

Please submit your letter by **June 8th at 5pm** to the following:

- Assembly Committee on Public Safety – Fax to (916) 319-3745 or email to Arnell.rusanganwa@asm.ca.gov
 - Jorge Barajas, Office of Senator Holly Mitchell – Email to Jorge.Barajas@sen.ca.gov
 - Maureen Washburn, Center on Juvenile and Criminal Justice – Email to Maureen@cjci.org
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Print on your organization's letterhead.

[Date]

The Honorable Reginald B. Jones-Sawyer Sr.
Chair, Assembly Committee on Public Safety
1020 N Street, Room 111
Sacramento, California 95814
Fax: (916) 319-3745

Re: Support for SB 439 (Mitchell)

Dear Assemblymember Jones-Sawyer:

On behalf of [Insert your organization's name], I write to express strong support for Senate Bill 439 (Mitchell), which would establish a minimum age for prosecution in juvenile court jurisdiction in California, protecting children under 12 years old from the harms and adverse consequences of justice system involvement and encouraging more effective alternatives to court involvement.

[Include a brief description of your organization]

Currently, California has no law specifying a minimum age for juvenile justice jurisdiction, which allows young children of any age to be prosecuted in juvenile court. This bill would bring California into compliance with the United Nations Convention on the Rights of the Child, which declares that all nations must establish a minimum age for their justice systems. The United Nations further specifies that this minimum age should be no lower than 12. Currently, 20 states in the United States have established a minimum age for juvenile court jurisdiction.

Prosecuting the youngest children runs contrary to scientific research and recent United States Supreme Court decisions that have repeatedly recognized children are inherently less culpable than adults. These same decisions also underscore that the very young present greater challenges in working and engaging meaningfully with the justice system, including with their own attorneys. Still, despite our growing understanding of the diminished culpability of children, 687 referrals were made to probation for children under 12 in 2015, including one five-year-old and 12 seven-year-olds.

In addition to concerns about young people's vulnerabilities in navigating the justice system,

research shows that contact with the juvenile justice system can have lasting and negative psychological and health impacts on anyone – but can be especially traumatic for a child. Research also shows that formally processing youth in the juvenile justice system does not thwart future crime, but instead can increase the likelihood of future criminal behavior. Moreover, many youth who experience early justice system contact have histories of early-age maltreatment, trauma, learning problems, or other underlying and unaddressed behavioral and environmental conditions. These needs are better addressed through alternatives to the justice system – such as through child welfare, education, health care or human services – in the context of family and community.

Justice system contact for children under 12 is already increasingly rare in California. Since 2010, arrests of children ages 11 and younger have declined by more than 50 percent. Of the referrals made in 2015, most were closed or dismissed before the child’s case reached court. SB 439 would further these positive trends by ensuring that young children in need of services are managed through alternatives to the justice system. It also protects young children from the potential stigmas and negative consequences of even initial processing in the justice systems, and promotes judicial economy by avoiding the costs of arrest, prosecution and court processing where the evidence rarely rises to the level of an offense worth sustaining as true.

SB 439 presents California with an opportunity to recognize the unique needs and vulnerabilities of youth, and align our treatment of children with international standards. For these reasons, we strongly support SB 439 and urge your vote in support.

Sincerely,

[Name, Title]
[Organization]

cc: Jorge Barajas, Office of Senator Holly Mitchell (Jorge.Barajas@sen.ca.gov)
Members and Committee Staff, Assembly Committee on Public Safety