



September 27, 2017

The Honorable Edmund G. Brown  
Governor, State of California  
State Capitol  
Sacramento, CA 95814  
Phone: (916) 445-2841  
Fax: (916) 558-3160

**Re: A.B. 811 – SUPPORT**

Dear Governor Brown:

I am writing today on behalf of the Electronic Frontier Foundation, a non-profit organization based in San Francisco that protects civil liberties in the digital world. Founded in 1990, EFF has over 38,000 members, including thousands in California.

EFF urges you to sign A.B. 811, legislation that would address a gap in education and personal development affecting the tens of thousands of juveniles who pass through the criminal justice and foster care systems. By providing access to computers and the Internet for these youth populations, California will ensure that at-risk youth have the tools they need to thrive in modern society and have the opportunity to bridge the digital divide.

Last year, the Pew Research Center found that 85% of Americans view an understanding of computing technology as extremely or very important for success in the workplace. This bodes well for the 87% of American teens that Pew found had regular access to the Internet. What of the rest? An estimated 23,000 California youth are detained in secure facilities, while another 56,000 youth in California are in foster care.

### **Youth in Detention**

When youth are incarcerated, it is the government's duty to ensure that they receive the necessary services for rehabilitation and successful integration back into the free world. Computer literacy and computer skills are crucial to development in the modern era, particularly when it comes to finding jobs.

The California Education Authority (CEA), a department of the CDCC Division of Juvenile Justice, provides education to more than 1,000 students each year over four campuses.<sup>1</sup> Roughly 80% of these youths are Black or Hispanic.

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<sup>1</sup> The most recent information available on the School Accountability Scorecards indicate 1,185 youth passed through the system in 2015.

This school district needs all the help it can get. According to the annual School Accountability Report Cards, CEA has reported difficulty retaining and recruiting qualified talent: teacher vacancies have tripled since 2013. Meanwhile, CEA's largest school—N. A. Chaderjian High School—is experiencing a decrease in proficiency among students in English & Language Arts (ELA) and math. In 2012-2013 cycle, NACHS reported 95% of 10<sup>th</sup> graders were “not proficient” in ELA, while 88% were not proficient in math. In the most recent cycle on record, 2014-2015, 100% of students were “not proficient” in ELA studies, while 89% were not proficient in math studies. CEA's district-wide proficiency rates are less than half the statewide average.

Internet and computer technology would open up a wide range of new solutions. By leveraging technology, schools would be able to provide high quality online learning opportunities from top schools, including college courses from leading universities. Depending on what educational systems are deployed, students may be able to seamlessly continue their education with the same online programs after release.

Some CDCR estimates have suggested that A.B. 811 would require a one-time \$16 million upgrade to infrastructure of its juvenile facilities. To be clear: these are long overdue upgrades to antiquated IT systems that should be made regardless of whether A.B. 811 becomes law. The youth would benefit from such an upgrade, but the primary utility of an improved IT system would be to facility management.

CDCR also estimates that providing Internet access to youth would cost one-time spending \$1 million for software and hardware, then an additional \$500,000 per year to support and maintain this equipment. This works out to \$625,000 per year if the start-up cost is split over the course of a four-year high school cycle.

It's important to see this figure in context. If 1,000 students pass through CEA facilities over a year, then technology purchasing and maintenance is the equivalent of spending an additional \$625 per student. CEA spent \$35,952 per pupil as of 2015. Therefore, new technology purchases would only result in a 1.7% increase in per-pupil spending. This means that a very small increase in spending could have an outsized impact on student outcomes.

Of course, this also makes the unsubstantiated assumption that all spending on A.B. 811 compliance will require additional funding. It is very likely that introducing new technology may result in other areas where costs may be cut, such as maintaining antiquated equipment or purchasing expensive, hard-copy textbooks.

We've seen computer coding programs for adult prisoners introduced in San Quentin. Meanwhile, the State of Georgia has begun offering virtual charter school programs to youth in juvenile justice centers. These programs are well within reach in California for its incarcerated youth populations.

By enacting a statewide law at once, it will also provide the opportunity for local agencies to jointly develop best practices and share technology, rather than the current

piecemeal regime. Juveniles in detention currently have wildly different levels of educational opportunities depending on local politics, with some agencies embracing new technologies while others place little priority on educating youth in custody.

EFF also supports the requirement that CDCR provide the means for juveniles to use technology to remain in contact with their families. This service is now commonplace in adult facilities across the country, including those operated by Federal Bureau of Prisons; providing it for juveniles should be non-controversial.

### **A Digital Age Responsibility**

When the state is charged with care of at-risk youth, it is incumbent on officials to provide these children with reasonable access to the resources they need to thrive in society. In 2017, this must include access to the world of computing.

We live in a time when climbers can tweet from Mount Everest. Astronauts can post YouTube videos from the International Space Station. Ocean explorers can live-stream from the Mariana Trench. Considering the ability for technology to overcome those harsh environments, California can and must ensure that youth in our state have secure and supervised access to the Internet in juvenile detention and foster care programs.

For these reasons, we urge you to sign A.B. 811 into law.

Please do not hesitate to contact me if you have further questions. I may be reached by email at [dm@eff.org](mailto:dm@eff.org) or by phone at 415-436-9333 ext. 151.

Sincerely,

A handwritten signature in black ink, appearing to read 'DMAS', is centered on the page. The signature is written in a cursive, somewhat stylized font.

Dave Maass  
Investigative Researcher  
Electronic Frontier Foundation