



Talking Points

Reducing the Prosecution of Youth in Adult Criminal Court

- An estimated 200,000 youth are prosecuted in the adult criminal justice system every year, and nearly 6,200 youth are locked in adult jails or prisons on any given day.
- Youth prosecuted in adult criminal court, are frequently placed in adult jails pre-trial, before they are even convicted.
- Nine states continue to set the age of criminal responsibility below 18 years; two set it at age 16 and seven set it at age 17 years. 23 states allow children as young as 7 years of age to be transferred to the adult criminal justice system.
- Youth in adult jails and prisons are subject to greater risks of violence and sexual assault than any other population.
- Youth sent to adult jails and prisons face greater risks of exacerbated emotional and mental health problems, including greater risks of suicide. Youth are often held in isolation for their own protection and “safety.”
- Youth of color are disproportionately impacted by state transfer laws.
- Youth prosecuted in adult criminal court are subject to the same sentencing guidelines as adults, and may be subject to mandatory minimum sentences or life without parole.
- The consequences of an adult criminal conviction for youth are serious, negative, life-long, and severely impair youth chances at future success.
- Studies across the nation have consistently concluded that juvenile transfer laws are ineffective at deterring crime and reducing recidivism.
- The adult criminal justice system is not set up to adequately manage youth offenders.
- The public strongly supports investing in rehabilitative approaches to help youth - not prosecuting youth in adult court or placing youth in adult jails and prisons.
- Effective treatment programs reduce recidivism, and in turn, fewer tax dollars are spent sending youth back into the system.
- Recognizing the harmful effects of these laws, 30 states have implemented changes that reduce the prosecution of youth in adult court and limit the placement of youth in adult jails and prisons. As a result, 60% fewer youth are sitting in adult jails and prisons than there were twenty years ago.
- Given the overwhelming evidence showing that we can better protect our youth and keep our communities safe by keeping children under juvenile court jurisdiction, now is the time to change state policies and reduce the prosecution of youth in adult criminal court.

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