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Youth Prison System Sued Over Health Care

■ **Court:** Inmates lack mental and medical help, suit alleges. Officials say they are working to fix problems.

By JAMES RAINEY
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Many of the 7,500 prisoners in the California Youth Authority will leave the youth prison system more disturbed and dangerous because they received substandard medical and psychiatric care, a nonprofit law firm charged Thursday as it sued the state demanding reforms.

The Youth Law Center and a professor of clinical pediatrics at UCLA filed the case in San Francisco Superior Court in an attempt to force the youth authority to obtain a state license for its clinics.

For more than four years, the youth prison system has failed to obtain such a license, as required by state law. The result is that some of the state's most disturbed young people go without proper care, said Youth Law Center attorney Sue Burrell.

This system is supposed to ad-

dress their needs, but to not have that happen exacerbates their problems," Burrell said. "These guys are going to come back out and they are going to be completely unable to cope."

Youth Authority officials conceded that their medical facilities are not in compliance with state law, but said they are working to meet standards.

"The governor is very sensitive to the criticism that has been lodged about correctional facilities and, especially on this issue of licensing health care, we are going to move ahead very seriously," said George Kostyrko, a spokesman for the CYA.

The lawsuit comes as the Youth Authority is facing an ongoing probe by a state inspector general, who last year found a pattern of brutality at the system's largest youth prison, in Chino. A Times investigation last year found reha-

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ilitative programs in the CYA had withered. The state Senate's Public Safety Committee will assess the shortcomings of the youth prisons and question newly appointed CYA director Jerry L. Harper at a hearing Tuesday.

The CYA's own internal documents and budget requests show that the agency has been aware of the need to improve its clinics for at least five years.

"The adverse effect of providing inadequate treatment or no treatment at all for these wards is releasing offenders back to the communities with very serious mental and emotional problems that have not been addressed," CYA officials said in a budget request for 1998-99. "This significantly increases the risk to public safety and contributes to the high probability of recidivism."

Except for extreme cases, the Youth Authority can only hold wards until age 25.

In a 1997 master plan for the CYA health care system, the agency acknowledges a shortage of psychiatrists, psychologists and nurses and a lack of staff training. The report says the shortcomings must be corrected for the prison clinics to be certified as Correctional Treatment Centers, known as CTCs, as required by state law.

Kostyrko said that the upgrades of the health clinics have been "much more laborious" than the agency anticipated. Among other things, clinics must be rebuilt at youth lockups in Stockton, Chino and Ventura. That work may not be completed until 2003.

Officials with the Youth Law Center said little progress has been made since the 1997 report. With professionals often unavailable to provide clinical care in the prisons, they said, counseling and other tasks have often fallen to line staff members who have few, if any, qualifications.

The CYA health care plan acknowledged the need for substantial reforms. "The need to upgrade every aspect of our health

care delivery system prior to the implementation of the CTCs is of critical importance," the plan stated.

The failure to provide proper mental health treatment "results in dire consequences," authority officials said in one budget document. Five wards committed suicide in 1996; four of them had not been admitted to overcrowded intensive therapy programs, even though they needed care, the report states.

State and local governments have faced many lawsuits over the health care and mental health services provided to prisoners.

California's adult prisons were ordered by a federal judge six years ago to improve care for the mentally ill. The Los Angeles County jail system has been working to improve since the U.S. Justice Department three years ago detailed poor care of the mentally ill.

But some advocates said the conditions at the Youth Authority are particularly disturbing because the agency cares for boys and girls as young as 12. One of the agency's stated goals is to rehabilitate young offenders.

"Since these kids can't get treatment on their own, there is a duty to make sure that they get treatment of a standard available to the rest of the community," said Dr. Robert E. Morris, the UCLA pediatrician who joined the Youth Law Center in filing the lawsuit. "There is a legal, ethical and moral responsibility to do this. . . . And for us to be safe as a society, we need to do this as well."

Morris has worked with the San Francisco-based Youth Law Center on juvenile health issues. For almost a decade, he was senior physician at Los Angeles County's Central Juvenile Hall.

Morris and Burrell said they believe that many CYA employees are committed to providing quality medical and psychological service. They said they hope the lawsuit will provide the leverage needed to free money in the state

budget for the upgrades.

"The state has money right now, so it's a good time to help the CYA to get the money," Morris said. "We want to help them get the resources to do the job that we think they want to do."