



December 23, 2020

The Honorable Gavin Newsom  
Governor, State of California  
State Capitol, First Floor  
Sacramento, CA 95814

**RE: New COVID-19 surge at the Division of Juvenile Justice (DJJ)**

Dear Governor Newsom:

The Division of Juvenile Justice (DJJ) is in the midst of a dangerous second-wave COVID-19 outbreak that requires immediate action from state leadership. To date, 119 youth have tested positive for the virus out of a population of just 768.<sup>1</sup> COVID-19 is spreading quickly through DJJ due to its cramped, prison-like conditions, including some open dormitory living units. For months, DJJ has withheld vital public health information, including the locations of its largest outbreaks. This has left Californians in the dark and families in fear. The latest surge in coronavirus cases, which was first reported in late November, demonstrates that DJJ is failing in its efforts to contain the virus. The state must step in to significantly reduce DJJ's population and improve conditions for the youth who remain.

In June, DJJ reported its first COVID-19 case. Over the months that followed, the division was slow to implement basic safety precautions, such as enforced mask-wearing or universal testing.<sup>2</sup> The result was a fast-moving outbreak that put hundreds of youth and staff at risk. DJJ's mishandling of its summertime crisis is a warning to the state as we grapple with the most dangerous stage of the pandemic. State leaders must heed these lessons to ensure that youth are kept safe – both from the deadly virus and the devastating effects of isolation.

COVID-19 can strike people of any age. Children and youth around the world have died or been hospitalized after developing an inflammatory condition that can result from COVID-19.<sup>3</sup> As of December 2<sup>nd</sup>, 528 people under the age of 25 have died of COVID-19 in the United

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<sup>1</sup> California Department of Corrections and Rehabilitation. (2020). Division of Juvenile Justice. At: <https://www.cdcr.ca.gov/juvenile-justice/>.

<sup>2</sup> Center on Juvenile and Criminal Justice. (2020). DJJ Fails to Protect Youth Amid COVID-19 Pandemic. At: <http://www.cjcj.org/news/13019>.

<sup>3</sup> Centers for Disease Control and Prevention. (2020). Multisystem Inflammatory Syndrome in Children (MIS-C) Associated with Coronavirus Disease 2019 (COVID-19). At: <https://emergency.cdc.gov/han/2020/han00432.asp>.

States.<sup>4</sup> Young people who survive a serious infection may face a lifetime of health repercussions, such as irreversible damage to their lungs, heart, or brain.<sup>5</sup>

Youth in the juvenile justice system have been particularly hard hit by COVID-19. As of September 23rd, 1,805 youth in juvenile justice facilities had been diagnosed with the coronavirus.<sup>6</sup> Research by The Sentencing Project shows that two of the ten largest COVID-19 outbreaks in the nation took place in California: one at the Los Angeles County Central Juvenile Hall and the other at the DJJ Ventura Youth Correctional Facility, which sickened 42 out of approximately 250 youth.<sup>7</sup> Young people are particularly vulnerable to the psychological effects of isolation. Youth facilities, like DJJ, that have failed to prevent the spread of infection on the front end are subjecting much of their youth population to harmful lockdown conditions – an added trauma amid the stress of family separation and a frightening pandemic.

DJJ must shrink its population in order to reduce the need for isolation and keep youth safe from COVID-19. Three of its facilities maintain populations of over 150 and, at the height of its summertime outbreak, DJJ held one-third of youth in open dormitory facilities.<sup>8</sup> Given DJJ's antiquated design and communal living units, it is impossible for youth to maintain safe physical distances. In recognition of the dangers of congregate settings, California has released thousands of adults from CDCR institutions under your leadership. Yet DJJ's population was excluded from these opportunities, leaving hundreds of young people in harm's way. To safeguard the mental health and physical well-being of youth, we urge the following immediate actions:

- Report COVID-19 data by facility, include testing numbers and a timeline of positive and negative results dating to March;
- Provide all youth and staff with adequate PPE and strictly enforce staff mask-wearing requirements;
- Make COVID-19 testing available upon request to 100% of youth in all DJJ facilities;
- Indefinitely halt intake until the virus risk subsides both inside and outside of the facilities;
- Meaningfully reduce population density by 1) cooperating with defense attorneys on 779 recall petitions and 2) considering early release for youth who are within six months of their parole date and/or youth who are medically vulnerable.

Over the next several years, the state will move toward closing its facilities in favor of local programs. However, youth who remain at DJJ through this transition must navigate increasingly

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<sup>4</sup> Centers for Disease Control and Prevention. (2020a). Weekly Updates by Select Demographic and Geographic Characteristics: Provisional Death Counts for Coronavirus Disease 2019 (COVID-19): Updated November 4, 2020. At: [https://www.cdc.gov/nchs/nvss/vsrr/covid\\_weekly/index.htm](https://www.cdc.gov/nchs/nvss/vsrr/covid_weekly/index.htm).

<sup>5</sup> Mayo Clinic. (2020). COVID-19 (coronavirus): Long-term effects. At: <https://www.mayoclinic.org/diseases-conditions/coronavirus/in-depth/coronavirus-long-term-effects/art-20490351>.

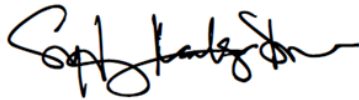
<sup>6</sup> Rovner, J. (2020). Youth Justice Under the Coronavirus: Linking Public Health Protections with the Movement for Youth Decarceration. *The Sentencing Project*. At: <https://www.sentencingproject.org/wp-content/uploads/2020/09/Youth-Justice-Under-the-Coronavirus.pdf>.

<sup>7</sup> Carlson, C. (2020). Coronavirus: 42 youth test positive at state youth correctional facility near Camarillo. *The Ventura County Star*. At: <https://www.vcstar.com/story/news/local/2020/08/15/coronavirus-california-covid-19-camarillo-state-youth-prison/5583119002/>

<sup>8</sup> Center on Juvenile and Criminal Justice. (2020). Division of Juvenile Justice Data. At: <http://www.cjcj.org/Policy-analysis/Transparency-and-Accountability/Division-of-Juvenile-Justice-Data.html>.

hazardous conditions, including high rates of violence, frequent staff use of force, and, now, rampant COVID-19 infections.<sup>9,10</sup> With current restrictions on visitation, there are many fewer eyes on the system. Yet DJJ's pending closure is likely to affect staff morale, with potential for neglect and harsher treatment of youth. Now is the time to increase safety measures and hold DJJ accountable. We urge swift action that prioritizes transparency, commonsense public health measures, and population reduction.

Sincerely,



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David Chiu  
Assemblymember, District 17



Cristina Garcia  
Assemblymember, District 58



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Steven Bradford  
Senator, District 35

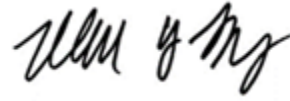
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<sup>9</sup> Center on Juvenile and Criminal Justice. (2019). Unmet Promises: Continued Violence and Neglect in California's Division of Juvenile Justice. At: <http://www.cjcj.org/news/12466>.

<sup>10</sup> Center on Juvenile and Criminal Justice. (2020). A Blueprint for Reform: Moving Beyond California's Failed Youth Correctional System. At: <http://www.cjcj.org/news/12842>.



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