



The Colorado Juvenile Defender Coalition is working to build juvenile justice reform in the State of Colorado through community, legislative, and legal advocacy in order to meaningfully reform Direct File (prosecutorial discretion to charge youth as adults) and significantly reduce the number of children sent to adult criminal court, and to ensure that children are adjudicated in developmentally appropriate ways that enhance community safety and prevent recidivism.

Principles Regarding the Prosecution and Sentencing of Children as Adults:

WHEN 14-17 year old children are charged as adults in criminal court, C.R.S. §19-2-517 gives prosecutors sole decision making power and denies children the right to a hearing before a judge on the life changing decision of whether their case should be heard in juvenile court or adult court;

WHEN a child is prosecuted in adult criminal court, the jurisdiction of the juvenile court is permanently cut-off and children risk a permanent felony conviction and harsh mandatory adult sentencing laws;

WHEN 14-17 year old children are charged as adults in criminal court, C.R.S. §19-2-508 allows children to be held in an adult jail before trial or sentencing, unless a prosecutor agrees to allow the child to be held in a juvenile detention facility (which has appropriate facilities, programming, services and family visitation);

WHEN research studies demonstrate: that over 90% of children involved in the juvenile justice system have experienced severe trauma in their young lives; that nearly one quarter of children incarcerated in Colorado (DYC/YOS) have a moderate to severe mental health need; and, that mental health needs and the lasting impact of trauma can be more effectively addressed in settings appropriate to the offenders age and emotional development;

WHEN children are housed in adult jails and have no access to developmentally appropriate programs or structures, deprived of family contact visits, locked down in their cells 22 hours a day with limited access to education and recreation, they are far more likely to attempt and commit suicide;

WHEN 14-17 year old children are convicted of class 1 felonies they face a mandatory sentence of 40 years to life in prison; 50 juveniles in Colorado sentenced to life in prison without the possibility of parole (prior to the 2005 law change) are denied the basic human right to mature, develop, and participate in restorative justice programs;

WHEN policies and practices providing “adult time for adult crime” are harmful—rather than helpful—to community safety, as evidenced by research demonstrating that prosecuting juveniles in the adult criminal system increases rather than decreases the likelihood that they will reoffend, as compared with handling them in the juvenile justice system;

WHEN there exist serious civil rights concerns given that children of color are disproportionately charged and sentenced as adults in Colorado;

WHEN research continues to establish and reaffirm that the pre-frontal cortex of the brain responsible for planning and abstract thinking is not fully developed until mid-twenties - the rate of maturation can

be severely retarded by abuse and neglect and that teen's reactions to stress are more of a gut reaction than a thought process, laying the foundation for laws that prohibit youth under age 18 from taking on major adult responsibilities such as voting, jury duty and military service;

WHEREAS, We support reforming Colorado's Direct File laws to give children a hearing before a judge on the critically important questions of whether they should be charged as adults, and whether they should be detained in an adult jails; We also support reforming sentencing options for children convicted in adult court to provide a developmentally appropriate response that allows for the child to mature and reform.

Please list your organizations name and support the effort to reform laws that prosecute juveniles in Colorado criminal courts and prisons.

Name of Organization _____

Contact Person

Address

Phone #s

E-mail

Official name: _____

___ We are willing to communicate with our members and supports about this issue in our newsletter, web site, blog, letters, and other communications materials.

___ We are willing to attend coalition and other meetings and hearings to advance this policy.

___ We are willing to provide people to testify at the Capitol and speak at other events.

___ We are willing to gather signatures of support for this policy.

___ Other: -

___ We know the following organizations to contact about involvement in this campaign.

**Please return completed form to: Francoise Mbabazi, Colorado Juvenile Defender Coalition
francoise@cjdc.org, 670 Santa Fe Drive, Phone: 303.825.0194 and Fax: 303.825.0182**