

November 27, 2017

Chairman Chuck Grassley  
U.S. Senate Committee on the Judiciary  
224 Dirksen Senate Office Building  
Washington, D.C. 20510

**RE: The Center for Children's Law and Policy Supports S. 1917, the Sentencing Reform and Corrections Act of 2017**

Dear Chairman Grassley, Ranking Member Feinstein, and Members of the Senate Judiciary Committee,

We are writing to express our support for S. 1917, The Sentencing Reform and Corrections Act of 2017. This legislation addresses several critical issues pertaining to youth that will improve the juvenile justice system for youth in federal custody. It will also serve as a model for state legislative reforms.

The Center for Children's Law and Policy (CCLP) is a national public interest law and policy organization located in Washington, D.C. The Center 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. CCLP has worked with numerous jurisdictions to create safer and more humane conditions in their juvenile justice facilities through training, technical assistance, independent monitoring and policy and practice reforms. Our staff members have decades of experience working to remedy dangerous conditions of confinement – including the misuse of solitary confinement – in facilities that house youth.

We are especially pleased to support the restrictions on solitary confinement in the Sentencing Reform and Corrections Act. The restrictions closely follow the comprehensive national standards on conditions within juvenile detention facilities in the Annie E. Casey Foundation's Juvenile Detention Facility Assessment Standards. These Standards are used to improve conditions in the more than 300 sites in 39 states participating in the Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI). CCLP and the Youth Law Center developed

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these Standards in consultation with dozens of experts and practitioners from the juvenile justice field, including individuals who run secure facilities for youth.

The Sentencing Reform and Corrections Act also follows standards adopted by the juvenile correctional community. The Council of Juvenile Correctional Administrators, which is an association of the directors of state juvenile justice agencies in all of the states, developed Performance-based Standards (PbS) as well as a toolkit on “Reducing the Use of Isolation.” The National Partnership for Juvenile Services (NPJS), which is the professional organization of youth detention facility superintendents, has also released a position statement that supports the Act’s limitations on youth isolation. Together, CJCA and NPJS represent the directors of the majority of youth detention and commitment facilities in the United States. In September, 2017, The American Correctional Association (ACA) released proposed changes ACA Standards that would prohibit the use of solitary confinement as punishment in youth facilities. Along with these leading professional organizations, we wholeheartedly support the Act’s approach to ending solitary confinement of youth except when a young person poses a serious and immediate threat of physical harm to self or others, and then only for brief periods.

Solitary confinement can have long-lasting and devastating effects on youth. It can cause trauma, psychological damage, depression, anxiety, and increased risk of suicide and self-harm. It can exacerbate pre-existing mental illnesses or post-traumatic stress responses suffered by many youth in the juvenile justice system. Many youth in solitary do not receive appropriate education, mental health services, or drug treatment. Because adolescents are still developing, solitary confinement can cause permanent harm to their physical, psychological, and social growth and well-being. Research shows that more than half of all suicides in juvenile facilities occurred while young people were held in isolation.

There is increasingly widespread and diverse support to end the use of isolation on young people. Former President Obama issued an executive order banning solitary confinement for youth in federal custody. Mainstream professional organizations such as the American Academy of Adolescent Psychiatry and the American Psychiatric Association oppose the use of solitary confinement, noting that it can produce permanent psychiatric problems for children. The National Council of Juvenile Family Court Judges (NCJFCJ) passed a resolution with a strong position against the use of isolation unless a youth poses an immediate risk of harm to self or others, and then only until the youth regains control. The NCJFCJ also recognized the important role of the nation’s juvenile and family court judges in ending the dangerous and counterproductive practice of solitary confinement.

The Sentencing Reform and Corrections Act of 2017 takes much-needed steps to re-align the American juvenile justice system with its defining principles. This legislation allows the federal system to lead the way for states to implement effective strategies to reduce their reliance on isolation as a form of discipline or protective custody. Many states are currently considering adopting limitations on solitary confinement of youth. By providing a federal standard, this legislation will support state-based reform efforts.

We appreciate your leadership in this area, and we look forward to working with you and to the passage of this important bill.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Soler".

Mark Soler, Executive Director

A handwritten signature in black ink, appearing to read "Jason Szanyi".

Jason Szanyi, Director of Institutional Reform

A handwritten signature in black ink, appearing to read "Jennifer Lutz".

Jennifer Lutz, Staff Attorney

MS/jl