



Across the country, juvenile justice facilities overuse extreme forms of isolation, sometimes imposing solitary confinement on children for several hours, days, or even weeks at a time. While a short cool-down period may sometimes be necessary— separating a youth from others when he or she poses an actual, immediate danger to him- or herself or others— isolation for punitive, protective, administrative, or retaliative reasons are not acceptable. The

isolation for youth in their facilities.<sup>2</sup> Several other states have undertaken successful administrative reforms, including Missouri, New York and Massachusetts.<sup>3</sup>

Additionally, many juvenile facilities around the country have signed on as member sites of the Juvenile Detention Alternatives Initiative (JDAI), an initiative of the Annie E. Casey Foundation. JDAI has adopted a set of national standards for conditions in juvenile detention facilities. The initiative offers trainings for local teams to monitor compliance with the standards at facilities in participating jurisdictions. The JDAI standards now prohibit solitary confinement for disciplinary purposes, and strictly limit its emergency use.<sup>4</sup> These reforms are all potential models for policy change; along with administrative and other avenues for reform, legislative advocacy can be an important piece of more permanent, long-term change.

A successful legislative campaign will start well before session so that you can understand the issues, the relevant laws or policies, and the relevant stakeholders<sup>5</sup> allowing you to plan a detailed strategy.

---

<sup>2</sup> While no law or administrative rule is perfect, several states have taken steps toward limiting isolation in the juvenile justice system. In particular, the reporting requirements of the Nevada law comprise an excellent model for creating more accountability, while the statutes in Oklahoma and West Virginia provide examples of statutory language either banning punitive isolation or restricting its use, although in practice the West Virginia law has -1(isolat)-4(tu)3(na)-7(tely)-5( )-27(bee)-4(n )-27(int)3(e)-3(r)-4(pr)-4(e)-3(ted )-40(som)-3(e)-3(w)4(h)-7(a)4(t )-24

The juvenile justice system is most often its own entity, separate from the adult corrections world, with its own courts, administrators, specialists, and other stakeholders. It is also, of course, a system focused on youth. You will need to identify potential allies, particularly nonprofit organizations and advocacy groups focused on the juvenile justice system and attorneys and legal organizations focused on representing youth in the juvenile justice system. It is important to work with potential allied stakeholders at the beginning, to address any problems well before session. They will also bring a wealth of practical knowledge to guide you in understanding how the system actually works and identifying critical reforms.

Identify potential opponents and prepare a strategy for addressing their concerns. State, local, or county-level

jails), and juvenile justice administrators were recruited as key supporters of the bill. As a result of the new law, BY LXU ↑ j Yb]Y' ↑ gh]W ZWY]h]Yg \U Y' VYb' fYdcfh]b[ 'a cbh\`micb` ]bW]X]Yb]g cZ fcca `WcbZ]bYa Yb]i` g]bW` C WcVYf` 2013. Juvenile justice officials are currently working with Dr. Joseph Tomassone, the Chief of Treatment Services for the New York State Office of Children and Family Services, to reform the use of isolation in their facilities. a development beyond even the requirements of SB 107.

The accompanying model legislation contemplates a variety of solitary confinement issues that will be applicable to U`hmdYgcZ ↑ j Yb]Y' ↑ gh]W ZWY]h]Yg` ]bW X]b[ `h\cg`k` ]h\` \ `gWf]h]m`Y] Y`g` B Y] YfhY Ygg` hY`a cXY`Ngj Yfg]h` ]m` is limited by several factors, which you should consider at the outset of any advocacy efforts. And we at the 57@ Ng National Prison Project are available to assist you in language and strategy issues as they arise.

First, this model legislation represents more forceful reform than will be possible in some states. While a goal of any campaign should always be ultimately to abolish all but the most limited, emergency isolation of children, we understand that these steps may be incremental. Thus, Strategy Notes appearing on the right side of





juvenile justice facility in the state> or designee. Written approval shall be required for each 12-hour period thereafter.

- g. All rooms used for <room confinement> shall have at least 80 square feet of floor space, and shall have adequate and operating lighting, heating/cooling, and ventilation for the comfort of the juvenile. Rooms must be clean, suicide-resistant, and protrusion-free. Juveniles in <room confinement> for any period of time must have access to water, toilet facilities, and hygiene supplies.
- h. Juveniles in <room confinement> shall have







ongoing basis as community standards of care change or as otherwise deemed appropriate.



(1) This section shall become operative on <Date>.

WY'U'IC dYfUj Y8UH'gW'cb'ZbYWggJfn'