

Raise the Age FAQ



What does Raising the Age mean?

Raising the Age in Wisconsin will ensure that youth will be treated as youth, not adults, by the legal system. Raise the Age Policy will raise the age of juvenile jurisdiction so that the juvenile court system will have original court jurisdiction over all 17-year-olds. When we Raise the Age, outcomes improve for our state's young people as a vast majority of justice-involved 17-year-olds will be tried and rehabilitated in the juvenile system instead of the adult system.

Do other states deal with 17 year-olds this way?

No. Most other states treat 17 year-olds as the adolescents they are. In fact, Wisconsin is only one of 3 states that still utilizes this outdated practice. Across the country, states are recognizing the importance of raising the age. Louisiana, South Carolina, New York, Michigan, and North Carolina have all passed raise the age legislation in the past 10 years.

Who will be affected by Raising the Age?

Raise the Age of juvenile court jurisdiction to include 17 year olds will affect thousands of young people each year. 17-year-olds who become justice-involved will be affected by this policy because all of them will start in the juvenile justice system. Wisconsin DOC 2019 data indicates that almost 9,000 17-year-olds will be affected each year, but this number is falling as crime rates among youth continue to drop.

What kind of crimes are these youth committing?

The largest cohorts of youth arrests are for disorderly conduct, underaged drinking, possessing small amounts of marijuana, petty theft, or other minor infractions. Less than 3% of all juvenile arrests are for the FBI terms "violent crime".

Will those charged for the most heinous crimes still be tried in the juvenile system?

Raising the Age would ensure that every young person's case would start in the juvenile system, and that only the most serious cases would be able to be moved to the adult court. For the most serious offenses, juvenile court judges, after reviewing the case, could decide that a youth would be better served in the adult court system and waive them to the adult system. However, raising the age sets the "default" for youth in the juvenile system, not the adult system.

How many young people will be affected by Raising the Age?

In 2019, Wisconsin law enforcement made about 35,000 arrests of those under aged 18, spanning 70 of Wisconsin's 72 counties. Almost 9,000 of these arrests were of youth aged 17. Raise the Age legislation would provide original adult court jurisdiction for every single one of these arrests across the state. However, raise the age policies have been proven to speed the decline in juvenile arrests, and the juvenile court's emphasis on community-based rehabilitation is generally much less expensive than adult court confinement models.

Why does the issue have bipartisan support?

Raise the Age appeals to traditionally conservative values such as fiscal responsibility and public safety, while also lowering incarceration rates and providing proper rehabilitation for those in the justice system, policies favored by Democrats. Finally, raising the age gets to the heart of what we all believe in; that our government should properly care for our state's young people and equip them for a healthy, successful life. In this partisan political environment, Raise the Age is one of the few policies almost everyone can agree on.

If the issue has bipartisan support, then why hasn't the law passed?

There are a number of reasons why Raise the Age legislation has yet to pass over the finish line. First, raising the age involves transferring funds from the state budget to county budgets. This is because juvenile courts are run by counties, while the adult system is run by the state's corrections department. However, Governor Evers' budget includes sum-sufficient funding of raising the age, which addresses this problem. Finally, while this policy is popular across party lines, a small minority of people are still opposed to smart-on-crime policy, and have historically opposed this legislation. These two roadblocks have stopped raise the age legislation in the past.

Does Raise the Age help public safety?

Raising the Age is a smart on crime policy that leads to safer communities and better outcomes for justice-involved youth. One of the most striking community benefits is the impressive reduction in future criminality among youth who are moved to the juvenile justice system. The Center for Disease control found that youth in the juvenile system have a 34% recidivism rate compared to their counterparts in the adult system, even when adjusted for other factors. This translates to thousands of youth who will leave the juvenile system and never return to the justice system in the future. Contrary to common belief, youth who make mistakes and get arrested are generally not individuals that have started down the path to an adult life of crime, and most will commit fewer crimes (or make smarter decisions) as they mature and become less impulsive. This may help explain why Raise the Age legislation is supported by both conservative and progressive advocacy organizations.

Does the Raise the Age Coalition support other juvenile justice reform efforts?

The Raise the Age Coalition is a group of organizations partnered to pass Raise the Age legislation in the state of Wisconsin. Most members of the Raise the Age Coalition support additional juvenile justice reform efforts and broader criminal justice reform. However, our coalition has partnered together for one common goal: bringing 17 year olds back to the juvenile justice system.

How is this “fiscally responsible” if the Governor had to allocate funding to raise the age efforts?

As previously mentioned, moving young people from the adult system to the juvenile system means transferring them from the state corrections system to county supervision. This transfer from state care to the counties mean that funding must follow. The transfer of funds from the state to counties does not detract from the long-term fiscal savings or indicate that raise the age policy is significantly more expensive. Studies from the University of Wisconsin, the Justice Policy Institute, Missouri State University, UCLA, and other organizations have demonstrated the long-term savings, expanded tax base, and strengthened workforce that results from bringing youth to the juvenile system. For example, a study from Missouri State University found that every young person brought back to the juvenile system will pay almost \$170,000 more in taxes over their lifetime.

Studies and research have also shown that the programming and approaches in the justice system are much more cost-effective than the expensive confinement model used in the adult system. A University of Wisconsin study conducted a rigorous cost-benefit analysis of 571 criminal justice programs, those most cost-beneficial in reducing future crime were targeted at juveniles. Of these, the five most cost-beneficial rehabilitation programs and the single most cost-beneficial prevention program were family-focused approaches. Children served by the adult system cannot receive family-focused interventions, while this approach is available in the juvenile system.