

February 24, 2010

NATIONAL RESOLUTION

WHEREAS the historical role of the juvenile court system is to rehabilitate and treat youthful offenders while holding them accountable and maintaining public safety and is therefore better equipped to work with youth than the adult criminal justice system;

WHEREAS youth are developmentally different from adults and these differences have been documented by research on the adolescent brain and acknowledged by many state laws that prohibit youth under age 18 from taking on major adult responsibilities such as voting, jury duty, and military service;

WHEREAS an estimated 200,000 youth are tried, sentenced, or incarcerated as adults every year in the United States and most of the youth are prosecuted for non-violent offenses;

WHEREAS most laws allowing the prosecuting of youth as adults were enacted prior to research evidence by the Centers for Disease Control and Prevention and the Office of Juvenile Justice and Delinquency Prevention demonstrating that youth prosecuted in adult court are, on average, 34 percent more likely to commit crimes than youth retained in the juvenile system;

WHEREAS youth of color receive more punitive treatment than white youth for the same offenses at all stages in the justice system and the point of greatest disparities is often the decision to transfer a youth to the adult system;

WHEREAS the use of statutes or procedures that automatically exclude youth from the juvenile court without an assessment of individual circumstances by an impartial judge denies youth basic fairness;

WHEREAS it is harmful to public safety and to young offenders to confine youth in adult jails or prisons where they are significantly more likely to be sexually assaulted, physically assaulted, and upon release, more likely to re-offend than youth housed in juvenile facilities;

WHEREAS youth detained or incarcerated in the adult criminal justice system should be housed in juvenile facilities which have been successful at rehabilitating youth;

WHEREAS youth sentenced as adults receive an adult criminal record which is a barrier to further education or employment and the collateral consequences normally applied in the adult justice system should not automatically apply to youth arrested for crimes before the age of 18;

WHEREAS youth may receive extremely long sentences and deserve an opportunity to demonstrate their potential to grow and change;

WHEREAS the monetary value of saving a high-risk youth from a life of crime is estimated to range between \$2.6 and \$4.4 million for each childⁱ and moving youth from the adult criminal justice system to the juvenile justice system is cost-effective;

BE IT RESOLVED that the Campaign For Youth Justice and signers of this resolution ask federal, state, and local policymakers to reform laws, policies, and practices so as to significantly reduce the number of youth sent to adult criminal court, remove young offenders from adult jails and prisons, ensure youth sentences account for their developmental differences from adults, and enable youth to return to their families and society without compromising community safety.

ⁱMark Cohen paper: <http://www.youthbuild.org/atf/cf/%7B22B5F680-2AF9-4ED2-B948-40C4B32E6198%7D/Generic%20Report%20on%20Monetary%20Savings%20-%20Final.pdf>