

Raise the Age (RTA) Is Right for Wisconsin



SUPPORTED BY VOTERS

- Forty-six states process 17-year-olds in their juvenile justice systems. Only Georgia, Texas, Louisiana, and Wisconsin do not.¹
- Deep red states such as South Carolina, blue states such as New York and Massachusetts, and purple states such as Michigan and North Carolina have all passed RTA legislation in the past 12 years.
- A 2021 Badger Institute poll found that 86% of Wisconsin voters agree that “the main goal of our criminal justice system should be rehabilitating people to become productive, law-abiding citizens.”² The juvenile system accomplishes this far better than the adult system.
- A 2016 national poll found that 83% of Americans support providing financial incentives for states and municipalities to invest in alternatives to youth incarceration, such as intensive rehabilitation, education, job training, community services, and programs that provide youth the opportunity to repair harm to victims and communities.³

INCREASES PUBLIC SAFETY

- Juveniles are more likely to move beyond delinquency and become responsible adults if they are helped by an effective youth justice system.⁴
- The federal Centers for Disease Control and Prevention (CDC) found that youth tried in juvenile courts have a 34% lower recidivism rate than those tried in adult courts, even when controlled for offenses charged.⁵
- The CDC also found that youth transferred to the adult system were 39% more likely to be re-arrested for a violent offense in the future than those who stayed in the juvenile system.⁶
- A comparison of two states shows that youths tried in the adult system were 44% more likely to be rearrested for felony property crimes than those who remained in the juvenile system.⁷
- Sending youth to the adult system has a negligible impact on deterring criminality, as most youth are unaware that they can be tried as adults.⁸
- In 2019, a raise the age policy could have increased public safety and helped 17-year-olds in 70 of Wisconsin’s 72 counties.⁹

RESULTS IN FISCAL SAVINGS

- Each youth in the adult system costs the state almost \$40,000 per year to incarcerate.¹⁰
- The Urban Institute in Connecticut found that for “every \$1 spent on raising the age, the state could expect to gain \$3 in reduced crime, incarceration costs, and public benefits.”¹¹
- Youth in the juvenile system can better continue their high school education than those in the adult system.
- Rehabilitated youth are more likely to graduate high school and obtain steady employment. A Missouri study estimated that youth sent to the juvenile system contribute millions more in state taxes than youth sent to the adult system.¹²
- Wisconsin’s workforce is shrinking and getting older.¹³ RTA will increase the number of youth who enter the workforce and lower the number of incarcerated adults. More workers and fewer inmates will boost Wisconsin’s economy.

REDUCES RACIAL DISPARITIES

- Wisconsin has the second highest black-white incarceration disparity in the country and reforming how we treat youth in our justice system can have compounding effects in reducing racial disparities across the board.¹⁴
- A 2016 study found that the automatic transfer of young people into the adult system disproportionately affects youth of color. And once they are in the adult system, black and Native American youth are more likely to face conviction in adult court, especially for drug-related crimes.¹⁵

PROTECTS YOUTH

- Young people in the adult prison system are more likely to be sexually and physically abused than any other population.¹⁶
- The MacIver Institute reports that, despite comprising less than 1% of the adult prison population, juveniles represent over 20% of its sexual abuse victims.¹⁷
- Juveniles in the adult system are up to 36 times more likely to commit suicide compared to their adult counterparts.¹⁸

PROMOTES MENTAL HEALTH

- The Wisconsin Office of Children’s Mental Health reports that, as of January 2020, 100% of female and 72% of male incarcerated youth struggled with a mental health challenge.¹⁹
- A national study found that most juveniles who offend experienced very high levels of childhood trauma.²⁰
- More and more Wisconsin counties are providing mental health and trauma-informed care in their youth justice programs.²¹

RELIES ON MEDICAL SCIENCE

- Research in adolescent brain science, developmental psychology, and sociology demonstrates that adolescents are highly influenced by peers, are impulsive, and frequently fail to consider future consequences. As such, they require age-appropriate interventions.²²
- Research indicates that nearly all youth will mature and age out of crime, especially with the right opportunities.²³

