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Testimony from:  
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In SUPPORT of House Bills 4133-46  
Raise the Age of Juvenile Court Jurisdiction to 18

April 9, 2019

House Committee on Judiciary

Chairman Filler and members of the committee:

My name is Jesse Kelley. I manage criminal justice state policies as a government affairs specialist for the R Street Institute, a nonprofit, nonpartisan public policy research organization. Our mission is to engage in policy research and outreach to promote free markets and limited, effective government in many areas, including juvenile justice reform. Raise the Age legislation, such as House Bills 4133-46, is of special interest to us.

The R Street Institute stands in support of Raise the Age legislation and encourages raising the age of criminal majority so that cases involving 17-year-olds may remain in the juvenile justice system. Michigan is one of only four states that treat 17-year-old youths as adults in the criminal justice system. This practice harms young people, the Michigan economy and local communities.

We would like to thank Chairman Graham Filler for his continued and outspoken support of this legislative effort. We also concur with the chairman's statements that the best approach to juvenile detention should involve rehabilitation, training and educational components.<sup>1</sup>

Each of the bills before the committee today is crucial to the larger goal of providing successful rehabilitation for justice-involved youth. We are in support of every bill in the package before the committee today, which includes raising the age with regard to juvenile court jurisdiction, eligibility for youthful trainee status, juvenile status of children found not guilty by reason of insanity, definition of adult

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<sup>1</sup> "Rep. Graham Filler, R-DeWitt; audio on introduction of "raise the age" legislation for 17-year old offenders."  
<http://gophouse.org/rep-graham-filler-r-dewitt-audio-introduction-raise-age-legislation-17-year-old-offenders/>

in indigent defense, juvenile jurisdiction in youth rehabilitation services, pre-adjudication confinement and providing for a Raise the Age Fund.

Our research has shown that children placed in the adult system are vulnerable to abuse, subjected to solitary confinement and deprived of age-appropriate services.<sup>2</sup> The R Street Institute believes that young people must be separated from the adult criminal justice system in order to preserve their physical and mental health and foster future economic success.

We all want kids to learn from their mistakes, get an education and contribute meaningfully to society. The status quo in Michigan robs 17-year-olds of this opportunity by automatically trying them as adults. The current, outdated system significantly damages the lives of Michigan kids by saddling them with permanent adult records.

Opponents have voiced concerns over the potential costs of treating 17-year-olds as juveniles. However, if this legislation is passed, research shows that Michigan can expect both long-term economic savings and public safety benefits.

Although the initial costs of housing these youths in juvenile facilities may be higher than housing them in adult prisons, a young person convicted in the adult system can expect to earn 40 percent less over his or her lifetime. In contrast, youth who were convicted of a crime but did not go to adult prison have almost as good a chance of finding a job as youths who never committed a crime. To further ameliorate cost concerns, this proposed legislation would create a Raise the Age Fund within the state treasury that would aid in offsetting additional implementation costs.

Raise the Age legislation will cost more upfront. But it will lead to fewer repeat offenders and fewer people in our jails, which will save millions in taxpayer dollars, offsetting modest startup costs. Raising the age will generate \$52.3 million in benefits every year from the combined perspectives of taxpayers, youth and victims. Forty-eight other states have raised the age because it is worth it economically. Simply put, less crime leads to public savings and is good for everyone.

Pundits may claim that Raise the Age legislation is “soft on crime.” We would remind them that the juvenile system is both correction- and treatment-oriented. The juvenile system is designed to hold youth and parents accountable, bringing a holistic approach to corrections.

The overwhelming majority of offenses committed by youth are minor. For example, one study looked at a group of justice-involved 16- and 17-year-olds and found that 79 percent are accused of misdemeanors and only 3 percent are accused of serious felonies.<sup>3</sup>

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<sup>2</sup> Nila Bala. “Left-Behind Kids.” R Street Policy Study No. 136. March 2018. <https://www.rstreet.org/2018/03/23/left-behind-kids/>

<sup>3</sup> “Raise the Age Advocacy Guide.” Action for Children North Carolina. [https://www.ncchild.org/wp-content/uploads/2014/05/raise-the-age-advocacy-guide\\_0.pdf](https://www.ncchild.org/wp-content/uploads/2014/05/raise-the-age-advocacy-guide_0.pdf)

Allowing 17-year-old children to be included in the juvenile system would give them greater access to crucial educational and technical training. This leads to better opportunities upon release and an increased chance to grow into responsible, productive adults. Michigan juvenile facilities teach youth educational and vocational skills based on market demand. Using education methods tailored to the goal of post-incarceration employment benefits all juveniles, but would be most beneficial for older youth.

Please support and advance these pieces of legislation so that 17-year-olds can have the opportunity to better their futures and the future of Michigan.

Thank you for your consideration,

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