

ASSEMBLY BILL

No. 2189

Introduced by Assembly Member Poochigian
(Coauthor: Senator Costa)

February 7, 1996

An act to amend Section 210 of the Welfare and Institutions Code, relating to juvenile facilities, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2189, as introduced, Poochigian. Juvenile Facilities: Tulare County.

Existing law authorizes the Department of the Youth Authority to adopt minimum standards for the construction and operations of juvenile halls. Existing law authorizes the Board of Corrections, however, to conduct annual inspections of any juvenile hall in order to determine whether the juvenile hall is a suitable place for the confinement of minors.

This bill would authorize the Board of Corrections, rather than the Department of the Youth Authority, to adopt minimum standards for the construction and operation of juvenile halls.

The bill would also declare that it is in the public interest to encourage innovation in the operation and maintenance of juvenile detention facilities and would authorize Tulare County to undertake the construction and operation of a juvenile detention facility that shall not be subject to existing laws or regulations governing the architectural design, operation, or maintenance of such a facility, except as

specified, upon approval by the Board of Corrections, as specified.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. Section 210 of the Welfare and
2 Institutions Code is amended to read:

3 210. (a) The ~~Youth Authority~~ *Board of Corrections*
4 shall adopt minimum standards for the operation and
5 maintenance of juvenile halls for the confinement of
6 minors.

7 Any violation of such standards shall render a juvenile
8 hall unsuitable for the confinement of minors for
9 purposes of Section 209.

10 (b) *The Legislature finds and declares that it is in the*
11 *best public interest to encourage innovations in staffing*
12 *ratios, maximization of housing unit size, and*
13 *experimentation with innovative architectural designs*
14 *and program components, designs, or operations in the*
15 *operation and maintenance of new juvenile detention*
16 *facilities. Therefore, to these ends, Tulare County, as a*
17 *demonstration project, may undertake the construction*
18 *and operation of a detention facility that shall not be*
19 *subject to laws or regulations governing the architectural*
20 *design, operation, or maintenance of such a facility.*
21 *However, the Board of Corrections shall approve the*
22 *schematics, and the proposed staffing patterns of this*
23 *project, before the county proceeds with construction*
24 *and operation. In addition, progress reports and*
25 *evaluative data regarding the success of the*
26 *demonstration project shall be provided to the Board of*
27 *Corrections by the county.*

28 *Nothing contained in this subdivision shall affect the*
29 *applicability of the provisions of the Labor Code.*

30 SEC. 2. This act is an urgency statute necessary for the
31 immediate preservation of the public peace, health, or



1 safety within the meaning of Article IV of the
2 Constitution and shall go into immediate effect. The facts
3 constituting the necessity are:

4 In order to prevent any delay in the construction and
5 operation of a new juvenile facility in Tulare County, it is
6 necessary that this act take effect immediately as an
7 urgency statute.

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