



WASHINGTON STATE MINORITY AND JUSTICE COMMISSION

September 28, 2020

Justice Charles Johnson
Washington Supreme Court Rules Committee
P.O. Box 40929
Olympia, WA 98504-0929

Re: Comment in Support of Adopting Proposed JuCR 7.16

Dear Court Rules Committee

On behalf of the Washington State Minority and Justice Commission, we write to express our support for the adoption of Juvenile Court Rule 7.16. Our Juvenile Justice Committee has carefully reviewed the rule and the racially disparate results of bench warrants issued for violations of court orders (VCO) and failures to appear in court. The Committee concluded that JuCR 7.16 will improve the racial equity in the outcomes of the state's juvenile justice system and that it will help keep Black, Native and other youth of color out of detention.

Courts disproportionately issue warrants for these young people. The traumatic effects of an arrest or detention can have a lasting impact on a youth's life, especially for youth who have experienced trauma or come from an economically disadvantaged community.¹ JuCR 7.16 will help reduce the unintended harms of arrest and detention on Black, Native, and other youth of color.²

We recognize that juvenile warrants are sometimes issued to address real concerns regarding threats to a youth's health and safety. Regarding court nonappearance, however, as outlined in the Final Recommendations Report by the Washington State Pretrial Reform Task Force,³ there are less harmful measures courts can use to increase court appearance rates for youth. The same holds true for VCO warrants for violations of probation conditions. It is important and necessary to enlist the intelligence, creativity and wisdom of directly harmed communities as well as the institutional stakeholders in the juvenile justice system. The goals should be to address the underlying reason for the youth's failure to appear or violation of probation, to fashion solutions that will provide long-term positive outcomes for the youth, and to ensure the results are not racially disproportionate – something that arrest and detention cannot accomplish. Because of the harms posed to youth by arrest

¹ See *Generally*, Trauma Among Youth in the Juvenile Justice System, DEPT. OF JUSTICE NAT'L INST. OF CORRECTIONS, <https://nicic.gov/trauma-among-youth-juvenile-justice-system>.

² “[Y]outh who were stopped more often by police officers were more likely to report emotional trauma. ...[Y]outh's perceptions of their negative encounters with officers could also be harmful to their mental health.” Dylan B. Jackson, Chantal Fahmy, Michael G. Vaughn, Alexander Testa. *Police Stops Among At-Risk Youth: Repercussions for Mental Health*, JOURNAL OF ADOLESCENT HEALTH, 2019.

³ Final Recommendations Report, *Washington State Pretrial Reform Task Force*, pp. 9-13, <http://www.courts.wa.gov/subsite/mjc/docs/PretrialReformTaskForceReport.pdf>.

and detention and the viable alternatives available, and its likely positive effect on reducing racial disproportionality, JuCR 7.16 should be adopted.

We urge the Rules Committee to recommend adoption of the Rule.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Anne Lee'.

Anne Lee, Co-Chair
Juvenile Justice Committee

A large, stylized handwritten signature in cursive script, appearing to read 'Theresa Doyle'.

Judge Theresa Doyle, Chair
Legislation and Rules Committee

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Linford, Tera](#)
Cc: [Tracy, Mary](#)
Subject: FW: Public Comment - JuCR 7.16
Date: Wednesday, September 30, 2020 8:18:46 AM
Attachments: [MJC JJ Cmte Public Comment JuCR 7.16.pdf](#)

From: Thomas, Frank
Sent: Wednesday, September 30, 2020 8:18 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: Delostrinos, Cynthia <Cynthia.Delostrinos@courts.wa.gov>; Freed, Moriah <Moriah.Freed@courts.wa.gov>
Subject: Public Comment - JuCR 7.16

Dear Clerk of the Supreme Court:

Please find attached the public comment regarding proposed JuCR 7.16 – Quashing and Issuing Warrants – from the Minority and Justice Commission Juvenile Justice Committee.

Thank you for allowing the Minority and Justice Commission to take part in the public comment process, and please let me know if you have any issues or questions.

Thank you,
Frank Thomas

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