

The following memo was written by Robert Dunlap, an attorney in the Public Defender's Office at the San Francisco Juvenile Justice Center. It was presented to the Board of Supervisors Government Audit and Oversight Committee on May 16, 2019.

FOURTEEN POINTS ON JUVENILE HALL

- 1) Though euphemistically named "counselors," most staff are anything but. They are jail guards, plain and simple. Though some are nice to the kids and care about them, many are gruff and surly, arbitrarily and at times vindictively enforcing nonsensical rules that result in "room time," another euphemism, for solitary confinement.
- 2) One such rule is silence while eating. During mealtime the kids sit at tables, huddled around their trays, forbidden to speak to one another. When I asked what the reason for this was, I was told "because that's the policy." The real reason, I suspect, as with most of the rules in Juvenile Hall, is to further the convenience of the guards. Silent kids are easier to manage. And if they transgress by speaking and receive room time, they become even easier to manage. Win-win.
- 3) On the topic of food, parents are allowed to bring snacks on Saturday. Nothing healthy or homemade – only soda and prepackaged junk food.
- 4) Which brings us to visiting. No grandparents, aunts, uncles, adult siblings, minor siblings, godparents, ministers or friends of the family, unless they are the legal guardians. Otherwise just the parents. Many times a single parent is strapped with trying to work, run a household and look after younger children, thus cannot visit as often as they'd like, so having a grandparent come is a logical solution. Not to JPD, whose justification is "How do we know they really are the grandparents?"
- 5) Even for the parents, visiting can be rough sledding. None allowed on Mondays or Fridays, 50-minute time slots on Saturdays and Sundays in the MPR with dozens of other people around, and during the week you can only have an afternoon pass (before dinner) or an evening pass (after dinner). A parent cannot visit a child both times on a given day, NOR can they alternate (afternoon one day, evening the next) – you get one type of pass only. So parents with variable work schedules can only visit when their shift coincides with their pass.
- 6) Passes are generally issued in 30-day increments, so if you're kid is in longer and you don't notice the expiration date you can come home from work, feed the kids, drive here and be turned away. I've seen this happen to people that drove for hours to get here, all for naught.
- 7) After visiting with their parents, under direct observation by staff, the children are taken to a shower stall and strip searched by a guard.

- 8) Even for kids not being punished, the default is room confinement, with exceptions carved out for meals, school and various programming. Often a guard will be sitting alone watching a football game on a Sunday with every kid locked up in his room.
- 9) In spite of recent anti-shackling laws, kids are vastly over restrained in Juvenile Hall. Even when walking from Unit 7 to the MPR, a distance of some 15 feet, a kid is shackled behind his back, walked over, unshackled, then reshackled for the return trip. This, in a place where every entrance is locked and controlled with multiple steel doors. This further imprints on the kids the notion they are criminals, as if the whole Juvenile Hall atmosphere were not enough, complete with sleeping on concrete slabs and using steel toilets. As District Attorney George Gascon stated in a recent Chronicle article, “We recognized that institutionalizing people, especially young people for low-level offenses, actually has the reverse impact. It doesn’t deter them.”
- 10) Kids are not allowed to sleep in the dark. A light is kept on, and if the kid puts a piece of paper over it to darken the room in order to sleep, more room time.
- 11) Demerit-based point system: kids are categorized as being on Level 1 -4 based on time (it takes a week to move up a level) and lack of negative performance. Transgressions, such as having too many books in your room (that’s actually a rule) result in level reduction. Doing something well, on the other hand, like getting straight As, does not yield promotion. This is a microcosm of the system as a whole – negative reinforcement based on antiquated deterrence models. People in general, and children in particular, respond much more favorably to positive reinforcement.
- 12) When a child is injured (by Juvenile Hall staff or otherwise) and needs to go to the hospital the parents are not informed until well after the fact, generally after the kid has returned to custody. Thus parents are not afforded the opportunity to visit in the hospital and confer on treatment options.
- 13) Children are largely isolated from the outside world. They are not allowed to watch the news or read newspapers, even the sports page or the comics (for fear of inciting gang violence), yet they are allowed to watch movies and listen to music with foul language, antisocial themes and misogynous messages, material many parents would not condone at home.
- 14) Because the children are not serving sentences per se, they have no release date. From day to day, week to week, they never know what day they will be released from custody. Nor do they know what time it is on a given day, as there are no clocks in any of the housing units, ostensibly so the kids cannot coordinate an escape plan. Serving time is hard for anyone; all the more so when you cannot keep track of it.