This form is required for the Legislative Program Committee to consider taking an advocacy position on an issue or legislative item.

<table>
<thead>
<tr>
<th>BILL NUMBER:</th>
<th>SB 1143</th>
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<tbody>
<tr>
<td>AUTHOR:</td>
<td>Leno</td>
</tr>
<tr>
<td>INTRO/AMEND DATE:</td>
<td>2-18-16/ 3-29-16</td>
</tr>
<tr>
<td>BILL STATUS:</td>
<td>Senate Appropriations</td>
</tr>
<tr>
<td>AUTHOR'S POLITICAL PARTY:</td>
<td>Democrat</td>
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</tbody>
</table>

1) BILL SUBJECT:
Juveniles: Room Confinement

2) FROM DEPARTMENT:
Probation

3) IS THIS ITEM SPECIFICALLY REFERENCED IN THE LEGISLATIVE PLATFORM?
Detention of juveniles at the juvenile hall.

4) WHICH POLICY-RELATED MATTER IS OF CONCERN WITH THIS BILL? (Current practices, responsibility, authority, pros/cons, affected programs and/or services, etc.)
This bill would, commencing January 1, 2018, place restrictions on the use of room confinement of minors or wards who are confined in a juvenile facility, as specified. The bill would require the performance of room confinement to be conducted in accordance with specified guidelines. By increasing the duties of local juvenile facilities, the bill would impose a state-mandated local program.

The requirements set forth in this bill ensure that efforts to reintegrate a minor back into general population remain the goal and focus during periods of necessary room confinement. It also ensures that should an immediate threat or risk to the safety and security of the minor, others minors in the facility or staff be present, that room confinement may be used, according to best practices, to address the issue.

5) HOW WOULD THIS BILL IMPACT THE COUNTY? (Current practices, responsibility, authority, pros/cons, affected programs and/or services, etc.)
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6) IMPACT ON COUNTY PROGRAM:
□ Major □ Minor □ None

SANTA BARBARA COUNTY IMPACT:
□ Major □ Minor □ None

STATEWIDE IMPACT:
□ Major □ Minor □ None

Explanation of Impacts:
This bill requires the implementation of system to proactively work to integrate youth in the juvenile hall into the general programming and sets concrete standards and timeframes that room confinement can be administered in line with best practices. this will require further enhancement of programming and evaluation of staffing resources to achieve full implementation. At this juncture it is unknown if State funds will be allocated to off-set the potential costs of implementation Due to the requirements of the bill there will likely be an additional staffing cost, however this cost increase will be directly related to enhanced programming, training, officer safety and enriched operations geared towards rehabilitation.
7) **WOULD THIS BILL IMPACT:**
   a. Efficient service delivery and operations? [ ] YES [ ] NO
   b. Fiscal stability? [ ] YES [ ] NO
   c. Inter-agency cooperation? [ ] YES [ ] NO
   d. Local control? [ ] YES [ ] NO
   e. Protection of safety net services? [ ] YES [ ] NO
   f. Community sustainability/economic stability? [ ] YES [ ] NO

*Additional Comments:*

8) **FISCAL IMPACT ON THE COUNTY:**
   - Revenue Increase [ ]
   - Cost Increase [ ]
   - Revenue Decrease [ ]
   - Cost Decrease [ ]
   - Unfunded Mandate [ ]
   - Undetermined [ ]

*Additional Comments:*

9) **OTHER AGENCIES THAT SHOULD REVIEW THIS BILL:**
   
   *Please list other agencies below:*

10) **CSAC POSITION ON BILL:**
    - Support [ ]
    - Oppose unless Amended [ ]
    - Support if Amended [ ]
    - Oppose unless Amended [ ]
    - Watch [ ]
    - No position taken [ ]

11) **OTHER LOCAL OR STATEWIDE ORGANIZATIONS THAT HAVE TAKEN A POSITION ON THIS BILL:**
    *Indicate support or opposition for each*
    Co-sponsored by Chief Probation Officers of California (CPOC) and the Ella Baker Center for Human Rights. Supported by the California Public Defenders Association and a variety of youth advocate groups

12) **PROPOSED AMENDMENTS:** (Attach separate sheet)

13) **RECOMMENDATION:**
    - Active Support* [ ]
    - Passive Support [ ]
    - Support if Amended* [ ]
    - Active Opposition* [ ]
    - Passive Opposition [ ]
    - Oppose unless Amended* [ ]
    - Watch [ ]
    - Concerns (Why? Explain in #6) [ ]
    - No Position (Why?) [ ]
    - No Change since Last Position [ ]

* Indicates that the department believes that the Board of Supervisors should take a formal position on this bill

*Additional Comments:*
COUNTY OF SANTA BARBARA

LEGISLATIVE ANALYSIS FORM

Previous versions of this legislation did not take into account the necessities faced within facilities to safeguard youth and staff. The current legislation is the result of CPOC sitting down with Senator Leno and proponents of the bill. This was a positive process, all sides listened to the other and sought out common ground and drafted a compromise that meets the needs of the kids in juvenile hall while also giving probation the tools needed to keep wards and staff safe and secure.

