



January 28, 2020

The mission of Marion County Commission on Youth (MCCOY) is to champion the positive development of youth, providing leadership on key issues and strengthening and supporting the organizations and individuals who work with youth. Our vision is that every young person in our community has the opportunity to grow into a positive, productive, and contributing citizen.

Part of growing up is making mistakes. Growing up without positive support and guidance can mean those mistakes are serious and even grievous. When we fail, there are consequences that result, but there can also be learning and atonement and change and growth - all goals of the juvenile justice system. The primary goals of the juvenile justice system, in addition to maintaining public safety, are life skill development, rehabilitation, treating unaddressed emotional and mental health needs, and successful reintegration of youth into the community.

Senate Bill 449, currently under consideration of the Senate Corrections and Criminal Law Committee, would roll back the progress we have made in our treatment of children who make serious mistakes and commit serious crimes. Placing them in the adult criminal justice system would effectively remove any opportunity for life skill development, rehabilitation, treatment of emotional trauma, and long-term life success. This legislation would also disproportionately and negatively impact youth of color and/or youth in poverty, further derailing them from becoming contributing members of society. SB449 would not only expedite waiver/transfer to adult court for children. It would also expand juvenile waiver to include 12 and 13-year-olds for attempted murder, and it would add "attempted offenses" to offenses already listed under Indiana's direct file statute. The language is just vague enough to be incredibly harmful to our community.

Although most children after sentencing are held in juvenile facilities after sentencing until age 18, judicially waived and/or automatically transferred children often are held in adult facilities during pretrial phases of the case. Children in adult facilities are often kept in isolation to protect them from predatory inmates, though this method of detention is inappropriate and often does not work. In adult facilities, children are five times more likely to be sexually assaulted, nine times more likely to die by suicide, and once released, will be 34% more likely to commit additional and more violent offenses.

The juvenile system was put in place to help a young person move forward through rehabilitation so that they can re-enter society having learned from their mistake. By denying children the opportunity to have the resources that are offered through the juvenile court system, we are effectively writing them off as hopeless and abandoning them during one of the most formative chapters of their lives.

MCCOY believes in the power of prevention through rehabilitation and that regardless of their mistakes, every young person deserves the opportunity to receive the treatment, education, and support that the juvenile court system offers during the time that they most need it. Children are not adults thus should not be treated that way when interacting with the justice system. MCCOY stands with the Children's Policy and Law Initiative of Indiana (CPLI) and opposes Senate Bill 449.

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