 Coalition for Juvenile Justice (CJJ) Position Statement on Transfer:

CJJ opposes trying and sentencing youth in adult criminal court, except in the rare case of a chronic and violent offender, and then only at the discretion of a juvenile court judge. Under no circumstance does CJJ support sending a child younger than age 15 into the adult system. CJJ also opposes giving prosecutors the authority to transfer youth to adult court.

Minimum Age for Charging Youth in Adult Court:

- Each state determines its laws for prosecuting youth in adult court. Thus, the age at which it is permitted to charge a juvenile in adult court differs from state to state.

How Youth are Charged in Adult Court:

- In 47 states, youth can be charged in adult court through judicial waiver.
- Prosecutorial discretion/direct file can be utilized in 16 states to prosecute youth in the adult system.
- Twenty-nine states have statutory exclusion laws that mandate some children be charged in adult court for certain offenses.

The Facts on Transfer:

- Sixty-three percent of Americans believe that all youth, regardless of the crime committed, are capable of recovery and redemption.¹
- On any given day, approximately one out of 10 incarcerated youth are confined in adult facilities.²
- Youth held in adult prisons and jails are five times more likely to be victims of attempted sexual attacks or rapes than those held in juvenile institutions.³
- The suicide rate for juveniles in adult prisons and jails is nearly eight times higher than that for juveniles in youth detention centers.⁴
- Twenty-three states report over-representation of minority youth transferred to adult criminal court.⁵
- Nationwide, nearly 60% of cases petitioned for person offenses are committed by white youth, but only 45% of such cases are transferred to adult court. For black youth, 40% of cases are petitioned for the same crimes, but 50% are transferred to adult court.⁶

⁴ Ibid.
⁵ Building Blocks for Youth, And Justice for Some, Washington, DC, April 2000.
⁶ Ibid.