



Legislation Details (With Text)

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Title: CONSIDER RESOLUTION 18-049 SUPPORTING AB 2605 (GIPSON) ENDING CRIMINALZATION OF FOSTER YOUTH (CITY COUNCIL)

Sponsors:

Indexes:

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Attachments: 1. Resolution No. 18-049 Supporting AB 2605., 2. File Summary

Date	Ver.	Action By	Action	Result
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Report to Mayor and City Council

Tuesday, April 17, 2018

Consent

SUBJECT:

CONSIDER RESOLUTION 18-049 SUPPORTING AB 2605 (GIPSON) ENDING CRIMINALZATION OF FOSTER YOUTH (CITY COUNCIL)

I. SUMMARY

When a child is removed from his or her family, for any reason, it is the intent of the State to maintain a child’s safety, well-being, and healthy development. Youth in foster care have been affected by trauma, both by the fact that they have been separated from their family, and by the circumstances that led to their removal. Clear guidance must be given to operators of children’s residential facilities, to provide heightened protections for foster youth, and to ensure that law enforcement is not relied upon for issues that only require behavioral management at these facilities.

AB 2605 would ensure that group homes and foster care facilities are only allowed to call law enforcement on foster youth when there is a true emergency. This bill has been referred to the Committee on Health and Human Services. No future hearing date has been set as of yet.

II. RECOMMENDATION

WAIVE further reading and ADOPT Resolution No. 18-049, “SUPPORTING AB 2605, A

BILL THAT WOULD END THE CRIMINALIZATION OF FOSTER YOUTH THAT ARE AT RISK OF FALLING INTO THE CRIMINAL JUSTICE SYSTEM”

III. ALTERNATIVES

DO NOT support Resolution No. 18-049.

IV. BACKGROUND

Recognizing this trauma and minimizing additional trauma should be a top priority when placing a child or youth in foster care. The intent of AB 2605 is to reduce the frequency of law enforcement involvement and delinquency petitions arising from incidents at children’s residential facilities.

Youth in foster care are affected by the trauma of removal from their families and the circumstances that led to their removal. Yet, when youth in the foster care system act out, instead of being managed by a licensed professional they are being criminalized, further traumatized, and funneled into the justice system by foster care facilities. These facilities are operated by a team of licensed and compensated individuals trained to manage behavior - the same behavior that law enforcement is being inappropriately relied upon to handle.

In 2016, of the 6,217 non-mandated calls statewide for youth behavior, only 40% of the calls were for assaultive or aggressive behavior. The remaining 60% were for behavioral health emergencies, property damage, substance abuse, and theft. The calls resulted in 435 youth being cited, 527 youth being detained or arrested, and another 319 youth being booked into juvenile hall.

Children in the foster care system, particularly those placed in group care, are especially vulnerable to crossing over to the delinquency system. Foster youth placed in group care should receive a higher level of care and supervision than youth placed in a family home setting. This higher level of care is not met when foster care facilities rely on law enforcement to intervene in non-emergency situations. Current law does not provide any guidance or limitations on facilities for relying on law enforcement to manage behavioral issues.

V. FISCAL IMPACT

None.

VI. EXHIBITS

1. Resolution No. 18-049 Supporting AB 2605. (pgs. 3-4)

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