

# NATIONAL RESOLUTION

## *Regarding trying and sentencing youth offenders in adult criminal court*

WHEREAS policies and practices providing “adult time for adult crime” are often harmful—rather than helpful—to community safety, as evidenced by research demonstrating that prosecuting juveniles in the adult criminal system increases rather decreases the likelihood that they will re-offend, as compared with handling them in the juvenile justice system;

WHEREAS, 75% of youth under age 18 sent to adult facilities will be released by the age of 22 and most will have been denied adequate education, mental health, drug treatment and employment skills training;

WHEREAS trying and sentencing youth in adult court is not reserved for the most serious, chronic and violent juvenile offenders, but inappropriately includes more than half of the cases involving only nonviolent drug and property crimes;

WHEREAS there exist serious human rights, as well as physical and emotional health concerns when youth held in adult facilities are sexually assaulted five times more often, commit suicide eight times more often, and are assaulted with a weapon 50% more often than youth held in juvenile facilities;

WHEREAS there exist serious civil rights concerns given that youth of color are disproportionately represented in cases sent to adult court—as shown in 18 of the largest court jurisdictions where 82% of juvenile cases filed in adult court involved youth of color;

WHEREAS research continues to establish and reaffirm that the adolescent brain—particularly the part that makes judgments, reins in impulsive behavior and engages in moral and ethical reasoning—is not fully developed until age 19 or 20, laying the foundation for laws that prohibit youth under age 18 from taking on major adult responsibilities such as voting, jury duty and military service;

WHEREAS the use of statutes or procedures that automatically exclude youth from the juvenile court without an assessment of individual circumstances deny them basic fairness;

WHEREAS more than 250,000 offenders under the age of 18 are sent each year to adult criminal courts across the United States, including an estimated 218,000 excluded from juvenile court jurisdiction, not because of the severity of their crimes, nor because they are habitual violent offenders, but because states have lowered the age of adulthood in the criminal code;

**BE IT RESOLVED** that the national organizations listed herein will work to build broad acceptance for reform, as well as to create reform, in state policies and practices, so as to significantly reduce the number of youth sent to adult criminal court and to ensure that young offenders are appropriately adjudicated in ways that enhance community safety and vitality.

## **SIGNATORIES**

**The following 40 national organizations, representing and serving millions of children, youth and families all across the United States, proudly stand together in support of the National Resolution Regarding Trying and Sentencing Youth Offenders in Adult Criminal Court, as of March, 2005:**

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| Alliance for Children and Families                  | National Association of Criminal Defense Lawyers          |
| American Academy of Child and Adolescent Psychiatry | National Association of School Psychologists              |
| American Academy of Pediatrics                      | National Association of Social Workers                    |
| American Probation and Parole Association           | National Collaboration for Youth                          |
| American Society for Adolescent Psychiatry          | National CURE   |
| American Youth Policy Forum                         | National HIRE Network                                     |
| Campaign 4 Youth Justice                            | National Juvenile Defender Center                         |
| Center on Juvenile and Criminal Justice             | National Mental Health Association                        |
| Children's Defense Fund                             | National Network for Youth                                |
| Child Welfare League of America                     | National Network of State Juvenile Justice Collaborations |
| Church Women United                                 | National Youth Employment Coalition                       |
| Coalition for Juvenile Justice                      | Physicians for Human Rights                               |
| Council for Children with Behavioral Disorders      | Presbyterian Church USA                                   |
| Covenant House                                      | Reclaiming Futures  |
| Critical Resistance                                 | School Social Work Association of America                 |
| Federation of Families for Children's Mental Health | Society for Adolescent Medicine                           |
| Justice Policy Institute                            | Southern Poverty Law Center                               |
| Juvenile Law Center                                 | The Sentencing Project                                    |
| Legal Action Center                                 | United Church of Christ Justice and Witness Ministries    |
| National Alliance for the Mentally Ill              | Youth Law Center  |