

**Washington Defender Association
110 Prefontaine Place S., Suite 610
Seattle, Washington 98104**

Christie Hedman, *Executive Director*
Craig Platt, *President*

Telephone: (206) 623-4321
Fax: (206) 623-5420

July 10, 2008

The Honorable Maria Cantwell
United States Senate
511 Dirksen Senate Office Building
Washington, DC 20510

Re: Support for S. 3155 Juvenile Justice and Delinquency Prevention Act of 2008

Dear Senator Cantwell,

I am writing on behalf of the Washington Defender Association to express our strong support for S. 3155, the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2008 as introduced. The JJDPRA has provided federal standards and support for improvements in the juvenile justice system for 30 years. The reauthorization contains improvements relating to disproportionate minority contact; youth confined in adult jails; allowing youth convicted in adult court to be placed in juvenile facilities; and strengthening the deinstitutionalization of status offenders.

We also would encourage you to support efforts to amend the bill to provide for stronger conditions of confinement language; improved incentive grants language; and a phase-out of the statutory authority to confine youth status offenders in juvenile facilities. Specifically, we would ask the following language in bold be included in the reauthorization:

“Deinstitutionalization of Status Offenders” to phase-out use of the Valid Court Order exception:

42 U.S.C. 5633 [Sec. 223.] State plans

(11) in accordance with rules issued by the Administrator, provide that -

(A) juveniles who are charged with or who have committed an offense that would not be criminal if committed by an adult, excluding -

(i) juveniles who are charged with or who have committed a violation of section 922(x)(2) of title 18, United States Code, or of a similar State law;

shall not be placed in secure detention facilities or secure correctional facilities; and

(B) juveniles --

(i) who are nonoffenders or not charged with any offense; and

(ii) who are -

(I) aliens; or

(II) alleged to be dependent, neglected, or abused;

shall not be placed in secure detention facilities or secure correctional facilities.

(C) within two years of the date of enactment of this subparagraph, or sooner if possible, no exceptions to this paragraph shall be permissible in relation to—

(i) juveniles who are charged with or who have committed a violation of a valid court order; and

July 10, 2008
Page 2

(ii) juveniles who are held in accordance with the Interstate Compact on Juveniles as enacted by the State; and

(D) States and local units government or combination thereof shall encourage the use of community-based alternatives to secure detention, including the federal Runaway and Homeless Youth Act (RHYA) programs administered by the Family and Youth Services Bureau of the U.S. Department of Health and Human Services' Administration for Children and Families (42 U.S.C. 5701)

(E) Hardship extension. States may apply for a one-year extension to comply with this paragraph. To apply, States must submit an application to the Administrator describing:

- (1) The State's measurable progress and good faith effort to reduce the number of status offenders who are placed in secure detention or correctional facilities; and**
- (2) The State's plan to come into compliance within one year.**

Thank you for your consideration. Please feel free to contact me at 206-623-4321 or hedman@defensenet.org if you have any questions or if I may assist you in any way.

Sincerely,

Christie Hedman
Executive Director