



**Assembly Bill (AB) 2010– Juvenile Detention Facilities: Chemical Agents**

*Sponsors: Youth Law Center and Children’s Defense Fund*

**SUMMARY**

AB 2010 would limit the use of chemical spray in juvenile detention facilities and require that all situations involving its use be fully documented.

**BACKGROUND**

The use of chemical agents, including OC or pepper spray, in juvenile detention facilities pose significant health risks to young people. Studies indicate that individuals with compromised respiratory systems, such as those suffering from asthma or bronchitis, may be at particular risk for respiratory arrest resulting from chemical spray exposure, and chronic exposure to chemical spray may result in chronic respiratory ailments. These risks may be exacerbated by mental illness, insufficient air circulation, and repeated exposure – all conditions that exist in juvenile detention facilities.

California is one of only six states that permit staff to carry OC spray on their persons. The use of OC spray on young people not only produces physical and mental health effects, but it also interferes with their rehabilitation, due to the effects it can have on the relationship between youth and staff.

A survey conducted by the Council of Juvenile Correctional Administrators, in 2011, demonstrated that where OC spray is used, staff and youth fear for their safety more than average, and that states authorizing the use of chemical restraints tend to have adopted a more punitive, adult-corrections-like approach to juvenile detention.

California law (*Welfare and Institutions Code § 851*) provides that juvenile hall “shall not be deemed to be, nor be treated as, a penal

institution. It shall be a safe and supportive homelike environment.” Additionally, minors in custody should receive care, treatment, and guidance consistent with their best interests (§ 202).

It can be challenging to promote recovery in a system where the threat or use of pepper spray can subject youth to physical and emotional pain; so, the general rejection for its use in juvenile detention facilities has a sound operational basis, beyond the physical and mental health risks that result from exposure to it.

Additionally, that same survey revealed that only 12% of agencies surveyed authorized staff to carry pepper spray in secure facilities and only 29% of agencies authorize the use of chemical restraints at all. States that limit the use of chemical spray have successfully replaced it with more effective alternative de-escalation and positive behavior management approaches.

By limiting the use of chemical sprays in juvenile detention facilities, we are aligning California with the rest of the country and adopting accepted professional practices that will provide a safe and supportive environment for rehabilitation.

**PROPOSAL**

AB 2010 would prohibit staff in juvenile detention facilities from having chemical spray in their possession. However, it would provide exceptions for staff to obtain and use chemical spray in order to suppress a riot or in situations when de-escalation tactics have failed, or are not reasonably possible.



**Assembly Bill (AB) 2010– Juvenile Detention Facilities: Chemical Agents**

*Sponsors: Youth Law Center and Children's Defense Fund*

Finally, the bill would require that all situations involving the use chemical spray be documented and include information related to the reason for use, the authorization of use, decontamination procedures, and follow up visits with medical professionals.

**SUPPORT**

Youth Law Center (Sponsor)  
Children's Defense Fund (Co-sponsor)

**BILL STATUS**

This bill has not been referred to committee.

**FOR MORE INFORMATION**

Matt Cremins  
Office of Assembly Member Ed Chau  
(916) 319-2049; [Matthew.Cremins@asm.ca.gov](mailto:Matthew.Cremins@asm.ca.gov)