

# OJJDP Bulletin Summarizes Latest Research on Transfer



During the 1990s, nearly every state legislature took steps to expand the number of youth tried in the adult system. As a result, researchers estimate that close to 200,000 youth are tried as adults each year. Most states enacted their transfer laws without the benefit of the research on the negative impact that trying youth as adults has on public safety. Since passage of these laws, the evidence is now clear – trying youth as adults has both a detrimental impact on the youth tried as adults and harms public safety.

In June 2010, The Department of Justice’s Office of Juvenile Justice and Delinquency Prevention released, *Juvenile Transfer Laws: An Effective Deterrent to Delinquency?* a research bulletin compiled by Professor Richard Redding. The bulletin provides an overview of research on the deterrent effects of transferring a youth from juvenile to criminal courts, focusing on large-scale comprehensive OJJDP-funded studies on the effect of transfer laws on recidivism. Key findings from the OJJDP report are:

- Laws that make it easier to transfer youth to the adult criminal court system have little or no general deterrent effect, meaning they do not prevent youth from engaging in criminal behavior.
- Youth transferred to the adult system are more likely to be rearrested and to reoffend than youth who committed similar crimes, but were retained in the juvenile justice system.

In addition, Redding explored why youth have higher recidivism rates. Higher recidivism rates are due to a number of factors including:

- Stigmatization/negative labeling effects of being labeled as a convicted felon
- Sense of resentment and injustice about being tried as an adult
- Learning of criminal mores and behavior while incarcerated with adults
- Decreased access to rehabilitation and family support in the adult system
- Decreased employment and community integration opportunities due to a felony conviction

After reviewing the research, Redding concluded, “To best achieve reductions in recidivism, the overall number of juvenile offenders transferred to the criminal justice system should be minimized. Moreover, those who are transferred should be chronic repeat offenders – rather than first-time offenders – particularly in cases where the first-time offense is a violent offense.”

## Conclusion

The results from the OJJDP report provide evidence that transfer to adult court should be severely limited and used only as a last resort, and then only after a hearing before a judge who can make an individualized determination after evaluating a youth’s case.

The OJJDP Bulletin can be found online at: <http://www.ncjrs.gov/pdffiles1/ojjdp/220595.pdf>