

## Transfer of Juveniles to Criminal Court is Not Correlated with Falling Youth Violence

by Jeffrey A. Butts

Since the 1990s, nearly every state in the U.S. expanded its provisions for transferring juveniles to criminal court, especially provisions that do not require judicial approval. Entire classes of young offenders are transferred without the involvement of the court, based only on the discretion of prosecutors or the preferences of legislators. These non-judicial mechanisms now account for most transfers.

As the use of criminal court transfer grew in the 1990s, serious and violent juvenile crime also began to fall and continued to fall dramatically. Between 2001 and 2010, according to the FBI, juvenile arrests for the four offenses in the Violent Crime Index (murder, rape, robbery, and aggravated assault) dropped by 22 percent nationwide, including a decline of 24 percent in arrests for murder.

At first glance, it may appear that the greater use of transfer lowered violent youth crime, but this argument is refuted by a simple analysis of crime trends. In the six states that allow fair comparisons (i.e., where all juveniles ages 16-17 are originally subject to juvenile court jurisdiction and sufficient data exist for the calculations), the use of criminal court transfer bears no relationship to changes in juvenile violence. The 1995-2010 drop in violent crime ranged from -50% to -74% in these states, but the size of the decline was not related to the use of transfer. Florida transfers more youth than any other state, but its violent crime drop (-57%) was in the middle of the range. In states that use transfer much less often, total violent crime fell almost as much (California and Washington) or far more (Ohio) than it did in Florida.

**Data Sources:**

*Arrest Rate:* Number of under-age-18 arrests reported to the FBI's Uniform Crime Reports per 100,000 total state population. Calculated with data from "Crime in the United States," Table 69. Washington, DC: Federal Bureau of Investigation, U.S. Department of Justice.

*Transfer Rate:* Average criminal court transfers per 100,000 youth ages 10-17 between 2003 and 2008, from Griffin, Patrick, Sean Addie, Benjamin Adams, and Kathy Firestone (2011). "Trying Youth as Adults: An Analysis of State Transfer Laws and Reporting," p. 18. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice.

### Transfer Rate and Violent Crime Decline in Six States

State	Transfer Rate	Change in Juvenile Arrest Rate: 1995-2010	
		Violent Crime	Murder
Arizona	84	-65%	-42%
California	21	-50%	-71%
Florida	165	-57%	-69%
Ohio	20	-74%	-85%
Oregon	96	-63%	-63%
Washington	21	-54%	-87%

**Between 1995 and 2010, only these six states:**  
 (1) placed all offenders ages 16 and 17 under the original jurisdiction of juvenile courts; (2) collected and reported relatively consistent data about juvenile arrests to the FBI; and (3) published sufficient data about the number of youth transferred to criminal court.

### No Relationship Between Transfer and Crime Drop

Change in Juvenile Arrest Rate: 1995-2010

