Date of Hearing: July 15, 2025
Counsel: Samarpreet Kaur

ASSEMBLY COMMITTEE ON PUBLIC SAFETY
Nick Schultz, Chair

SB 357 (Menjivar) – As Amended May 29, 2025

UPDATED

As Proposed to be Amended in Committee

SUMMARY: Authorizes a board of supervisors, in a county with a population of at least 6,000,000 people, to delegate to a county official who has jurisdiction over youth development, the duties and authorities that the county probation department has with respect to juveniles, as specified. Specifically, **this bill:**

1) Allows a board of supervisors, in a county of at least 6,000,000 people, to delegate to a county official who has jurisdiction over youth development, diversion, and reentry all or part of the duties and authorizes concerning juveniles, as specified.

2) States that a county official may only perform and discharge part of all of the duties concerning the operation of juvenile halls, camps, and ranches.

3) States that the county board of supervisors must delegate these duties to a county official that is part of a collective bargaining unit.

4) States that the delegation of these duties shall not result in the loss of represented staff currently employed by a county probation department or prohibit any department from performing duties delegated to it by the county board of supervisors.

5) States that a board of supervisors may not delegate a duty or authority to a county official that is required to be undertaken by a peace officer, as specified.

6) Allows for the inspection of a juvenile case file by county officials who have been delegated duties concerning juveniles, as specified.

EXISTING LAW:

1) Provides, generally, that a minor who is between 12 years of age and 17 years of age, inclusive, when the minor violates any law defining a crime, is subject to the jurisdiction of the juvenile court and to adjudication as a ward. (Welf. & Inst. Code, § 602, subd. (a).)

2) Requires that a chief probation officer is appointed in every county. (Gov. Code, § 27770, subd. (a).)

3) Requires the chief probation officer to perform the duties and discharge the obligations imposed on the office by law or by order of the superior court, including the following:

a) Community supervision of offenders subject to the jurisdiction of the juvenile court.

b) Operation of juvenile halls.

c) Operation of juvenile camps and ranches.

d) Community supervision of individuals subject to probation.

e) Community supervision of individuals subject to mandatory supervision.

f) Community supervision of individuals subject to postrelease community supervision.

g) Administration of community-based corrections programming.

h) Serving as chair of the Community Corrections Partnership.

i) Making recommendations to the court, including, but not limited to, pre-sentence investigative reports. (Gov. Code, § 27771, subd. (a).)

4) Authorizes the chief probation officer to perform other duties that are consistent with those enumerated. (Gov. Code, § 27771, subd. (b).)

5) Provides that the office of chief probation officer shall not be consolidated with any other office, nor shall the services provided by the chief probation officer be integrated with or reorganized into any other office or department of the county. (Gov. Code, § 27773.)

6) Provides that a probation officer and deputy probation officer are peace officers. (Pen. Code, § 830.5, subd. (a); Welf & Inst. Code, § 283.)

7) Provides that the juvenile hall is under the management and control of the probation officer. (Welf & Inst. Code, § 852.)

8) Authorizes a county board of supervisors to delegate to the county welfare department all or part of the duties of the probation officer concerning dependent children. (Welf. & Inst. Code, § 272, subd. (a)(1).)

FISCAL EFFECT: Unknown.

COMMENTS:

1) **Author's Statement**: According to the author, “In 2020, when the Legislature directed the closure of the Division of Juvenile Justice (DJJ), it envisioned a system that would use public health approaches to support positive youth development, build the capacity of community-based programs and interventions, and reduce crime by youth.

"Senate Bill 81 (Budget – Chapter 275, Statues of 2007) and Senate Bill 823 (Budget – Chapter 337, Statues of 2020) transferred the custody, treatment, and supervision of youth from the state to local County Probation Departments. This added responsibilities such as providing wraparound services, specialized treatment, and managing juvenile facilities. However, some Probation Departments, particularly the Los Angeles one, have struggled to meet these responsibilities.

