

Summary of Relevant State Provisions

State	Minimum Age for Transfer*	Is anyone serving a sentence as harsh as petitioner's for an offense committed when as young as petitioner was?	Other Statutory Safeguards Against Mandatory Punishment as Harsh as Petitioner's for Young Children [†]	Relevant Authorities
Alabama	14	No	Children younger than 14 cannot be tried in adult court.	Ala. Code 1975 § 12-15-34(a)
Alaska	none specified	No	In first-degree murder cases, minimum sentence is 20 years and parole is available after 20 years.	AS § 12.55.125 (minimum sentence); 22 AAC 20.025 (parole)
Arizona	14	No	Children younger than 14 cannot be tried in adult court.	A.R.S. § 13-501
Arkansas	14	No	Children younger than 14 cannot be tried in adult court.	A.C.A. § 9-27-318
California	14	No	Children younger than 14 cannot be tried in adult court.	West's Ann. Cal. Welf. & Inst. Code § 602
Colorado	12	No	Blended sentences are available.	C.R.S.A. § 19-2-518 (1)(d)(III)
Connecticut	14	No	Children younger than 14 cannot be tried in adult court.	C.G.S.A. § 46b-127(a)
D.C.	15	No	Children younger than 15 cannot be tried in adult court.	DC ST § 16-2307

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Delaware	none specified	No		10 Del. C. § 1010 (waiver)
Florida	none specified	No		West's F.S.A. § 985.565
Georgia	13	No	Children younger than 13 cannot be tried in adult court.	Ga. Code Ann. § 16-3-1
Hawaii	none specified	No		HI ST § 571-22(d)(1) (waiver)
Idaho	none specified	No	Blended sentences are available. In first-degree murder cases, parole is available after 10 years.	I.C. § 20-508 (transfer); I.C. § 18-4004 (sentencing and parole); I.C. § 20-509(4)(b) (blended sentencing)
Illinois	13	No	Children younger than 13 cannot be tried in adult court.	705 ILCS 405/5-130 4(a)
Indiana	none specified	No		IC 31-30-3-4 (waiver)
Iowa	14	No	Children younger than 14 cannot be tried in adult court.	I.C.A. § 232.45 6(a)

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Kansas	10	No	Sentencing guidelines provide presumptive, not mandatory, sentences.	K.S.A. § 21-4716
Kentucky	14	No	Children younger than 14 cannot be tried in adult court.	KRS §§ 610.010(1), 635.020(2)
Louisiana	14	No	Children younger than 14 cannot be tried in adult court.	LSA-Ch. C. art. 857
Maine	none specified	No	In first-degree murder cases, minimum sentence is 25 years.	17-A M.R.S.A. § 1251
Maryland	none specified	No	In first-degree murder cases, parole is available after either 15 or 25 years.	MD Code, Courts and Judicial Proceedings, § 3-8A-06 (waiver of jurisdiction); MD Code, Correctional Services, § 7-301(d)(parole)
Massachusetts	14	No	Children younger than 14 cannot be tried in adult court.	M.G.L.A. 119 § 72B
Michigan	14	No	Children younger than 14 cannot be tried in adult court.	M.C.L.A. 712A.4(1)

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Minnesota	14	No	Children younger than 14 cannot be tried in adult court.	M.S.A. § 260B.125
Mississippi	13	No	Children younger than 13 cannot be tried in adult court.	Miss. Code Ann. § 43-21-151(3)
Missouri	none specified	No	Blended sentences are available.	V.A.M.S. § 211.071 (certification); V.A.M.S. § 211.073 (blended sentences)
Montana	12	No	No mandatory minimums for juveniles.	MCA 45-5-102(2) (murder sentence can be 10 years); MCA 46-18-222 (no mandatory minimum)
Nebraska	none specified	No		Neb. Rev. Stat. § 43-247(2) (concurrent jurisdiction)
Nevada	none specified	No	In first-degree murder cases, parole is available after 20 years.	NRS ST. 200.030
New Hampshire	13	No	Children younger than 13 cannot be tried in adult court.	N.H. Rev. Stat. § 628:1 (II); N.H. Rev. Stat. § 169-B:24

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New Mexico	14	No	Children younger than 14 cannot be tried in adult court.	N. M. S. A. 1978, § 32A-2-3 (I); N. M. S. A. 1978, § 32A-2-20
New York	13	No	Children younger than 13 cannot be tried in adult court.	McKinney's Penal Law § 30.00(2)
North Carolina	13	No	Children younger than 13 cannot be tried in adult court.	N.C.G.S.A. § 7B-1601 (d)
North Dakota	14	No	Children younger than 14 cannot be tried in adult court.	ND ST 27-20-34 1(b)
Ohio	14	No	Children younger than 14 cannot be tried in adult court.	Rev. Code §§ 2152.12(A)(1)(a), 2152.12(B)(1), 2152.10
Oklahoma	none specified	No		10 Okla. Stat. § 7303-4.3

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Oregon	none specified	No	Minimum sentence is 25 years for first-degree murder	O.R.S. § 419C.352 (transfer); O.R.S. § 163.095 (1)(d) (murder); O.R.S. § 163.115 (5)(b) (mandatory minimum is 25 years)
Pennsylvania	none specified	No		42 Pa. C.S.A. § 6355(e)
Rhode Island	none specified	No	In first-degree murder cases, parole is available after 15 years	R.I. Gen. Laws § 14-1-7 (transfer); R.I. Gen. Laws § 11-23-2.2 (parole)
South Carolina	"any juvenile, regardless of age"	Yes, petitioner himself was convicted and sentenced in South Carolina		<i>State v. Corey D.</i> , 339 S.C. 107, 529 S.E.2d 20, 24 (2000) (construing S.C. Code Ann. § 20-7-7605(6) to permit the transfer of "any juvenile, regardless of age")

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South Dakota	none specified	No		SDCL § 26-11-4 (transfer)
Tennessee	none specified	No	In first-degree murder cases, parole is available after 25 years.	T. C. A. § 39-13-202(c)(3) (sentence); T. C. A. § 39-13-204(e)(2) (parole)
Texas	14	No	Children younger than 14 cannot be tried in adult court.	V.T.C.A., Family Code § 54.02
Utah	14	No	Children younger than 14 cannot be tried in adult court.	U.C.A. 1953 § 78-3a-502 (3)
Vermont	10	No	Mitigating factors can bring murder sentence down to 15 years; age is a mitigating factor	33 V.S.A. § 5506 (transfer); 13 V.S.A. § 2303(b), (f)(4) (mitigating factors)
Virginia	14	No	Children younger than 14 cannot be tried in adult court.	Va. Code Ann. § 16.1-269.1 A
Washington	none specified	No	Minimum sentence is 20 years for first-degree murder	West's RCWA 9A.32.030(2); West's RCWA 9.94A.540(1)(a)

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West Virginia	none specified	No	Blended sentences are available.	W. Va. Code § 49-5-13(5)
Wisconsin	none specified	No	In first-degree murder cases, parole is available after 20 years	W.S.A. § 938.183(am) (transfer); W.S.A. § 304.06(1)(b) (parole)
Wyoming	13	No	Children younger than 13 cannot be tried in adult court.	W.S.1977 § 14-6-203 f

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