

1 [Urging Access to the Juvenile Justice Center’s Outdoor Recreation Areas]

2 **Resolution urging the Mayor and Board of Supervisors to assure that the Juvenile Probation**  
3 **Department can provide its detainees regular and safe access to the outdoor recreation areas**  
4 **at the Juvenile Justice Center.**

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6 WHEREAS, The San Francisco Juvenile Probation Department (JPD) opened a newly  
7 constructed Juvenile Justice Center (JJC) on December 31<sup>st</sup>, 2006, which was the result of a \$47.4  
8 million renovation project;<sup>1</sup> and

9 WHEREAS, The renovated JJC’s outdoor recreation areas consist of both two basketball  
10 courts and a large center area with a grass soccer field, tetherball and volleyball courts, and an  
11 amphitheater; and

12 WHEREAS, These outdoor recreation areas have been tremendously under-utilized for the  
13 past five years, because the renovation failed to include improvements that would allow the safe and  
14 secure use of the large center area by detainees; and

15 WHEREAS, In addition to this capital improvement issue, JPD asserts that current staffing  
16 levels are insufficient to ensure resident safety and to provide proper supervision of detainees in the  
17 outdoor recreation areas; and

18 WHEREAS, According to the “Minimum Standards for Juvenile Facilities” laid out in Title 15 of  
19 the California Code of Regulations, “The exercise program [of juvenile detention facilities] shall include  
20 the opportunity for at least one hour of outdoor physical activity each day, weather permitting. In the  
21 event weather does not permit outdoor physical activity, at least one hour each day of exercise  
22 involving large muscle activities shall be provided;”<sup>2</sup> and

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25 <sup>1</sup> “S.F. sues architects of over-budget juvenile hall,” *San Francisco Chronicle*, March 30, 2009,  
<http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2009/03/29/BAN716O7E5.DTL>.

<sup>2</sup> Cal. Admin. Code tit. 15, § 1371 (d).

1 WHEREAS, The Title 15 also states, “Juvenile facilities shall provide the opportunity for  
2 recreation and exercise a minimum of three hours a day during the week and five hours a day each  
3 Saturday, Sunday or other non-school days, of which one hour shall be large muscle exercise, as  
4 noted in item (d) above. Such recreation and exercise schedule shall be posted in the living units;”<sup>3</sup>  
5 and

6 WHEREAS, Despite the fact that JPD was found to be in compliance with Title 15 in their 2010  
7 biannual state inspection, Chief Siffermann cannot say with certainty that every kid has had his or her  
8 opportunities to go outside;<sup>4</sup> and

9 WHEREAS, Each living unit at the JJC has an adjacent open-air courtyard; and

10 WHEREAS, These adjacent courtyards are small and JPD staff limit the number of detainees  
11 who can access them at one time during recreation hours, to the extent that it is doubtful that each  
12 detainee has been getting one hour of outdoor large muscle activity each day; and

13 WHEREAS, Vitamin D is an essential nutrient that is produced in the skin and activated by  
14 absorbing direct sunlight, which can prevent health defects like depression, anxiety, osteoporosis,  
15 various types of cancer, prostate cancer, etc. Vitamin D cannot be absorbed through glass which  
16 means that one must be outside to benefit from the nutrient and avoid vitamin d deficiency;<sup>5</sup> and

17 WHEREAS, Populations of incarcerated youth are more susceptible to psychological  
18 complications like depression and anxiety than youth who are not detained and intensive aerobic  
19 exercise has been scientifically proven to improve self-esteem, social behavior, and battle depression  
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23 <sup>3</sup> Cal. Admin. Code tit. 15, § 1371 (e).

24 <sup>4</sup> “Giving detainees access to outdoor recreation,” Trey Bundy, February 26, 2012, *Bay Citizen/Sunday New York*  
25 *Times*, <http://www.nytimes.com/2012/02/26/us/san-francisco-youth-panel-calls-for-detainee-use-of-outdoor-space.html>.

<sup>5</sup> “Vitamin D myths, facts, and statistics,” Mike Adams,  
<http://www.naturalnews.com/003069.html#ixzz1kd1eHAhJ>.

