

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Martinez, Jacquelynn](#)  
**Subject:** FW: Comment on Proposed Changes to JuCR 7.16  
**Date:** Thursday, April 13, 2023 9:22:30 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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**From:** Robyn Martin <robyn.martin@co.thurston.wa.us>  
**Sent:** Thursday, April 13, 2023 9:07 AM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Comment on Proposed Changes to JuCR 7.16

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Good morning. I wish to register my opposition to changes being proposed to Juvenile Criminal Rule 7.16. I am a Senior Defense Attorney with Thurston County Public Defense and I supervise our Juvenile/Civil Unit, which provides defense representation to juveniles accused of crimes. I believe the proposed changes would be detrimental to the welfare of youth involved in the juvenile legal system.

Allowing for the incarceration of youth in circumstances that do not amount to a threat to public safety (as opposed to individual safety) is harmful to children. First, any time spent in juvenile detention is traumatic. Incarceration separates children from their families, neighborhoods, schools, and other community supports. Numerous studies have shown the impacts of the trauma of incarceration on children. Second, incarcerating children for their own safety does nothing to remediate the issues that made the child unsafe. Whether it is mental health, substance use, or issues in the home or family relationships that are causing the child to run away, juvenile detention is not the solution. These children need access to quality community-based treatment and/or social support. They do not receive that in detention. The trauma of incarceration to children suffering from mental illness or substance use disorders is of greater magnitude. Finally, incarcerating juveniles leads to increased recidivism. Studies have shown that detention stays of even five days lead to a higher likelihood that youth will reenter the juvenile justice system. Further, youth who have more extensive experience in the juvenile legal system tend to show up more often in the adult criminal legal system, resulting in further trauma and burden on our communities.

We should be striving to keep as many youth out of jail as possible. JuCR 7.16 as it currently stands reflects this priority and I believe adequately considers the appropriate circumstances under which a warrant can be issued. The proposed changes to JuCR 7.16 would unnecessarily increase detention populations and would harm our children. I respectfully ask that the proposed changes not be adopted.

Sincerely,

*Robyn G. Martin* (she/her/hers)

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*“There comes a point where we need to stop just pulling people out of the river. We need to go upstream and find out why they’re falling in.” – Bishop Desmond Tutu*



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