



November 28, 2018

Speaker Tom Leonard
164 Capitol Building
Lansing, MI 48933

Re: HB 4607 (Lucido); HB 4653 (Kosowski); HB 4662 (Pagel); HB 4664 (Afendoulis);
HB 4676 (Garrett); HB 4659 (Santana); HB 4685 (Webber)

“Raise the Age” Legislative Package—SUPPORT

Speaker Leonard:

My name is Jesse Kelley and I am the Government Affairs Specialist and a criminal justice policy analyst for the R Street Institute; a nonprofit public policy research organization with a criminal justice and civil liberties team that focuses on evaluating policies related to criminal justice, the juvenile justice system and ways of effectively reintegrating the formerly incarcerated to society.

The R Street Institute stands in support of the “Raise the Age” legislative package (*HB 4607, 4653, HB 4662, HB 4664, HB 4676, HB 4659, HB 4685*) and encourages Michigan to raise the age of criminal majority so that cases involving 17-year-olds may remain in the juvenile justice system. For this reason, we urge you to calendar this legislative package to be voted on by the entire House of Representatives before the current session ends.

Passing legislation to “raise the age” will benefit not only those young people directly affected but also the Michigan economy and local communities.

First, 17-year-olds placed in the adult system are vulnerable to abuse, sent to solitary confinement and do not receive age-appropriate services. By contrast, those who are allowed to stay in the juvenile system are provided with greater access to crucial educational and technical training. This leads to better opportunities upon release and an increased chance for them to grow into responsible, productive adults. For these reasons, young people must be separated from the adult criminal justice system to preserve their physical and mental health, as well as to promote their own future economic success.

Second, raising the age of criminal majority will also have a long-term economic effect. Specifically, a young person convicted in the adult system can expect to earn 40 percent less over his or her lifetime. Youths who remain in the juvenile justice system and did not go to adult prison have almost as good a chance of finding a job as youths who never committed a crime, which preserves their earning potential.

Third, evidence suggests that placing youth in the adult system is detrimental to public safety, as those young people who end up there have significantly higher recidivism rates. Some reasons for this increased recidivism among youth in the adult system include being labeled as a convicted felon, feeling the sense of injustice about being tried as an adult and suffering from the adult system's decreased focus on rehabilitation.

In general, interactions with a young person from arrest to adjudication should be within the jurisdiction of the juvenile court system. Currently, however, no matter what the incident or how trivial the infraction, a 17-year-old in Michigan who commits a crime ends up with an adult criminal record that will follow them for the rest of their life. This is unacceptable. The "Raise the Age" legislative package is specifically designed to correct this broader problem, even as it maintains judicial discretion for special cases.

Finally, in the past 10 years, nine states have passed legislation that increases the age of adult prosecution to 18. Most recently, Missouri successfully passed "raise the age" legislation. As of 2018, Wisconsin, Texas, Georgia and Michigan are the only remaining states that prosecute 17-year-olds as adults. It's time for Michigan to make this change, and we therefore implore you to allow a vote on the legislative package.

Sincerely,

A handwritten signature in black ink, appearing to read "Jesse Kelley". The signature is stylized with large loops and a long horizontal stroke at the end.

Jesse Kelley, Esq.

Government Affairs Specialist | R Street Institute

cc: Rep. Peter Lucido
Rep. Robert Kosowski
Rep. Dave Pagel
Rep. Chris Afendoulis
Rep. LaTanya Garrett
Rep. Sylvia Santana
Rep. Michael Webber