1 and anxiety, and while less intense physical activity can be helpful, it isn't as effective as really intense  
2 aerobic large muscle activity;<sup>6</sup> and

3 WHEREAS, The California Code of Regulations also says, "Each juvenile facility shall:  
4 have an adequate number of personnel sufficient to carry out its program, to provide for safety and  
5 security of minors and staff, and meet established standards and regulations [and] ensure that no  
6 required services shall be denied because of insufficient numbers of staff on duty absent exigent  
7 circumstances;"<sup>7</sup> and

8 WHEREAS, The Code goes on to say that, "Staffing shall be in compliance with a minimum  
9 child-staff ratio for the following facility types [...] during the hours that minors are awake, one wide-  
10 awake child supervision staff member on duty for each 10 minors in detention;" and

11 WHEREAS, At JPD's JJC, there are three counselors on duty for each unit, and each unit has  
12 at maximum twenty detainees; and

13 WHEREAS, As a result of email correspondence, private meetings, and other conversations  
14 over the course of the last few months between Youth Commission Youth Justice Committee (YCYJC)  
15 members and staff, on the one hand, and the Chief Juvenile Probation Officer and other JPD staff, on  
16 the other hand, JPD has committed to the following:

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- to provide immediate, regular access to the basketball courtyards;
  - to meet regularly with YCYJC members along with members of the Juvenile Justice  
18 Commission (JJ Commission);<sup>8</sup>
  - to advance the notion that the JJ Commission include the YCYJC in its regular inspections at  
19 the JJC;
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23 <sup>6</sup> "The psychological benefits of exercise and the treatment of delinquent adolescents." JR MacMahon. *Sports Med.* 1990 Jun;9(6):344-51. Review.

24 <sup>7</sup> Cal. Admin. Code tit. 15, § 1321 (a) and (b).

25 <sup>8</sup> The purpose of the JJ Commission 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

- 1 • to research best practices in juvenile detention-based exercise curriculum (perhaps in
- 2 collaboration with YCYJC members); and
- 3 • to include in the bulletin boards on each living unit informational materials about youth
- 4 advocacy opportunities available to detainees upon their release (including, but not limited, to
- 5 serving on the Youth Commission and Student Advisory Council); and

6 WHEREAS, In these communications between the YCYJC and JPD, the Department has

7 stated that full access to the center recreation area depends on capital improvements to the fence, but

8 JPD has not included these improvements in its *2012-2021 Capital Plan*; JPD is waiting on an

9 estimate as to how much these improvements would cost (though the YCYJC requested that JPD

10 provide an estimate of this figure in December<sup>9</sup>); and the Department has said that it “cannot justify a

11 fence replacement jumping ahead of other capital improvements previously prioritized by JPD at this

12 juncture;”<sup>10</sup> and

13 WHEREAS, The mission of the Juvenile Probation Department is “to serve the needs of youth

14 and families who are brought to [the department’s] attention with care and compassion; to identify and

15 respond to the individual risks and needs presented by each youth; to engage fiscally sound and

16 culturally competent strategies that promote the best interests of the youth; to provide victims with

17 opportunities for restoration; to identify and utilize the least restrictive interventions and placements

18 that do not compromise public safety; to hold youth accountable for their actions while providing them

19 with opportunities and assisting them to develop new skills and competencies; and contribute to the

20 overall quality of life for the citizens of San Francisco within the sound framework of public safety as

21 outlined in the Welfare & Institutions Code;”<sup>11</sup> now, therefore, be it

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24 <sup>9</sup> Email correspondence between Allison Magee (JPD) and Mario Yedidia (Youth Commission), December 21,

25 2012.

<sup>10</sup> Email correspondence between William P. Siffermann (JPD) and YCYJC, February 27, 2012.

<sup>11</sup> Juvenile Probation Department website, <http://sfgov3.org/index.aspx?page=2262>.

1           RESOLVED, That the San Francisco Youth Commission urges the Mayor and the Board of  
 2 Supervisors to take seriously the fact that the outdoor recreation areas at JPD have been  
 3 tremendously underutilized for over five years; and be it further

4           RESOLVED, That the Youth Commission urges the Mayor and the Board of Supervisors to  
 5 compel the Department to develop and implement a set of best practices in juvenile detention-based  
 6 exercise curriculum; and be it further

7           RESOLVED, That the Youth Commission urges the Mayor and the Board of Supervisors to do  
 8 everything in their power to provide JPD with the capital and staffing resources the department needs  
 9 to provide detainees with safe and secure access to the full outdoor recreation areas (and if these  
 10 needs are currently unknown, that the Mayor and Board provide the Department with the resources it  
 11 needs to determine the capital improvements and staffing that are necessary for safe and secure  
 12 access); and be it further

13           RESOLVED, That the Youth Commission urges the Mayor and the Board of Supervisors to  
 14 ensure that JPD follows through on its aforementioned commitments; and be it finally

15           RESOLVED, That the Youth Commission acknowledges and appreciates the responsiveness  
 16 of Chief Juvenile Probation Officer William P. Siffermann in the handling of this matter to date—and for  
 17 the commitments JPD has made to date, including providing immediate access to the basketball  
 18 courts—and looks forward to further collaborating with JPD on this and other issues.

19 *Leah LaCroix*  
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 22 LEAH LACROIX  
 23 2011-2012 YOUTH COMMISSION CHAIR  
 24 ADOPTED BY YOUTH COMMISSION  
 25 MARCH 5, 2012