



Juvenile justice study says youthful offender laws failing
By Greg Sukiennik, Associated Press Writer | March 14, 2005

BOSTON --Treating offenders under the age of 18 as adults in the criminal justice system makes it more likely they will re-offend when they emerge from prison, according to a national study of youthful offender laws.

The Coalition for Juvenile Justice, in a study titled "Childhood on Trial," said "adult time for adult crime" policies have failed. The organization called for changes in state and federal laws to restore the authority of juvenile court judges to determine if juveniles should be tried as adults and to hold the boundary between childhood and adulthood at age 18. It said the judicial system's responsibilities are to give young offenders opportunities to make positive changes and set things right, while meting out punishment fairly.

"One way to do so is to ensure that juvenile offenders are provided with the rehabilitative services and resources generally available in the juvenile justice system -- and to reserve the use of adult sanctions for those older, chronic juvenile offenders for whom the juvenile courts resources have been exercised and exhausted."

In 13 states, defendants over the age of 17 -- or age 16, in Connecticut, New York and North Carolina -- are sent into the adult criminal justice system for any offense. The study said that in states with large numbers of youths in adult prisons, those youths are more likely to re-offend when they emerge from prison. It said teenagers in adult prisons are more vulnerable to adult criminals and are often mentored by powerful inmates, resulting in them being released as hardened, angry and possessing increased criminal skills.

The study is scheduled to be released Monday morning at Northeastern University. The authors said they chose Boston because three New England states -- Connecticut, Vermont and New Hampshire -- are considering changes to their youthful offender laws, while Massachusetts, where the age of adulthood is 17, does not. Other states where the age limit is 17 include Georgia, Illinois, Louisiana, Michigan, Missouri, New Hampshire, South Carolina, Texas and Wisconsin.

"New Englanders are quick learners," said David Doi, executive director of the Washington-based Coalition for Juvenile Justice. "They see from evidence in their states what has been shown to be true nationwide: 'adult crime for adult time' policies which sends hundreds of thousands of teen offenders into the adult criminal justice system each year have failed."

Boston-based Citizens for Juvenile Justice said Massachusetts automatically tries and sentences all 17-year-olds as adults; automatically tries all youths ages 14 and older for first- or second-degree murder as adults; and sentences teenagers ages 14 and older to state prison if found guilty of first-degree murder.

"This report ought to compel Massachusetts to immediately re-evaluate its juvenile justice laws," said the group's executive director, Lael Chester.

Among the study's findings: As many as 218,000 teenagers under the age of 18 are excluded from the juvenile justice system yearly. Fifteen states have direct-file laws, which allow prosecutors to bypass juvenile courts and bring cases against youthful offenders in adult court. Thirty-four states have "once an adult, always an adult" provisions that require youthful offenders tried in an adult court to return to adult court for any other offense, regardless of severity.