

Youth Transfer Reforms

2018-2019



R A CHILD
T PRISON

KIDS
DON'T
BELONG
IN ADULT
PRISON



Motivate. Advocate. Activate.

CALIFORNIA- SB 1391 (2018)



Former Senator Ricardo Lara (D) and
Senator Holly Mitchell (D)

On September 30th, former Governor Jerry Brown signed SB 1391 which eliminated the transfer of youth under sixteen to adult court in California. This bill, sponsored by former Senator Ricardo Lara and Senator Holly Mitchell re-established California's 1994 transfer statute before the passage of several "tough on crime" bills and propositions in the state. In the 1970s, California was among fourteen states and the federal government that only prosecuted youth sixteen or older as adults. Now, California stands alone as the only state that only prosecutes youth sixteen or older as adults.

TENNESSEE- S.B. 2261/HB 2271(2018)



Representative David Hawk (R)



Senator Mark Norris (R)

In 2018, former Governor Bill Haslam signed SB 2261 and its companion bill HB 2271 which limited the transfer of youth under fourteen to adult court to criminal homicide and attempted homicide cases. The bill also limited the types of offenses which a juvenile court judge could transfer a sixteen-year-old to adult court. Before the passage of these bills, youth under fourteen could be transferred for several offenses and sixteen-year-olds could be transferred for any criminal offense.

DELAWARE- HB 306 (2018)



Representative James Johnson (D)

On May 24, 2018, Governor Carney signed HB 306, a bill sponsored by Representative James Johnson, which raised the minimum age that a youth may be statutorily excluded from juvenile court for the possession of a firearm during the commission of a felony from age fifteen to sixteen. The bill provides that sixteen and seventeen-year-olds shall be tried as an adult for a firearm offense only following an evidentiary hearing where the Superior Court finds “proof positive” or “presumption great” that the youth accused of the offense used, displayed, or discharged a firearm.

RHODE ISLAND- H. 7503 / S.2458 (2018)



Representative Carlos E. Tobon (D)



Senator Erin Lynch Prata (D)

On July 2, 2018, Governor Raimondo signed H. 7503 and its companion bill S. 2458 sponsored by Representative Carlos E. Tobon and Senator Erin Lynch Prata. The bills ended mandatory transfer of seventeen-year-olds to adult court for murder, first-degree sexual assault, first-degree child molestation, or assault with the attempt to commit murder.

WASHINGTON - S.B. 6160 (2018)



Senator Jeannie Darneille (D)



Senator Patty Kuderer (D)



Former Senator Guy Palumbo (D)

On March 22, 2018, Governor Jay Inslee signed SB 6160 sponsored by Senators Darneille, Kuderer and Palumbo, which limited the offenses requiring automatic transfer to adult court and extended juvenile court jurisdiction over serious cases to age twenty-five.

FLORIDA - HB 7125 (2019)



Representative
James Bush III (D)



Senator Jeff Brandes (R)



Senator Randolph Bracey
(D)

On June 28, 2019, Governor Ron DeSantis signed HB 7125, Florida's First Step Act, which included language from several bi-partisan bills sponsored by Senator Brandes, Senator Bracey and Representative James Bush, to limit the transfer of youth to adult court. HB 7125 eliminated Florida's mandatory direct file statute which required prosecutors to automatically file certain youth cases in adult court. Now, every decision to prosecute a youth requires the discretion of either a juvenile court judge or a prosecutor.

OREGON- S.B. 1008 (2019)



Senator Floyd Prozanski (D)

S. 1008 sponsored by the Senate Committee on the Judiciary, chaired by Senator Floyd Prozanski ended the statutory exclusion from juvenile court of fifteen, sixteen, and seventeen-year-olds for certain offenses. This significant youth justice reform bill rolls back the state's Measure 11, which passed in 1994 and created a list of offenses requiring transfer to adult court and corresponding mandatory minimum sentences for fifteen, sixteen, and seventeen-year-olds. Now every youth will have an opportunity for their case to be heard in front of a juvenile court judge before being transferred to the adult system.

CAMPAIGN FOR
YOUTH  JUSTICE

BECAUSE THE CONSEQUENCES AREN'T MINOR