



EVEN THOUGH YOUTH CRIME HAS DECREASED DURING THE LAST DECADE, STATES HAVE PASSED LAWS MAKING IT EVEN EASIER TO TRY YOUTH AS ADULTS. IN 13 STATES, YOUTH ARE AUTOMATICALLY TRIED AND SENTENCED AS ADULTS NO MATTER HOW MINOR THEIR OFFENSE; THIS KIND OF POLICY SENDS THOUSANDS OF YOUTH TO ADULT COURT FOR NON-VIOLENT OFFENSES. 23 STATES HAVE NO MINIMUM AGE FOR TRANSFERRING A YOUTH TO ADULT COURT; IN ALL OTHER STATES, THE MINIMUM AGE IS 10 TO 15. IN 38 STATES, CERTAIN CASES MUST BE TRANSFERRED TO ADULT COURT REGARDLESS OF CIRCUMSTANCES. 15 STATES ALLOW "DIRECT FILING," WHICH MEANS THE PROSECUTOR DECIDES WHICH YOUTH ARE TRIED AS ADULTS. CHILDREN OF ANY AGE CAN BE TRIED AND SENTENCED AS ADULTS IN ALMOST TWO DOZEN STATES. THOUSANDS OF YOUTH LANGUISH IN ADULT JAILS AND PRISONS EVERY DAY WITHOUT RECEIVING ANY EDUCATION, COUNSELING, OR TREATMENT. YOUTH TRIED IN ADULT CRIMINAL COURT ARE AT GREATER RISK OF ASSAULT AND DEATH IN ADULT JAILS AND PRISONS WITH ADULT INMATES, WILL RECEIVE AN ADULT RECORD, MAY NEVER HAVE ACCESS TO STUDENT FINANCIAL AID, AND WILL LOSE THEIR VOTING RIGHTS IN MANY STATES. EVERY YEAR, AS MANY AS 200,000 YOUTH UNDER 18 ARE PROSECUTED IN ADULT CRIMINAL COURTS ACROSS THE UNITED STATES. DESPITE OVERWHELMING RESEARCH DEMONSTRATING THAT THESE POLICIES HAVE FAILED, STATUTES THAT PROSECUTE YOUTH IN THE ADULT CRIMINAL JUSTICE SYSTEM REMAIN ON THE BOOKS. YOUTH ARE NOT TREATED HUMANELY AND ARE NOT SAFE IN THE ADULT CRIMINAL JUSTICE SYSTEM. JUSTICE DEPARTMENT RESEARCH SHOWS THAT YOUTH INCARCERATED WITH ADULTS ARE EIGHT TIMES MORE LIKELY TO COMMIT SUICIDE THAN IN JUVENILE FACILITIES. YOUTH DO NOT RECEIVE REHABILITATION OR TREATMENT IN THE ADULT CRIMINAL JUSTICE SYSTEM. THEY ARE NOT AFFORDED THE SAME KINDS OF REHABILITATIVE AND EDUCATIONAL SERVICES AS YOUTH IN THE JUVENILE JUSTICE SYSTEM. THE PRACTICE OF TRYING YOUTH AS ADULTS DOES NOT PROMOTE PUBLIC SAFETY. RESEARCH SHOWS YOUTH ARE MORE LIKELY TO RE-OFFEND WHEN THEY ARE TRIED AND INCARCERATED IN THE ADULT JUSTICE SYSTEM. YOUTH DO NOT GET A SECOND CHANCE. YOUTH SENTENCED AS ADULTS RECEIVE AN ADULT CRIMINAL RECORD, ARE OFTEN DENIED EMPLOYMENT AND EDUCATIONAL OPPORTUNITIES, ARE BARRED FROM RECEIVING STUDENT FINANCIAL AID, AND IN MANY STATES MAY NOT BE ABLE TO VOTE. YOUTH OF COLOR ARE THE MOST NEGATIVELY AFFECTED. NATIONAL STUDIES SHOW THAT YOUTH OF COLOR ARE TREATED MORE HARSHLY THAN ARE WHITE YOUTH, EVEN WHEN CHARGED WITH SIMILAR OFFENSES. YOUTH ARE DIFFERENTIATED FROM ADULTS. NEW RESEARCH ON BRAIN DEVELOPMENT SHOWS THAT YOUTH DO NOT HAVE ALL THE SAME CAPACITIES AS ADULTS AND SHOULD BE TREATED DIFFERENTLY. IN MOST STATES, YOUTH TRIED AS ADULTS ARE SUBJECT TO HARSHER ADULT PENALTIES—INCLUDING LIFE WITHOUT PAROLE—THAN YOUTH PROCESSED IN THE JUVENILE SYSTEM. YOUTH