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[California Youth Authority.]

Resolution urging the San Francisco Trial Courts, District Attorney, Juvenile Probation

Department and Public Defender not to sentence or cause to be sentenced, any person

to the California Youth Authority (CYA) unless a CYA commitment is required by law.

WHEREAS, The juvenile justice system seeks to rehabilitate youthful offenders and avoid their return to the juvenile justice system in the future; and

WHEREAS, The California Youth Authority, a state agency, is charged with the responsibility of reforming, rehabilitating and caring for 4,600 wards at 11 institutions; and

WHEREAS, Youth who are charged in delinquency proceedings in matters before the San Francisco Trial Courts, may be sentenced to the California Youth Authority, which may retain jurisdiction until youths reach the age of 25; and

WHEREAS, Sentencing recommendations are provided to the San Francisco Trial Courts by the District Attorney, Public Defender and Juvenile Probation Department; and

WHEREAS, A series of reports, commissioned by the State Attorney General, have been released detailing serious allegations that the California Youth Authority provides poor and abusive treatment to youth in the areas of mental health, education, health care and discipline; and

WHEREAS, 65% of youth sentenced to the CYA suffer from mental disorders and 85% suffer from drug and alcohol addictions; and

WHEREAS, A report authored by Dr. Eric Trupin and Dr. Raymond Patterson found that nine CYA institutions were more like prisons than facilities designed to reform and

rehabilitate youthful offenders, and that the "vast majority of youths who have mental health needs are made worse instead of improved by correctional environment"; and

WHEREAS, The Trupin/Patterson report also found that youths received three to eight different psychotropic drugs without justification and that psychiatric treatment was routinely denied to youth in need; and

WHEREAS, A report authored by Dr. Barry Krisberg, president of the National Council on Crime and Delinquency, found that the CYA uses 70 cages in four facilities to house unruly youth, a practice Dr. Krisberg described as "degrading and antithetical to the mission and goals" of the California Youth Authority; and

WHEREAS, Dr. Krisberg also noted that a higher percentage of African American and Latino youth were placed in these cages; and

WHEREAS, Dr. Krisberg chronicled an alarming amount of violence and "an intense climate of fear" after visiting six youth correctional facilities, stating that "the YA is a very dangerous place, and neither staff nor wards feel safe in its facilities"; Dr. Krisberg reported over 4,000 assaults and 1,000 incidents of sexual harassment in the six institutions he visited in 2002; and

WHEREAS, Dr. Krisberg found that prison guards at the Herman G. Stark Youth Facility in Chino used chemical restrains 535 times, physician restrains 109 times and mechanical restraints 236 times in a four month period; and

WHEREAS, A report authored by Michael Puisis and Maddie LaMarre found substandard care for those with chronic diseases, including diabetes, hypertention and sickle cell anemia; and

WHEREAS, A report authored by Dr. Thomas O'Rourke and Dr. Robert Gordon, two Georgia educators, found that there are insufficient qualified teachers to staff CYA and that CYA's educational programs suffer from absenteeism as high as 30% a day; and

WHEREAS, The expert who authored the reports found that the California Youth Authority failing in 21 of 22 measures posed in question form by the Attorney General's Office; and

WHEREAS, The spokesperson for the CYA confirmed the findings of the experts, stating "the observations of the state experts in these areas are substantially correct"; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges the San Francisco Trial Courts, the District Attorney, the Public Defender and the Juvenile Probation Department to refrain from causing any San Francisco youth to be sentenced to the California Youth Authority (unless a YA commitment is required by law) unless and until reforms are introduced by the California Youth Authority to remedy the serious problems alleged in the reports; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges its state and federal legislative delegations to monitor the reforms of the California Youth Authority so as to meet its mission of reforming and rehabilitating youth offenders, and provide adequate mental health, health care, substance abuse treatment and education.



City and County of San Francisco Tails

City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

Resolution

File Number:	040202	[Date Passed:	
and Public Defende		ause to be senter	Attorney, Juvenile Probation Department nced, any person to the California Youth law.	
February 24, 2004	Board of Supervisors — ADOPTED Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval Excused: 1 - McGoldrick			
F	ile No. 040202		I hereby certify that the foregoing Res was ADOPTED on February 24, 2004 Board of Supervisors of the City and of San Francisco.	by the
			Som L. 2	
			Gloria L. Young Clerk of the Board	
	Date Approved		Mayor Gavin Newsom	***************************************

March 5, 2004

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board