

1 [Resolution in support of Youth Justice Reform]

2 **Resolution urging the Mayor and Board of Supervisors to reduce the imprisonment of**
 3 **transitional age youth, implement alternatives to incarceration for Transitional Aged Youth,**
 4 **reject any funding for major renovation, reopening, or construction of jail facilities, and instead**
 5 **invest in programming supporting at-risk Transitional Aged Youth and Positive Youth**
 6 **Development.**

7 WHEREAS, the Youth Commission has previously passed a motion on April 3rd, 2017 urging
 8 the Board and Mayor to hold a hearing on alternatives to incarceration⁽⁸⁾; and

9 WHEREAS, out-of-detention alternatives and Restorative Justice efforts have reduced the
 10 average daily incarcerated population amongst juveniles by over 37% from 2011 to 2015⁽⁷⁾; and

11 WHEREAS, during the same time period juvenile bookings were also reduced by over 38%
 12 without an uptick in crime rates from 2011 to 2015⁽⁷⁾; and

13 WHEREAS, 22% of San Francisco's adult system cases are Transitional Aged Youth
 14 ("TAY")⁽⁶⁾; and

15 WHEREAS, TAY are only 8% of San Francisco's population⁽⁶⁾; and

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 19 ¹ Wiltz, Teresa. "Children still funneled through adult prisons, but states are moving against it." *USA Today*, Gannett Satellite Information Network, 22 June 2017, www.usatoday.com/story/news/2017/06/17/how-raise-age-laws-might-reduce-recidivism/400065001/.

20 ² "Department for Children and Families." *Governor Signs Law Creating More Rational Juvenile Justice Policies in Vermont | Department for Children and Families*, 1 June 2016, dcf.vermont.gov/dcf-blog/governor-signs-law-creating-more-rational-juvenile-justice-policies-vermont

21 ³ Justice, Vera Institute of. "Incarceration Trends." *Vera Institute of Justice*, trends.vera.org/rates/San-Francisco-County-CA?incarcerationSource=black&incarceration=disparity.

22 ⁴ "City Performance Scorecards." *City and County of San Francisco*, sfgov.org/scorecards/county-jail-population.

23 ⁵ S.P. Sullivan | NJ Advance Media for NJ.com. "Here's how much N.J. jail population fell since bail reform." *NJ.com*, NJ.com, 23 Aug. 2017, www.nj.com/politics/index.ssf/2017/07/njs_bail_population_dropped_20_percent_in_6_months.html.

24 ⁶ "San Francisco Youth Commission Justice & Employment Committee Draft - Minutes 5:00-7:00 PM Monday November 27, 2017 ." Youth Commission, 27 Nov. 2017.

25 ⁷ "Juvenile Probation Department." *City and County of San Francisco*, http://sfgov.org/juvprobation/sites/default/files/2015AnnualReport_Statistics.pdf

⁸ "San Francisco Youth Commission"

<http://sfgov.org/youthcommission/sites/default/files/Four%20YC%20Actions%20from%20April%203%2C%202017.pdf>

⁹ "Raising the Age: Shifting to a Safer and More Effective Juvenile Justice System." Justice Policy Institute.

¹⁰ Henderson-Frakes, Jennifer, et al. "An Evaluation of San Francisco's Young Adult Court (YAC) Findings on Planning and Early Implementation." SPR Social Policy Research Associates , May 2017.

1 WHEREAS, prison environments are no place for young growing minds to develop and can
 2 negatively impact their mental growth. Research has demonstrated that young people's brains are still
 3 developing until the age of 25 which leaves them vulnerable to develop mental health related
 4 illnesses⁽¹⁾; and

5 WHEREAS, young adults ages 18-25 represent 25% of the county jail population, had the
 6 highest number of "bed days" of any age group in SF county jails, and had the most prolonged jail
 7 stays of any age group⁽⁶⁾; and

8 WHEREAS, in June of 2016 State of Vermont enacted a law which will raise the age of criminal
 9 responsibility to 21⁽²⁾; and

10 WHEREAS, in February of 2017 the State of Connecticut has also introduced similar
 11 legislation⁽¹⁾; and

12 WHEREAS, the prison industrial complex, including jailing and policing in San Francisco,
 13 disproportionately affects low-income communities of color; and

14 WHEREAS, San Francisco has prided itself on its historic values of diversity and equity, and
 15 yet, in 2015, African Americans represented over 55% of the incarcerated population while only 5.3%
 16 of the overall population⁽³⁾; and

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 18 ¹ Wiltz, Teresa. "Children still funneled through adult prisons, but states are moving against it." *USA Today*, Gannett Satellite Information Network, 22
 19 June 2017, www.usatoday.com/story/news/2017/06/17/how-raise-age-laws-might-reduce-recidivism/400065001/.

² "Department for Children and Families." *Governor Signs Law Creating More Rational Juvenile Justice Policies in Vermont | Department for Children
 20 and Families*, 1 June 2016, dcf.vermont.gov/dcf-blog/governor-signs-law-creating-more-rational-juvenile-justice-policies-vermont

³ Justice, Vera Institute of. "Incarceration Trends." *Vera Institute of Justice*, [trends.vera.org/rates/San-Francisco-County-
 21 CA?incarcerationSource=black&incarceration=disparity](http://trends.vera.org/rates/San-Francisco-County-CA?incarcerationSource=black&incarceration=disparity).

⁴ "City Performance Scorecards." *City and County of San Francisco*, sfgov.org/scorecards/county-jail-population.

