


From: William Siffermann/JUV/SFGOV
To: Pauline Silva-Re/JUV/SFGOV@SFGOV
cc: julianclchang@gmail.com

Date: Wednesday, March 07, 2012 12:59PM
Subject: JPD EMAIL Response to Youth Commission's 2/27/12 Correspondence

History:  This message has been replied to.

Pauline,
 Please add this document to the materials offered for the next JPC meeting.

William Siffermann---02/27/2012 07:39:28 PM---Dear Director Yedidia and Members of the Youth Commission's Youth Justice Committee, Thank you for y

Dear Director Yedidia and Members of the Youth Commission's Youth Justice Committee,

Thank you for your memorandum in follow-up to our meetings and discussions. Please find my responses to the questions posed. I look forward to our future meetings.

William P. Siffermann
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[attachment "Follow up memo to JPD re outdoor recreation areas (2-27-2012).doc" deleted by Mario Yedidia/BOS/SFGOV]

**YOUTH COMMISSION
 MEMORANDUM**

TO: William P. Siffermann, Chief, Juvenile Probation Department

CC: Honorable Mayor Edwin M. Lee
 Honorable Members, Board of Supervisors

FROM: Members, Youth Justice Committee, Youth Commission
 Commissioner Rene Ontiveros, Chairman
 Commissioner Angel Carrion, Vice Chairman
 Commissioner Javonte Holloway, Member

DATE: Monday, February 27, 2012

RE: Outstanding questions & upcoming Youth Commission legislation regarding outdoor recreation areas and large muscle activity at Juvenile Hall

Background

Since our swearing in as Youth Commissioners six months ago, the Youth Commission's Youth Justice

Committee (YCYJC) has committed itself to collaborating with the Juvenile Probation Department (JPD) in order to increase the access that detainees have to the outdoor recreation areas at Juvenile Hall. These recreation areas consist of both two basketball courts and a large center area with a grass soccer field, tetherball and volleyball courts, and an amphitheater.

Thank you for the time you have devoted to date on this issue. We are grateful in particular for the written comments you provided on both the memo we sent you dated January 30, 2012 and the draft resolution we considered at our February 6, 2012 meeting; for coming to our February 6 meeting and answering Commissioners' questions; and for the private follow-up meeting we had on February 15.

We appreciate how responsive you have been to our concerns about the limited access that detainees currently have to the outdoor recreation areas. Thank you for the two commitments you have made thus far: to immediately increase access to the basketball courts, and to have JPD collaborate with YCYJC on compiling a set of best practices in the of field juvenile detention exercise and recreation. We're looking forward to collaborating with JPD to ensure that in the future detainees get one hour of good large muscle activity.

However, we still have questions. (The February 26, 2012 *Bay Citizen/New York Times* article on this issue encapsulates these questions well: <http://www.nytimes.com/2012/02/26/us/san-francisco-youth-panel-calls-for-detainee-use-of-outdoor-space.html>.)

We still don't understand what JPD needs to provide detainees with regular access to the main outdoor recreation area. And we are also still confused about how detainees are currently being provided with one hour of outdoor large muscle activity (weather permitting), as is called for Title 15 of the California Code of Regulations. ("The exercise program [of juvenile detention facilities] shall include the opportunity for at least one hour of outdoor physical activity each day, weather permitting. In the event that weather does not permit outdoor physical activity, at least one hour each day of exercise involving large muscle activities shall be provided," Cal. Admin. Code tit. 15, § 1371.)

This memo lays out our questions, as well as the commitments you have made thus far and our agreements to collaborate further on this issue. We plan to incorporate your responses to this memo into the final draft of our resolution regarding outdoor recreation at Juvenile Hall, on which we anticipate taking action on March 5, 2012 (and which we will share with you beforehand).

JPD Commitments To-Date & Upcoming JPD/YCYJC Collaborations

Our concerns about detainees' lack of regular access to the large outdoor recreation areas at Juvenile Hall were laid out in our January 30 memo and our draft resolution of February 6. In response, you indicated that JPD would immediately begin providing regular access to the two outdoor basketball areas during physical education. This is great—thank you again.

You also said at our February 15 meeting that you are open to having JPD staff meet with YCYJC to research national best practices in recreation activities at juvenile detention centers, so that JPD staff can provide detainees with structured activities when they're outside, and make sure that detainees get good workouts. We are excited to collaborate on this.

In addition, at our February 15 meeting you said you would be happy to begin meeting regularly with YCYJC members to monitor JPD's progress in increasing detainees' access to the outdoor basketball areas.

