

117TH CONGRESS
2D SESSION

S. RES. 835

Expressing support for the designation of October 2022 as “National Youth Justice Action Month”.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2022

Mr. WHITEHOUSE (for himself and Ms. WARREN) submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Expressing support for the designation of October 2022 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 53,000 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 confining youth in adult jails or prisons, where youth are significantly more likely to be physically and sexually assaulted and are often placed in solitary confinement, is harmful to public safety and to young people in the legal system;

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—

(1) increase public awareness of the need to protect the constitutional rights of youth, establish a minimum age for arresting children;

(2) remove youth from adult courts and prisons;

(3) end the practice of sentencing children to life imprisonment without parole and consecutive or lengthy sentences that amount to de facto life imprisonment without parole; and

(4) 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

1 (4) recognizes the importance of and encour-
2 ages the Office of Juvenile Justice and Delinquency
3 Prevention to fully implement the Juvenile Justice
4 and Delinquency Prevention Act of 1974 (34 U.S.C.
5 11101 et seq.), as amended by the Juvenile Justice
6 Reform Act of 2018 (Public Law 115–385; 132
7 Stat. 5123), in a manner in keeping with the spirit
8 and intent of the law.

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