Kids In Prison

by Peggy Farber
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The number of young people serving time in adult prisons more than doubled between 1985 and 1997, according to a new report by the U.S. Department of Justice. In 1997, 7,400 kids under the age of 18 were sentenced to adult prisons, up from 3,400 in 1985. The increase occurred while juvenile arrests rates fell. Minors still make up less than 1% of the adult prison population.

The Justice Department attributes the increase to a wave of state measures making it easier to try juveniles in adult court. Every state now has at least one provision to transfer juveniles to adult courts. New York State's 1978 law was the first and its provisions are among the toughest in the country. Along with only two other states - Connecticut and North Carolina - New York tries every defendant over the age of 15 in adult court.

Younger kids are also tried in adult court for a range of violent crimes, from possession of a gun on school grounds to murder. The most recent available data shows that in 1996, 1,628 New York State offenders under 18 began serving sentences in adult prisons.

Farber Sounds Off:

In addition to the 7,400 young prisoners cited by the Justice Department, there are 9,000 children 17 and younger sitting in pre-trial detention jails with adults. Nancy Rosenbloom of the New York Legal Aid Society said the number of NYC minors being held before trial is continuing to increase even while juvenile arrests are going down. The City Department of Correctional Services declined to say how many juveniles are detained on Rikers Island. Rosenbloom estimated the number at several hundred.

Holding juveniles with adults while they await trial is bad public policy. Young people, unlike adults, are often arrested in groups, peripheral parties to a youth crime. As a result, there are typically several kids among those arrested who are eventually freed without charge, or acquitted. "They've gotten a lot meaner, they've learned a lot about crime - and they're back on the street," observed Vincent Schiraldi, director of the Washington-based Justice Policy Institute. New York City should immediately develop alternatives to Rikers Island for kids awaiting trial.

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