



## 2021 Bill Highlights

As of 5/3/2021

### SB 474 – Prosecuting Children as Adults

**Sponsors:** Senator Bracy (D- Orlando)

**Outcome:** SB 474 died in its third committee.

**Target Population:** Any individual between the ages of 15 and 18 who has committed a criminal offense and those involved in the juvenile court system.

**Summary:** Increases the minimum age that a state attorney may choose to request a court transfer of a child to adult court from 14 to 15. Increases the age to 15 for children who must be transferred to adult court for those who were previously adjudicated delinquent for a felony and are now charged with a second violent crime against a person or have committed four or more alleged felonies, including one with a firearm or violence against a person. Increases the minimum age to 15 for the state attorney to request a transfer of a child to adult court for certain crimes. Increases the minimum age to 17 for the state attorney to choose to move a child to adult court for one of the crimes not specified.

**Impact:** Florida currently leads the nation in the number of youth transferred to adult courts. Most children tried as adults in Florida are charged with nonviolent



felony offenses, primarily property and drug crimes, or misdemeanors. More than 70 percent of children convicted in adult courts are sentenced to probation, calling into question whether a more serious, adult court transfer was necessary in the first place.

Once a juvenile is placed in an adult facility, they face significant physical and psychological danger. A study by The Jail Removal Project at UCLA School of Law found that youth under 17 are 36 times more likely to commit suicide in an adult jail than in a juvenile detention facility.

Transferring youth to adult courts has not been proven to deter crime, and in fact, children in adult facilities do not receive the education, rehabilitative services and treatment they need to ensure they do not reoffend as adults. Youth sent to the adult criminal justice system were 34 percent more likely to be re-arrested for felonies than youth who had been retained in the juvenile justice system. Youth sentenced as adults carry their criminal record their whole life, diminishing their chances to find jobs, access decent housing, obtain student loans, and go to college, join the military, or even vote.

The Children's Campaign supports keeping children out of adult facilities for non-violent crimes.

**Effective date:** July 1st, 2021

