



H.R. 961— The Justice for Juveniles Act

The Justice for Juveniles Act protects young people from abuse in institutions by exempting them from the Prison Litigation Reform Act (PLRA). The PLRA currently creates obstacles to the courts for young people facing abuse in justice system institutions:

- It requires teenagers in juvenile or adult facilities to file grievances before bringing a lawsuit, sometimes with the very people who have abused them.
- It limits the kind of relief youth can get from the courts.
- It prevents youth from bringing a lawsuit for emotional injuries without physical injuries.
- It limits attorneys' fees, making it harder for young people to find attorneys to represent them.

The Justice for Juveniles Act exempts youth from the requirements of the Prison Litigation Reform Act to ensure that they are properly protected from abuse in institutions.

Why is the bill important?

- Youth are at serious risk of harm in juvenile and criminal justice facilities. They face physical and sexual violence, solitary confinement, pepper spray, and harmful restraints.
- Youth face unique challenges in complying with the administrative exhaustion requirement of the PLRA. The exhaustion requirement means that youth need to file grievance in a facility before they can ask for the court's help. Youth often lack the literacy skills, the understanding of the system and the capacity to comply with these expectations. They are also uniquely at risk of retaliation by staff members if they try to report abuse.
- Youth are deprived of court access because of the PLRA. A child in Texas was sexually assaulted. A Kentucky youth filed a lawsuit alleging that staff had hit him, shocked him with a stun gun, and then led him down the hall by his testicles. A North Dakota youth was beaten with "padlock-laden socks," suffered a seizure, deprived of medical care, and then beaten again and raped. He was too afraid to report the assaults because staff were involved in arranging fights between youth. These cases were all dismissed because the judges held they didn't satisfy the exhaustion requirement of the PLRA. We have no way of counting the number of youth whose cases never even reach the court because they lack access to attorneys.
- Psychological injuries are uniquely harmful to youth. Solitary confinement, strip searches, and other institutional practices can be harmful to anyone. For youth, whose brains are still developing, these practices can be particularly damaging. The requirement that an individual must show a physical injury before bringing a lawsuit is thus particularly problematic for youth.
- The PLRA was designed for adults. The PLRA was designed to address the problem of prisoners inundating the federal courts with lawsuits. That was never a reality for teenagers, whose cases rarely reach the court system. Even before the PLRA, incarcerated children filed very few lawsuits.