CONVICTED IN THE ADULT SYSTEM RECEIVE LITTLE OR NO REHABILITATIVE PROGRAMMING WHICH MAY AID IN THE JUVENILE SYSTEM. YOUTH CONVICTED AS ADULTS CANNOT EASILY ERASE THEIR CRIMINAL RECORDS WHICH AFFECT THEIR FUTURE OPPORTUNITIES FOR EDUCATION AND EMPLOYMENT. IN SOME STATES, THE DEATH PENALTY FOR PERSONS UNDER 18 IS APPLICABLE. THE SUPREME COURT VOTED IN 2005 THAT "OUR SOCIETY BENEFIT FROM THE REHABILITATIVE NATURE OF THE JUVENILE JUSTICE SYSTEM. YOUTH ARE AT GREATER RISK OF VICTIMIZATION AND DEATH IN ADULT JAILS AND PRISONS THAN IN JUVENILE FACILITIES. THE PRACTICE OF SENTENCING YOUTH AS ADULTS MOST SERIOUSLY AFFECTS AFRICAN-AMERICAN, LATINO, AND NATIVE-AMERICAN YOUTH. YOUTH CONVICTED IN THE ADULT SYSTEM MAY BE DISENFRANCHISED AND DENIED MILITARY SERVICE. YOUTH HELD IN ADULT FACILITIES ARE MORE LIKELY TO RECIDIVATE THAN ARE SIMILAR OFFENDERS WHO REMAIN IN THE JUVENILE SYSTEM. HUMAN RIGHTS WATCH REPORTED IN 2005 THAT AN ESTIMATED 2,225 YOUTH UNDER 18 WERE SERVING LIFE WITHOUT PAROLE. DESPITE THE FACT THAT JUVENILE CRIME IS AT A 30-YEAR LOW AND THAT YOUTH CRIME CONSTITUTES ONLY A SMALL PORTION OF A COMMUNITY'S PUBLIC SAFETY CHALLENGE, MUCH OF THE PUBLIC BELIEVES THAT YOUNG PEOPLE ARE DRIVING VIOLENT CRIME. SOME RESEARCHERS ESTIMATE THAT AS MANY AS 200,000 YOUTH ARE PROSECUTED AS ADULTS EVERY YEAR. RATHER THAN REDUCING CRIME, TRYING YOUTHS AS ADULTS INCREASES THE CHANCE THAT THEY WILL RE-OFFEND. THE OVERWHELMING MAJORITY OF CHILDREN WHO ENTER THE ADULT COURT ARE NOT THERE FOR SERIOUS, VIOLENT CRIMES. IN CONNECTICUT, 96% OF THE 16- AND 17-YEAR-OLDS ARRESTED ARE ARRESTED FOR NON-VIOLENT OFFENSES, BUT CONNECTICUT LAW MAKES TRYING THEM AS ADULTS MANDATORY. ON ANY GIVEN DAY, MORE THAN 7,000 CHILDREN ARE IN ADULT JAILS. THE NUMBER OF YOUTH PLACED IN ADULT JAILS HAS INCREASED BY 208% SINCE 1990. YOUTH INCARCERATED IN ADULT FACILITIES DO NOT HAVE ACCESS TO DEVELOPMENTALLY APPROPRIATE AND REHABILITATIVE PROGRAMMING AVAILABLE IN THE JUVENILE JUSTICE SYSTEM. CHILDREN IN ADULT PRISONS ARE AT INCREASED RISK OF ABUSE, SEXUAL ASSAULT, SUICIDE, AND DEATH. THE DECISION TO SEND CHILDREN TO ADULT COURT IS MOST LIKELY NOT MADE BY A JUVENILE COURT JUDGE, WHO WOULD BE A NEUTRAL PLAYER IN THE BEST POSITION TO DETERMINE THE MERITS OF THE CHILD'S CASE. YOUTH OFTEN ARE NOT PROVIDED WITH ADEQUATE COUNSEL, WHICH DENIES THEM A CONSTITUTIONAL RIGHT THAT OTHERWISE COULD HELP THEM STAY OUT OF THE ADULT SYSTEM. AFTER LEAVING JAIL OR PRISON, YOUTH CARRY THE STIGMA OF ADULT CRIMINAL CONVICTION AND MAY HAVE TROUBLE FINDING A JOB OR GETTING AN EDUCATION TO TURN THEIR LIVES AROUND. RESEARCH SHOWS THAT THESE LAWS DO NOT PROMOTE PUBLIC SAFETY. CHILDREN ARE MORE LIKELY TO RE-OFFEND AFTER SERVING IN ADULT JAILS AND

# GAMPAIGN FOR YOUTH JUSTICE

