

AB 1276 (Bloom) Youth Offender Classification Fact Sheet

PROBLEM

In California, young people age 18, 19, 20, and 21 entering prison are treated differently from older incoming prisoners: Due to their age alone they are more likely than older prisoners to be sent directly to the highest security prison yards with the most dangerous, gang-affiliated inmates, and the least amount of rehabilitative programming. The result is a lost opportunity for the state to reduce recidivism. Under existing law, CDCR practices cannot reflect what science and law have increasingly affirmed: This is a critical period of brain and personal development. Late adolescence and young adulthood is a time of tremendous change and growth. Young adults are more easily influenced by their surroundings, and highly susceptible to both positive and negative factors. It is a developmental period in which people solidify identity and make important choices about life direction. This is true whether a young adult is housed in a college dorm or a prison cell. In addition, a growing and widely accepted body of research demonstrates that education and vocational training in prison dramatically decrease recidivism rates. With thousands of people under the age of 22 entering state prison each year, California is missing an important opportunity to shape young people, decrease recidivism, and increase public safety when these individuals are released. Right now, more than 6,500 people under the age of 18 at the time of their crimes are incarcerated in California.

SUMMARY

AB 1276 establishes a mechanism by which the Department of Corrections and Rehabilitation will make individual assessments of people entering prison under the age of 22, and classify these individuals at lower custody level facilities whenever possible. This bill aims to take the most impressionable and malleable prison population and create a pathway for those individuals to be exposed to the most positive influences possible while incarcerated, including being housed with older prisoners who are serious about their own

rehabilitation, and ensuring better access to education and vocational programs. It is vital that these young adults, many of whom will eventually be released back into society, have the meaningful chance at rehabilitation. AB 1276 facilitates this process by utilizing a Youth Offender Institutional Classification Committee to assess the readiness of a youth at reception for a lower security level or placement, and encourage the youth offender to commit to positive change and self-improvement.

BACKGROUND

The United States Supreme Court in *Miller v. Alabama* (2012) found that “developments in psychology and brain science continue to show fundamental differences between juvenile and adult minds”. Recent changes in California law have recognized this important distinction. In 2013, SB 260 (CA Penal Code 3051) established the Youth Offender Parole process to evaluate individuals who were juveniles at the time of their crimes but sentenced to adult prison terms. SB 260 requires youth offenders to demonstrate rehabilitation, but existing law and regulations limit their access to safe placements and programs. It is crucial to give youth offenders in prison the opportunities and tools needed to grow, rehabilitate, and choose a new path that will eventually lead to success outside of prison if they are released.

SUPPORT

Human Rights Watch (Sponsor)
Los Angeles District Attorney’s Office (Co-Sponsor)
Anti-Recidivism Coalition (Co-Sponsor)
California Attorneys for Criminal Justice
California Communities United Institute
Children’s Defense Fund of California

OPPOSITION

None on file