



GOVERNOR'S JUVENILE JUSTICE COMMISSION

TONY EVERS, GOVERNOR
SHARLEN MOORE, CHAIR

November 2, 2023

POSITION STATEMENT: Raising the Age of Juvenile Court Jurisdiction in Wisconsin

The Governor's Juvenile Justice Commission (GJJC) is the mandated State Advisory Group (SAG) under the federal Juvenile Justice and Delinquency Prevention Act (JJDP). Pursuant to Executive Order #43, the GJJC advises the Governor and the Legislature on matters critical to juvenile justice. GJJC Commissioners include those with lived experience in the juvenile justice system and representatives of law enforcement, education, youth justice, mental health, non-profit, tribal, and victim services agencies.

The GJJC is re-affirming its longstanding support for fully returning 17-year-olds to the juvenile justice system. Wisconsin is one of only three states that do not process 17-year-olds in their juvenile justice system (Texas and Georgia).

Raising the age of juvenile court jurisdiction is supported by the following:

- The human brain continues to develop into a person's mid-to-late 20s. The areas of the brain that most heavily impact decision-making and impulse control are last to develop. Peer pressure, social connection, short-term rewards, and acceptance play larger roles in adolescent behavior.¹
- The youth justice system is better equipped to work with 17-year-olds by providing needs based, age appropriate, and trauma informed services and dispositional options.
- The adult criminal system imposes collateral consequences on youth via diminished confidentiality protections and negative education and employment outcomes.²
- Youth in adult correctional facilities are more likely to be sexually and physically abused and 36 times more likely to commit suicide than their adult counterparts.³
- Youth processed in the juvenile justice system are less likely to re-offend as compared to those sent to adult criminal court.⁴
- Significant racial disparities exist in the Wisconsin juvenile and adult justice systems. Processing 17-year-olds as adults exacerbates those disparities - minority defendants are more likely to receive jail or prison sentences.⁵

Wisconsin remains a national outlier in the way that it processes justice involved young people. The GJJC supports joining 47 other states in recognizing that raising the age of criminal court jurisdiction protects the well-being of youth, reduces recidivism, and improves public safety.

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¹ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC419576/> ; <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5662008/>

² <https://www.wispsd.gov/juvenile-collateral-consequences>

³ <https://www.theatlantic.com/education/archive/2016/01/the-cost-of-keeping-juveniles-in-adult-prisons/423201/> ; <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2806838>

⁴ http://kidsforward.net/assets/risking_their_futures.pdf ; <https://legis.wisconsin.gov/lab/reports/08-3full.pdf> ; <http://kidsforward.net/assets/Juvenile-Justice-Report-FINAL-maciver-feb-2016.pdf> ;

⁵ http://kidsforward.net/assets/risking_their_futures.pdf

Governor's Juvenile Justice Commission

Secretary Emilie Amundson, Department of Children and Families

Judge Carl Ashley, Milwaukee Co Circuit Court

Dana Brown, Restorative Justice Manager/Goodwill North Central Wisconsin

Secretary Kevin Carr, Department of Corrections

Jennifer Ginsburg, Executive Director, Safe Harbor Child Advocacy Center

Ben Gonring, Assistant State Public Defender, Madison

Abigail Gosetti, Youth Member

Charles Greer, Children's Hospital of Wisconsin, Child Welfare Supervisor

Andrew Miller, Deputy District Attorney, Dane County District Attorney Office

Sharlen Moore, Youth Justice Milwaukee Director

Edjron Pearson, Superintendent, Dane County Juvenile Detention Center

Dorinthia Robinson, Youth Justice Volunteer

Diane Rondini, Former State Public Defender, Juvenile Justice Advocate

JP Rotatori, Youth Member, Youth Counselor and Student

Tweed Shuman, Sawyer Co Board Chairman, Lac Courte Oreilles Tribal Council

Kenna Tripple, Youth Member

Charles Tubbs, Sr., Director of Dane Co Emergency Management