

Human Rights Watch

Children's Rights

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Under-22s No Longer Summarily Sent to Harsh Prisons

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(Sacramento, September 28, 2014) California Governor Jerry Brown signed into law a bill that could prevent hundreds of young offenders from enduring rape, assault, and gang life in prison, Human Rights Watch said today.

On September 27, 2014, Brown signed Assembly Bill 1276, which requires the California Department of Corrections and Rehabilitation to conduct committee-based, specialized review of each person under age 22 entering prison to consider placing them at a lower security level facility with increased access to educational and self-help programs. Human Rights Watch has advocated for passage of the bill.

California's new law has the potential to dramatically change the lives of thousands of young offenders, said [Elizabeth Calvin](#), senior children's rights advocate at Human Rights Watch. With this law California will help protect the young people it sends to prison from being raped, beaten, or forced to join gangs.

Approximately 4,800 people under age 22 are admitted to California prisons each year. Under current practice many are routinely sent to the maximum security prison units, known as Level IV yards, where young inmates are very vulnerable to assault, rape, and other violence, and come in close contact with prisons' most negative influences.

In the Level IV yards, gang members and others prey upon young people. The maximum security units also offer fewer rehabilitative and educational services. Under the new law, California recognizes that young people need special protections and deserve increased access to educational opportunities.

This new law recognizes both the vulnerability and potential of young offenders, Calvin said. It means fewer young adults will be raped and assaulted in prison. They won't be forced to turn to gangs for protection or in despair, and will have greater access to educational programs.

Human Rights Watch has collected the personal accounts of more than 500 prisoners in California sent to maximum security prison units when they were young. The great majority said having the chance to enter prison away from the most hardened prisoners would have made a tremendous difference in their lives.

I came to prison at the age of 20 and it was very hard for me as a younger person being around older men who was crazy, wrote J. M., who was 15 at the time of his crime. I had to listen to them tell me what to do, wrong or right. I had to listen to them or be hurt. It messed with my mind 24-7. Another inmate, E.T. told Human Rights Watch:

I really think my life would have been different if I would have been placed [at a lower level yard when I entered prison,] I wouldn't have been exposed to so much violence and hatred I would have been acquiring [things like education and vocational skills.] Instead I had to focus on surviving and staying alive. There were nights I silently cried myself to sleep because of the fear I felt.

Whether living in a college dorm or a prison cell, young adults have to make important decisions about their identity and path in life, Calvin said. Young people are more susceptible than older adults to influences around them, both good and bad. This new law is an opportunity to positively shape the direction of a young person's life.

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