**Juvenile Competency Talking Points**

* CPOC’s sponsored bill, AB 1214, and authored by Assemblymember Mark Stone, will establish timelines and processes relating to the determination of competency in court proceedings and the evaluation and delivery of remediation services.

* Currently, in California there are no laws that govern timelines for juveniles who are found incompetent to stand trial.
* Unlike the adult system where those deemed incompetent have a clear and structured process – a process that balances public safety with the treatment needs of the accused - no such clear process exists for juveniles deemed incompetent.
* AB 1214 will start the process of ensuring California give mentally ill youth in the juvenile justice system the same rights we afford adults in our criminal justice system.
* Its imperative we address this issue in California. Juvenile Halls are not the appropriate setting for long term care for mentally ill or developmentally disabled youth.
* The sad truth is, youth deemed incompetent can be housed in juvenile halls for longer than they would have served as a sentence for their original offense.
* California can do better.
* Probation Chiefs have been sounding the alarm for the need for this legislation, which is why we have sponsored legislation to address this issue for the last 2 years.
* It is increasingly important, in light of the myriad of research on adolescent brain development, that youth who have been determined incompetent to continue in their juvenile proceedings due to a mental health issue or developmental disability are connected to services in the most appropriate setting to mitigate further decompensation and give them the best chance to receive the treatment they need to build a healthy, productive, and law-abiding future.
* This bill requires the arrangement of alternative mental health treatment and remediation services while balancing the safety of the public.
* California should give our children the same rights and options that we give adults and help serve everyone with mental illness in our justice system – it is not only the right thing to do, but it is what is best for public safety.
* AB 1214 is overdue and will hopefully be signed to make our juvenile justice system a fairer playing field for youth suffering with mental illness and developmental disabilities.
* ***If veto of last year’s bill comes up:***
* The Governor vetoed a similar bill last year due to public safety concerns. We feel those concerns have been addressed this year in AB 1214 by extending the timeline for services in extenuating circumstances where no viable placement options are able to be found and requiring the enumeration of the types of alternative settings that must be considered by the court when determining what setting is appropriate and available for a youth.