

Recommendation Against Policies Facilitating the Transfer of Juveniles from Juvenile to Adult Justice Systems for the Purpose of Reducing Violence

Task Force on Community Preventive Services

Introduction

Juvenile violence is a substantial public health problem in the United States. In a representative national survey in 2002, U.S. adults reported more than 1.87 million incidents of victimization by perpetrators estimated to be between the ages of 12 and 20 years—a rate of approximately 5.1 incidents of victimization per 100 juveniles in this age group.^{1,2} Based on the same survey, juvenile perpetrators commit violence at a higher rate than any other age group. Two thirds of reports by victims were of “simple assaults” (i.e., attacks without a weapon and not resulting in an injury requiring more than 2 days of hospitalization); the remaining victimizations were “serious violent crimes” (i.e., aggravated assaults, robberies, or rapes, but because of the nature of victim surveys, excluding murder). Over the last 25 years, juveniles aged 10–17 years, who constitute less than 12% of the population, have been involved as offenders in approximately 25% of serious violent victimizations.

The reduction of morbidity and mortality caused by violence is a major goal of public health. Similarly, the assurance of public safety and the reduction of violent crime are goals of the national system of justice. This report evaluates an approach to the prevention of violence by means of a legal policy that has expanded in recent decades in states across the nation in response to the perceived increase in juvenile violence and perceived challenges in the juvenile justice system in responding to juvenile violence.

The recommendation in this report represents the work of the Task Force on Community Preventive Services (the Task Force). An independent, nonfederal group, the Task Force is developing the *Guide to Community Preventive Services* (the *Community Guide*) with the support of the U.S. Department of Health and Human Services (DHHS) in collaboration with public and private partners. Although Centers for Disease Control and Prevention (CDC) provides staff support

to the Task Force for development of the *Community Guide*, the recommendation presented in this report was developed by the Task Force and is not necessarily the recommendation of CDC, DHHS, or collaborating agencies or partners. The specific methods for and results of the reviews of evidence on which these recommendations are based are provided in the accompanying article.³ The methods for conducting evidence reviews and translating the evidence on effectiveness into recommendations for the *Community Guide* have been previously published.⁴

Intervention Recommendation

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.

Additional Reviews

The Task Force reviewed and published the evidence on the effectiveness of programs of early childhood home visitation, firearms laws, and therapeutic foster care for the prevention of violence, with a focus on juvenile violence.^{5–7} Reviews have also been completed on the effectiveness of school-based programs for the prevention of juvenile violence and on interventions for the prevention of psychological harm among children exposed to traumatic events.^{8,9}

The names and addresses of the Task Force members are listed at the front of this supplement and at www.thecommunityguide.org.

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Interpreting and Using the Recommendation

This report summarizes the findings of a systematic review of the effects of juvenile transfer policies on violent outcomes. Given that violence, particularly violence by and against juveniles, is widespread and causes considerable morbidity and mortality in the United States, the findings and recommendations in this report should be relevant to the states in which such laws are enacted or are under consideration. This report and other related publications provide guidance from the Task Force to a variety of audiences, including state and federal legislators, justice system personnel, and others responsible for improving the health and well-being of juveniles or adults through the reduction of violence and violent crime. Insofar as policymakers are interested in reducing subsequent violent behavior among juvenile offenders, the evidence provided in this review may serve both in the establishment of new laws and in the revision of existing laws.

In selecting and designing interventions to meet local objectives, decision makers should consider not only these recommendations and other evidence provided in the *Community Guide*, but also other state and local laws and regulations, administrative structures, resource availability, and the economic, cultural, and social environments of organizations and practitioners.

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