

1 [California Youth Authority.]

2
3 **Resolution urging the San Francisco Trial Courts, District Attorney, Juvenile Probation**
4 **Department and Public Defender not to sentence or cause to be sentenced, any person**
5 **to the California Youth Authority (CYA) unless a CYA commitment is required by law.**
6

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

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

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

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

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

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

23 WHEREAS, A report authored by Dr. Eric Trupin and Dr. Raymond Patterson found
24 that nine CYA institutions were more like prisons than facilities designed to reform and
25

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

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

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

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

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

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

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

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

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

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

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

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



City and County of San Francisco

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

Tails
Resolution

File Number: 040202

Date Passed:

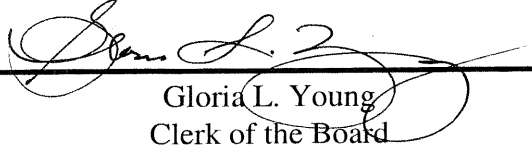
Resolution urging the San Francisco Trial Courts, District Attorney, Juvenile Probation Department and Public Defender not to sentence or cause to be sentenced, any person to the California Youth Authority (CYA) unless a CYA commitment is required by law.

February 24, 2004 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
Peskin, Sandoval
Excused: 1 - McGoldrick

File No. 040202

I hereby certify that the foregoing Resolution was ADOPTED on February 24, 2004 by the Board of Supervisors of the City and County of San Francisco.



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

File 040202