

IMPROVE JUVENILE REHABILITATION BY INCREASING JURISDICTION OF JUVENILE COURTS OVER ADOLESCENT PROBATION

PROBLEM

Under current law, juvenile courts lose jurisdiction over probation cases at age 18. By a child's 18th birthday, the court must either discharge the probation sentence or transfer the child to a district court. This loss of jurisdiction is poorly timed: The year between the 18th and 19th birthdays lies at the heart of an adolescent's mental development, but the loss of jurisdiction terminates the mental health or substance abuse counseling that an adolescent may be required to attend as a condition of probation. Multiple scientific studies emphasize the developmental progress made at this age, underscoring the need to continue the treatment and services provided to adolescents on probation.

KEY FINDINGS

- The developmental progress that occurs in a child's mind between the ages of 17 and 23 heavily impacts major executive functions that contribute to a person's ability to avoid criminal behavior, including cognitive control, decision making, impulse control, and attention selection.¹
- As a juvenile gets older, he or she is less likely to engage in criminal or delinquent behavior. Studies have proven that many youth deemed delinquent in adolescence often do not become antisocial adults,² especially with effective interventions and the implementation of structure and routine.³
- If an adolescent has access to proper rehabilitative services during the critical developmental age, the process of "aging-out" of the system can give him or her a better chance of rehabilitative success.⁴

SUPPORT S.B. 1208 BY REPRESENTATIVE WHITMIRE

- **S.B. 1208 allows juvenile courts to keep jurisdiction over adolescents on probation until age 19, rather than age 18 at present.** This one-year extension for probation cases aligns the court's jurisdiction with other youth agencies and allows the court to continue to oversee rehabilitative services during the crucial time of juvenile mental development.

¹ Sarah Jayne-Blakemore and Suparna Choudhury, *Development of the Adolescent Brain: Implications of Executive Function and Social Cognition*, Journal of Child Psychology and Psychiatry, 2006.

² "Individual change is not only possible, but appears to occur quite frequently. Therefore, although studies show that antisocial behavior in children is one of the best predictors of antisocial behavior in adults, most antisocial children do not become antisocial as adults." From John Laub, "Crime Over the Life Course," 2000; this criminological study is the only of its kind in the world that contains data from birth and early childhood to age 70 for a large group of serious, persistent juvenile offenders; <http://lethal-injection-florida.blogspot.com/2007/08/should-juvenile-offenders-be-tried-as.html>.

³ "The men who desisted from crime shared a daily routine that provided both structure and meaningful activity. Structure often led the men to disassociate from delinquent peers, a major factor in abandoning crime." *Ibid*.

⁴ Terrie Moffit, *Adolescence-Limited and Life-Course Persistent Antisocial Behavior: A Developmental Taxonomy*, American Psychological Association, October, 1993.