

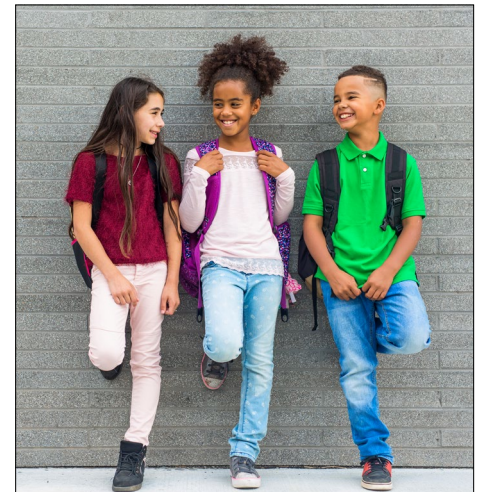


Key Message

On military installations subject to exclusive federal jurisdiction, investigation and adjudication of juvenile offenses is limited because cases may only be adjudicated in the federal system. States can adopt concurrent jurisdiction policies to ensure access to state resources and juvenile courts for appropriate adjudication options to better respond to juvenile needs.

Discussion Points

1. 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 pursue solutions that create a mechanism for the federal government to transfer its jurisdiction to the state on a subject matter, case-by-case or installation-by-installation basis.
2. The broader mission to support children, youth and families remains a high priority for the Defense Department. Clarifying that state and local authorities may assert jurisdiction over juveniles on military installations in areas of exclusive federal legislative jurisdiction enables state authorities to enforce laws with respect to civilian family members.
3. Without concurrent jurisdiction, juvenile misconduct, including 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.
4. Military families often face challenges that can affect the mental health and well-being of children. Providing access to state resources and the ability to adjudicate juvenile offenses through state courts can help address these concerns, which may contribute to delinquent behavior.
5. A voluntary memorandum between 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.



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