



April 9, 2019

To: Members of the House Judiciary Committee

From: Alicia Guevara Warren, Kids Count Project Director, Michigan League for Public Policy

Subject: Support for Raise the Age bill package: House Bills 4133-4146

Thank you for the opportunity to provide testimony in support of the Raise the Age bill package, which would raise the age of juvenile jurisdiction to 18. I am Alicia Guevara Warren, Kids Count project director at the Michigan League for Public Policy, a nonpartisan policy institute dedicated to economic opportunity for all. Automatically prosecuting 17-year olds for their youthful—mostly nonviolent—mistakes prevents these young people from reaching their full potential, resulting in clear social and economic consequences, and these bills will remedy that.

The Kids Count in Michigan project is part of a broad national effort to measure the well-being of children at the state and local levels, and we use that information to shape efforts to improve the lives of children. In our state and our nation, most laws recognize that 17-year-olds are still children. They need protection from abuse and neglect in our state's child welfare system. They are not allowed to vote, drop out of school, legally sign contracts, and more. Yet, Michigan remains one of four states that automatically prosecutes 17-year-olds as adults regardless of the crime.

With the recognition that this is not the first time these bills have been brought before the Legislature, we hope that the inclusion of two funding bills that 1) provide options for counties to be funded to provide services to 17-year-olds and 2) create the Raise the Age Fund to support the costs will both help the state move forward to do the right thing for our kids, who continue to be traumatized and held back every day that we delay action.

Research shows that teenagers are developmentally different from adults and that the ability to reason and exercise judgement improves into a person's mid-twenties. Because of those differences, we know that we cannot treat youth as adults and that young people in contact with the justice system should receive age-appropriate treatment to promote positive development. Currently, Michigan prohibits 17-year-olds in the adult system from accessing youth-focused treatment, further diminishing their ability to be rehabilitated.

Without access to age-appropriate services, young people exiting the adult system are 34% more likely to reoffend and to do so more violently than their peers in the juvenile justice system. Michigan's juvenile justice system is highly effective at delivering treatment services and sanctions that hold youth accountable, engage families, keep kids in school, and reduce the chances of reoffending. With declining youth arrest rates and increased use of diversion programs, Michigan courts have experienced

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reductions in their caseloads. Plus, many juvenile detention and residential treatment centers are below capacity. The juvenile justice system is well positioned to absorb 17-year-olds, ensuring that more appropriate treatment is provided.

It is time for Michigan to join the vast majority of other states in recognizing that 17-year-olds are children and should be treated as children. An adult conviction has lifelong consequences that include barriers to education, employment and housing. Youth who are incarcerated in an adult facility lose about 5.5 months of education over one year compared to the average high school student. Plus, a young person convicted as an adult can expect to earn 40% less over their lifetime, which means lost state revenue and increased risk of future incarceration.

We also must continue to pursue ways to keep our youth out of trouble and out of jail to begin with. Oftentimes, youth who come into contact with law enforcement have been failed by the systems in place to protect them. Many of these young people wind up in the system because of mental health, substance abuse, academic failure, or abuse or neglect issues that went unaddressed. While the bills before you speak to one issue for youth in the justice system—and an important one at that—it is vital that policymakers view children holistically and address other issues related to child well-being to prevent entry into the system altogether.

As Kids Count director, it is my job to help be the voice for all kids in Michigan and use data and research to stand up for their needs and their well-being, from prenatal health before they are born on into adulthood. Caring about kids includes caring about teenagers and young people who have made mistakes. We should be helping them get their lives back on track, not permanently derailing their promise and potential, but that is exactly what's currently happening to our 17-year-olds in the criminal justice system. Raising the age will change that, and will put our state in alignment with the nation in treating these kids as a valuable resource and an opportunity for redemption, not a threat.

Thank you for the opportunity to provide testimony.