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To: [Martinez, Jacquelynn](#)
Subject: FW: Support for JuCR 7.16
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From: Kimberly D. Ambrose <kambrose@uw.edu>
Sent: Friday, April 21, 2023 6:25 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>; Gonzalez, Justice Steve <J_S.Gonzalez@courts.wa.gov>
Subject: Support for JuCR 7.16

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Chief Justice González and members of the Rules Committee,

I write in support of JuCR 7.16, a rule that maintains the juvenile courts' appropriate role in administering the juvenile legal system. I oppose its rescission or amendment.

As horrible as the COVID pandemic was and is, it gave us an opportunity to move away from some ineffective practices. One such practice, particularly harmful to non-White youth, is issuing warrants to arrest and incarcerate youth for not coming to court or violating probation conditions. Warrants have been and continue to be used to address the inability of youth to comply with a system not built for them. Youth involved in the juvenile legal system overwhelmingly do not have the ability to drive, or adults in their lives who can easily take off work to bring them to court, or access to good public transportation. Over the years there have been efforts to recognize the incongruity of forcing families with limited means to adhere to the structure of juvenile court. Many years ago, youth in King County were required to miss school and appear in person at 8:30 am in the central area of Seattle for arraignment hearings. Getting from places as far away as Federal Way and Kent by bus was no easy task and unsurprisingly many warrants ensued. Hearing times were changed to later in the day, and other measures over the years were taken at the local level to reduce arrests for youth who fail to appear for their court hearings. This is part of the story of bringing down detention rates in one jurisdiction. Still, many jurisdictions continue to use detention at high rates despite evidence we now have that arresting and caging youth into compliance is harmful and not consistent with improving public safety. Hence, the Juvenile Court Rules should remain clear: arrests and incarceration should not be used to force compliance where the youth does not pose a serious threat to public safety.

I concur with the opponents of JuCR 7.16 that inconsistent application of the rule is concerning. I disagree that giving juvenile court judges more discretion to incarcerate more youth by rescinding

JuCR 7.16 is the answer. The most recent statewide data shows juvenile detention rates (number of youth per 1000 youth with one detention stay) ranged widely from a low of 2.1 in King County to a high of 18.9 in Okanogan County. [2020 Washington State Juvenile Detention Report](#). I am concerned that youth in Omak are 8x more likely to be incarcerated than youth in Everett. Over my many years of practice, teaching and researching in this area, I have heard stakeholders say that high juvenile detention and filing rates in their jurisdictions correlate to a lack of resources for diversion, programming and services for youth in their communities or alternatives to detention. Issuing more warrants, arresting and incarcerating more youth will not resolve these significant resource issues and will likely exacerbate them.

The juvenile court judges and court administrators who object to the current rule undoubtedly care deeply about the children and families who appear before them. The answer to the tragic stories they bring is not expanding their authority to incarcerate. "If the only tool you have is a hammer, you tend to see every problem as a nail." (Abraham Maslow). The juvenile court's tools are limited and should be reserved only for protecting public safety when there is a serious threat. Incarceration should not be validated as an appropriate means to compensate for the lack of community based mental health and other resources for youth and families who are in crisis.

We often continue inequitable and destructive practices because we cannot figure out how to stop. For too long we have relied on jails to address public health and behavioral issues for youth and their families. We know now that it is harmful and does not increase public safety. We know it disproportionately impacts Black, Brown and Indigenous youth. We can stop pounding on our youth with the familiar tool of incarceration. Maintaining JuCR 7.16 is one critical step.

Sincerely,

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