



## National Center for Youth Law's Youth Justice Team's Policy Wins 2013 – Present

### 2013

#### **California Senate Bill 260** (Senator Loni Hancock)

Established Youth Offender Parole Hearings for individuals who received indeterminate life or lengthy prison sentences for crimes committed while under age 18; requires the parole board to give great weight to the hallmark features of youth—diminished culpability, subsequent growth, and increased maturity of the person—in determining a person's suitability for parole.

### 2015

#### **California Senate Bill 261** (Senator Loni Hancock)

Expanded eligibility for Youth Offender Parole Hearings to people that received indeterminate life or lengthy prison sentences for crimes committed while under age 23.

#### **California Senate Bill 382** (Senator Ricardo Lara)

Updated statutory criteria used by judges to decide whether a youth should be prosecuted in the adult system, enumerating developmental factors within each of the five criteria, such as youth's immaturity, past trauma, and ability to grow and change, that may be given weight in transfer decisions.

### 2016

#### **California Proposition 57: Public Safety and Rehabilitation Act** (Ballot Initiative)

Eliminated prosecutors' authority to directly file charges against youth in adult court and established new procedures for judges in determining whether to transfer a youth's case to adult court; authorized California prisons to award time credits to prisoners for good behavior and rehabilitative achievements, and to establish a new parole process for people serving prison sentences for nonviolent offenses.

### 2017

#### **California Assembly Bill 1308** (Assemblymember Mark Stone)

Expanded eligibility for Youth Offender Parole Hearings to people that received indeterminate life or lengthy prison sentences for crimes committed while under age 26.

#### **California Senate Bill 312** (Senator Nancy Skinner)

Removed a lifetime ban on the sealing of juvenile court records involving serious and violent felonies.

**California Senate Bill 394** (Senator Ricardo Lara)

Abolished life-without-parole sentences imposed on juveniles in California and made these youth eligible for Youth Offender Parole Hearings during their 25<sup>th</sup> year of incarceration.

**California Senate Bill 395** (Senator Ricardo Lara)

Ensured children understand their constitutional rights by requiring that youth 15 years of age and younger consult with legal counsel in person, by telephone or video conference, prior to a custodial interrogation by police and before waiving any of their constitutional rights.

**2018**

**California Senate Bill 439** (Senator Holly Mitchell, Senator Ricardo Lara)

Established the minimum age of juvenile court jurisdiction at 12, excluding cases where a child is accused of committing murder and enumerated violent rape offenses.

**California Senate Bill 1391** (Senator Ricardo Lara, Senator Holly Mitchell)

Repealed prosecutors' authority to make a motion to transfer a case involving a youth alleged to have committed a serious felony offense while 14 or 15 years of age from juvenile court to adult court.

**California Assembly Bill 1811: Fostering Success Fund** (Assemblymember Mike A. Gipson)

Allocated four million dollars in State general funds for pre-arrest diversion programs and community-based services for youth in foster care group homes and shelters; gives guidance and training to law enforcement and operators of children's residential facilities on trauma-informed interventions.

**California Assembly Bill 1812: Youth Reinvestment Grant** (Assemblymember Reginald Jones-Sawyer)

Allocated thirty-seven million dollars in State general funds to local jurisdictions to develop and expand pre-arrest diversion programs and trauma-informed community-based services for Native American youth on tribal lands and underserved youth statewide.

**2019**

**California Assembly Bill 1454: Youth Reinvestment Grant** (Assemblymember Reginald Jones-Sawyer)

Allocated fifteen million dollars in State general funds to augment the Youth Reinvestment Grant Program to fund local jurisdictions and Federally Recognized Tribe's diversion programs for youth.

**California Assembly Bill 965** (Assemblymember Mark Stone)

Authorized the California Department of Corrections and Rehabilitation to apply earned time credits, as established by Proposition 57, to a person's Youth Offender Parole Hearing date.

