

Proposed Rule 5.806

Offense-Based Classification Matrix for SYTF Commitments

March 24, 2023



Background on JJ Realignment

Closed Division of Juvenile Justice (DJJ) as of 6/30/2023

Created new dispositional option – Secure youth treatment facility (SYTF) in Welf. & Instit. Code section 875

Only youth with Welf. & Instit. Code 707(b) offenses who are 14 and older are eligible

Charge to JC from section 875(h)

Adopt an offense-based classification matrix to assign each offense to a category

Assign each category a term of years, which may include a range of years

Once adopted, the matrix is the basis for courts to select the baseline term for any youth committed to an SYTF

Council was required to develop the matrix in consultation with a working group of specified juvenile justice stakeholders

Matrix Working Group

Judge Melissa Widdifield

Ms. Nisreen Baroudi

Judge Katherine Lucero

Judge John Bianco

Ms. Elizabeth Braunstein

Mr. Abraham Medina

Judge Tilisha Martin

Mr. Dieudonné Brown

Chief Brian Richart

Judge Ruben Villalobos

Mr. Miguel Garcia

Ms. Christienne Sanders

Judge Pamela Villanueva

Mr. Matthew Golde

Ms. Nancy Smith

Dr. Baljit Atwal

Chief David Koch

Mr. David Steinhart

Matrix objectives

Positive Youth Development

Public and Community Safety

Flexible and Fair Terms of Commitment

Summary of proposal – Rule 5.806

(a) directs court to set baseline term based on most serious recent offense

(b) contains criteria and factors for selecting term within range

(c) is guidance on modifying baseline term at review hearings

(d) is matrix, Categories A-D with ranges

Advisory committee comment (ACC) provides guidance on objectives of matrix

The Matrix

Category	Range	Example offenses
A	4 to 7 years	Murder, Kidnapping with substantial injury, Torture
B	3 to 5 years	Forcible sex offenses, attempted murder & other serious violent offenses
C	2 to 4 years	Robbery, assault crimes, and PC 288(b)
D	1 to 2 years	Drug offense & witness intimidation

Revisions to rule based on comments

Clarifying use of factors in setting term in (b) to ensure factors outside youth's control do not increase term

Moving two offenses from Category B to A to be consistent with prior DJJ categories

Adding language to ACC on monitoring implementation for fairness and consistency