JUVENILE TRANSFERS

TRYING YOUTHS AS ADULTS



Prior to 1961

Juvenile courts maintained jurisdiction very few youths were tried as adults

1971

WIC 707(b) introduced a list of juvenile offenses eligible for prosecution in adult court

Proposition 21

1999

- Expanded 707(b) offenses
- Allowed DA to direct file in adult court
- Minimum age for transfer: 14

2005-2012

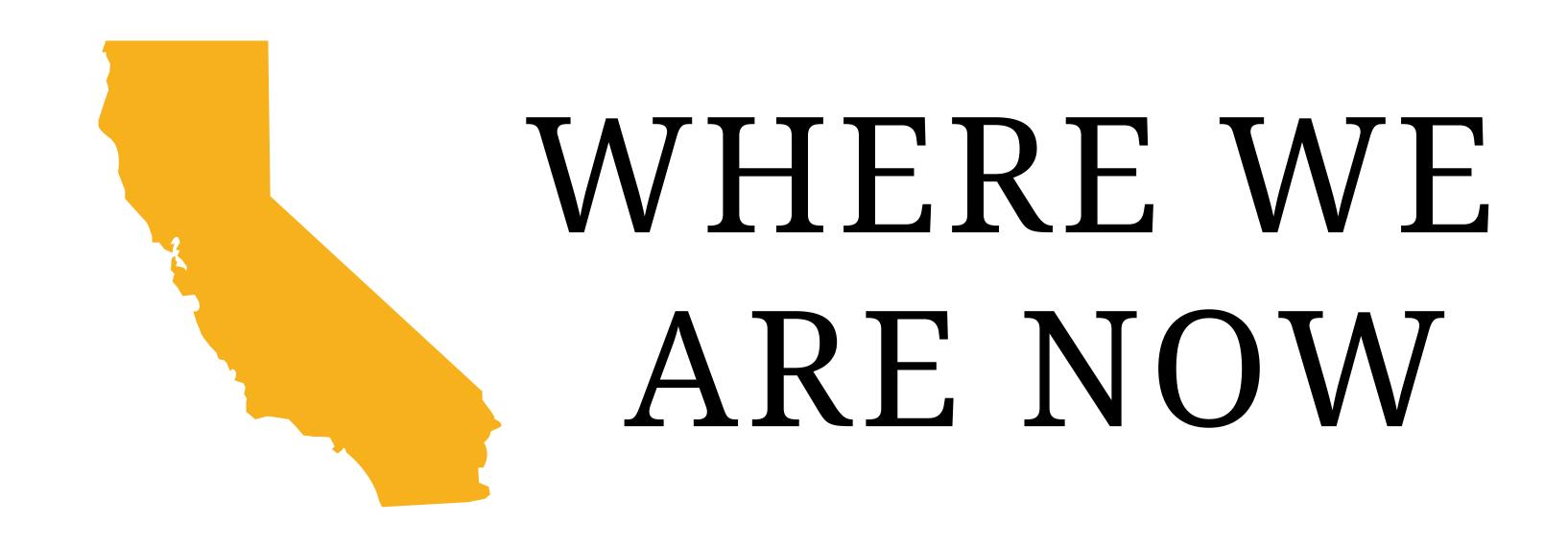
- Roper vs. Simmons
- Graham v. Florida
- Miller v. Alabama

2016-2019

- Prop 57: Ended direct file in California
- Juvenile Court Determines Transfer
- SB 1391: Made it illegal to try youths under the age of 16 in adult court.

2020-2023

- SB 823
- Clear and Convincing Standard
- SB 545 -SAFE Children Act



12 Youths Transferred to Adult Court in 2023



SAN FRANCISCO

JUVENILE TRANSFER MOTIONS FILED







TRANSFER PROCESS

- DA Requests transfer to adult court
- Juvenile Court orders Probation
 Department to prepare formal report,
 including family and social history
 and transfer recommendation
- Transfer Hearing scheduled
- Transfer Hearing conducted (typically over 1-2 weeks)
- Juvenile Court grants or denies the District Attorney's transfer motion

ADVERSE EFFECTS

- Extremely traumatic for the youth and their families
- Significantly delays the adjudication of the case
- Places a significant burden on the court and stakeholders
- Extremely costly
- SYTF youth do not receive credit for time served prior to sentencing.

Juvenile Transfer Criteria

- Degree of criminal sophistication used in committing the offense.
- Whether the minor can be rehabilitated prior to the expiration of juvenile court jurisdiction
- Previous delinquent history
- 4. Previous attempts to rehabilitate the minor
- Circumstances and gravity of the offense