



Statement of Principles

As the national association of prosecutors dedicated to supporting and enhancing the effectiveness of prosecutors in their efforts to create safer communities, ensure justice, and uphold public safety, the Association of Prosecuting Attorneys (APA) hereby submits this statement of principles regarding the restraint of juveniles in delinquency court:

- Promoting public safety is of primary importance to prosecutors;
- Ensuring public safety through effective prosecution will ensure just results and enhance trust in the criminal justice system;
- Juveniles are impressionable and the indiscriminate use of restraints in court has been shown to influence juveniles such that it negatively impacts their future behavior and also fosters a negative perception of the criminal justice system, including decreasing their level of cooperation and engagement with courtroom stakeholders;
- As of 2015 at least 21 jurisdictions have adopted policies to end indiscriminate restraint of juveniles in courtrooms without any risk to public safety;
- Courts are encouraged to provide juveniles with an opportunity to be heard on the issue of whether the use of restraints are the least restrictive means necessary to prevent flight or harm to the juvenile or others.
- There should be a presumption against the use of restraints on juveniles in court without appropriate evidence-based and data-driven assessments indicating that there are no less restrictive alternatives to restraints that will prevent flight or physical harm to the child or another person, including, but not limited to, the public, court personnel, law enforcement officers, or bailiffs.