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April 28, 2014

Justice Charles Johnson
Supreme Court Rules Committee
c/o Clerk of the Supreme Court
P.O. Box 40929
Olympia, WA 98504-0929

Re: Proposed Rule Change to JuCR (Proposed JuCR 1.6)

Dear Justice Johnson:

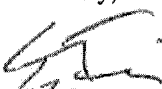
I am the Chief Deputy in the Whatcom County Public Defender's Office. I am writing to support the proposed JuCR 1.6 relating to Restraints on Juveniles in courtrooms.

In Whatcom County, virtually all juveniles are transported via elevator from the 6th floor of the courthouse to the juvenile courtroom on the 5th floor. They are accompanied by detention staff and are secure at all times, except when actually seated in the courtroom. The seats the juveniles occupy in the courtroom are separated from those viewing by a considerable distance and a bar that precludes anyone approaching those in custody, except lawyers, detention staff and parents when the juveniles' cases are called.

Many states have adopted rules that preclude physical restraints except where the court makes specific findings that the restraints are necessary for community safety or to prevent escape. Nevertheless, courts in this state continue to shackle juveniles, even on misdemeanor charges and other non-violent offenses. The practice tends to confirm to those shackled that there is a need for their shackling and label them as offenders in need of shackling. The practice flies in the face of the presumption of innocence and is difficult for the parents to see and for the lawyers to explain why the juvenile needs to be shackled. The practice is unduly cruel and without reasonable justification.

I urge the Supreme Court to adopt the proposed rule change.

Sincerely,



Starck Follis
Attorney at Law