



Judicial Council of California

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March 24, 2025

Hon. Nick Schultz
Chair, Assembly Public Safety Committee
1020 N Street, Room 111
Sacramento, California 95814

Subject: Assembly Bill 946 (Bryan), as introduced—Oppose
Hearing: Assembly Public Safety Committee—April 1, 2025

Dear Assembly Member Schultz:

The Judicial Council must regretfully oppose Assembly Bill 946 which would allow, in a county with a population of at least 3,500,000 people, the duties of the chief probation officer to be performed by a designee who is appointed by the county board of supervisors and who has jurisdiction over youth development. Current law requires the probation department to provide numerous services to the juvenile court that are essential to its ability to fulfill its statutory duties to protect public safety, redress injuries to victims, and protect the best interests of the youth under the court's jurisdiction.¹ AB 946 would unilaterally allow the delegation of probation duties to another county department without providing the juvenile court with any express authority or oversight.

Welfare and Institutions Code [section 281](#) authorizes the juvenile court to order the probation department to investigate “any matter involving the custody, status, or welfare of a minor or minors” and file a report with the court. Under that authority the council has adopted a number of rules of court specifically requiring the probation department to prepare various reports and recommendations, including social study reports on all wards, reports and recommendations on

¹ AB 946 would allow the delegation of adult probation services to a designated entity as well, but since the current text of the bill indicates that the designated department would be one with jurisdiction over youth development, we are focusing our opposition on the impacts for juvenile courts. If a county were to use this authority to delegate adult probation services to the county department with jurisdiction over youth development that would amplify and increase the potential harms to the administration of justice by creating uncertainty in criminal matters as well.

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whether a youth should be transferred to adult court or maintained under juvenile court jurisdiction, preparation of individualized rehabilitation plans for youth committed to a secure youth treatment facility, and petitions to seal juvenile court records.

These examples demonstrate the critical link between the probation department and the juvenile court which are not addressed in AB 946. Simply put, the juvenile courts would be unable to do their work without the services of the probation department in providing the court with reports and recommendations, supervising youth in the community, and overseeing the juvenile halls, ranches and camps which house these youth. Probation officers are peace officers under the law² with the powers and responsibilities attendant to that status, and there is nothing in AB 946 that indicates that the other county agencies serving youth would have those powers, which would undermine the trust of the court in their ability to protect public safety while overseeing youth subject to juvenile court jurisdiction. Juvenile probation officers are also required to complete specified training hours to ensure that they are prepared to implement the standards and regulations that apply in youth facilities. Absent very specific statutory requirements to ensure that these services can and will be provided safely and effectively by an alternative designated entity, the courts will be left in an untenable position with uncertainty about whether they can effectively adjudicate these essential matters and have their dispositional orders carried out by an agency that is responsive and accountable to the court.

For these reasons, the Judicial Council opposes AB 387.

Should you have any questions or require additional information, please contact Tracy Kenny at 916-323-3121.

Sincerely,



Cory T. Jaspersen
Director
Governmental Affairs

CTJ/TK/Imm

cc: Members, Assembly Public Safety Committee
Hon. Isaac G. Bryan, Member of the Assembly, 55th District
Mr. Ilan Zur, Counsel, Assembly Public Safety Committee
Mr. Gary Olson, Consultant, Assembly Republican Office of Policy
Mr. Jith Meganathan, Deputy Legislative Secretary, Office of the Governor
Ms. Michelle Curran, Administrative Director, Judicial Council of California

² See Welfare and Institutions Code section [283](#).