**2020**

**California Assembly Bill 901** (Assemblymember Mike A. Gipson)

Ended probation's authority to place youth on informal probation based on the belief that a young person "will probably soon" come under the courts' jurisdiction; prohibited prosecution of a youth for disobeying a school official; restricted "voluntary probation supervision" by eliminating the use of probation conditions and consequences for youth who have not been accused of a crime.

**California Assembly Bill 2425** (Assemblymember Mark Stone)

Established confidentiality and sealing provisions for the police records of youth who participate in diversion programs, youth who are counseled and released without further system involvement, and youth who do not fall under the jurisdiction of the juvenile delinquency court.

**California Senate Bill 203** (Senator Steven Bradford)

Required all youth in California age 17 and younger consult with legal counsel prior to a custodial interrogation by police and before waiving any of their constitutional rights.

**California Senate Bill 823** (Senator Nancy Skinner)

Legislated a plan for closing the Division of Juvenile Justice (DJJ) by transferring the responsibility for the custody, treatment, and supervision of youth to the counties; and established the Office of Youth and Community Restoration, a state agency to provide meaningful oversight of a realigned juvenile justice system and administer state juvenile justice funding programs.

**2021**

**California Senate Bill 92** (Senator Nancy Skinner)

Required the closure of the Division of Juvenile Justice (DJJ) by June 30, 2023; allowed counties to establish secure youth treatment facilities for youth who otherwise would have been eligible for commitment to DJJ; required courts to approve individual rehabilitation plans and conduct review hearings; and required the Judicial Council to develop and adopt a matrix of offense-based classifications to be applied by the juvenile courts in all counties.

**California Assembly Bill 124** (Senator Sydney Kamlager)

Required criminal courts to consider relevant factors of a person's circumstances and experiences—including age, impacts of trauma, and experiences with intimate partner violence, sexual violence, and human trafficking—during charging, pleas, sentencing and resentencing.

**Nevada Assembly Bill 230** (Assemblyman Cameron "C.H." Miller)

Reformed Nevada's juvenile transfer laws by broadening the types of offenses eligible for processing under the juvenile court's jurisdiction, revising provisions relating to the certification of youth to the adult, and limiting prosecutors' direct file authority.

## 2022

### **California Assembly Bill 2417** (Assemblymember Phil Ting)

Extended the *Youth Bill of Rights*, which includes the right to education, to live in a safe and healthy environment, to contact attorneys, ombudspersons, and other advocates regarding conditions of confinement or violations of rights, to youth confined in county facilities; ensures all incarcerated youth are made aware of their rights and how to report violations of rights.

### **Colorado House Bill 22-1131** (Representative Serena Gonzales-Gutierrez)

Required the state department of human services to establish a pre-adolescent services task force to examine existing services for youth ages 10-12 and to make recommendations for addressing any gaps in services that may arise if the state raises the minimum age of court jurisdiction to age 13.

## 2023

### **Colorado House Bill 23-1249** (Representative Serena Gonzales-Gutierrez)

Invested \$3 million in collaborative management programs (CMPs) and data collection to serve children and families with integrated multi-agency services, and to assist counties in establishing CMPs. Requires Department of Human Services, CMPs, and district attorneys to report data on crossover youth and 10–12-year-olds diverted from arrest.

### **California Assembly Bill 505** (Assemblymember Phil Ting)

Ensured that the Office of Youth and Community Restoration (OYCR) Ombudsperson can access incarcerated youths, facilities, and records to guarantee a youth's safety with no prior notice; required judges to inspect all facilities where youth are incarcerated; and clarified that counties must develop their annual plans with ongoing engagement from local community experts, and submit annual reports to OYCR on the county's progress.

### **For More Information**

Frankie Guzman, Senior Director, Youth Justice  
National Center for Youth Law  
(760) 459-4612 – fguzman@youthlaw.org

Darya Larizadeh, Senior Policy Attorney, Youth Justice  
National Center for Youth Law  
(408) 355-4140 – dlarizadeh@youthlaw.org