14) LEGISLATIVE ANALYSIS FORM PREPARED BY: Lee Bethel

Telephone extension: 3675

E-mail address: lbethel@co.santa-barbara.ca.us
SENATE BILL No. 1143

Introduced by Senator Leno
(Coauthor: Senator Monning)

February 18, 2016

An act to add Section 208.3 to the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL’S DIGEST


Existing law permits minors who are detained in juvenile hall for habitual disobedience, truancy, or curfew violation to be held in the same facility as minors who are detained for violating any law or ordinance defining a crime, if they do not come or remain in contact with each other. Existing law also permits the detention of minors in jails and other secure facilities for the confinement of adults if the minors do not come or remain in contact with confined adults and other specified conditions are met.

Existing law, the Lanterman-Petris-Short Act, authorizes the involuntary detention for a period of 72 hours for the evaluation of a person, including a minor, who is dangerous to himself or herself or others, or gravely disabled, as defined.

This bill would, commencing January 1, 2018, place restrictions on the use of room confinement of minors or wards who are confined in a juvenile facility, as specified. The bill would require the performance of room confinement to be conducted in accordance with specified guidelines. By increasing the duties of local entities in connection with
local juvenile facilities, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.


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

SECTION 1. Section 208.3 is added to the Welfare and Institutions Code, to read:

208.3. (a) For purposes of this section, the following definitions shall apply:

(1) “Juvenile facility” includes any of the following:

(A) A juvenile hall, as described in Section 850.

(B) A juvenile camp or ranch, as described in Article 24 (commencing with Section 880).

(C) A facility of the Department of Corrections and Rehabilitation, Division of Juvenile Facilities.

(D) A regional youth educational facility, as described in Section 894.

(E) A youth correctional center, as described in Article 9 (commencing with Section 1850) of Chapter 1 of Division 2.5.

(F) A juvenile regional facility as described in Section 5695.

(G) Any other local or state facility used for the confinement of minors or wards.

(2) “Minor” means a person who is any of the following:

(A) A person under 18 years of age.

(B) A person under the maximum age of juvenile court jurisdiction who is confined in a juvenile facility.

(C) A person under the jurisdiction of the Department of Corrections and Rehabilitation, Division of Juvenile Facilities.

(3) “Room confinement” means the placement of a minor or ward in a locked sleeping room or cell with minimal or no contact with persons other than correctional facility staff and attorneys.
Room confinement does not include confinement of a minor or ward in a single-person room or cell for brief periods of locked room confinement necessary for required institutional operations.

(4) “Ward” means a person who has been declared a ward of the court pursuant to subdivision (a) of Section 602.

(b) The placement of a minor or ward in room confinement shall be accomplished in accordance with the following guidelines:

(1) Room confinement shall not be used before all other less restrictive options have been attempted and exhausted.

(2) Room confinement shall not be used for the purposes of punishment, coercion, convenience, or retaliation by staff.

(3) Room confinement shall not be used to the extent that it compromises the mental and physical health of the minor or ward.

(4) A minor or ward may be held up to four hours in room confinement. After the minor or ward has been held in room confinement for a period of four hours, staff shall do one or more of the following:

   (1) Return the minor or ward to general population.
   (2) Consult with mental health or medical staff.
   (3) Develop an individualized plan that includes the goals and objectives to be met in order to reintegrate the minor or ward to general population.

(d) If room confinement must be extended beyond four hours, staff shall do the following:

   (1) Document the reason for room confinement and the basis for the extension, the date and time the minor or ward was first placed in room confinement, and when he or she is eventually released from room confinement.
   (2) Develop an individualized plan that includes the goals and objectives to be met in order to reintegrate the minor or ward to general population.
   (3) Obtain written documented authorization by the facility superintendent or the Director of Juvenile Justice or his or her designee every four hours thereafter.
This section is not intended to limit the use of single-person rooms or cells for the housing of minors or wards in juvenile facilities and does not apply to normal sleeping hours.

This section does not apply to minors or wards in court holding facilities or adult facilities.

Nothing in this section shall be construed to conflict with any law providing greater or additional protections to minors or wards.

This section shall become operative on January 1, 2018.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.