

Stop charging nonviolent 17-year-olds as adults: Our View

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A 17-year-old is not an adult. They don't have the legal rights of adults; they're not treated as adults by public agencies or private companies; and there is good science showing that their brains are not fully developed, especially when it comes to impulse control and thinking about long-term consequences.

If you have had a 17-year-old, or if you've been one, this is pretty obvious stuff.

So why does Wisconsin treat 17-year-olds

exactly like adults in the legal system?

The answer is a law Wisconsin passed in 1995 that changed the legal age at which a person is considered an adult from 18 to 17.

Now a bipartisan group of legislators including state Sen. Jerry Petrowski, R-Stettin, wants to change the law to allow 17-year-olds who are first-time offenders and whose offenses are nonviolent [to be placed under the jurisdiction of the juvenile system, not adult court.](#)

The limited change makes sense, and it's important to understand that it *is* a limited change: 17-year-olds who commit violent crimes or who have been charged before would not be eligible for the exception. That's enough to convince us that there is not a public safety cost to making this change.

And there very well could be real economic benefits. It's being called the "second chance" bill because it also would mean that these minors would not be burdened with the black mark of their arrest when applying for a job, a college or postsecondary school or a student loan. **If charging fewer 17-year-olds can end up allowing more young people to get the training they need to enter the workforce, that would be a remarkable step forward in the way Wisconsin deals with crime.**

The proposal is opposed by GOP state Attorney General J.B. Van Hollen on the grounds that judges already can choose to charge 17-year-olds as juveniles. But judges do not have the power to refer these offenders to the juvenile justice programs, which are more intensive and more likely to foster actual rehabilitation.

Think of it this way: A 17-year-old first-time, nonviolent offender who gets a fine or probation has little reason to rethink his or her decisions. It's simply a punishment. Juvenile justice programs, on the other hand, often focus on demonstrating consequences and helping young offenders get the mental tools to make different, better decisions in the future.

It's easy for politicians to fall back on "tough-on-crime" rhetoric, but sponsors of this bill say they prefer to be "smart on crime." In a state that now spends more on corrections than it does on the University of Wisconsin System, we need more of that.

We applaud Petrowski for being willing to lead on this issue, and we hope to see the "second chance" bill get a fair hearing in the fall legislative session, and the support of a broad coalition of lawmakers.