



## POSITION STATEMENT

Adopted by NPJS Board of Directors ~ March 26, 2013

# HOLDING JUVENILES BEING CHARGED AS ADULTS IN JUVENILE DETENTION

### STATEMENT OF THE ISSUE

Juvenile detention, as part of the juvenile justice continuum, is a process that includes the temporary and safe custody of juveniles whose alleged conduct is subject to court jurisdiction and who require a restricted environment for their own and the community's protection while pending legal action. *(Definition of Detention, Approved by National Juvenile Detention Association, October 14, 2007)*

In many jurisdictions, juveniles may be tried as adults. This practice raises questions regarding the appropriate place of confinement for juveniles who are charged as adults.

### NATURE OF THE ISSUE

- Lowering the age for which juveniles may be criminally prosecuted does not change the fact that they are still adolescents.
- The number of juveniles who commit serious and/or violent offenses is a small percentage of all juvenile offenders.
- There are basic philosophical differences between the juvenile justice system and the adult criminal system.
- Juvenile detention professionals have training and experience necessary to serve this population effectively.
- Juveniles receive more developmentally appropriate programs and services in juvenile detention facilities than in adult jails.
- Holding juveniles being criminally prosecuted in adult settings exposes them to more career and hardened criminals.
- Research has shown juveniles are more likely to commit suicide if they are held in adult jails.
- Many adult jails lack the physical structure, programming and trained personnel to effectively serve juveniles.

### POSITION STATEMENT

The National Partnership for Juvenile Services (NPJS) understands that the behaviors, risks and needs of juveniles entering the justice system have changed over time and will continue to change in the future. Nevertheless, it remains our belief that all juvenile offenders have the right to access rehabilitation and treatment services, which are the fundamental principles of the juvenile justice system and of juvenile detention.

NPJS advocates a comprehensive strategy to deal with juvenile offenders. It is the position of NPJS that waived or transferred juveniles accused of committing a crime and requiring temporary holding in a secure setting, be held in juvenile detention pending judicial determination to the contrary. NPJS opposes any action that places juveniles at risk of being victimized by adult offenders.