



**LEGISLATION & PUBLIC  
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June 15, 2017

Honorable Nancy Skinner  
Chair, Public Safety Committee  
California State Senate  
Capitol Building, Room 2059  
Sacramento, CA 95814

**RE: AB 878 (GIPSON) – SUPPORT**

Dear Senator Skinner:

Disability Rights California, a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, supports AB 878 that seeks to limit the use of restraints on a minor during transportation outside of a local juvenile facility. This bill is scheduled for hearing in the Senate Public Safety Committee on June 27, 2017.

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.

For these reasons, Disability Rights California respectfully requests your “Aye” vote 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  
Honorable Members, Senate Public Safety Committee  
Stephanie Jordan, Counsel, Senate Public Safety Committee  
Lucy Carter, Policy Advocate, Youth Law Center

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