

Sight/Sound Separation Clean-up Trailer Bill Language

SEC. 1

It is the intent of the Legislature to clarify the circumstances in which youth who are age 18 or older may have sight or sound contact with youth under the age of 18 when detained in juvenile halls, special purpose juvenile halls, ranches and camps, and secure youth treatment facilities.

SEC. 2

Add Section 208.55 to the Welfare and Institutions Code, as follows,

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

- (1) "Juvenile" means a person who meets either of the following criteria:
 - (A) A person under 18 years of age.
 - (B) A person under the maximum age of juvenile court jurisdiction who is not currently an adult inmate as defined by this section.
- (2) "Juvenile facility" means a local juvenile hall, special purpose juvenile hall, ranch or camp, secure youth treatment facility, or any other secure juvenile facility that is subject to inspection by the Board of State and Community Corrections.
- (3) "Sight or sound contact" means any physical, clear visual, or direct verbal contact that is not brief and inadvertent.
- (4) "Adult inmate" means a person who is 18 years-of-age or older, not subject to the jurisdiction of the juvenile court, and has been arrested and is in custody for, or awaiting trial on, a criminal charge, or has been convicted of a criminal offense.

(b) In determining whether persons detained in a juvenile facility must be separated and not have any sight or sound contact with other detainees, the following shall apply:

- (1) A juvenile may be placed in a juvenile facility with other juveniles with sight or sound contact. Facilities shall consider the age of youth for purposes of classification pursuant to Section 1352 of Title 15 of the California Code of Regulations.
- (2) An adult inmate shall not be detained in a juvenile facility except as provided by Section 1000.7 of the Penal Code. An adult inmate shall not be allowed sight or sound contact with juveniles under the age of

18 unless the adult inmate is a person described in Section 208.5 and whose case originated in juvenile court.

(3) A juvenile who is still under the jurisdiction of the juvenile court and who participates in the Pine Grove Youth Conservation Camp pursuant to Section 1760.45 shall be considered a juvenile if returned to a local juvenile facility.

(c) Notwithstanding Section 875 and any other law, the following persons shall not be detained in juvenile facilities:

(1) Upon return to local custody, a person who was sentenced to state prison and, prior to July 1, 2023, was found to be a ward of the court and committed to the Division of Juvenile Justice, shall not be placed in a juvenile facility. A juvenile court exercising jurisdiction over the placement of a person described in this subdivision may order placement of the person into an adult local detention facility or returned to the Department of Corrections and Rehabilitation pursuant to subdivision (f) of Section 1732.9.

(2) A person who is 25 years of age or older shall not be committed to or detained in a county juvenile facility. A juvenile court exercising jurisdiction over the placement of a person who is 25 years of age or older may order placement of the person into an adult local detention facility.