

Prosecuting Youth in the Adult System Leads to More Crime, Not Less

All Americans have a stake in whether the juvenile and criminal justice system helps youth turn away from crime and build a productive future where they become an asset, rather than a liability, to their communities. Early interventions that prevent high-risk youth from engaging in repeat criminal offenses can save the public nearly \$5.7 million in costs over a lifetime.¹

Both conservatives and liberals agree that government services should be evaluated on whether they produce the best possible results at the lowest possible cost, but historically these cost-effective calculations have not been applied to criminal justice policies. Many states have begun to follow the lead of the Washington State Institute for Public Policy and examine the degree to which they are investing in juvenile programs with a proven track record. While states are starting to invest more in evidence-based programs, states have not always stopped using policies or programs that have demonstrated negative results. States should end practices that have the unintended consequence of hardening youth and making them a greater risk to the public than when they entered the system.

Trying youth as adults is an example of such a flawed policy. According to Shay Bilchik, a former Florida prosecutor who currently heads the Center for Juvenile Justice Reform at Georgetown University, trying youth as adults is “bad criminal justice policy. People didn’t know that at the time the changes were made. Now we do, and we have to learn from it.”²

Research shows that young people who are kept in the juvenile justice system are less likely to reoffend than young people who are transferred into the adult system. According to both the U.S. Centers for Disease Control and Prevention and the Office of Juvenile Justice and Delinquency Prevention, youth who are transferred from the juvenile court system to the adult criminal system are approximately 34% more likely than youth retained in the juvenile court system to be re-arrested for violent or other crime.³

These findings are not surprising. Youth in the adult system receive limited services and often become socialized into a culture where their role models are adult criminals and violence is a “routine part of institutional life.”⁴ Returning youth to juvenile court jurisdiction would save money for state correctional and judicial systems in the long run by decreasing reoffending and increasing the possibility that youth offenders could become productive members of society.⁵

- 1 Cohen, Mark A. and Piquero, Alex R., New Evidence on the Monetary Value of Saving a High Risk Youth, Vanderbilt Law and Economics Research Paper No. 08-07, available at SSRN: <http://ssrn.com/abstract=1077214>. (December 2007).
- 2 Sharon Cohen, Associated Press, *States Rethink Charging Kids as Adults*, Dec 16, 2007.
- 3 Centers for Disease Control and Prevention. (2007) Effects on Violence of Laws and Policies Facilitating the Transfer of Youth from the Juvenile to the Adult Justice System: A Report on Recommendations of the Task Force on Community Preventive Services. MMWR 2007; 56 (No. RR-9); Richard E. Redding, *Juvenile transfer laws: An effective deterrent to delinquency?* (Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention) (June 2010).
- 4 Campaign for Youth Justice, *Jailing Juveniles 7-8* (2007).
- 5 Roman, J. (2005, July). *Assessing the economic consequences of juvenile versus adult justice*. Washington, DC: The Urban Institute, p. 39.

