



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 field of 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.¹)

¹ "Giving Detainees Access to Outdoor Recreation," Trey Bundy, *The Bay Citizen/New York Times*, Sunday, February 26, 2012. <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.²

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:

Can we plan on meeting monthly beginning in early April (provided that access to the basketball courts is supposed to begin in March)? 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?"³ 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)?

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.

² "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.

³ City and County of San Francisco Juvenile Justice Commission Bylaws, Article 1, Section 1.2

However, we don't see any reference to the outdoor recreation areas in the 2012-2021 Capital Plan dealing with JPD.⁴ 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?

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.

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.

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.

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?

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.

⁴ 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>.