

Policies Facilitating the Transfer of Juveniles to Adult Justice Systems

Task Force Finding

Intervention Definition

Transfer refers to placing juveniles under the jurisdiction of the adult criminal justice system, rather than the juvenile justice system, following arrest. Transfer is also referred to as waiver, denoting the waiver of authority by the juvenile court that allows for transfer of a juvenile defendant to an adult criminal court. Policies regarding the placement of juveniles in the juvenile or in the adult justice systems are largely determined by each state. Several legal mechanisms are used for the transfer of youth under the age of 18 years from the juvenile court system to the adult criminal system. Transfer can be at the discretion of the judge, or be mandated by law, for example for specified serious crimes.

Task Force Finding (April 2003)*

The Task Force evaluated the evidence on effectiveness of policies facilitating the transfer of juveniles from juvenile to adult justice systems to reduce violence. The Task Force found evidence of harm associated with strengthened juvenile transfer policies. Available evidence indicates that juveniles who experience the adult justice system, on average, commit more subsequent violent crime following release than juveniles retained in the juvenile justice system. Further, evidence that juveniles in the general population are deterred from violent crime by strengthened juvenile transfer policies is insufficient. As a means of reducing juvenile violence, strengthened juvenile transfer policies are counterproductive.

The Task Force, therefore, recommends against policies facilitating the transfer of juveniles from juvenile to adult criminal justice systems for the purpose of reducing violence.

*From the following publication:

Task Force on Community Preventive Services. Recommendation against policies facilitating the transfer of juveniles from juvenile to adult justice systems for the purpose of reducing violence. *Am J Prev Med* 2007;32 (4S):S5-6.

Publications

CDC. [Effects on violence of laws and policies facilitating the transfer of youth from the juvenile to the adult justice system](http://www.cdc.gov/mmwr/PDF/rr/rr5609.pdf) [www.cdc.gov/mmwr/PDF/rr/rr5609.pdf]. *MMWR* 2007;56(RR-9):1-11.

McGowan A, Hahn R, Liberman A, et al. Effects on violence of laws and policies facilitating the transfer of juveniles from the juvenile justice system to the adult justice system: a systematic review. *Am J Prev Med* 2007;32(4S):S7-S28.

Task Force on Community Preventive Services. Recommendation against policies facilitating the transfer of juveniles from juvenile to adult justice systems for the purpose of reducing violence. *Am J Prev Med* 2007;32 (4S):S5-6.

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provide information and options for decision makers and stakeholders to consider when determining which programs, services, and policies best meet the needs, preferences, available resources, and constraints of their constituents.

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