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The Honorable Christopher S. Murphy  
United States House of Representatives  
412 Cannon House Office Building  
Washington, DC 20515

Dear Mr. Murphy:

I write on behalf of the American Bar Association (ABA) to express our strong support for H.R. 1873, the Juvenile Justice Improvement Act. We appreciate your leadership on ensuring the safety and well-being of Connecticut's and our nation's youth.

For over 30 years, the Juvenile Justice and Delinquency Prevention Act (JJDP A) has provided crucial protections to youth who come into contact with the juvenile justice system. The JJDP A is currently due for reauthorization. We believe that the language included in H.R. 1873 should be incorporated into any legislation reauthorizing the Act, as it would greatly improve the treatment of youth in the juvenile and adult criminal justice system.

H.R. 1873 would modify the JJDP A by:

- Ending the practice of locking up status offenders: The current JJDP A allows status offenders, such as youth who have run away or are truant, to be detained in locked facilities for their second and subsequent status offenses, that is, for violating the court's order not to commit another status offense. However, detention does not resolve the factors that lead to a status offense and is more costly and less effective than home and community-based responses. H.R. 1873 reflects Connecticut law by closing the valid court-order loophole and ensuring that status offenders are not locked in facilities. Instead, status offenders will be placed in more appropriate, more cost-effective community-based programs to increase the chances that they will not commit another status offense.
- Keeping pre-trial youth under the age of 18 out of adult jails and lock-ups and in more humane juvenile justice facilities, regardless if they are tried in adult or juvenile court: On any given day, over 7,500 youth are held in adult jails and lock-ups where they face physical and sexual assaults and a much greater risk of suicide. Research shows that youth who are prosecuted as adults are, on average, 34 percent more likely to commit crimes than youth who committed similar offenses, but are retained in the juvenile justice system. H.R. 1873 ensures that youth who are charged in the adult criminal justice system are housed in juvenile justice facilities.
- Continuing to allow states to keep youth convicted of adult crimes in juvenile facilities without facing a federal penalty: Currently, approximately 40 States follow best practice and allow

youth who are convicted in adult court to serve their sentence in juvenile facilities rather than adult prison. States that had chosen the more humane option of keeping youth out of adult prisons had been threatened by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) with the withholding of federal JJDPA funds for non-compliance with the JJDPA. Although OJJDP has since reversed this interpretation, H.R. 1873 codifies flexibility for states to retain youth in juvenile facilities for as long as the state deems appropriate without facing federal penalties.

- Improving conditions of confinement for youth in juvenile detention and corrections facilities: H.R. 1873 will, for the first time, encourage states to improve how youth are treated in locked facilities, including providing training to staff in these facilities and eliminating the use of dangerous practices, such as restraining youth to fixed objects, choking youth, and administering psychotropic medications to youth for purposes of coercion, punishment or convenience of staff.

Again, we thank you for introducing H.R. 1873 and for your continued leadership on juvenile justice issues both in Connecticut and at the national level. The ABA looks forward to working with you to continue to give youth the opportunities they need to become successful, contributing members of society.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas M. Susman", with a long horizontal flourish extending to the right.

Thomas M. Susman