

Summary of Youth Incarceration Reform Legislation

**Ranking Member Sheila Jackson Lee
House Judiciary Crime Subcommittee**

House Judiciary Crime Subcommittee Ranking Member Jackson Lee will introduce a package of youth incarceration reform legislation that approaches the needs of young people in a unique manner. These bills recognize the differences in brain development and maturity at the time of the conduct that causes them to enter the criminal justice system. The legislation focuses on young people who are 21 years of age or less, at the time of the committed offense, notwithstanding the age of prosecution, conviction or sentencing. As outlined below, these three bills focus on sentencing and incarceration in the federal system, expungement and sealing of federal convictions, and humane confinement of youth.

RAISE Act

- RAISE Act stands for “Reforming Alternatives to Incarceration and Sentencing to Establish a Better Path for Youth Act of 2015”
- Expands the mandatory minimum safety valve for nonviolent incarcerated youth
- Increases the length of time an incarcerated youth can serve home confinement and expands the use of home confinement generally
- Ends mandatory life imprisonment for incarcerated youth and creates a review mechanism after 20 years for incarcerated youth serving decades long sentences to be transferred to supervised release
- Directs the Bureau of Prisons to provide specialized housing and programs for incarcerated youth
- Establishes pilot programs to give incarcerated youth the opportunity to receive mentorship and to obtain skills through government and community service
- Establishes pilot diversion programs for incarcerated youth who are high-risk, victims, or caretakers
- Limits the length of time an individual can be incarcerated for technical probation violations

Fair Chance for Youth Act

- Allows formerly incarcerated youth to petition for expungement of federal misdemeanor and nonviolent drug offense convictions and sealing of federal nonviolent convictions
- Allows formerly incarcerated juveniles to seek expungement of federal misdemeanor and nonviolent offense convictions and sealing of federal nonviolent convictions

Kalief’s Law

- The “Effective and Humane Treatment of Youth Act of 2015” or Kalief’s Law is named in recognition of Kalief Browder, a young man who committed suicide after years of inhumane treatment in the Riker’s Correctional Facility, including two years of solitary confinement
- Reauthorizes the Juvenile Accountability Block Grant program

Summary of Youth Incarceration Reform Legislation

**Ranking Member Sheila Jackson Lee
House Judiciary Crime Subcommittee**

- Requires states receiving juvenile grant funding to implement policies and procedures to provide a right to speedy trial and timely bail consideration, and to ban youth solitary confinement
 - The right to speedy trial must ensure the dismissal of any criminal case after six months if there has not been a trial or adjudication on the merits if the youth is held in custody
 - The right to timely bail consideration must ensure a youth receives a detention hearing no later than two days after being taken into custody and provides several procedural protections, including right to counsel and regular review of detention decisions
 - The ban on the use of solitary confinement for youth allows the use of temporary separation in limited exigent circumstances that meet strict requirements
- Bans the use of solitary confinement for youth in federal facilities and allows the use of temporary separation in limited exigent circumstances that meet strict requirements
- Requires federal law enforcement to record all custodial interrogation of youth in federal custody and establishes preservation requirements and admissibility rules for such recordings
- Authorizes federal grant funds to support the recording of custodial interrogations by states
- Bans the shackling and restraint of youth during federal court appearances unless there are legitimate security concerns justifying the use of restraints
- Requires states receiving federal grant funding to implement policies and training programs specific to police-youth interactions
- This bill focuses on youth in the adult, not the juvenile, system

For more information, please contact Tiffany Joslyn, Deputy Chief Counsel for the House Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, Tiffany.Joslyn@mail.house.gov, (202) 225-7840