

Juvenile Law Center

Advancing the rights and well-being of children in jeopardy.

May 14, 2003
FOR IMMEDIATE RELEASE

Contact: Tyler Prell or John Carey
202-518-8047

NATHANIEL BRAZILL CASE:

Florida Courts Should Have Standards For Trying Youths As Adults

PHILADELPHIA, PA—A District Court of Appeal in Florida today ruled against the appeal of Nathaniel Brazill’s conviction on a second-degree murder charge for shooting his 8th grade teacher in 2000. Brazill, 13 at the time of the crime, was sentenced to 28 years in prison. **Marsha Levick, Esq., Legal Director at Juvenile Law Center,** reacted to the decision.

“Several aspects of today’s decision are troubling. First, we’re disappointed that Florida courts once again decline to impose any standards on prosecutors who seek to try youth as young as Nathaniel as adults. Most states require judges to review the decision to transfer youth to the adult system. And even among the minority of states that allow prosecutors to make the decision, many require the adoption of standards to guide the prosecutor’s discretion.

Second, when a defendant this young is exposed to a sentence this long, both the court and defense counsel should pay particular attention to whether or not the youth is competent to stand trial. Recent research by the MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice shows that children as young as Nathaniel often lack the ability to understand the legal principles required to be a criminal defendant. If a child cannot understand what is happening to them, how can they be competent to stand trial?”

Founded in 1975, Juvenile Law Center (JLC) is a public interest law firm and one of the oldest organizations in the US dedicated to protecting and advancing children's rights. JLC works to ensure that children are treated fairly by public systems intended to help them, and that they receive the full measure of the services they deserve.