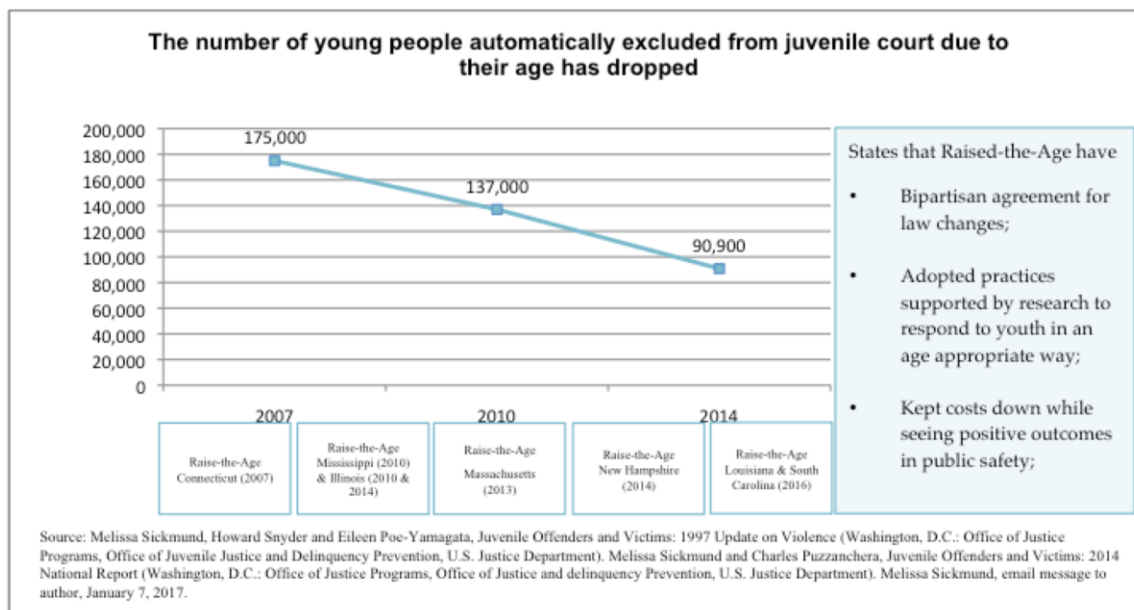


Why are juvenile justice systems “raising the age?”

Over the past ten years, half of the states that previously had excluded all 16-and/or-17-year-olds from the juvenile court based solely on their age changed their laws so that most youth who touch the justice system will be under the jurisdiction of the juvenile justice system. These policy changes are a part of a shift called “raise the age”— reforms focused on keeping the tens of thousands of youth under 18 who are automatically treated as adults out of the adult criminal justice system. Among the reasons why states have raised the age, the research shows that, justice involved teenagers are more likely to move past delinquency and successfully transition to adulthood if they are served by a juvenile justice system, not the adult criminal justice system.

During this past decade when seven states raised the age, *the number of young people excluded from the juvenile justice system solely because of their age was nearly cut in half.*

Prior to raising the age, stakeholders in Connecticut, Illinois and Massachusetts said juvenile corrections or justice system costs would rise dramatically. Instead, places that have raised the age kept costs in check, had safer communities, reduced juvenile confinement to free up resources to serve youth more effectively, and managed the change without overwhelming the system.



Michigan considers justice involved 17-year-olds adults. Michigan’s track record over the past decade to move to more effective juvenile justice practices means, the system is ready to bring 17-year-olds into the juvenile justice system by enacting raise the age legislation.

Why is Michigan ready to raise the age?

The *National Research Council of the National Academy of Sciences* has said, raising the age is part-and-parcel of the kind of developmentally appropriate juvenile justice approach that every youth justice systems should be moving towards. While Michigan has not yet raised the age, the state has been taking steps for a decade towards using more effective approaches that reduce young people's justice system involvement, enhance public safety, and will help the state manage the jurisdictional change.

The steps Michigan has made towards a more effective juvenile justice approach include:

- 1) **Expanding the use of diversion:** Rather than needlessly drive up law enforcement, court and juvenile corrections costs, Michigan is diverting more young people from the justice system, and instead, are connecting youth to a service if that is what they need. In order to grow county pre-arrest and pre-adjudication diversion options, the state of Michigan has established fiscal incentives to help communities build options so that young people can avoid unnecessary contact with the justice system.
- 2) **Addressing young people's mental health needs outside the deep end of the system:** A more cost effective youth justice approach connects youth to community-based mental health services and helps youth get the treatment they need in a way that does not deepen their justice system involvement. Wayne County, Michigan has modeled an approach that helps youth access mental health treatment by linking nonprofits together to deliver services for youth and families in their community, which in turn is limiting the number of youth confined or institutionalized. Berrien County has partnered with law enforcement, mental health and child welfare agencies to address a young person's health needs youth outside the deepest end of the justice system, which has reduced the out-of-home placement from 125 in 2001 to 40 in 2015.
- 3) **Reducing reliance on facilities, and focusing resources on community-based approaches:** Because Michigan developed approaches to reduce reliance on facilities for a decade, the state is more prepared to absorb older youth into their youth justice system. Michigan's movement towards a community approach is based in part on the development of Michigan Child Care Fund, which is a 50 percent cost-share between the state and county. In 2012, MCCF allocated nearly \$400 million to support a community-based approach across the state. Michigan counties are also taking steps to reduce young people's length of stay in the juvenile justice system, which frees up dollars for more community-based approaches.
- 4) **Improving the juvenile justice systems' management of resources, and strengthening strategies to serve young people more effectively:** When juvenile justice systems make better use of tools that can assess what a young person might need to move past delinquency, a system can shift to a more cost effective approach. Michigan juvenile justice systems have made better use of tools to detect youth who might have substance abuse or mental health issues, and direct these youth to treatment.

Reallocating resources to support Michigan's raise the age implementation.

In 2015, it cost Michigan taxpayers \$190,738 a year to incarcerate a young person in the states' most expensive confinement option¹— something that underlines how Michigan could shift resources to serve more youth in the community as it implements raise the age by shifting to more effective approaches.

Since Michigan's juvenile justice system has already shown it can reallocate resources within the system to serve more youth in the community and keep costs in check, policymakers can take the next step towards having a more effective approach by raising the age.

Unless referenced below, for more information and a full list of citations, see, *Raising the Age: shifting to a safer and more effective juvenile justice system*. (Washington, D.C: The Justice Policy Institute, 2017), which is available at www.justicepolicy.org

¹ N.A., *Juvenile justice youth served* (Lansing, MI: Michigan Department of Health & Human Services, 2016). https://www.michigan.gov/documents/mdhhs/Section_505_517040_7.pdf.