



NATIONAL CENTER FOR LESBIAN RIGHTS

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Assemblymember Jose Solorio
Chair, Public Safety Committee
2400 E. Katella Avenue, Suite 640
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Re: AB 999 (Skinner)

The National Center for Lesbian Rights (NCLR) strongly supports AB 999 (Skinner), a bill to enhance incentives for youth in California's notorious Division of Juvenile Justice (DJJ). NCLR is a national legal organization committed to advancing the civil and human rights of lesbian, gay, bisexual, and transgender (LGBT) people and their families through litigation, public policy advocacy, and public education. NCLR is fully committed to the welfare and safety of youth in the juvenile justice system.

Youth in the DJJ currently spend nearly three years behind bars with over a third of that time due to "time-adds". "Time-adds" are a disciplinary sanction that delay a youth's eligibility to appear before the Parole Board. While an appearance before the Board does not guarantee release, AB 999 provides youths with more opportunities to demonstrate their readiness for release.

AB 999 eliminates the DJJ's use of "time-adds," a practice that contributes to disproportionately long sentences for youth in California. NCLR has long been concerned about DJJ's inappropriate use of "time-adds" for LGBT youth, for things such as non-sexual displays of affection between youth of the same-sex and other behaviors that are not violent or serious. This has been a particular problem for lesbian and bisexual girls, some of whom believe they received "time-adds" because staff members in their unit had a bias against LGBT people, AB 999 replaces this ineffective system of punitive discipline with a system that provides youth with incentives to participate in their education and programming in a positive manner. By earning program credits, youth are given the opportunity to appear before the Juvenile Parole Board at an earlier date.

AB 999 aims to bring youth prisons in line with adult prisons, where individuals may earn time credits for desired behaviors. The incentive-based system will encourage youth using positive reinforcements rather than punitive practices, such as "time-adds" and solitary confinement,

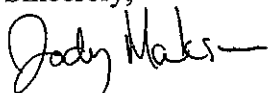
which studies have discredited as ineffective and counterproductive from a mental health perspective.

With two-thirds of youth in DJJ exhibiting serious symptoms of mental illness, punishing youth for behavior that is partly the result of their disorders is a recipe for failure. Psychological studies have proven that youth with severe behavioral issues are far more motivated by rewards and encouragement than by punishment. An incentive-based system will actually promote desired behavior, while current disciplinary practice of postponing parole hearing dates for misbehavior demoralizes youth in DJJ and ignores their needs.

DJJ's misuse of "time-adds" is a primary reason that California has the longest average period of incarceration for youth in the nation. California holds a young person longer in the state prisons than do other states for comparable offenses. This results in long separations from work and family for the youth, and enormous costs to taxpayers. Longer periods of lockup in our state's failed youth prisons do not result in increased public safety or better outcomes for youth. In addition, LGBT youth in DJJ facilities are not physically or emotionally safe and longer lockup periods exposes these youth to increased risk of violence and assault.

Currently, DJJ spends \$234,000 per youth, per year, and has an extraordinary recidivism rate of 72%. In this economic climate, "time-adds" are a costly and harmful practice that just does not make sense. AB 999 by Assemblywoman Nancy Skinner is a better-balanced approach, offering both incentives and consequences. The National Center for Lesbian Rights strongly supports AB 999 and respectfully urges your support as well. Thank you for your work.

Sincerely,



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cc: Assembly Member Skinner
Books Not Bars