

September 17, 2018

The Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Paul Ryan
Speaker
United States House of Representatives
Washington, DC 20515

The Honorable Chuck Schumer
Minority Leader
United States Senate
Washington, DC 20510

The Honorable Nancy Pelosi
Minority Leader
United States House of Representatives
Washington, DC 20510

RE: Reauthorization of the Juvenile Justice and Delinquency Prevention Act (S. 860 / H.R. 1809)

Dear Majority Leader McConnell, Speaker Ryan, Minority Leader Schumer, and Minority Leader Pelosi:

We are writing on behalf of the Center for Children's Law and Policy (CCLP), a national public interest law and policy organization located in Washington, D.C. CCLP works with jurisdictions across the country to reform juvenile justice and related systems by improving conditions of confinement in juvenile facilities, eliminating racial and ethnic disparities, and reducing unnecessary use of incarceration.

We urge you to reauthorize the Juvenile Justice and Delinquency Prevention Act (JJDP) through the passage of S. 860 and H.R. 1809. Approximately 50,000 youth are held in facilities across the country, and hundreds of thousands more are affected by the juvenile justice system. These children urgently need enhanced protections guaranteed by reauthorization of the JJDP. Over a year ago, both chambers of Congress passed S. 860 and H.R. 1809, which both have bipartisan support. Now is the time for you and your colleagues to act to pass this critical bipartisan legislation and demonstrate our nation's commitment to young people.

When the JJDP was signed into law in 1974, egregious practices were common in many states, such as placing children into adult jails. The JJDP was enacted as a partnership between local, state, and the federal government to provide federal guidance and standards to assure a minimum level of safety and equitable treatment for youth in every state, territory, the District of Columbia, and tribe. The Act has not been reauthorized since 2002, placing our nation's most vulnerable children at risk and jeopardizing public safety. Without the JJDP, local jurisdictions

would lack federal guidance, funds for community-based options and system changes, and state-level oversight bodies to monitor care for youth. Three protections provided by these bills are particularly important to our organization.

First, CCLP works with law enforcement, state agencies, and facilities in jurisdictions across the country to reduce racial and ethnic disparities. Key provisions of both bills will strengthen core protections of the JJDPa for youth of color. Federal research shows that youth of color are over-represented in the juvenile justice system. The proposed bills provide clear guidance to states and localities on how to reduce racial and ethnic disparities, guarantee fairness, and advance safety for all communities. The bills provide for data-driven approaches, measurable objectives, and public reporting of local efforts.

Second, the current bills improve JJDPa jail removal and separation protections for youth awaiting trial in adult court by keeping youth out of adult lock-ups and mandating sight and sound separation from adult inmates when children are held in adult facilities. No one benefits from holding children in adult jails or lock-ups. Youth held in adult jails are more likely to experience victimization, solitary confinement, self-harm, and suicide. Research also shows that youth held in adult facilities are more likely to re-offend, resulting in higher crime rates and increased costs to taxpayers.

Third, both S. 860 and H.R. 1809 will improve conditions of confinement in juvenile facilities by calling for the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to report state data on the use of isolation and restraint in juvenile facilities, and to encourage training of facility staff to eliminate these dangerous practices. Along with national partner organizations, including the Council of Juvenile Correctional Administrators, CCLP leads a national initiative to safely end the use of solitary confinement. Solitary confinement is one of the most pervasive and harmful practices in facilities that house youth. Federal research shows that over 50% of youth who commit suicide in juvenile facilities do so in solitary confinement. Through our work with facilities across the country, we know that harmful practices like solitary can be eliminated through policy changes and training. We strongly urge the passage of bills that support these reforms.

S. 860 and H.R. 1809 support research-based understandings of juvenile justice and delinquency prevention and reaffirm our national commitment to the rehabilitative purpose of the juvenile justice system. We support both bills as a long-overdue and significant improvement to current law and look forward to continuing to work with you and your colleagues to ensure its final passage this year.

Sincerely,



Mark Soler, Executive Director



Jennifer Lutz, Staff Attorney