"Persistent challenges to implementing this new vision of youth justice have been ongoing. LA Probation has faced a staffing crisis, has had their juvenile facilities fail Board of State and Community Corrections inspections, currently has 30 officers indicted for running a fight club with the juveniles and a long history of committed sexual assault on these same youth. The staffing crisis has hindered the County's ability to implement effective programming and has fallen short in providing a safe environment for the juveniles within their facilities. SB 357 seeks to address the realignment efforts of California's youth justice system by granting the Los Angeles County Board of Supervisors the ability to delegate certain functions from County Probation Departments to another county entity.

"By granting LA County the authority to bring in another County entity to support their Probation Department, SB 357 will ensure the youth justice system prioritizes rehabilitation and the services, programs, and placements young people need to successfully return to the community."

2) **County Probation Departments Appointments and Training**: Each county has a probation department headed by a probation chief appointed by the county board of supervisors based on recommendations from the Superior Court. (Gov. Code, § 27770, subd. (a).) The probation department is responsible for the supervision of youth who are within the jurisdiction of the juvenile court as well as the operation of juvenile facilities, including juvenile halls, camps, and ranches. The scope of the probation department's role with respect to supervising and providing for the care and custody of justice-involved youth has expanded over the years.

   Existing law states that each county shall appoint a chief probation officer (CPO), depending on the county charter, either by the Board of Supervisors or by the Presiding Judge of the Superior Court. (Gov. Code § 27770 subd. (a).) The probation departments, which is led by the CPO, handles the duties and obligations, including but not limited to, adult probation, juvenile probation, and pretrial detainees, as codified in existing law.

   According to California State Association of Counties (CSAC) "The primary staff of the Probation Department are probation officers and institutional counselors who are sworn peace officers (Penal Code Section 830.5) with the powers of arrest, search, and seizure. Probation Officers are required to have 200 hours of comprehensive training prior to assuming their duties and 40 hours each year thereafter. This training is certified and paid for by the Standards and Training for Corrections Program of the State Board of Corrections."[1] In order to carry out these duties the Board of State and Community Corrections (BSCC) is required to establish selection criteria and minimum training standards for correctional facilities, including probation departments. BSCC established the Standards and Training for

[1] Probation - California State Association of Counties (Last accessed March 26, 2025)

Corrections (STC) program in 1980.[2] The STC programs main purpose is to raise the level of competence of individuals in the state's local corrections and probation departments.

This bill does not specify what kind of qualifications, standards, or training this county official shall have or complete in order to be delegated part of the duties that are usually given to the probation department when handling juveniles, as specified. This lack of specificity may lead to underqualified individuals operating juvenile halls and camps, among other probation duties that may be given to this county official, such as, community supervision of juveniles and making recommendations to the courts regarding a juvenile's case. The author may consider adding qualification and/or require training that aligns with BSCCs standards and training that is required for probation officers to also apply to the county official that may get delegated certain probation duties.

3) **LA County Probation Department:** The operation of the L.A. County Probation Department has come under heightened scrutiny in recent years. The department has been criticized for operating decrepit buildings where violence between youth as well as between youth and staff is alleged to be commonplace, youth do not receive adequate educational or programing opportunities, and the actions of the staff and department are generally deemed too punitive.

The county's juvenile halls have been found unsuitable multiple times over the last several years. Following unsuitability findings of its other juvenile facilities, Los Padrinos Juvenile Hall was reopened in July of 2023. Within a month of reopening, BSCC staff found twelve items of noncompliance, almost all related to staffing deficiencies.[3] The BSCC was particularly concerned with "noncompliance that results in late and missed safety checks, inappropriate and undocumented use of room confinement, youth not getting to school on time, and youth not having access to recreation or programs." (*Ibid*.) The items of noncompliance were mostly corrected by a re-inspection in early 2024, and Los Padrinos Juvenile Hall was found suitable in April of 2024. (BSCC, History of Suitability, *supra*.) BSCC staff was, however, directed to conduct inspections of Los Padrinos Juvenile Hall and the Secure Youth Treatment Facility (SYTF) at Barry J. Nidorf a minimum of twice per month to monitor compliance. (Ibid.)

Over a five-month period, the BSCC conducted nine inspections of Los Padrinos Juvenile Hall, including some unannounced inspections. (BSCC, History of Suitability, *supra*.) During those inspections, BSCC staff discovered that facility staff had been falsifying documentation to indicate that required activities had occurred, that education, recreation and medical appointments were impacted by lack of staffing, and that youth continued to be held in their rooms for long periods of time following incidents on the unit. (*Ibid*.) A final corrective action plan was submitted in October 2024 which the BSCC had advised would not be approvable given that it failed to detail actions to be taken to resolve the item of noncompliance or include several required elements. (Ibid.) As a result, the corrective action

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[2] Probation-Officer-Core-Training-Course-Manual-July-2020.pdf (Last accessed March 26th, 2025)
[3] BSCC, History of Suitability at the Central, Barry J Nidorf, and Los Padrinos Juvenile Halls, Los Angeles County Probation Department 2018-Present, available at <http://www.bscc.ca.gov/news/nidorf-los-padrinos-suitability-timeline-2018-present/.

plan was denied, Los Padrinos Juvenile Hall was found unsuitable, and the county was given 60 days to discontinue use of the facility until brought into compliance with the law. (Ibid.)

After the probation department requested a re-inspection of the facility in December 2024, the BSCC conducted an inspection and determined that the facility remained out of compliance. (BSCC, History of Suitability, supra.) In finding that Los Padrinos Juvenile Hall had continued to remain unsuitable, the BSCC specified that "the current staffing numbers do not allow for all required activities, operations, programs and facility functions, and to ensure the safety of youth and staff."[4] The probation department, with the support of the board of supervisors, kept the facility open, and the L.A. County Public Defender's Office challenged that action on behalf of a client. (Queally, L.A. County judge moves toward shuttering troubled Los Padrinos Juvenile Hall, supra.) On April 18, 2025, an L.A. County judge issued a tentative ruling that it was *unlawful* to allow the department to continue housing juveniles at the facility, and ordered the department to submit a plan by early May outlining how it will relocate approximately 270 youths to other secure locations. (Ibid.)

As noted above, staffing at L.A. County's juvenile halls has been an ongoing issue. After an escape incident at Los Padrinos Juvenile Hall in November of 2023, the L.A. County Office of Inspector General conducted an investigation at the direction of the county supervisors. In its report, the Inspector General indicated that at the time of the escape, 100 staff members were scheduled by the department to work at the facility—the minimum necessary to operate the facility—but only approximately 40 reported to work.[5]

This bill seeks to address the impacts that the ongoing challenges the probation department has faced have had on the youth housed in L.A. County's juvenile facilities. Specifically, this bill authorizes the board of supervisors in a county with a population of at least 6 million people to delegate to a county official who has jurisdiction over youth development part of the duties and authorities, unless they are duties required to be undertaken by a peace officer, that the county probation department has with respect to juveniles. Only one county, Los Angeles County, meets the criteria in this bill. This bill would also allow for the inspection of a juvenile case file by county officials who have been delegated duties, authorities, or both that the county probation department currently has with respect to juveniles.

Presumably, if this bill were enacted, and the L.A. County Board of Supervisors voted to delegate some the duties of the probation department as they relate to juveniles to another county official, that entity could be L.A. County's Department of Youth Development, however, the intention of the county official to come from the Department of Youth Development is not clearly stated within the language of this bill.

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[4] BSCC, Letter to Los Angeles County Probation Department Regarding Unremedied Non-Compliance at Los Padrinos Juvenile Hall (Dec. 10, 2024), p. 2 available at <https://www.bscc.ca.gov/wp-content/uploads/2024/12/Los-Angeles-County-Los-Padrinos-Juvenile-Hall-Reinspection-Non-Compliance-Section-1321-FINAL-12-10-2024.pdf .)

[5] Los Angeles County Office of Inspector General, Report Back on Investigating the November 4, 2023 Escape from Los Padrinos Juvenile Hall and Preventing Future Incidents (Mar. 7, 2024), pp. 3-4 available at <https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/0e2c2ace-6068-4534-bb71-f780efe0dddf/Report%20Back%20on%20Investigating%20the%20November%204%2C%202023%20Escape%20from%20Los%20Padrinos%20Juvenile%20Hall%20and%20Preventing%20Future%20Incidents.pdf .)

Having another department other than the probation department take over duties such as juvenile operating of juvenile's halls, camps, and ranches may lead to unseen consequences in connection to the already growing problem of how juveniles are being mishandled by probation in LA County. Again it is unclear if this county official will be qualified enough to carry out these duties, which may lead to more mishandling of juvenile supervision.

Another consideration for the author is to take into account weather or not the courts will have jurisdiction and authority over this county official as they do with probation department, Welfare and Institutions Code section 281 authorizes the juvenile court to order the probation department to investigate "any matter involving the custody, status, or welfare of a minor or minors" and file a report with the court. Will the LA juvenile court be able to direct this new department as they are able to with the probation department? This bill does not clearly state out who this county official shall be, what trainings they will be required to undergo, and it would allow this county official to gain access to juvenile case files.

4) **L.A. County Department of Youth Development:** The L.A. County Department of Youth Development (DYD) was established in 2022. DYD's responsibilities include: investing in regional youth development networks; expanding community-based youth diversion and restorative practices; enhancing care coordination for system-involved youth; advancing the county's Youth Justice Reimagined vision and care-first strategies; and centering youth and community expertise in collaborative innovation.[6] The department seeks to address gaps in equitable access to youth development resources in three areas: development, diversion, and reentry. (*Ibid*.) To accomplish this goal, DYD partners with various organizations to provide free, comprehensive youth development programming and services, including mentorship, recreational activities, and academic and employment support; funds community-based organizations to provide youth diversion services, including substance use treatment, restorative justice, mental health services, and education and career support; and partners with community-based organizations to serve as "credible messengers" to support youth while in custody and upon release as well as partners with the probation department to provide supportive programs and services to youth in L.A. County juvenile facilities.

5) **Argument in Support**: According to *County of Los Angeles Board of Supervisors*, "We write in support of your bill, Senate Bill (SB) 357. Our Board adopted a motion on May 13, 2025, to support the bill if amended to allow the new lead designee and lead department staff access juvenile records. The recent amendments would provide such records access. Therefore, County of Los Angeles supports SB 357 because it is aligned with the County's long-standing objectives to decarcerate girls and gender-expansive youth, move more boys to less restrictive placements, and expand holistic, educational, and therapeutic services to the youth in our care.

"As you know, Los Angeles County (County) has embarked on a transformational journey to reimagine its youth justice system, committing to a care-first approach grounded in healing, accountability, and equity. The establishment and growth of the Department of Youth Development (DYD) reflects this vision: a commitment to preventative, rehabilitative, and developmentally appropriate services for young people, particularly those most impacted by

[6] (DYD, *About DYD* <https://www.dyd.lacounty.gov/about/>.)

systemic inequities. Since its launch, DYD has demonstrated measurable success by diverting youth away from punitive systems, reducing recidivism, and improving educational and mental health outcomes through community-based partnerships and holistic, trauma-informed programming. This approach is aligned with national best practices and garnered public support.

"DYD's 2024 evaluation report revealed that 95 percent of youth enrolled in the program remained free from legal trouble, compared to approximately 20 percent of those who did not participate. Additionally, the program resulted in cost savings of $40,000 per youth by reducing the need for arrest or court involvement. Key outcomes of the participating young people included improvements in emotional regulation, school engagement, social support, and conflict resolution skills – critical outcomes that the Los Angeles County Probation Department (Probation) has failed to demonstrate success in. In contrast, Probation continues to experience deep-seated crises. Probation, the facilities they oversee, and most importantly, the youth in Probation's custody, remain in crisis. On April 18, 2025, Los Angeles Superior Court Judge Miguel Espinoza ordered Probation to depopulate Los Padrinos Juvenile (Los Padrinos) after the facility was deemed unsuitable for housing youth by state regulators due to staffing and other issues.

"…SB 357 is designed to support the County's shift toward a more developmentally appropriate and health-focused youth justice system by expanding the role of DYD while maintaining Juvenile Division Courts' authority and the peace officer duties that only Probation's POST-certified staff are able to perform. The bill does not alter the current relationship between the courts and Probation regarding recommendations about dispositions or conditions of supervision. Probation will continue to offer recommendations to the court as it does today.

"This bill enables the County to enact and expand the goals of youth justice reimagined by allowing DYD to lead programming and supportive services, giving capacity to Probation deputies to focus on its primary duties of keeping all involved safe and secure. A memorandum of understanding would define the roles and boundaries between the two departments. Over time, the County could place lower-risk youth in less restrictive, community-based placements under DYD oversight, while higher-risk youth would remain in secure facilities where Probation will ensure safety and DYD will deliver rehabilitative programming. SB 357 has potential to close a gap in the way that the County approaches oversight for the youth in our care."

6) **Argument in Opposition**: According to the *Chief Probation Officers of California (CPOC)*, "This proposal, including the 5/29 amendments gives rise to fundamental issues of concern regarding the safe and effective supervision and provision of services to the juvenile justice population. This population includes juveniles and emerging adults up to age 25, adjudicated for misdemeanors to serious and violent felonies such as murder, rape, arson, robbery and assault with a firearm, many of whom would have previously been required to serve their time at the state Division of Juvenile Justice and which was recently realigned to counties. Further the amendments do not address opposition for the following reasons:

   • Referencing peace officer duties in PC 830 does not set necessary guardrails for the specific duties and responsibilities regarding juvenile supervision, detention and release decisions, and reporting to the court. Accordingly, under the bill all of these functions

could still be transferred to a non-law enforcement entity as the bill continues to amend the government code section authorizing transfer of these duties and does not account for the many duties imparted to probation, as an arm of the court, throughout the Welfare and Institutions Code Section. The cross reference to the penal code peace officer section does not address the entirety of code sections and rules of court which spell out the duties and authority of probation.

• The bill authorizes a new entity access to juvenile case files which gives rise to questions of confidentiality and the role of non-peace-officers in making decisions about filing court petitions and detention decisions. Probation officers are trained in confidentiality and records, legal foundations and liability, court report writing, testifying in court, and restitution orders that have interplay with the important work of accessing juvenile court records to provide required reports to the court for their determinations. There is no training or guardrails for the access and use of juvenile case records for a new entity.

• Changing the population minimum does not address the issue that the bill will impact other counties as there is interoperability among probation departments and courts statewide necessitated by transfers of youth and young adults. The bill would continue to impact court jurisdiction and probation supervision of court ordered conditions as youth are transferred between counties due to a change in residence or because they committed an offense in a county outside of their place of residence. Further, what impacts would result when courts are considering whether to transfer cases to a court in another county if youth are not supervised and supported by the probation department?

"As Probation Chiefs with extensive training and experience in evidence-based approaches to working with youth and young adults, CPOC is deeply concerned not only about the potential impacts of this bill on community safety, service coordination at the county level, coordination with the courts, and the justice system's ability to function effectively."

7) **Related Legislation**: AB 946 (Bryan) would require, in a county with a population of at least 3,500,000 people, the chief probation officer (CPO), or a designee who is appointed by the county board of supervisors and who has jurisdiction over youth development, to perform duties and discharge obligations normally within the jurisdiction of the CPO. This measure is still in the Assembly Public Safety Committee.

8) **Prior Legislation**:

   a) AB 2417 (Ting), Chapter 786, Statues of 2021 expanded the Youth Bill of Rights in order to ensure that juveniles are aware of their rights as well as how to handle filing complaints.

   b) SB 92 (Com. on Budget & Fiscal Review), Chapter 18, Statues of 2021 made conforming changes to implement the realignment of youth from the department of Juvenile Justice to county-based custody.

   c) SB 823 (Com. on Budget & Fiscal Review), Chapter 337, Statues of 2020 operationalized the realignment of the California Department of Corrections and Rehabilitation, Division of Juvenile Justice, to the counties.

d) SB 81 (Com. on Budget & Fiscal Review), Chapter 175, Statues of 2007 allowed counties with the option to take a portion or all of the current youthful offender population with the Division of Juvenile Facilities and requires all non-violent, non-serious offenders released to parole after September 1, 2007 to become the responsibility of the counties.

REGISTERED SUPPORT / OPPOSITION:

Support

2nd Call
ACLU California Action
All of US or None (HQ)
Alliance for Boys and Men of Color
Alliance for Community Empowerment
Anti-recidivism Coalition
Artlifelive
Arts for Healing and Justice Network
Bend the Arc: Jewish Action California
Better Youth, INC.
Boyle Heights Arts Conservatory
Brothers, Sons, Selves
Brown Issues
CA Native Vote Project
California Alliance for Youth and Community Justice
California Alliance of Child and Family Services
California Native Vote Project
California Public Defenders Association
California United for a Responsible Budget (CURB)
California Youth Connection
California Youth Defender Center
Californians United for a Responsible Budget
Center on Juvenile and Criminal Justice
Centinela Youth Services
Chapman University, Dispute Resolution for Juveniles
Children's Defense Fund - CA
Children's Defense Fund-california
Coalition for Engaged Education
Communities United for Restorative Youth Justice
Community Interventions
Community Warriors 4 Peace
Community Works
Conxion to Community
County of Los Angeles Board of Supervisors
Courage California
Dignity and Power Now

Disability Rights California
Ella Baker Center for Human Rights
End Child Poverty California Powered by Grace
Fair Chance Project
Felony Murder Elimination Project
Flintridge Center
Freedom 4 Youth
Friends Committee on Legislation of California
Gente Organizada
Hang Out Do Good
Healing and Justice Center
Hoops 4 Justice
Initiate Justice
Initiate Justice Action
Inner City Struggle
Jesse's Place Organization
LA Defensa
League of Women Voters of California
Liberation Fund Coalition
Local 148 LA County Public Defenders Union
Los Angeles County Supervisor Lindsey P. Horvath
Loyola Law School's Youth Justice Education Clinic
Million Dollar Hoods Project At Ucla
Moving Mountains by Illumination
National Center for Youth Law
No Easy Props
Peace and Justice Law Center
Project Knucklehead
Project Optimism
Prosecutors Alliance Action
Public Counsel
Restoring Hope California
Returning Home Reentry Program
Sanctuary of Hope
Silicon Valley Debug
Sister Warriors Freedom Coalition
Smart Justice California, a Project of Tides Advocacy
Social Justice Learning Institute
Southern California Psychiatric Society
Street Poets
Students Deserve
The Collective for Liberatory Lawyering
The Gathering for Justice
The Social Impact Center
The W. Haywood Burns Institute
Upward Together
Urban Peace Institute
Urban Peace Movement
Ventura County Juvenile Justice and Delinquency Prevention Commission

Vera Institute of Justice
Westcal Academy
Young Women's Freedom Center
Youth Justice Coalition

Oppose

Afscme Local 1967
American Federation of State, County and Municipal Employees, Afl-cio
Aocds
Association for Los Angeles Deputy Sheriffs (ALADS)
Association of Orange County Deputy Sheriffs
Bu 702- Seiu 721 Joint Council
California District Attorneys Association
California Fraternal Order of Police
Chief Probation Officers' of California (CPOC)
County of Contra Costa
County of Fresno
County of Kern
County of Monterey
County of Santa Cruz
Fresno County Board of Supervisors
Inyo County Board of Supervisors
Judicial Council of California
Long Beach Police Officers Association
Los Angeles County Probation Managers Association Afscme Local 1967
Los Angeles County Probation Officers Union, Afscme Local 685
Marin County Probation Department
Mendocino County Board of Supervisors
Monterey; County of
Our Streets Dream
Parents Anonymous, INC.
Peace Officers Research Association of California (PORAC)
Sacramento County Deputy Sheriffs Association
Sacramento County Probation Association
San Bernardino County
San Diego County Probation Officers Association
San Gabriel Valley Conservation and Service Corps
San Joaquin County Probation Officers Association
San Mateo County Probation Detention Association
Sheriff's Employee Benefits Association (SEBA)
Solano County Board of Supervisors
State Coalition of Probation Organizations
Ventura County Professional Peace Officers Association

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