

## THE IMPACT OF “RAISE THE AGE” LAWS ON JUVENILE COURTS

**“Raise the Age” has proven to be good fiscal and public safety policy. Concerns about large numbers of older juveniles and their associated costs straining juvenile justice systems have not come to pass, and juvenile crime has continued to decline. Eleven states have passed “Raise the Age” laws in recent years; five have been able to collect impact data:**

### CONNECTICUT

Raised the age of juvenile court jurisdiction from 15 to 17 in 2007, to be implemented in 2010; implementation for 17-year-olds was delayed until 2012.<sup>1</sup>

- The 2007 law’s fiscal note predicted accelerating extra costs for implementing “Raise the Age”: \$36 million in 2010, \$78.5 million in 2011, and \$100 million in 2012.
- In fact, Connecticut’s spending on juvenile justice was lower in 2011-2012 than it had been 10 years earlier.
- Connecticut’s “Raise the Age” law had no noticeable negative effect on crime; from 2010-2013 successful completions of probation without re-arrest improved significantly. And from 2008-2014, arrests of 15-19-year-olds dropped by over 50%, by far the largest drop of any age group in the state.

### MISSISSIPPI

Raised the age of juvenile court jurisdiction to 17 in 2010.

- Raising the age of juvenile jurisdiction to include 17-year-olds has not caused spikes in either juvenile facility population or violence observed within these facilities<sup>2</sup>.
- Between 2010 and 2017, the juvenile population in secure placement decreased by 23%.<sup>3</sup> In 2017, probation and commitment had dropped another 50% from 2013.<sup>4</sup>
- Before and after the Raise the Age reform, the portion of 17-year-olds or older in juvenile facilities remained around 20%.

### MASSACHUSETTS

Raised the age of juvenile court jurisdiction to 17 in 2013

- In 2013, prior to the passage of “Raise the Age”, the Department of Youth Services (DYS) estimated that there would be 3,338 arraignments of 17-year-olds that year, resulting, if the new law were passed, in 1,302 extra detentions and 335 extra commitments for DHS.<sup>5</sup>
- In 2014, DHS reported that during that year there were just 691 detentions and 165 commitments of 17-year-olds, only about half of what had been predicted.<sup>6</sup>

### ILLINOIS

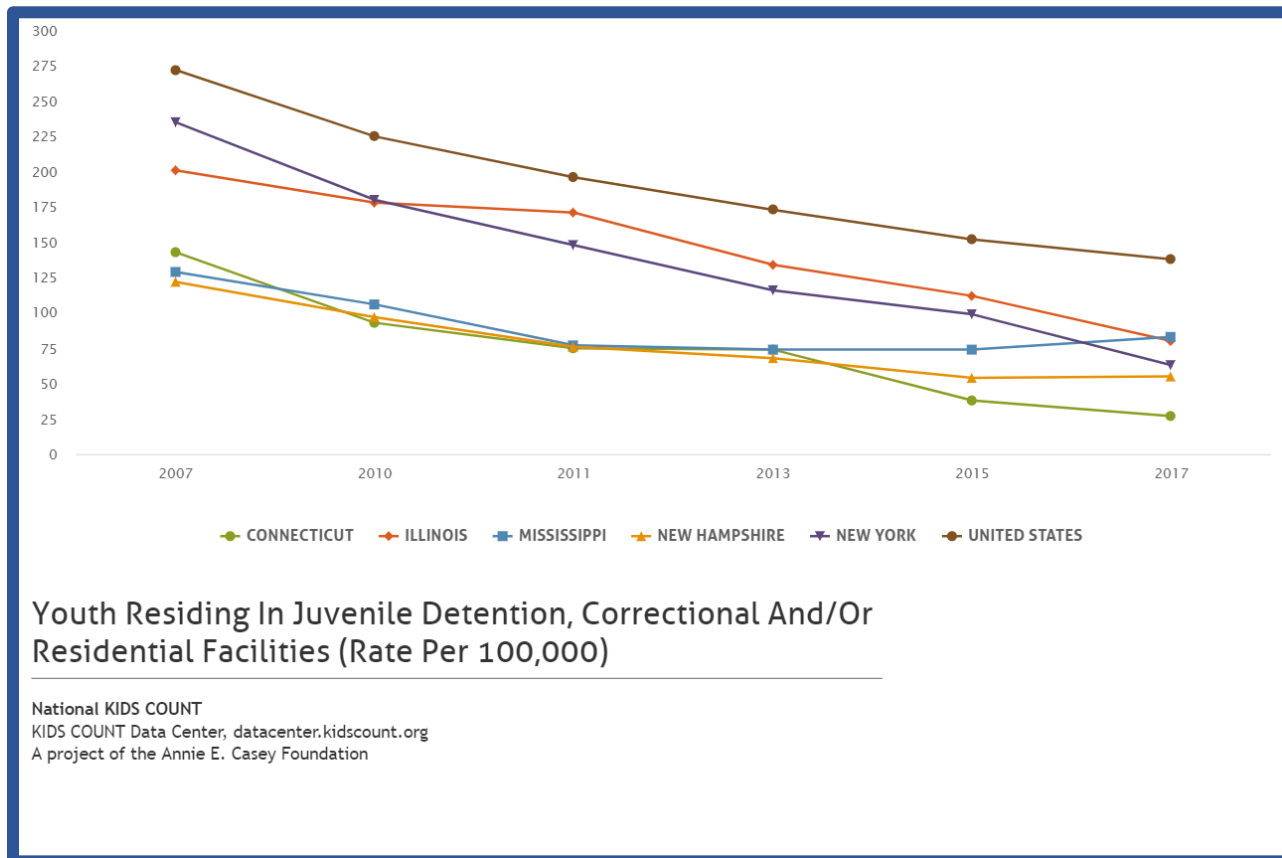
Raised the age of juvenile court jurisdiction from 16 to 17 for misdemeanants in 2010, and for all 17-year-olds in 2014, as police and prosecutors preferred “a uniform age of majority”.

