



## IN BRIEF

SB 1004 will allow specific counties to adopt a pilot program that gives young adult offenders the opportunity to take advantage of the supportive and educational services in the juvenile justice system, rather than serve their time in an adult county jail.

## THE PROBLEM

While legally they are adults, young offenders age 18-21 are still undergoing significant brain development and it's becoming clear that this age group may be better served by the juvenile justice system with corresponding age appropriate intensive services. Research shows that people do not develop adult-quality decision-making skills until their early 20's. This can be referred to as the "maturity gap." Because of this, young adults are more likely to engage in risk-seeking behavior.

## BACKGROUND

Recent research on adolescent brain development notes "very complex changes are taking place in the brain during adolescence and that the brain is not fully "installed" until between ages twenty to twenty-five."<sup>1</sup> Additionally, "scientists have discovered that in the teen brain, the emotional center matures before the frontal lobes. Emotion therefore often holds sway over rational processing."<sup>2</sup>

As such, in order to address the criminogenic and behavioral needs of adolescents, it is important that age appropriate services are provided. Juvenile detention facilities have such services available for adolescents including, but not limited to, cognitive behavioral therapy, mental health treatment, vocational training, and education among others.

## THE SOLUTION

The pilot program proposed under SB 1004 will allow the counties of Alameda, Butte, Napa, Nevada and Santa Clara to voluntarily enact a pilot program creating a new category of transitional adult youth that allows young adult offenders age 18-21 to be housed in a juvenile detention facility, as opposed to adult county jail. Because these young adults will be housed in juvenile detention facilities they will have services available to them, such as mental health, vocational,

and educational services they otherwise would not get in a county jail. Specifically, if a county decides to establish the pilot program authorized by the bill, it must adhere to the following rules:

- Young adults who commit serious or violent felonies, have prior serious or violent offenses, or must register as sex offenders are not eligible for the program
- The length of custody within a county juvenile hall can be no longer than 1 year
- Young adults must be assessed by the county probation department for their fitness to participate in the program
- Upon being charged with an offense, young adults who are deemed eligible for the program must enter into deferred entry of judgement – plead guilty to their crime – and if the young adult successfully completes the program, he or she will have the charges dismissed
- If a young adult is deemed not eligible for the pilot program, or if he or she does not wish to plead guilty, court proceedings will continue as in any other case
- A young adult can be removed from the program by the county probation department at any time if they are performing poorly. After a participant is notified that they may no longer be eligible for the program, the Court will hold a hearing to consider the matter
- Young adults participating in the pilot program will be housed in juvenile detention facilities, but they must be housed in separate wings from younger minor offenders
- A county must receive approval from the Board of State and Community Corrections (BSCC) that the county's juvenile hall facility is suitable for housing young adults.

- A county must establish a multidisciplinary team that meets periodically to review implementation of the pilot program
- The bill stipulates that participation in the pilot program should not replace opportunities for community supervision
- Counties will submit data on the pilot program to BSCC, who will conduct an outcome evaluation.

## **SUPPORT**

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Chief Probation Officers of California  
California Police Chiefs Association  
Alameda County Board of Supervisors  
Butte County Board of Supervisors  
Santa Clara County Board of Supervisors  
California Youth Empowerment Network  
(Updated 5-25-16)

## **FOR MORE INFORMATION**

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<sup>1</sup> Pat Wolfe, “The Adolescent Brain: A Work in Progress.” *The Mind Matters*. 2011.

<sup>2</sup> Ibid.