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Teran, Robinson, Pacheco: Raise juvenile court age so young people can thrive



BOSTON MA. – SEPTEMBER 27: Massachusetts State House on September 27, 2021 in Boston, MA. (Staff Photo By Nancy Lane/MediaNews Group/Boston Herald)

By **EMILIA FLORES TERAN, JACOB ROBINSON AND LUIS PACHECO** |

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We are young adults who support legislation to raise the age of juvenile court jurisdiction from age 18 to gradually include 20-year-olds. Though there is a wealth of evidence to support the change, the Massachusetts Legislature is in danger of ending yet another session without passing the bill. This is not just politics for us — it is real life. We have seen how the criminal legal system traps many youth like us, including too many who have been in the child welfare system. We have also seen the difference between environments that promote success and those that undermine it. At 18, 19 or 20, people are still maturing. The criminal legal system is no place to grow up.

We met at More than Words (MTW), a nonprofit social enterprise that empowers youth who are in the foster care system, court-involved, homeless, or out of school to take charge of their lives by taking charge of a business. We are writing this on behalf of The Power Is Yours, our youth advocacy team at MTW. All of us have suffered hardship. All of us have made mistakes. But all of us have also grown. We've set and achieved goals for our educations, careers, and lives while connected to a supportive environment that lets us learn and take on increasing responsibility. That is what young people need — and it is the opposite of what the adult criminal legal system offers.

Nationally, nearly 80% of the prison population are people who were once in foster care. While some can continue to benefit from Department of Children and Families services after age 18, an adult conviction will generally bring those services to an end. Child welfare is supposed to prepare youth for the transition to adulthood. Instead, it is a pipeline to homelessness and prison. If those young people wind up in trouble with the law, they should not be pushed into an adult system that makes the situation worse.

We know that the brain is still developing until the age of 25 and that being around older offenders is not a healthy environment for young adults. In the juvenile system, there is an education requirement and programming to support a young person's development. Additionally, this move will ensure we don't saddle youth with an adult record that will stand in the way of future jobs and housing. This will reduce recidivism and make the community safer. When we say that young people need time to reach maturity — many do get it, on college campuses or within the protection of a well-resourced family. But people who grow up in the foster system or simply without resources may not be so lucky. Instead, a disproportionate number end up in jail.

Keeping the age of the juvenile justice system at 18 perpetuates racial inequity. Only 25% of Massachusetts youth in this age group are Black or Latinx, but 70% of people in this group who are incarcerated in state prisons and 57% of youth incarcerated in county jails are people of color. Raising the age would be a blow to systemic racism — something nearly all legislators say they want to dismantle.

As we said, this is not about politics for us. It's about life. We are all on track to lead lives that fulfill us and serve our communities. These lives are triumphs over poor access to mental health care, language barriers, racism, poverty and more. We are the people prisons are built for — not because of anything we might do, but simply because of who we are.

In our own stories and the stories of our families, it is clear how adult convictions disrupt lives. We have also seen how much growth, development and accomplishment can happen after a person's 18th birthday. We think that should count for something. