



Speaking Out Against Prosecuting Youth as Adults: Quotes from Researchers and Youth Prosecuted as Adults and Their Families

Youth and Families Affected by Transfer Laws

Each day [Kirk] had to teach himself during the one hour of ‘school’ because the teacher was frequently unavailable; the noise level in his block gave him headaches; a convicted sex offender exposed himself to Kirk; he was involved in a couple physical confrontations, his depression increased; and he was so bored that his thoughts consumed him...Two days after Christmas in 2005, Kirk was placed in confinement, known as ‘the hole’...Despite his request for help and regulations requiring one-hour checks on inmates in confinement, Kirk was left alone for approximately two and a-half hours. When jail staff finally checked on Kirk, my son was found dead hanging by a blanket from the smoke detector in the cell. - *Interview with Vicky Gunderson, mother of Kirk Gunderson, age 17, who committed suicide while in an adult jail.*

“While awaiting his revocation hearing, David was held at MYI. After four months of confinement compounded by the onset of severe depression and with no mental health intervention, he took his life by hanging himself with a bed sheet in his cell”- *Correspondence with mother, D. Gonzalez (2007)*

“Thank God I am in good health, because the medical here is horrible. We can’t even get good dental or eye care; I have seen so many people die here: I walk down the walkway one day with a person and the next day, or few days, they’re dead - *Correspondence with P. Carrington (February 2009)*

“My experience in the adult justice system continues to be a living hell...I was not allowed access to any programs and I was shipped to a maximum security prison 13 driving hours away [from home]. There I witnessed killings, rapes, stabbings, and shootings”- *Correspondence with F. Hill (February 2008)*

“In Georgia, teens are dropped into a system that has nothing in place to evaluate their growth as they become adults...In the 21 years I’ve spent in prison, I’ve never had one interview with the parole board. You would think

because I came to prison so young that my progress would be noted and followed..... I lost my true identity in the darkness that became my prison” - *Correspondence with A. Woodard (December 2008)*

“I used to believe our children are our future but now I realize that this, sadly, isn’t the reality. Through laws that treat kids like adults, the government is throwing away the future of children in this country”- *Correspondence with mother, L. Reider (October 2007)*

“At one time, all my son talked about [was] being a dentist. But now, he has a felony so he doesn’t know what he wants to do or can do. I don’t even ask him anymore... Having a record is going to impact my son greatly...I don’t think he is going to be able to overcome this...I really do not see a great future for my son anymore...This hurts the most because I know what he is capable of”-*Correspondence with mother, P. Crews (March 2009)*

The Researchers’ Perspective

Quote from report by the Future of Children Project by the Brookings Institution and The Woodrow Wilson School of Public and International Affairs at Princeton University¹:

“Although the reaction of politicians to the public’s moral panic may have been understandable, it is important to analyze the resulting harsh confinement policies to determine whether they make sense and whether they should remain in place.”

Quotes from OJJDP Juvenile Justice Bulletin (August 2008)²:

- “Laws to 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.”
- “The research findings on juvenile transfer have the potential to impact both policy and practice. In a recent study, Hensl and Redding (2005) found that juvenile court judges who were knowledgeable about the ineffectiveness of transfer in reducing recidivism were somewhat less

¹ Haskins, R.& Steinberg, L. (2008) *Keeping Adolescents Out of Prison*, The Future of Children, Retrieved from http://www.futureofchildren.org/usr_doc/FOC_Brief_Summer08.pdf,

² Office of Justice Programs, OJJDP Juvenile Justice Bulletin (2008, August). *Juvenile Transfer Laws: An Effective Deterrent to Delinquency?* Retrieved at <http://www.ncjrs.gov/pdffiles1/ojjdp/220595.pdf>.

likely to transfer juvenile offenders to the criminal court. This finding suggests that educating judges, prosecutors, court personnel, and legislators about the research on transfer may reduce the number of cases transferred to criminal court or the number of transferred cases that result in criminal sanctions.”

- “To best achieve reductions in recidivism, the overall number of juvenile offenders transferred to the criminal justice system should be minimized.”

Quotes from U.S. Centers for Disease Control and Prevention Task Force on Community Preventive Services Report (November 2007)³:

- “The findings in this report indicate that transfer policies have generally resulted in increased arrest for subsequent crimes, including violent crime, among juveniles who were transferred compared with those retained in the juvenile justice system. To the extent that transfer policies are implemented to reduce violent or other criminal behavior, available evidence indicates that they do more harm than good.”
- “The review indicates that use of transfer laws and strengthened transfer policies is counterproductive to reducing juvenile violence and enhancing public safety.”
- “The Task Force recommends against laws or policies facilitating the transfer of juveniles to the adult criminal justice system for the purpose of reducing violence.”
- “The practice of transferring juveniles for trial and sentencing in adult criminal court has, however, produced the unintended effect of increasing recidivism, particularly in violent offenders, and thereby of promoting life-course criminality.”

³ Centers for Disease Control and Prevention. *Effects on Violence of Laws and Policies Facilitating the Transfer of Youth from the Juvenile to the Adult Justice System*. MMWR 2007;56(No. RR-9): 9.