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Experts Recommend Juvenile Justice Reform at DOC Oversight Hearing

Testimony Denounces the Transfer of Youth to Adult Courts and Dangers in Adult Jails

Washington, D.C. – Today, the D.C. City Council held a Department of Corrections oversight hearing, in which a parent advocate and leading expert testified for the reform of trying youth as adults and placing them in adult jails. Witnesses included Liz Ryan, President and CEO of the Campaign for Youth Justice (CFYJ) and Catreeda Lloyd, a parent advocate in D.C.

“The transfer of youth to the adult criminal court and placement of youth in the D.C. Jail and other facilities across the country is an issue of major concern,” said Ryan. “Too many youth are being prosecuted as adults in the District without review by a juvenile court judge. Jurisdictions around the country have already begun making essential changes to state laws to reduce the number of youth prosecuted in adult court and our nation’s capital can act as a leader in implementing these reforms.”

In *A Capital Offense: Youth in D.C.’s Adult Criminal Justice System and Strategies for Reform*, a report released by the Campaign for Youth Justice in July, 2007, youth as young as 15 can be prosecuted as adults in the District and can be held pretrial in the D.C. Jail where there is a lack of educational and other services for youth. These District youth will not have access to the rehabilitative services put into place under new comprehensive reform legislation, the Omnibus Juvenile Justice Amendment Act of 2004 (D.C. Law 15-261) and cannot be returned to the juvenile justice system even if they could benefit from these rehabilitative services.

Research shows that prosecuting youth as adults increases violence and risk of re-offending and that placing youth in adult jails puts youth at serious risk of harm. According to a U.S. Centers for Disease Control and Prevention (CDC) Task Force, in a November, 2007 *Morbidity and Mortality Weekly Report*, youth who are prosecuted as adults are, on average, 34 percent more likely to commit crimes than youth retained in the juvenile justice system. The U.S. Department of Justice’s Bureau of Justice Statistics documents that 21 percent and 13 percent of all substantiated victims of inmate-on-inmate sexual violence in jails in 2005 and 2006 respectively, were youth under the age of 18, even though only 1 percent of jail inmates are juveniles.

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In the District, male youth are placed in a separate section of the D.C. Jail. However, *Jailing Juveniles: The Dangers of Incarcerating Youth in Adult Jails in America*, a report released by the Campaign for Youth Justice in November, 2007, shows that while separating children from adults in adult jails will reduce contact with adults, children are then often placed in isolation, which can also produce harmful consequences. Youth are frequently locked down 23 hours a day in small cells with no natural light. These conditions can cause anxiety, paranoia, and exacerbate existing mental disorders and put youth at risk of suicide. *Jailing Juveniles* documents that youth have the highest suicide rates of all inmates in jails. Youth are 36 times more likely to commit suicide in an adult jail than in a juvenile detention facility, and 20 times more likely to commit suicide in an adult jail than youth in the general population.

The District's juvenile justice system is a national model that can be an effective alternative to prosecuting youth in adult court and is strongly supported by public opinion polling. In 2001, the Mayor's Blue Ribbon Commission recommended the closure of the Oak Hill facility, investment in community-based alternatives to incarceration, and revising the juvenile justice laws to allow for transfer to adult court only after a hearing and a decision by a juvenile court judge. The Department of Youth Rehabilitation Services (DYRS) was later established to reform D.C.'s juvenile justice system.

DYRS is constructing a new facility to replace Oak Hill with a smaller, home-like facility for the few youth who may need to be incarcerated for some period of time and more community-based alternatives to incarceration for the majority of youth who do not pose a risk to public safety. These reforms are based on best practices around the country that include the Missouri "approach" to juvenile corrections, the Juvenile Detention Alternatives Initiative, and model community-based alternatives to detention and incarceration. The reforms are working to reduce the city's reliance on incarceration as a response to juvenile crime.

Recommendations to D.C. Council:

- Continue to invest in effective approaches in the juvenile justice system.
- Reduce the transfer of youth to the adult court by requiring that all transfer cases be decided by a judge, with a hearing and criteria for consideration.
- End the placement of youth in the D.C. jail as soon as possible.
- Collect and analyze data on youth tried and sentenced as adults on an on-going basis.

The Campaign for Youth Justice is a national organization dedicated to ending the practice of trying, sentencing and incarcerating youth under the age of 18 in the adult criminal justice system.

For more information, visit: www.campaignforyouthjustice.org.