

YOUTH IN ADULT PRISONS

FACT SHEET

In the majority of states, youth who are prosecuted as adults may be sentenced to serve time in adult prisons where they may be at risk of assault, abuse and death and will receive little to no rehabilitative treatment or educational services.

Since 1995, the number of youth in prisons has dropped 45%¹

On June 30, 2005, there were 2,266 youth in prisons in the United States.² As of October 2005, at least 2,225 prisoners were serving life sentences without the possibility of parole for crimes committed as children.³ With the exception of Connecticut, which led the nation in the number of youth in adult prison and experienced nearly 20% increase in the number of youth in adult prison⁴, this decrease is explained due to a growing recognition by national, state and local policymakers that children don't belong in adult prisons based on the latest research.

Youth are not safe in adult prisons

A report by the Commission on Safety and Abuse in America's Prisons found that "violence remains a serious problem in America's prisons."⁵ A survey done in April of 2006 by the Princeton Survey Research Associates International for the National Center for State Courts and the Commission on Safety and Abuse in America's Prisons found that Americans realize that prisons are violent. "When Americans think about someone they know being incarcerated, 84% say they would be concerned about the person's physical safety."⁶ Even for adults, prisons are not safe places. However, youth are especially vulnerable to victimization in prisons because of their age and size.

Compared to children in juvenile facilities:

- Children in adult prisons were twice as likely to report being "beaten up" by staff.⁷
- Children in adult prisons were 50% more likely to report being attacked with a weapon.⁸

¹Snyder, Howard N., and Sickmund, Melissa. (2006). *Juvenile Offenders and Victims: 2006 National Report*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

² Beck, Allen J., Ph. D. and Harrison, Paige M. *Prison and Jail Inmates at Midyear 2005*. (May 2006) Washington DC: US Department of Justice, Bureau of Justice Statistics. <http://www.ojp.usdoj.gov/bjs/abstract/pjim05.htm>.

³ Human Rights Watch Report

⁴ BJS

⁵ Gibbons, John J., and Katzenbach, Nicholas de B. *Confronting Confinement*. (June 2006). The Commission on Safety and Abuse in America's Prisons.

⁶ Ibid.

⁷ Forst, Martin, Jeffrey Fagan, and T. Scott Vivona. (1989) "Youth in Prisons and Training Schools: Perceptions and Consequences of the Treatment-Custody Dichotomy." *Juvenile and Family Court Journal* 39:1.

⁸ Ibid.

Youth in prisons do not have access to educational or rehabilitative programs

Youth require additional and specialized services that prisons do not have the resources for. For example, a Human Rights Watch report found that youth in Colorado prisons face many difficulties getting education, particularly beyond a GED. In addition, they found that youth serving life without parole are denied access to a variety of classes.⁹

There are no federal protections for youth held in adult prisons

Youth sentenced as adults can be held in adult prisons, regardless of age. The core requirements of the Federal Juvenile Justice and Delinquency Prevention Act do not apply to youth incarcerated in prisons.

Correctional administrators oppose these policies

In a recent policy statement issued by the Council of Juvenile Correctional Administrators (CJCA), they stated that, "The Council of Juvenile and Correctional Administrators strongly opposes the expansion of eligibility criteria for the waiver and transfer of youths into the adult criminal justice system. These policies have resulted in the placement of hundreds of youths into adult penal facilities without adequate treatment services."¹⁰

Sentencing youth to adult prisons does not reduce crime

Youth leaving prisons not only come out without the education and skills necessary to succeed and retain jobs, but they have also spent time with career criminals. Studies show that youth receiving adult sanctions are more likely to re-offend than youth receiving juvenile sanctions. A study done in Florida compared 315 "best-matched" pairs of youth. These youth were matched based on age, race, gender, previous offenses, and such. The study found that while 37% of youth who were given juvenile sanctions re-offended, 49% of the youth receiving adult sanctions re-offended.¹¹

Over the past decade, the MacArthur Foundation Research Network on Adolescent Development has conducted extensive research that shows that children in adult corrections face harsher settings and experience more developmental problems than children in juvenile correctional settings, facts which lead these renowned researchers to conclude that, "trying and punishing youths as adults in an option that should be used sparingly."¹²

Prepared by the Campaign for Youth Justice
www.campaignforyouthjustice.org

⁹ Human Rights Watch. (February 2005). *Thrown Away*.

¹⁰ Council of Juvenile Correctional Administrators policy statement

¹¹ Bishop, Donna M., Frazier, Charles E., Lane, Jodi, and Lanza-Kaduce, Lon. (January 2002). *Juvenile Transfer to Criminal Court Study: Final Report*. pg. 15.

¹² MacArthur Issue Brief #5 "The Changing Borders of Juvenile Justice: Transfer of Adolescents to the Adult Criminal Court." September, 2006.