

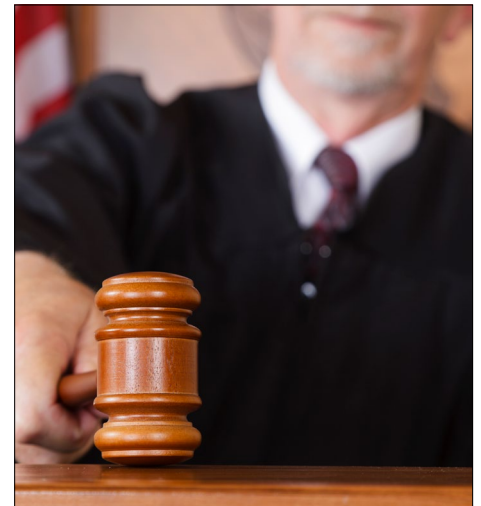


Key Message

Exclusive federal jurisdiction on military installations can send juveniles through an adult judicial system. Access to state juvenile and family courts may allow for more suitable outcomes. State lawmakers can remove these barriers and pursue solutions that support military families.

Discussion Points

1. The broader mission to support children, youth and families remains a high-priority item for the department. Clarifying that state and local authorities may assert jurisdiction over juveniles on military installations in areas of exclusive federal legislative jurisdiction, enables state law authorities to enforce laws on base with respect to civilian family members.
2. Without concurrent jurisdiction, juvenile misconduct, to include problematic sexual behavior in children and youth, is adjudicated in the federal court system, which lacks appropriate juvenile-focused resources and often tries juveniles as adults.
3. If concurrent jurisdiction is established, offenses (such as PSB-CY) could be adjudicated through the state juvenile court system, allowing for more appropriate sentencing and case management outcomes.
4. A memorandum between military installation authorities and state and local officials defines the working relationship to support activities associated with concurrent juvenile jurisdiction once established in state law via retrocession, or as the laws of the state may otherwise provide and is voluntary for both the military installation and municipality concerned.



Historically, the federal government either obtained exclusive federal legislative jurisdiction over land by agreement with the owning state or maintained exclusive federal legislative jurisdiction over certain land after the formation of a new state. However, as many installations house more civilians, the federal government may seek to relinquish jurisdiction to a state and thus alter its jurisdiction from exclusive to concurrent to enable state law authorities to enforce state laws on the installation with respect to the civilian family members.