⁵ S.P. Sullivan | NJ Advance Media for NJ.com. "Here's how much N.J. jail population fell since bail reform." *NJ.com*, NJ.com, 23 Aug. 2017,
 22 www.nj.com/politics/index.ssf/2017/07/njs_bail_population_dropped_20_percent_in_6_months.html.

⁶ "San Francisco Youth Commission Justice & Employment Committee Draft - Minutes 5:00-7:00 PM Monday November 27, 2017 ." Youth Commission,
 23 27 Nov. 2017.

⁷ "Juvenile Probation Department." *City and County of San Francisco*, http://sfgov.org/juvprobation/sites/default/files/2015AnnualReport_Statistics.pdf

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 25 Social Policy Research Associates , May 2017.

1 WHEREAS, 85% of people incarcerated in San Francisco county jails are awaiting trial and
2 have not been convicted⁽⁶⁾; and

3 WHEREAS, the cash bail system also disproportionately impacts low-income communities of
4 color; and

5 WHEREAS, in January of 2017 the State of New Jersey recently eliminated its cash bail
6 system to address these disparities, resulting in a 20% decrease in its incarcerated population⁽⁵⁾; and

7 WHEREAS, previous Restorative Justice and collaborative court models policy enacted to
8 support juveniles and TAY has demonstrated reduced costs and recidivism rates⁽⁶⁾; and

9 WHEREAS, the Young Adult Court, which began in 2015, has closed its doors to new cases
10 three times in the last year due to capacity, and is expected to be immediately full again after
11 expanding its services to a second court day in 2018⁽⁶⁾; and

12 WHEREAS, the success with the decarceration of younger teenagers, the pretrial jail
13 population, and disproportionate representation of TAY should alert us to an opportunity to find
14 alternatives to incarceration for this population; and

15 WHEREAS, such opportunities for possible out-of-detention alternatives could include
16 diversion or collaborative court options; changes to bail and pretrial detention policies for youth;
17 reduction of felony charges for phone thefts; increasing TAY specific behavioral health services; and

18 ¹ Wiltz, Teresa. "Children still funneled through adult prisons, but states are moving against it." *USA Today*, Gannett Satellite Information Network, 22
19 June 2017, www.usatoday.com/story/news/2017/06/17/how-raise-age-laws-might-reduce-recidivism/400065001/.

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Social Policy Research Associates , May 2017.

1 changes to policy regarding classifications of TAY held in county jails in order to reduce the need for
 2 increased bed capacity within our county jail system; and

3 WHEREAS, the Youth Commission unequivocally supports San Francisco Youth who are
 4 involved in the justice system; and

5 WHEREAS, the Board of Supervisors has previously unanimously rejected funding capital
 6 expenditures for new jail construction; and

7 WHEREAS, this legislation has the support, and cosponsorship of the Center on Juvenile and
 8 Criminal Justice and Project WHAT!; and now therefore be it

9 RESOLVED, that the Youth Commission stands in solidarity with communities of color to
 10 address the impacts of disproportionate targeting by the criminal justice system; and be it further

11 RESOLVED, that the Youth Commission urges the Mayor and Board of Supervisors to take
 12 immediate steps to reduce our incarcerated Transitional Aged Youth population by 50% in the next 5
 13 years by implementing robust policy changes such as, but not limited to, expanding the TAY
 14 Collaborative Court, increasing funding for Transitional Aged Youth behavioral health services,
 15 advocating that the District Attorney restructure how it charges young adults for nonviolent felonies,
 16 specifically related to “snatch and grab” theft, and encouraging the Judiciary to enact policies
 17 reforming the bail system to better serve low income communities; and be it further

18 ¹ Wiltz, Teresa. “Children still funneled through adult prisons, but states are moving against it.” *USA Today*, Gannett Satellite Information Network, 22
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1 RESOLVED, that in light of this reduction in jail population, the Youth Commission urges the
 2 Mayor and Board of Supervisors to reject any financing, debts, or certificates of participation to reopen,
 3 construct, or renovate existing jails; and be it further

4 RESOLVED, that the Youth Commission urges the Mayor and Board of Supervisors to instead
 5 invest any aforementioned capital expenditures on programming to support at-risk, and justice
 6 involved, Transitional Aged Youth; and be it further

7 RESOLVED, that the Youth Commission urges the Mayor and Board of Supervisors to
 8 prioritize the development of low-income housing, create more small, community-based residential
 9 behavioral health treatment centers, and create a walk-on calendar for persons with bench warrants to
 10 reduce bookings for these warrants, which are recommendations created by the Work Group to Re-
 11 Envision the Jail Replacement Project dedicated to supporting the Mayor and Board of Supervisors in
 12 developing a plan for the closure of County Jail 3 and County Jail 4⁽¹⁰⁾; and be it further

13 RESOLVED, that the Youth Commission urges the Board of Supervisors to request a Budget &
 14 Legislative Analyst report on the financial and decarceration impacts of these strategies, and
 15 be it finally

16 RESOLVED, that the Youth Commission urges the Mayor and Board of Supervisors to stand in
 17 solidarity with the Youth Commission, Project WHAT!, No New Jail SF Coalition, the Center on

18 ¹ Wiltz, Teresa. "Children still funneled through adult prisons, but states are moving against it." *USA Today*, Gannett Satellite Information Network, 22
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 Social Policy Research Associates, May 2017.

Juvenile Criminal Justice, and the youth of San Francisco, in rejecting further expenditures on our jail system, and taking immediate action to reduce the incarcerated Transitional Aged Youth population in the jail system.

Chiara Lind, Chair, 2017-18 Youth Commission
Adopted on February 5, 2018

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