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Opinion: Justice system should not treat kids as adults

Tom Hickson

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(Photo: Terray Sylvester, AP)



Michigan 17-year-olds cannot vote in the upcoming Aug. 7 primary election. They also cannot serve on a jury or enter into a legal contract because of their age. The law does not consider them too young, however, with regard to the criminal justice system. Seventeen-year-olds are automatically charged and sentenced as adults in Michigan.

Unfortunately, the “tough on crime” mentality that has guided criminal justice policy for decades has not significantly improved public safety. The adult system often exposes youth to further violence. A report from the Centers for Disease Control Task Force on Community Preventive Services found youth exiting the adult system are “thirty-four percent more likely to reoffend, reoffend sooner, and escalate to more violent offenses than their counterparts in the juvenile justice system.”

Additionally, the adult system puts youth at greater risk for sexual assault, violence and self-harm, without giving them the proper assistance and skills needed to re-enter society. These circumstances do not prepare 17-year-olds for a successful life after their sentence. Rather, they disrupt their development and prospects for rehabilitation.

A 2014 Youth Behind Bars study recognized 17-year-olds are “more inclined to take risks and act impulsively.” At the same time, these youth are still developing their ability to reason and are therefore “more amendable to rehabilitative programs.” The juvenile justice system, which provides age-appropriate corrective services, is more apt to benefit troubled youth: they can often stay in their own schools, access resources in their own community, and incorporate their parents into treatment decisions.

Despite the advantages of the juvenile system for children, Michigan remains one of only four states that automatically treats 17-year-olds as adults in the criminal system. Thankfully, a dedicated and bipartisan group of Michigan lawmakers has introduced legislation to change this misguided policy. The Raise the Age package would allow 17-year-olds to remain in the juvenile system. Only in the

most serious cases could a judge or prosecutor choose to charge a 17-year-old as an adult. The measures also create a Family Advisory Board to recommend family reunification and re-entry policies, and offer prisoners under 21 access to appropriate programming and outdoor exercise.

Michigan's Raise the Age package ensures accountability for crimes committed — as state law should. At the same time, the policy offers increased opportunities to finish school, find future employment and housing, and become a productive member of society. The opportunities are critical, as research has shown an adult conviction can lead to a 40 percent loss in lifetime earnings (Youth Behind Bars). By providing 17-year-olds with age-appropriate rehabilitative services, the state's youth will have a better chance at future stability.

Raise the Age measures will require state resources, but the minimal cost will help to yield more effective outcomes for misguided youth. These reforms will not only take meaningful action to rehabilitate those who have lost their way, but will also reduce victimization and result in long-term cost savings for our communities into the future.

State policies, instead of automatically treating 17-year-olds as adults, can play a major role in healing wrongs and changing behaviors. They can work toward rehabilitation, while at the same time protecting public safety. Finally, policies can offer opportunities for young adults that lead to a better future. Michigan lawmakers have the chance to adopt a legislative package that accomplishes all of these criteria. The future of our state and its public safety are at stake. We cannot afford to wait any longer.

Tom Hickson is vice president of public policy at Michigan Catholic Conference, the public policy voice of the Catholic Church in this state.

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