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A MEMBER OF THE NATIONAL ASSOCIATION OF CHILD ADVOCATES

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WCCF: Science Demonstrates 17-year-olds are Still Kids **Report Calls for Repeal of Law that Treats all 17-year-olds as Adults for any Offense**

Madison – Recent developments in adolescent brain research confirm what we have always known: **kids are different**. According to scientists who study adolescent brain development, children under the age of 18 are more likely to engage in risk-taking behavior and are less able to comprehend the long-term consequences of that behavior. *Rethinking the Juvenile in Juvenile Justice*, a report released today by the Wisconsin Council on Children and Families, suggests that it is time to apply new scientific knowledge about adolescents to our treatment of kids in court.

The report examines recent research on adolescent brain development and the treatment of juveniles in the adult and juvenile justice systems. It finds that thousands of adolescents in Wisconsin are incarcerated in adult county jails annually and over 100 a year go to adult prisons. However, it finds that the vast majority of juvenile arrests are for non-violent crimes, with violent arrests nationally accounting for only 4 percent of all juvenile arrests. It points out that the bulk of arrests are for much less serious offenses, like disorderly conduct, curfew violations and possession of drugs and alcohol.

“Most people recognize that ‘kids will be kids’,” said Wendy Henderson, a WCCF policy analyst and one of the report’s co-authors. “However, 17-year-olds across the state are treated as adults for any law violation. Drinking, loitering, egging a house, typical adolescent behavior, can have significant lifelong consequences for our high school juniors and seniors. They are booked as adults and put in the county jail. Many adolescents and their parents are unaware that 17 year olds are adults for all offenses, and that children as young as 10 can be tried as adults in Wisconsin. The seriousness of a lifelong criminal record is simply out of proportion to the impulsive nature of most adolescent crimes.”

The report points out that adult facilities are not required or able to provide developmentally appropriate rehabilitation and education to younger inmates. By contrast, juvenile penal systems are designed, funded and staffed for community protection, accountability, and treatment that will reduce the likelihood of future crime.

“For a 17-year-old, the immediate pleasure of risky activities and the allure of acceptance as a risk taker clearly affects the choices made,” said Nan Brien, Project Specialist in Brain Development for the Council and the report’s co-author. “The capacity to understand long-term consequences and make choices based on that understanding is not yet available to adolescents when they are in situations of high emotional intensity or in peer groups, because that part of their brain is not developed yet. The last part of the brain to develop is the section which minimizes risk taking and impulsivity, the hallmarks of most juvenile crime.”

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A decade of studies around the country have found that children who are tried and incarcerated in the adult system recidivate more quickly and with more serious crimes than minors tried and incarcerated in the juvenile system. Those studies, coupled with the knowledge that adolescents are not deterred by knowledge of jail time, suggest that the best use of our financial resources is to provide treatment in the juvenile system to the vast majority of offenders under age 18. Juvenile court judges should have the discretion to waive certain minors into adult court, but the base assumption should be that juvenile crime is handled in the juvenile court.

“Wisconsin laws should be designed to protect our communities as well treat our citizens appropriately. A child is a child in Wisconsin until they are 18 for nearly all purposes under state law. We must change state law 17-year-olds as adults for any violation of the law,” said Charity Eleson, Executive Director, Wisconsin Council on Children and Families. “Adult facilities are not equipped to treat children effectively, and we know that it’s essential to treat kids in developmentally appropriate ways in order to make our communities safer in the long run. It is time for Wisconsin to be smart on crime.”

The full report may be viewed online at (press ctrl and click):

http://www.wccf.org/pdf/rethinkingjuv_jjsrpt.pdf

In addition to the release of the *Rethinking the Juvenile in Juvenile Justice* report, the Wisconsin Council on Children and Families is hosting a sold out conference on the same topic March 14th and 15th at the Sheraton Inn in Madison.

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