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## Congress of the United States

House of Representatives Washington, DC 20515-4209

July 18, 2018

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEES: CONSTITUTION AND CIVIL JUSTICE - RANKING MEMBER COURTS, INTELLECTUAL PROPERTY AND THE INTERNET

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> COMMISSION ON SECURITY AND COOPERATION IN EUROPE (U.S. HELSINKI COMMISSION)

The Honorable Jeff Sessions Attorney General United States Department of Justice 950 Pennsylvania Avenue, NW Washington, DC 20530

Dear Attorney General Sessions:

I write to urge continued monitoring of the Memphis and Shelby County Juvenile Court pursuant to its existing Memorandum of Agreement (MOA) with the U.S. Department of Justice (DOJ). As you know, the MOA was put into effect following a 2012 DOJ investigation that found systematic discrimination against African-American children and failure to provide due process.

According to the most recent compliance report, issued June 6, 2018:

"...in 2018 there have been eight documented cases where attorneys made requests for psychological evaluations prior to the transfer hearing and the request was denied. In one case the child's grandfather expressed concerns about the child's mental health issues, yet the request for a psychological evaluation was denied. In addition, there was a case where the Court refused to wait for the evaluation to be completed and proceeded to have the child's transfer hearing when a psychological evaluation was pending. I am not aware of any other jurisdiction that refuses to provide psychological evaluation to youth facing transfer, and I find this practice troubling given the consequences at stake."

This is no time for DOJ to stop monitoring the juvenile justice system in Memphis and Shelby County.

As always, I remain,

Most sincerely,

Steve Cohen Member of Congress

<sup>&</sup>lt;sup>1</sup> https://www.justice.gov/crt/case-document/file/1077561/download