify existing local, state,
29 federal, and private resources that may be used to fund
30 these services.

31 (g) The funding schedule developed by the
32 department shall include a set rate allocated to counties
33 for screening and for assessing minors identified in this
34 section, and an allocation for staff training and
35 administration.

36 (h) The department shall evaluate or contract for an
37 evaluation of the pilot project in order to judge the
38 effectiveness of the screening and assessment protocol
39 and processes used to implement the programs, including
40 whether the assessments and screenings provide



1 adequate background data on the minor and the minor's
2 family unit, improve achievement of case plan goals, are
3 useful to counties and services providers, and can be
4 applied with ease. The department shall submit the
5 evaluation to the appropriate fiscal and policy
6 committees of the Legislature on or before March 1, 2003.

7 (i) Upon satisfactory completion of the pilot project
8 described in this section and development of formal
9 screening and assessment processes and protocols, the
10 department, in collaboration with the evaluators, and
11 participating counties shall integrate information
12 obtained from the pilot project and make it available to
13 the statewide chief probation officers organization.

14 SEC. 3. Implementation of the Juvenile Probation
15 Assessment Pilot Project, as described in Section 2 of this
16 act, shall be contingent on an appropriation therefor in
17 the annual Budget Act.

