



POLICY BRIEF

Returning 17-year-olds to the Juvenile Justice System: A Smart Choice for our Communities and our Youth

A decade of research clarifies that trying youth in adult court has a detrimental impact on community safety as well as on many 17-year-olds. Current state law excludes all 17-year-olds from the juvenile court and the services available through that venue. Even if prosecutors and judges wanted to include a 17-year-old in an appropriate juvenile service or program, they would be unable to do so. Therefore, one way to improve community safety and better serve youth in Wisconsin is to increase the likelihood that 17-year-old offenders will receive effective services in the juvenile system rather than in the adult criminal justice system.

Six Reasons to return 17-year-olds to Juvenile Court:

1. **Most 17-year-olds who are arrested are accused of relatively minor, nonviolent offenses.** Proposals to return 17-year-olds to juvenile court still permit serious/violent offenders to be prosecuted as adults.
2. **There is no credible evidence that treating youth as adults in the justice system makes communities safer or deters crime.** In fact, available data indicates that youth tried as adults are 34 percent more likely to re-offend than youth retained in the juvenile system.
3. **Many youth are harmed by contact with the adult system.** Youth are 36 times more likely to commit suicide in an adult jail than in a juvenile detention facility. They are also at elevated risk of being assaulted or otherwise victimized in an adult jail. In addition, an adult

criminal record may have a permanent negative effect on a youth's future employment and educational prospects.

4. **Youth are much more likely to receive services they need to turn their lives around in the juvenile system than in the adult system.** In fact, there is virtually no chance they will receive appropriate treatment and support services in the adult system.
5. **The long-term economic benefits of treating youth appropriately in the juvenile system far outweigh the short term costs.** Research has shown that for each youth who does not re-offend because he received appropriate treatment and services, the economy benefits by \$1.7 to \$3.4 million over the remainder of their life.
6. **Current brain development research confirms that teens are prone to impulsive behavior.** The part of the brain that controls rational decision-making is the last to develop, taking into the early 20s to mature.

Conclusion: There is no legitimate public policy rationale for treating all 17-year-olds as adults in the justice system.