**2018 Sponsored Bills**

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| **Subject** | **Summary of Proposed Legislative Change** |
| Juvenile Competency  **AB 1691**  (Assembly Member Mark Stone) | Would establish timelines, protocols, and processes relating to the determination of competency in juvenile court proceedings and the evaluation and delivery of remediation services to assist youth. This bill seeks to ensure there are clear and appropriate timelines in place as to how long competency proceedings can occur and helps ensure mentally ill youth are not languishing in our halls and are being connected to services and treatment to address their needs in the most suitable setting.   * California needs to fix our juvenile competency system * AB 1691 will be a huge step forward to get youth the appropriate treatment. * Youth deemed incompetent languish in juvenile halls instead of getting acute treatment and deserve to be connected to services in the most appropriate setting to give them the best chance to receive the treatment they need. * AB 1691 balances the need for treatment and services and the safety of the public. * This bill will start the process of California giving mentally ill youth in the justice system the same rights we afford adults in our criminal justice system. |
| Study on OC Spray  (pending) | Would require a study of the efficacy and potential impacts of the use of OC spray in county juvenile institutional settings by an independent third-party entity with experience in criminal justice studies. The use of OC spray has been a tool in juvenile institutional settings in order to de-escalate violent altercations between youth and help protect the safety of youth and staff in the event of assaults. It’s important this issue be systematically studied to determine, through data and research, the effectiveness of OC spray as a harm reduction agent in county juvenile institutions.   * During the recent Title 15 discussions at the BSCC, there was much consideration on regulations around the use of OC spray. * The Board adopted new policies and guidelines but the Board spoke a lot about the need for further study of the issue to determine if it is a harm reduction tool or if its use is unneeded. * As a profession that relies on research to guide policy, we want to take an honest look at its use, through validated research, and then discuss the efficacy of its use based on what that research finds. * The use of OC spray has been a tool in juvenile institutional settings in order to de-escalate violent altercations between youth and help protect the safety of youth and staff during assaults. * Many point to incidences where its use has successfully de-escalated violent altercations and ultimately helped keep both youth and staff safer during a violent incident by preventing the need for officers to physically intervene. * However, the issue has never been systematically studied to determine, through data and research, the effectiveness of OC spray as a harm reduction agent. * We strongly believe this is an issue that requires an in-depth study to properly inform decision makers so that sound policies and determinations can be made. * If the use of OC spray is keeping our youth safer and causing less trauma, it would detrimental to pass premature policies essentially banning its use without the research to support it. |
| Transitional Age Adult Youth DEJ Program  **SB 1106**  (Senator Jerry Hill) | Authorizes additional counties to participate in the SB 1004 Transitional Age Adult Youth pilot program established in 2016 and would extend the sunset of the pilot until January 1, 2022. This pilot program established a Deferred Entry of Judgment program whereby young adult offenders aged 18-21, who were charged with specified offenses, could serve time in juvenile hall rather than county jail and have their charges dismissed upon successful completion of the rehabilitative program.   * This extends and expands the TAY pilot program passed by the Legislature in 2016. * The pilot program is currently underway however, as a result of the thorough implementation process, and the narrow pool of potential participants, the programs were not fully operational by the enactment date. * In order to get a comprehensive and robust evidence-based evaluation this bill seeks to extend the sunset as well as expand the counties able to participate. * The mounting brain research of the emerging adult brain make it clear this is a population California should be intentionally targeting with intensive evidence-based rehabilitative programs. * Research shows this age group is better served with corresponding age appropriate services including cognitive behavioral therapy, mental health treatment, vocational training, and education intended to specifically address the needs of the emerging adult brain. * This age group makes up the largest number of new commitments to state prison yet has the most potential for successful rehabilitation if treated and targeted in the right way. * Programs like this can help stem the flow of new commitments into the state prison system because, as research has shown, evidence-based rehabilitation has a proportionately larger success rate when targeted for this age group. * If we do not proactively intervene specifically with this age group, California is missing a huge opportunity to change lives and lower recidivism. |
| Drug Treatment Linkages for Repeat Drug Offenders  **SB 1345**  (Senator Josh Newman) | Establish a Deferred Entry of Judgement (DEJ) program for repeat drug offenders to incentivize linkages to drug treatment services. In cases involving drug possession offenses pursuant to Health and Safety Code Sections 11350 and 11377, if a person has been convicted two or more times in a six month period, the District Attorney may file a subsequent violation as a felony. Upon successful completion of a court ordered drug treatment program, the charge will be dismissed.   * Due to the minor consequences of misdemeanors, many offenders choose to take the sentence, rather than participate in rehabilitation programs. * Because of this, we have seen a decrease in the usage of evidence-based rehabilitation services. * Many, if not most, repeat offenders touch the justice system due to an untreated addiction. * Treatment resistant individuals can greatly benefit from the positive pressure applied by facing the less desirable sanction of a felony and will participate in treatment, and gain the benefits of treatment, only when faced with this balance of sanctions and services. * The possible sanction of a felony will apply the positive pressure needed for the purpose of getting treatment, reducing criminogenic thinking and lowering recidivism. * Data proves that participation in evidence-based rehabilitation programs has the greatest impact on reducing recidivism. |
| Jury Duty Exemption  **AB 2240**  (Assembly Member Timothy Grayson) | Adds probation, parole and correctional officers, as defined in Penal Code Section 830.5(a) and (b), to the list of peace officers exempt from jury duty under Code of Civil Procedures Section 219(b)(1). This would bring parity in statute by including probation officers in the current list of peace officers that are exempt from jury duty as a result of the critical public safety role they play.   * Sheriffs, police, CHP, San Francisco BART police, and UC and CSU police are exempted from jury duty - AB 2240 would similarly exempt probation officers from jury duty in civil and criminal matters and bring parity to peace officer exemptions. * Probation officers are responsible for critical public safety services, supervising over 350,000 adult felons, and are responsible for administering the operation and programming of juvenile halls, camps and ranches along with providing services to youth in the community. * Pulling probation officers away from their duties of providing for the supervision, programming and treatment of adults and juveniles significantly impedes this work. * We are rarely selected to serve on juries, yet time spent reporting to jury duty for a day or more is critical time away from our public safety duties and creates further hardships in having to backfill positions. * As an arm of the court, probation officers also have an inherent conflict of interest. |