RAISING THE AGE: SHIFTING TO A SAFER AND MORE EFFECTIVE JUVENILE JUSTICE SYSTEM

MARC SCHINDLER
EXECUTIVE DIRECTOR
JUSTICE POLICY INSTITUTE
@MARC4JUSTICE

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Fauri Memorial Conference – Raise the Age
“We’re going to focus on real, bipartisan approaches to criminal justice reform. We began this critical work in 2016 with the passage of the Raise the Age Act. Before this law passed through our legislature with bipartisan support, 17-year-olds who committed delinquent acts were automatically tried as adults. Because of Raise the Age, young people can now be held accountable for their actions in age-appropriate settings.”

— Louisiana Governor John Bel Edwards
“Once you take a young person and you send them into a jail or a prison with hardened criminals, with real predators, don’t be surprised when they come out hard and they come out worse. We have to stop the cycle and that’s what Raise the Age is all about. Treat 16- and 17-year-olds like 16- and 17-year-olds and stop the cycle of madness of throwing young lives away. That’s what Raise the Age is all about. It took 12 long years to get Raise the Age passed, but this year we got it done and this year, this state says no more to the cycle of madness.”

— New York Governor Andrew M. Cuomo
“If I were kept in the juvenile system, I would’ve already been home with a trade or a college degree in child counseling, showing I can be a good citizen in society. Instead, I’m being labeled and wrote off as a lost cause.”

—17-year-old in jail in Missouri
Why Have States Pursued Raising the Age?

• Safer for communities

• Safer for young people

• Better for young people

• It’s a matter of fairness
Nine of the 14 states that once automatically excluded youth from the juvenile court solely on the basis of their age passed Raise the Age legislation in the past decade.

During this past decade, the number of young people excluded from the juvenile justice system solely because of their age was cut in half.
The number of young people automatically excluded from juvenile court due to their age has dropped by nearly half.
SOME SYSTEM STAKEHOLDERS HAD CONCERNS...

• IF WE RAISE THE AGE...
  - Costs will go up dramatically
  - Juvenile Crime will go up
  - Juvenile Confinement will go up

DID THIS HAPPEN?
Illinois Department of Juvenile Justice’s budget has remained stable through two phases of raise the age.
Graph C. Massachusetts’ Over-Estimation of Raise the Age Implementation Costs (2013)

Raise the age implementation in Massachusetts was estimated to be 37% higher than the actual cost.

While raising the age, Connecticut reduced reliance on confinement, and reallocated money to serve youth in the community.

The projected $100 million in increased costs from raising the age never occurred; instead the juvenile justice, child welfare and court system re-invested $39 million to support community-based approaches.

CRIME DROPPED
The first generation of large raise the age states outperformed the rest of the country in decreased percentages of violent and property arrests between 2005 and 2015.
CONFINEMENT REDUCED
The first generation of raise the age states significantly outperformed the rest of the country in reducing the number of youth committed, confined, or placed out of home.
As Massachusetts raised the age, the number of youth confined and detained dropped.
The population of youth confined in an Illinois Department of Juvenile Justice facility decreased 45% while the juvenile detention average daily population decreased nearly 9%.
Why Weren’t Systems Overwhelmed When States Raised the Age?

States can contain costs and enhance public safety while absorbing 16- and 17-yr olds into their youth justice systems by adopting a number of strategies.
ROAD MAP TO RAISING THE AGE

The Seven Strategies:

1) Expanding the use of diversion
2) Making probation and aftercare approaches more effective
3) Addressing youth’s mental health needs outside of the system
4) Reducing use of pretrial detention
5) Reducing reliance on facilities and shifting resources to community-based approaches
6) Keeping youth safe by complying with PREA
7) Improving juvenile justice systems’ management of resources
Is Michigan Ready to Raise the Age?

• Expanded Use of Diversion
  • “We’re trying to intercept kids before they get involved with the courts. We don’t want it to be the case that youth have to get arrested before they get help. We need to build some viable off-ramps from the highway to the juvenile justice system.”

  —Elvin Gonzalez, Family Diversion Administrator of the Berrien County Trial Court, Michigan

• Addressing youth’s mental health needs outside of the system

• Reducing reliance on facilities and shifting resources to community-based approaches

• Improving juvenile justice systems’ management of resources
Based on the progress that Michigan has already achieved, there is no reason that Michigan can’t join other states in raising the age in a responsible, cost effective and safe manner.

So the answer is **YES, Michigan is ready to ready to Raise the Age**
Steps Michigan Can Take To Successfully Implement Raising the Age

• **Assess what current steps have already been taken** to improve a state’s approach to juvenile justice and explore opportunities to expand those efforts.

• **Connect with stakeholders** in states that have raised the age to understand how they managed the change without increasing costs.

• **Seek out technical assistance** on how to continue shifting towards more effective juvenile justice approaches.
These are young people who made mistakes that aren’t that different than the mistakes that I made, and the mistakes that a lot of you guys made. The difference is they did not have the kinds of support structures, the second chances, the resources that would allow them to survive those mistakes.

President Obama,
July 2015 - El Reno Federal Prison
Questions and follow up

Marc Schindler
Executive Director
mschindler@justicepolicy.org
@marc4justice

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