



GOVERNOR'S JUVENILE JUSTICE COMMISSION

SCOTT WALKER, GOVERNOR

JIM MOESER, CHAIR

October 29, 2015

To: The Honorable Scott Walker, Governor
Assembly Speaker Robin Vos and Assembly Representatives
Senate President Scott Fitzgerald and Senators

From: Jim Moeser, Chair
Governor's Juvenile Justice Commission

Re: Recommendation related to the age of adult court jurisdiction

As you know, the Governor's Juvenile Justice Commission (GJJC) serves as the State Advisory Group (SAG) as is required by the federal Juvenile Justice Delinquency Prevention Act (JDDPA). The GJJC is comprised of a variety of individuals experienced with the juvenile justice system. Through Executive Order #8 the GJJC is designated as the Commission to advise the Governor and the Legislature on matters relating to juvenile justice.

Given this charge, I am conveying to you that the members of the Commission voted unanimously on September 10, 2015 to support returning jurisdiction over 17 year-olds to the juvenile justice system, consistent with a recently-introduced legislative proposal. This recommendation reaffirms a similar recommendation made to you in the fall of 2013. The Commission's recommendation is based on a number of things, highlighted here.

- Over the past two decades, a tremendous amount of research and knowledge has emerged regarding the strong connection between youth behavior and adolescent brain development and the effective, evidence-based responses that have led to improved adolescent behavior and historically low rates of juvenile crime;
- The GJJC, working with the Department of Justice, has continued to set priorities and funded a number of new initiatives started by counties and other law enforcement agencies that both addresses public safety and improves our future workforce. With the front-end investment of these grant dollars Wisconsin continues to support both the development of new community-based supervision and treatment programs for delinquent and behaviorally troubled youth and prioritize training for entities involved with the Juvenile Justice system, especially law enforcement; and,
- Wisconsin, along with many other states, has seized on this new evidence with both optimism and energy to create cost-effective juvenile justice practice reforms; Wisconsin is now only one of nine remaining states that treat all 17 year olds automatically as adults.

A recent grant-supported project in Outagamie County Human Services recognized that returning 17 year olds to the Juvenile Justice system was not only best practice but that it could be done in a cost-effective manner while providing better services to this population. The goal of the Young Adult Offender Program (YAO), created in 2014, is to successfully divert 17 year-old offenders from the adult system and hopefully give them better tools to move forward into the adult world. All referrals are initially reviewed by a prosecutor for any community safety concerns. Appropriate referrals for further assessment and treatment are then referred to the Human Services delinquency division to address any developmental needs, strengths, and risk factors and interrupt any trajectory towards repeated and serious offending through a plan combining supervision and services. With successful completion of YAO, the original case is closed and not charged. Initial data on participants served and analyzed by Outagamie County supports this approach and suggests that this population is better served by employing evidence-informed assessments and services within the juvenile system, than placement in adult court.

Given the ongoing research into the effectiveness of evidence based treatment, adolescent brain development, and juvenile delinquency prevention and intervention approaches, it is important for the Wisconsin juvenile justice system to continue to examine policy and statutes in order to modify and reform current practices to reflect this knowledge. The return of all 17 year olds to the juvenile justice system falls directly in line with these types of modifications and reform, insuring appropriate assessment and treatment/skill-based interventions for appropriate youth. Current statutes on waiving juveniles into the adult system will still be available in those few circumstances where the juvenile system is not adequate and the adult criminal system is necessary.

As the Commission firmly believes that Wisconsin's youth deserve every possible opportunity to become valued, contributing citizens of this great state, we ask that you strongly consider this change to our statutes.

We appreciate the opportunity to provide you with this letter and can provide you with additional information on both the YAO project and other projects currently funded by the Commission.

Copy: Attorney General Brad Schimel
Brian O'Keefe, Administrator DOJ Division of Law Enforcement Services
Matthew Raymer, Department of Justice
Paul Westerhaus, Administrator Division of Juvenile Corrections
Eloise Anderson, Secretary Department of Children and Families
Members of the Governor's Juvenile Justice Commission