We have three questions about these commitments: ***Please find the bold italicized responses below.***

Can we plan on meeting monthly beginning in early April (provided that access to the basketball courts is supposed to begin in March)?

Sure. Contact my Assistant, Laura Azzolino to set up our first meeting in April, at which time we can establish our next three quarterly meeting dates and times.

Can we also include in these meetings a representative from the Juvenile Justice Commission, given that their

purpose is to "monitor compliance with established standards to ensure the health, education and welfare of minors under the jurisdiction of the Juvenile Court?" City and County of San Francisco Juvenile Justice Commission Bylaws, Article 1, Section 1.2

I would support this invitation being extended directly to the JJC Chairpersons, Chair Ivan Wachter, and Vice Chair Gwenyth Smith by YCYJC Members. I will also advance the notion of the JJC including the YCYJC in its regular inspections of the Juvenile Justice Center.

Finally, can we agree ahead of time on the data JPD will provide at these meetings to demonstrate progress (we understand this might require JPD to begin collecting data)?

I am open to discussing potential data elements at our first meeting, after consulting with the Assistant City Attorneys who represent your body and the JPD.

Outstanding Questions

What does JPD need, in the long term, to provide detainees with regular access to all of the outdoor recreation areas? In our conversations thus far, you've mentioned both capital and staffing needs.

That answer remains the same. Resources necessary to allow the safe and secure use of the center outdoor recreation area requires a yet to be determined amount of capital improvement dollars currently being estimated, and estimated dollars necessary to support supplemental recreational staffing beyond existing living unit staffing allocations.

However, we don't see any reference to the outdoor recreation areas in the 2012-2021 Capital Plan dealing with JPD (City and County of San Francisco, *Capital Plan Fiscal Years 2012-2021*, page 28, <http://onesanfrancisco.org/wp-content/uploads/Toc-Exec-2012-2021.pdf>). We understand that JPD has been waiting at least 2 months for an estimate on how much the capital improvements to the fence would cost. Do you have a timeline on when you will get this?

I have no knowledge about any estimate that JPD has been waiting for. I only recently requested an analysis shortly before our meeting two weeks ago. I do not have a time line, but please be aware that I cannot justify a fence replacement jumping ahead of other capital improvements previously prioritized by JPD at this juncture.

Likewise, we have not received word from you about how many more FTE's JPD would need to provide access to all of the outdoor recreation areas, and your budget request to the Mayor for the 2012-2013 fiscal year does not include any increased FTE's for this purpose.

I have not advocated for additional FTE's in the current budget proposal in furtherance of existing budget instructions. The need for additional staff is tied to the availability of a safe and secure center rec area , which is not in the imminent future. It is my current belief that existing living unit staffing allocations (FTEs) can provide sufficient supervision in the two side rec areas as planned for immediate use, as previously discussed with you.

If we know what JPD needs in terms of capital and staffing in order to provide full access to the outdoor recreation areas, YCYJC and the full Youth Commission can better advocate with the Mayor and the Board of Supervisors to provide JPD with those resources.

JPD will always appreciate the Youth Commission's support of our budget.

Finally, and most seriously, can you please help us understand how detainees are being provided with the one hour of outdoor large muscle activity each day they are recommended to have under Title 15? Right now, we just can't make the math add up.

While I'm happy to do the math together at our upcoming meeting, please be reminded that JPD has been found to be in compliance w/ Title 15 standards through opportunities made available to youth during weekday PE classes in the gym and during unit recreation periods using the unit courtyards, the gym, and now with the additional outside rec areas being made available, when weather permits.

From personal experience, we know that there are between three to four hours of "rec" time in a day at Juvenile Hall, Monday through Friday. Given that there is no data on how often detainees are using the outdoor recreation areas, our understanding is that the Title 15 regulation of one hour of outdoor large muscle activity is being fulfilled in the small courtyards adjacent to each unit.

However, given that no more than four (and at maximum five) youth are allowed at one time in these small courtyards adjacent to each unit, it does not seem possible to us for each detainee to get outside for one hour. (Incidentally, will you please tell us the dimensions of those small courtyards?) Will you please help explain this to us?

Sure. I intend to investigate how universal this practice is being applied and the logistical implications. I will provide further explanation at our first quarterly meeting. (Incidentally, even though I brought your group into one of these courtyard areas during our recent tour so you could get a personal sense of the general dimensions, I will be happy to provide you with the exact square footage of the courtyard area at our first quarterly meeting.)

Thank you & moving forward

Thank you very much, again, for all of the collaboration so far. Once more, we're looking forward to it continuing. ***As are we.***

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