

# ISSUE BRIEF

A Publication of the Tow Youth Justice Institute on Legislative Reform

A Leader in Reform

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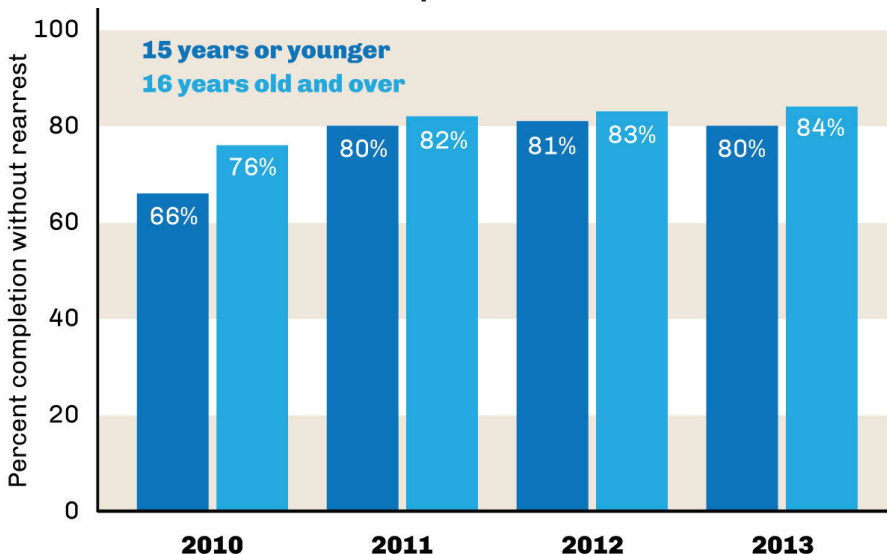
## Background

As advocates surveyed the juvenile justice landscape in 2005, Connecticut was one of three states automatically prosecuting 16- and 17-year-olds as adults, even for minor charges. The punitive focus of adult prisons coupled with the harm of being labeled a criminal led policy makers in our state to seek more effective and developmentally appropriate methods toward rehabilitating youth.

“Raise the Age” from 16- to 18-year olds in Connecticut 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 did not come to pass, and juvenile crime has continued to decline. 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 2008 - 2014, arrests of 15- to 19-year-olds dropped by over 50%, by far the largest drop of any age group in the state. In

addition, from 2010 – 2013 successful completions of probation without re-arrest, considered a critical step in reducing recidivism, improved significantly (See chart<sup>1</sup>).

**Successful Completions of Probation**



## The Emerging Adults--- 18, 19 and 20 year olds

Now the state has turned its attention to another group, the 18- to 21-year-old Emerging Adults. Research demonstrates that youth ages 18 – 21 are very influenced by their peers; they are more prone to taking risks; and are not thinking clearly about their futures. If they have grown up with trauma, these issues are magnified.<sup>2</sup> Furthermore, for this population, being incarcerated in an adult prison has dramatic negative effects that compound the underlying causes of their action. They often

recidivate and end up deeper in the criminal justice system, creating a threat to the safety of communities. In effect, this age group shares numerous similarities to the 16- and 17-year-old age group.

This is what led Governor Dannel Malloy to introduce legislation last year to raise the age of juvenile jurisdiction in Connecticut up to the 21st birthday. Although it did not come to a vote in the 2016 legislative session, the Governor did ask the Juvenile Justice Policy and Oversight Committee (JJPOC) to study the issue further and make recommendations to him by the end of 2016. On behalf of the JJPOC, the Tow Youth Justice Institute at the University of New Haven collaborated with the Harvard Kennedy School of Criminal Justice Policy and Management on this report.

## What the Research on Emerging Adults Shows

What is now known about brain development from studies in the field of neuroscience leads us to the conclusion that the current adult justice system does not work effectively for the emerging adult population, their families or the community.<sup>3</sup> Studies show that young people prosecuted as adults are more likely to reoffend and even to escalate into more serious crimes than their peers prosecuted in juvenile court.<sup>4</sup> Youth in adult prison are also at high risk of suicide and assault.<sup>5</sup>

Research tells us the underlying causes leading youth in the justice system are what need to be identified and addressed.<sup>6</sup> Moreover, developmentally appropriate services have been found to be effective as alternatives to incarceration.<sup>7</sup> This includes vocational, educational, mental health, substance abuse, housing stability and family involvement.

## Public Safety and Emerging Adults in Connecticut

In December 2016, the Harvard Kennedy School of Criminal Justice Policy and Management completed a report titled "Public Safety and Emerging Adults in Connecticut: Providing Effective and Developmentally Appropriate Responses for Youth under Age 21". They presented their findings that support the policy change to JJPOC. They provided 15 recommendations that support an overall strategy intended to shift to a new culture of rehabilitation for emerging adults. Their major ideas included investing in a robust diversion system and alternatives to detention to minimize youth contact with the justice system. In addition, they identified housing, educational and vocational services specifically targeted to the unique needs of this population.

Please visit [newhaven.edu/tow](http://newhaven.edu/tow) for a copy of the full report.

## Juvenile Justice Policy and Oversight Committee

In January 2017, recommendations were made to the JJPOC on guidelines to be followed if the legislation to raise the age to 21 is passed. Specifically, it was recommended that a four and a half year phase-in process be developed similar to the time period set for raising the age for the 16 to 17 year olds, and that the JJPOC should be charged with monitoring the process for implementation and reporting back annually to the Governor and legislative committees.

Please visit [newhaven.edu/tow](http://newhaven.edu/tow) for a full copy of the 2017 JJPOC recommendation package.

## Conclusion

A misconception about the Raise the Age legislation is the impact on community safety. The change does not mean that youth 15- to 20-years old charged with serious crimes would be processed in the juvenile system. They will continue to be transferred to the adult system, the proceedings will be open to the public and the offenders will be detained in a Department of Correction facility. Given the evidence behind the success of the first raise the age legislation, Governor Malloy recently submitted the new legislation to raise the age to 21 and took the advice of the JJPOC by proposing a gradual phase in of the law and continued monitoring of this major change by the JJPOC.

Please visit [newhaven.edu/tow](http://newhaven.edu/tow) for a copy of the Governor's bill.

### Sources:

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7. Seigle, Elizabeth, Nastassia Walsh, and Josh Weber. "Core principles for reducing recidivism and improving other outcomes for youth in the juvenile justice system." New York, NY: Council of State Governments Justice Center (2014).

*The University of New Haven was designated, by law, to staff the JJPOC. The Tow Youth Justice Institute (TYJI) of the University of New Haven is responsible for all management activities of the JJPOC. TYJI is a part of the Henry C. Lee College of Criminal Justice and Forensic Sciences.*



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