ENDNOTES

- ¹ Teigen, A. (2021, April 4). *Juvenile Age of Jurisdiction and Transfer to Adult Court Laws*. National Conference of State Legislatures. <https://www.ncsl.org/research/civil-and-criminal-justice/juvenile-age-of-jurisdiction-and-transfer-to-adult-court-laws.aspx>. The eleven states highlighted in blue have all passed Raise the Age reforms since 2007, see Mistrett, Marcy. (June 2021) *Bringing More Teens Home: Raising the Age Without Expanding Secure Confinement in the Youth Justice System*. The Sentencing Project.
- ² Blizzard, R. & Ulm, G. (2021, April 6). *Wisconsin Statewide Poll Results*. Public Opinion Strategies. <https://www.badgerinstitute.org/statewide-criminal-justice-poll/>
- ³ GBA Strategies. (February 2016). *Poll Results on Youth Justice Reform*. <http://njjn.org/uploads/digital-library/Youth-First-National-Poll-Memo-Feb-2016.pdf>
- ⁴ Justice Policy Institute (2017, March 7). *Raise the Age*. <http://www.justicepolicy.org/research/11239>
- ⁵ Centers for Disease Control and Prevention (CDC). (2007, November 30). *Effects on Violence of Laws and Policies Facilitating the Transfer of Youth from the Juvenile to the Adult Justice System*. U.S. Department of Health and Human Services. <https://www.cdc.gov/mmwr/pdf/rr/rr5609.pdf>
- ⁶ Ibid.
- ⁷ MacIver Institute. (2013, October 23). *Mandatory Sentencing of 17 year-olds in Adult Court – Is There a Better Alternative for Wisconsin’s youth and Taxpayers*. <https://www.maciverinstitute.com/2013/10/mandatory-sentencing-17-year-olds-in-adult-court-is-there-a-better-alternative-for-wisconsins-youth-and-taxpayers/>
- ⁸ Rovner, J. (2016). *How Tough on Crime Became Tough on Kids*. The Sentencing Project. <https://www.sentencingproject.org/wp-content/uploads/2016/12/How-Tough-on-Crime-Became-Tough-on-Kids.pdf>. See also: John Howard Association of Illinois (2014). *In Their Own Words: Young People’s Experiences in the Criminal Justice System and Their Perceptions of Its Legitimacy*. <https://www.thejha.org/special-reports/in-their-own-words-young-peoples-experiences-in-the-criminal-justice-system-and-their-perceptions-of-its-legitimacy>
- ⁹ Data taken from Wisconsin Uniform Crime Reporting Data Dashboard: <https://www.doj.state.wi.us/dles/bjia/ucr-arrest-data>
- ¹⁰ Vera Institute (2015). *Prison Spending in 2015*. <https://www.vera.org/publications/price-of-prisons-2015-state-spending-trends/price-of-prisons-2015-state-spending-trends-price-of-prisons-2015-state-spending-trends-prison-spending>
- ¹¹ Roman, J. (2006, February 21). *The Economic Impact of Raising the Age of Juvenile Court Jurisdiction in Connecticut*. Urban Institute. <https://www.urban.org/research/publication/economic-impact-raising-age-juvenile-jurisdiction-connecticut>
- ¹² Mitchell, D. (2017, December). *Economic Costs and Benefits of Raise the Age Legislation in Missouri*. Missouri State University. <https://blogs.missouristate.edu/econ/files/2017/12/Economic-Costs-and-Benefits-of-Raise-the-Age-Legislation-in-Missouri.pdf>
- ¹³ Knapp, D. (2019). *Falling Behind: Migration Changes and State Workforce*. Forward Analytics. <https://indd.adobe.com/view/05bdef29-15f8-45e7-a756-ba80a248840a>
- ¹⁴ The Sentencing Project. (2019). *State-by-State Data*. <https://www.sentencingproject.org/the-facts/#rankings?dataset-option=BWR> ¹⁵ Wisconsin Council on Children & Families. (2016, December). *The State of Juvenile Justice in Wisconsin*. <http://kidforward.net/assets/State-of-Juvenile-Justice-20161.pdf>. See also: Rovner, J. (2016, April 1). *Racial Disparities in Youth Commitments and Arrests*. The Sentencing Project. <https://www.sentencingproject.org/publications/racial-disparities-in-youth-commitments-and-arrests/>
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- ¹⁹ Wisconsin Office of Children’s Mental Health. (2020, October). *Highlighting Disparities in Youth Justice*. [https://children.wi.gov/Documents/ResearchData/OCMH 2020 Fact Sheet Highlighting Disparities in Youth Justice.pdf](https://children.wi.gov/Documents/ResearchData/OCMH%2020%20Fact%20Sheet%20Highlighting%20Disparities%20in%20Youth%20Justice.pdf) ²⁰ Baglivio, M.T., Epps, N., Swartz, K., Huq, M.S., Sheer, A., & Hardt, N. (2014). *The Prevalence of Adverse Childhood Experiences (ACE) in the Lives of Juvenile Offenders*. *Journal of Juvenile Justice*. https://www.prisonpolicy.org/scans/Prevalence_of_ACE.pdf
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- ²² Siringil Perker, S. & Chester, L. (2017, June). *Emerging Adults: A distinct population that calls for an age-appropriate approach by the justice system*. Harvard University Program in Criminal Justice Policy and Management. https://www.hks.harvard.edu/sites/default/files/centers/wiener/programs/pcj/files/MA_Emerging_Adult_Justice_Issue_Brief_0.pdf. See also: Sifferlin, A. (2017, September 8). *Why Teenage Brains are so Hard to Understand*. *Time*. <https://time.com/4929170/inside-teen-teenage-brain>; and Lindell, K. U. & Goodjoint, K. L. (2020). *Rethinking Justice for Emerging Adults: Spotlight on the Great Lakes Region*. Juvenile Law Center. <https://jlc.org/sites/default/files/attachments/2020-09/JLC-Emerging-Adults-9-2.pdf>
- ²³ National Institute of Justice. (2014, March 10). *From Youth Justice Involvement to Young Adult Offending Raise the Age*. <http://www.justicepolicy.org/research/11239> <https://nij.ojp.gov/topics/articles/youth-justice-involvement-young-adult-offending>. See also: Justice Policy Institute. (2017, March 7).