



Urban League of
Philadelphia

*Empowering Communities.
Changing Lives.*

To: Members of the Senate Judiciary Committee

Date: May 23rd, 2022

Re: Written Testimony for Juvenile Justice Reform

From: Andrea Custis, President and CEO Urban League of Philadelphia

My name is Andrea Custis, and I am writing to you in support of the bipartisan co-sponsorship memo introduced by Sen. Bartolotta and Sen. Williams in response to the [Pennsylvania juvenile justice](#) task force findings. The task force was established because Pennsylvania's juvenile justice residential placement rate is higher than the national average. I applaud the Senate Judiciary Committee for holding a hearing on the task force findings.

The Urban League of Philadelphia (ULP) strives to make economic independence and social mobility attainable for underserved urban communities. Juvenile justice is core to that mission. The task force findings laid bare the racial disparities in our justice system that impact minority communities throughout our state. For example, Black youth make up only 14% of Pennsylvania's youth population but account for 58% of youth who are prosecuted as adults. The legislation being suggested in the co-sponsorship memo will have an enormous impact on Pennsylvania youth and will instill more confidence in our justice system. I want to focus my written testimony on how to narrow the criteria for trying youth as adults, and the recommendation to eliminate the practice known as “direct file.”

Direct file, or “statutory exclusion,” occurs when youth under 18 are automatically prosecuted as adults without the chance of a review by a juvenile court judge. This forces the youth to be held in adult jails before trial, and, if found guilty, adult prisons. According to the task force's findings, 62% of all Pennsylvania youth who are held in detention before adjudication are Black, despite the fact they make up just 14% of Pennsylvania's youth population. Youth placed in adult prisons are more likely to suffer [mental and physical abuse](#). Youth housed in an adult jail or prison [are up to nine times more likely](#) to commit suicide than those in juvenile facilities. Additionally, minors who serve sentences in adult facilities are [thirty-four times more](#) likely to reoffend than their counterparts in the juvenile justice system.

Youth do not make decisions like adults. Research [has consistently demonstrated](#) that human brains continue to develop into early adulthood and that the frontal lobes, which are the regions of the brain where complex judgment and high-level executive functioning take place. The frontal lobes control impulse control and problem-solving, whether or not they're fully developed. The Supreme Court of the United States recognizes these development differences in landmark cases such as [Graham v. Florida \(2010\)](#) and [Miller v. Alabama \(2012\)](#).



Urban League of
Philadelphia

*Empowering Communities.
Changing Lives.*

Pennsylvania is currently one of 13 states with no minimum age for trying children as adults. However, State Senators Anthony Williams and Camera Bartolotta have introduced a [co-sponsorship memo](#) that would eliminate the practice of automatically charging children as adults without judicial review. This would revise Act 33, known as the Direct File statute.

The Urban League of Philadelphia applauds the legislator for taking the first steps in addressing the task force finding.

Juvenile justice reform must be at the center of policy considerations in Harrisburg, because nothing is more important than helping our youth, who are the future of the Commonwealth.

Thank you,

Andrea Custis
President and CEO Urban League of Philadelphia