

118TH CONGRESS
1ST SESSION

S. RES. 440

Expressing support for the designation of October 2023 as “National Youth Justice Action Month”.

IN THE SENATE OF THE UNITED STATES

OCTOBER 30, 2023

Mr. WHITEHOUSE submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Expressing support for the designation of October 2023 as “National Youth Justice Action Month”.

Whereas the historical role of the juvenile court system is to rehabilitate and treat young people while holding them accountable and maintaining public safety, and the juvenile court system is therefore better equipped to work with youth than the adult criminal justice system, which is punitive in nature;

Whereas youth are developmentally different from adults, and those differences have been—

(1) documented by research on the adolescent brain;

and

(2) acknowledged by the Supreme Court of the United States, State supreme courts, and many State and Federal laws that prohibit youth under the age of 18

from taking on major adult responsibilities such as voting, jury duty, and military service;

Whereas youth who are placed under the commitment of the juvenile court system often do not receive access to age-appropriate services and education and remain far from their families, which increases the likelihood that those youth will commit offenses in the future;

Whereas every year in the United States, an estimated 76,000 youths are tried, sentenced, or incarcerated as adults, and most of those youth are prosecuted for non-violent offenses;

Whereas most laws allowing the prosecution of youth as adults were enacted before the publication of research-based evidence by the Centers for Disease Control and Prevention and the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice demonstrating that prosecuting youth in adult court actually decreases public safety as, on average, youth prosecuted in adult court are 34 percent more likely to commit future crimes than youth retained in the juvenile court system;

Whereas youth of color, youth with disabilities, and youth with mental health issues are disproportionately represented at all stages of the criminal justice system;

Whereas it is harmful to public safety and to young people in the legal system to confine youth in adult jails or prisons where they are significantly more likely to be physically and sexually assaulted and often placed in solitary confinement;

Whereas youth sentenced as adults receive an adult criminal record that hinders future education and employment opportunities;

Whereas youth who receive extremely long sentences deserve an opportunity to demonstrate their potential to grow and change; and

Whereas in October, people around the United States participate in Youth Justice Action Month to increase public awareness of the issues facing youth transferred to the adult criminal justice system and to provide people across the United States with an opportunity to develop action-oriented events in their communities: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) acknowledges that the collateral consequences normally applied in the adult criminal justice system should not automatically apply to youth arrested for crimes before the age of 18;

6 (2) expresses support for the designation of “National Youth Justice Action Month”;

8 (3) recognizes and supports the goals and ideals of National Youth Justice Action Month; and

10 (4) recognizes the importance of the continued implementation of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended by the Juvenile Justice Reform Act of 2018, in a manner in keeping with the spirit and intent of the law.

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