

Eliminate Harmful Time Adds for Imprisoned Youth



AB 999 (Skinner)

PROBLEM

Youth in California's youth prison system serve the longest sentences in the nation. In 2004, California's average length of stay was three times as long as the average sentences of 19 other states.¹ Based on an indeterminate sentencing scheme, youth are imprisoned in the Division of Juvenile Justice ("DJJ") an average of nearly 3 years.² More than a third of that time is due to "time adds."³ Time adds are disciplinary sanctions that delay parole consideration dates by up to one year. Parole consideration dates (PCDs) are set by DJJ when a youth arrives at DJJ, and represent the earliest date that a youth could be eligible for release on parole.

DJJ spends \$234,000 per youth, per year. Time adds tack on an additional net average 12.7 months to a youth's stay. That amounts to \$247,650 in additional expenses for each youth at DJJ. Time adds for the entire population of youth currently at DJJ will cost the state over \$418,528,500.

In addition to extra budgetary costs, overly lengthy sentences prolong the damage caused to youth by DJJ's notorious, failing system. DJJ's violent, warehouse conditions create a hostile environment that is structurally unsuitable for rehabilitation. When offered, treatment programs are inconsistent and inadequate.

¹ Murray, Chris, et al. (2006.) Safety and Welfare Remedial Plan: Implementing Reform in California. California Department of Corrections and Rehabilitation Division of Juvenile Justice.

² California Department of Corrections, Office of Research. "Fall 2008 Population Projections." September 15, 2008.

³ Id.

Furthermore, longer sentences do not correlate with increased public safety. Increasing lengths of stay in DJJ has not helped youth meet their rehabilitative needs. Recidivism rates remain high, at over 70%. DJJ has demonstrated time and again that it is not capable of providing youth with the proper treatment and education that they need in order to successfully transition back into their communities upon release. In a recent receivership hearing, experts testified that even four years after promising to reform itself, the DJJ remains essentially the same.⁴

Research demonstrates that punishment models are ineffective at changing youths' behavior, both inside and out of prison settings.⁵ In contrast, positive behavior incentives have been shown to have a dramatic impact in reducing problem behaviors.⁶

EXISTING LAW

Existing law allows DJJ to extend a ward's parole consideration date from one to not more than 12 months. Existing law establishes a complicated "good time" system that does not provide day-for-day credit.

THIS BILL

This bill would provide for earlier opportunities for parole consideration for youth as incentive for them to participate in programs. Specifically, this bill amends state law to remove the authority of DJJ to extend

⁴ *Farrell v. Tilton*

⁵ Nelson, Michael, George Sugai and Carl Smith. Positive Behavior Support Offered In Juvenile Corrections. National Association of State Directors of Special Education (NASDSE).

⁶ Id.

the parole consideration date of juvenile offenders; and allows juvenile wards to receive day-for-day “program time” credits for participation in vocational, educational, rehabilitation, and drug treatment (etc.) programs. “Program Credits” can earn juveniles an earlier Parole Hearing.

SUPPORT

Books Not Bars (Sponsor)
National Council on Crime and Delinquency
California Council of Churches
Commonweal
Center of Juvenile and Criminal Justice
Haywood Burns Institute
Youth Justice Institute
Asian Law Caucus

OPPOSITION

None recorded.