

1 [Supporting Transgender and Gender Non-Conforming Youth and Restorative Justice]

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3 **Resolution calling on the Contra Costa County District Attorney’s Office to dismiss the**
4 **charges filed against Jewlyes Klazson-Gutierrez and to offer community-based**
5 **alternatives and processes that will ensure accountability; and facilitate and support**
6 **healing, and restoration for the youth involved and impacted by the November 13, 2013,**
7 **incident at Hercules High School.**

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9 WHEREAS, Jewlyes Klazson-Gutierrez is a transgender high school student who is
10 facing criminal charges due to her role in a fight at school with students whom she alleges
11 bullied her repeatedly due to her gender identity; and

12 WHEREAS, Members of the West Contra Costa Unified School District school board
13 have apologized for the school administration not effectively responding to Jewlyes Klazson-
14 Gutierrez’s requests for protection from the harassment and intimidation she was
15 experiencing because of her transgender status before the altercation; and

16 WHEREAS, The Contra County District Attorney’s Office has discretion to decide
17 whether or not to file charges in any particular case; and

18 WHEREAS, Interaction with the juvenile justice system and the increased use of harsh
19 disciplinary sanctions against students often create and perpetuate negative outcomes
20 creating in effect a “school-to-prison pipeline” for youth of color and LGBTQ youth; and

21 WHEREAS, The United States Department of Justice and the Department of Education
22 have issued guidance linking the increased use of harsh disciplinary sanctions with negative
23 outcomes; and

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1 WHEREAS, The criminal prosecution of Jewlyes Klazson-Gutierrez will deepen the
2 wounds and harms on all sides, further exposing Jewlyes Klazson-Gutierrez to emotional and
3 mental health risks;

4 WHEREAS, Transgender and gender non-conforming students experience more
5 exclusion, discrimination, bullying, verbal harassment, and physical assaults at school in
6 comparison with their peers, impeding their ability to feel safe at school and thrive
7 academically and socially; and

8 WHEREAS, The commitment to upholding safety for all youth involves responding
9 holistically when safety has been compromised; now, therefore, be it

10 RESOLVED, That the San Francisco Board of Supervisors calls upon the Contra Costa
11 County District Attorney’s Office to dismiss the charges filed against Jewlyes Klazson-
12 Gutierrez and to offer community-based alternatives and processes that will ensure
13 accountability; and facilitate and support healing, and restoration for the youth involved and
14 impacted by the November 13, 2013, incident at Hercules High School.

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