



® March 28, 2017

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The Honorable Reginald Jones-Sawyer
Chair, Assembly Public Safety Committee
California State Capitol, Room 2117
Sacramento, CA 95814

**Re: Assembly Bill 2010 by Assembly Member Ed Chau – Juvenile facilities:
chemical agents
As Introduced February 1, 2018 – OPPOSE
Hearing Date: April 3, 2018 - Assembly Public Safety Committee**

Dear Assembly Member Jones-Sawyer,

The California State Association of Counties (CSAC), representing all 58 of the state's counties, regretfully writes in opposition to Assembly Bill 2010, which would prohibit an officer or employee from possessing any chemical agent in a juvenile facility.

Last month, the Board of State and Community Corrections (BSCC) acted to provide juveniles in local detention facilities additional protections. Specifically, BSCC approved regulations that would require facilities that authorize chemical agents as a force option to include policies and procedures that:

- Identify who is approved to carry and/or utilize chemical agents in the facility and the type, size and the approved method of deployment for those chemical agents.
- Mandate that chemical agents only be used when there is an imminent threat to the youth's safety or the safety of others and only when de-escalation efforts have been unsuccessful or are not reasonably possible.
- Outline the facility's approved methods and timelines for decontamination from chemical agents—including that youth who have been exposed to chemical agents cannot be left unattended until that youth is fully decontaminated or is no longer suffering the effects of the chemical agent
- Define the role, notification, and follow-up procedures required after use of force incidents involving chemical agents for medical, mental health staff and parents or legal guardians.
- Provide for the documentation of each incident of use of chemical agents, including the reasons for which it was used, efforts to de-escalate prior to use, youth and staff involved, the date, time and location of use, decontamination procedures applied and identification of any injuries sustained as a result of such use.

(See <http://bscc.ca.gov/downloads/Attachment%20F-1%20Title%2015%20&%2024.pdf>.)

These regulations would limit the use of chemical agents in juvenile facilities in a manner that helps to maintain the safety and security of these facilities. Assembly Bill 2010, however, fails to take such a measured approach. While the regulations provide for the use of a chemical agent in instances where there is "an imminent threat to the youth's safety or the safety of others and only when de-escalation efforts have been unsuccessful or are not reasonably possible" and allow

officers to carry a chemical agent on their person so that they can quickly diffuse such a threat, Assembly Bill 2010 employs a more restrictive standard that could put both juveniles and the facilities at risk.

It is for this reason that CSAC opposes Assembly Bill 2010. If you have any questions or concerns, please do not hesitate to contact me at jdevencenzi@counties.org or (916) 650-8131.

Sincerely,



Jessica Devencenzi
Senior Legislative Representative

cc: The Honorable Ed Chau, California State Assembly
Members, Assembly Public Safety Committee
David Billingsley, Consultant, Assembly Public Safety Committee
Gary Olson, Consultant, Assembly Republican Caucus