

January 14, 2016

Senator Cory Booker
United States Senate
359 Dirksen Senate Office Building
Washington, D.C. 20510

RE: Support for The Sentencing Reform and Corrections Act of 2015

Dear Senator Booker:

We are writing to express our support for S. 2123, The Sentencing Reform and Corrections Act of 2015. 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 these Standards in consultation with dozens of experts and practitioners from the juvenile justice field, including individuals who run secure facilities for youth. 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.

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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 a growing national consensus on the need for reform in this area. President Obama and the U.S. Attorney General have called for the elimination of solitary confinement. 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. Along with recent reports and hearings, this consensus has shed a national spotlight on the problems of solitary confinement and the particular harms isolation imposes upon young people.

The Sentencing Reform and Corrections Act takes important action to eliminate the dangerous practice of solitary confinement for youth. 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.

The Sentencing Reform and Corrections Act of 2015 takes much-needed steps to re-align the American juvenile justice system with its defining principles. We appreciate your leadership in this area, and we look forward to working with you and to the passage of this important bill.

Sincerely,



Mark Soler, Executive Director



Jason Szanyi, Director of Institutional Reform



Jennifer Lutz, Staff Attorney

JL/sm