



**LEGISLATION & PUBLIC  
INFORMATION UNIT**

1831 K Street  
Sacramento, CA 95811-4114  
Tel: (916) 504-5800  
TTY: (800) 719-5798  
Intake Line: (800) 776-5746  
Fax: (916) 504-5807  
[www.disabilityrightsca.org](http://www.disabilityrightsca.org)

---

September 15, 2017

Honorable Jerry Brown  
Governor of California  
Capitol Building, 1st Floor  
Sacramento, CA 95814

**RE: AB 878 (GIPSON) – REQUEST FOR SIGNATURE**

Dear Governor Brown:

Disability Rights California, a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, **supports AB 878 and requests your signature.** This bill seeks to limit the use of mechanical restraints on a minor during transportation outside of a local juvenile facility and when youth appear in juvenile court.

Numerous studies have confirmed that youth with disabilities are at greater risk for involvement in the juvenile justice system, and that special education students are incarcerated and arrested at a higher rate than their nondisabled peers. A 2005 survey of education services in juvenile corrections found that, on average, 33% of youth were receiving special education services.<sup>i</sup>

Mechanical restraints, even when applied correctly, can cause grave physical injury and even death, and can cause lasting, severe psychological trauma. The use of mechanical restraints is stigmatizing, because it suggests that an individual is dangerous and needs to be physically contained. Many youth with disabilities have experienced excessive and unlawful restraint in healthcare and education settings; placing them in mechanical restraints solely for transportation or for court appearances can trigger emotional trauma as well as potentially place them

at physical risk for injury.

The use of mechanical restraints for transportation should not be allowed without an individualized justification for the need. Further, most adult courts do not routinely shackle or physically restrain detainees, absent a specialized showing of risk or danger; youth in juvenile courts should not be placed under greater restrictions than adults.

AB 878 protects young people and public safety by limiting, not eliminating, the use of mechanical restraints on juveniles in the transportation to and from appearances in courts. This is an important measure that furthers the rehabilitative purpose of juvenile courts.

For these reasons, Disability Rights California respectfully requests your signature on AB 878.

Very truly yours,

A handwritten signature in black ink, appearing to read "Curtis Child". The signature is fluid and cursive, with the first name "Curtis" and last name "Child" clearly distinguishable.

Curtis Child  
Legislative Director  
Disability Rights California

cc: Honorable Mike Gipson, California State Assembly  
Gabriella Ortega, Caucus Consultant, Office of Assembly Member  
Gipson  
Lucy Salcido Carter, Policy Advocate, Youth Law Center  
Legislative Affairs, Office of Governor Brown

---

[i“Students with Disabilities and the Juvenile Justice System: What Parents Need to Know”, PACER, p.3. “Return to Main Document”](#)