

Why start a "campaign" on "transfer" in your state?

There are many reasons to start a transfer "campaign" in your state. Here are our "top five":

First, youth of color are most disparately impacted by policies that require the prosecution of youth in adult court and placement in adult jails and prisons. In 2008, CFYJ launched a "Race & Ethnicity" policy brief series to document the disparate impact of prosecuting youth of color in the criminal justice system. The results are devastating and show overwhelming and growing disparities at every stage in the juvenile justice system, with the most disparate impact at the point of transfer to adult court.

Second, this is the most broken part of the juvenile justice system where the research has definitively shown that sending youth to adult criminal court actually increases crime. Major research institutions, the US Department of Justice, Scientists at the Federal Centers for Disease Control, and heads of national professional associations and organizations have all stated unequivocally that prosecuting youth in adult court does not work.

Third, the point at which youth are placed in the adult criminal justice system is a major dividing line between whether our society "gives up" on a child or not. Essentially when a child is placed in adult criminal court - through whichever legal statute - we are saying as a society that this young person is beyond rehabilitation that this child is not worth investing in, that this child's life is not worth saving. It is the "point of no return" as most state laws do not allow for sending children back to the juvenile justice system once they are under adult court jurisdiction.

Fourth, the consequences of prosecution in adult criminal court for youth are life-long. By prosecuting children in adult court, children are precluded by law from participation in rehabilitative programs. These children are negatively impacted for the rest of their lives. This is the equivalent of the scarlet letter that a child must bear for the rest of their lives that is virtually eraseable and follows a youth whenever they apply for employment, education or other opportunities.

Fifth, it is winnable and the public is supportive. In the past five years, some states have made major changes to their state policies and in nearly a third of the states, some incremental changes have been made. The public strongly supports revising state policies. According to public opinion polling, the public strongly supports investing in rehabilitative approaches to help youth, not prosecution in adult court or placement in adult jails and prisons. Bottom line, "transfer reform" is possible.