- The proposal to move 17-year-old misdemeanants to juvenile jurisdiction was met with predictions that it would “crowd court dockets, probation caseloads, and detention centers”.
- But even though 18,000 17-year-old misdemeanor cases went to juvenile court in 2010, “the total number of youth in the juvenile system actually dropped due to decreases in overall crime and juvenile arrests, as well as increased use of diversion options.”
- The number of juveniles in post-trial prisons in Illinois has continued to drop each year since 2010.<sup>7</sup>

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## NEW YORK

- Raised the age of juvenile court jurisdiction from 15 to 17 in 2017; the law went into effect for 16-year-olds in October 2018, and for 17-year-olds in October 2019.
- In New York City, arrests of 16-year-olds, especially for misdemeanors such as “petit larceny, criminal possession of marijuana 5, assault 3, theft of services, criminal trespass 2 and 3, and criminal possession of a weapon 4” dropped significantly.<sup>8</sup>
- Facilities anticipated to hold large numbers of children were not close to full. According to one report: “a total of 171 beds are ready and waiting for youthful offenders but less than 12 percent have been filled.”<sup>9</sup>
- As stipulated in New York’s “Raise the Age” law, Adolescent Offenders (16 and 17-year-olds sentenced to state prison) are supposed to be sent to special facilities managed by adult corrections with assistance from family court. In practice, so far, these facilities have been very problematic, with extensive use of solitary confinement and no input from the family court.<sup>10</sup>



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**Endnotes:**

<sup>1</sup> For analysis of the impact of Connecticut's Raise the Age law, see: <http://www.raisetheagect.org/results.html>.

<sup>2</sup> Institute for Public Health and Justice. “A Legislated Study of Raising the Age of Juvenile Jurisdiction in Louisiana: The future of 17-year-olds in the Louisiana Justice System.” Feb. 1, 2016.

<sup>3</sup> Annie E. Casey Foundation, Kids Count Data Center. “Youth Residing in Juvenile Detention, Correctional and/or Residential Facilities in Mississippi.” Available at: <https://datacenter.kidscount.org/data/line/42-youth-residing-in-juvenile-detention-correctional-and-or-residential-facilities?loc=1&loct=2#2/26/true/871,573,36,867,133,18/asc/any/17599>.

<sup>4</sup> Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER Committee), Performance Accountability Office, comp. “Opportunities for Improving the Outcomes of Juvenile Justice Intervention Programs at the Oakley Youth Development Center.” (2018). Available at: <https://www.peer.ms.gov/Reports/reports/OYDC.pdf>; Mississippi Department of Human Services. “Monthly Statistical Report.” May 2016. Available at: <https://www.mdhs.ms.gov/wp-content/uploads/2018/04/May2016MonthlyStatisticalReport.pdf>; Duda, C. “Mississippi Joins 38 Other States, Raises Juvenile Age to Eighteen.” *Juvenile Justice Information Exchange*. July 11, 2011. Available at: <https://jije.org/2011/07/11/mississippi-joins-other-states-raises-juvenile-age-eighteen/>.

<sup>5</sup> The Commonwealth of Massachusetts, Administrative Office of the Juvenile Court. Memorandum acc. “Impact of Raising the Age of Adult Criminal Responsibility in the Commonwealth of Massachusetts from 17 to 18.” March 25, 2013. pp. 22-25.

<sup>6</sup> The Commonwealth of Massachusetts, Department of Youth Services. “Raise the Age Legislative Report.” Dec. 12, 2014.

<sup>7</sup> Juvenile Justice Initiative. “Impact of Raising the Age of Juvenile Court in Illinois.” August 26, 2015.

<sup>8</sup> Gewirtz, M. J. *The First Three Months of Raise the Age and a Comparison to Similar Cases in October Through December 2017*. (2019). Available at: [https://issuu.com/csdesignworks/docs/the\\_three\\_month\\_rta\\_report\\_june\\_201](https://issuu.com/csdesignworks/docs/the_three_month_rta_report_june_201).

<sup>9</sup> “Northern Rivers New Direction – For Now an Empty Promise.” *Altamont Enterprise*. June 27, 2019. Available at: <https://altamontenterprise.com/subscribe?article=38671>.

<sup>10</sup> See: <https://raisetheage.ny.org/letter-to-doccs-eliminate-solitary/>.