



CITY OF OAKLAND

MEMORANDUM

Date: December 16, 2021

To: City Council and Members of the Public

From: Councilmember Treva Reid and Council President Nikki Fortunato Bas

Re: ADOPT A RESOLUTION URGING THE GOVERNORS OFFICE TO INSTITUTE COMMON SENSE COVID-19 SAFETY MEASURES IN DIVISION OF JUVENILE JUSTICE FACILITIES AS A RESULT OF A RECENT COVID-19 OUTBREAK AND TAKE ALL THE NECESSARY ACTIONS THAT PRIORITIZES TRANSPARENCY, COMMON SENSE PUBLIC HEALTH MEASURES, AND POPULATION REDUCTION TO STOP THE SPREAD OF COVID-19 IN DIVISION OF JUVENILE JUSTICE FACILITIES

Dear City Council Colleagues and Members of the Public,

The Division of Juvenile Justice (DJJ) is in the midst of a dangerous new COVID-19 outbreak. Currently, 52 youth are infected with the virus and another 237 have already tested positive.¹ Almost 45 percent of DJJ's current population is known to have had COVID-19. Just 64 percent of DJJ staff are vaccinated against COVID-19 and many interact with youth without wearing a mask.² These continued failures are a call to action. The state must step in to prevent further outbreaks by significantly reducing DJJ's population and improving conditions for the youth who remain.

COVID-19 has spread quickly through DJJ due to its cramped, prison-like conditions, including open dormitories. COVID-19 is easily transmitted in poorly ventilated indoor spaces, like living units or day rooms³ And the virus can have severe and lasting effects on young people. Children and youth around the world have died or been hospitalized after developing an inflammatory condition that can result from COVID-19,⁴ and, as of November 17, 2021, more than 5,000 young people under the age of 30 had died of COVID-19 in the United States.⁵ Youth

¹ California Department of Corrections and Rehabilitation. (2021). Division of Juvenile Justice. At: <https://www.cdcr.ca.gov/juvenile-justice/pandemic-response/>.

² California Department of Corrections and Rehabilitation. (2021a). CDCR Vaccination Tracker. At: <https://www.cdcr.ca.gov/covid19/population-status-tracking/>.

³ Centers for Disease Control and Prevention (2021). Scientific Brief: SARS-CoV-2 Transmission. At: <https://www.cdc.gov/coronavirus/2019-ncov/science/science-briefs/sars-cov-2-transmission.html>.

⁴ 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>.

⁵ Centers for Disease Control and Prevention. (2020). Weekly Updates by Select Demographic and Geographic Characteristics: Provisional Death Counts for Coronavirus Disease 2019 (COVID-19): Updated November 17, 2021.

who survive a serious infection may face a lifetime of health repercussions, such as irreversible damage to their lungs, heart, or brain.⁶

In addition to its physical risks, each new COVID-19 outbreak puts youth at risk of psychological harm. DJJ administrators rely on restrictive lockdowns as a first line of defense against new cases. This includes nearly around-the-clock isolation in cells as well as limitations on youths' access to school, recreation, or programming.⁷ Research has shown that this kind of extended isolation takes a profound emotional toll on young people.⁸

Since the start of the pandemic, DJJ has withheld vital public health information, including the location of its largest outbreaks. This has left families in the dark and fearing for the safety of their youth. DJJ is now the only correctional system in the state, either juvenile or adult, that does not report facility-specific statistics, and it remains out of step with state-run youth correctional systems in states like Florida, Texas, New Jersey, and Maryland, which report detailed public health data by location.

This latest DJJ outbreak comes amid a new stage in the pandemic. As winter approaches, it is the responsibility of our state leaders to save lives and reduce the harmful collateral effects of future outbreaks. This duty is greatest in congregate settings, like DJJ, where Californians are living at heightened risk.

DJJ must shrink its population in order to reduce the need for isolation and keep youth safe from COVID-19. Given DJJ's 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 State leadership. Yet DJJ's youth were excluded from these opportunities. To safeguard the mental health and physical well-being of youth, we urge the following immediate actions:

- Meaningfully reduce DJJ's population by offering early release to youth who are within six months of their parole date and/or youth who are medically vulnerable;
- Report COVID-19 data by facility, including vaccination statistics for youth and staff, testing numbers, and a timeline of positive and negative results dating to March 2020;
- Provide all youth and staff with adequate PPE and strictly enforce staff mask-wearing requirements;
- Require staff to meet the same threshold for entering the facilities as outside visitors⁹ (full vaccination or a negative COVID test within the past 72 hours); and
- Provide youth and staff with high-quality educational information about the benefits of vaccination.

At: https://www.cdc.gov/nchs/nvss/vsrr/covid_weekly/index.htm.

⁶ Mayo Clinic. (2021). COVID-19 (coronavirus): Long-term effects. At: <https://www.mayoclinic.org/diseases-conditions/coronavirus/in-depth/coronavirus-long-term-effects/art-20490351>.

⁷ Center on Juvenile and Criminal Justice. (2020). DJJ Fails to Protect Youth Amid COVID-19 Pandemic. At: <http://www.cjcw.org/news/13019>.

⁸ Barnert, E.S. (2020). COVID-19 and Youth Impacted by Juvenile and Adult Criminal Justice Systems. *Pediatrics*, 146(2). At: <https://publications.aap.org/pediatrics/article/146/2/e20201299/36868/COVID-19-and-Youth-Impacted-by-Juvenile-and-Adult>.

⁹ California Department of Corrections and Rehabilitation. (2021b). Visiting During COVID-19. At: <https://www.cdcr.ca.gov/juvenile-justice/visiting-during-covid/>.

Following its first reported COVID-19 case last June, DJJ was slow to implement basic safety precautions, such as enforced mask-wearing, universal testing, or a halt to intake.¹⁰ The result was a series of fast-moving outbreaks that put hundreds of youth and staff at risk. State leaders must respond quickly to ensure that youth are kept safe – both from the virus and the devastating effects of isolation.

Therefore, we ask you to join us in supporting this resolution, urging the Governor's office to institute common sense COVID-19 safety measures in Division of Juvenile Justice Facilities as a result of the recent COVID-19 outbreak and take all the necessary actions that prioritizes transparency, common sense public health measures and population reduction to stop the spread of COVID-19 in Division of Juvenile Justice facilities. Additionally, we asked that the Council directs the City Clerk to send a copy of this Resolution to Governor Newsom, Jessica Devencenzi, Deputy Legislative Secretary, Senator Nancy Skinner and Assemblymember's Mia Bonta and Buffy Wicks.

Yours in Service,

A handwritten signature in blue ink, appearing to read "Treva Reid".

Councilmember Treva Reid, District 7

A handwritten signature in black ink, appearing to read "Nikki Fortunato Bas".

Council President Nikki Fortunato Bas, District 2

¹⁰ Center on Juvenile and Criminal Justice. (2020). DJJ Fails to Protect Youth Amid COVID-19 Pandemic. At: <http://www.cjcj.org/news/13019>.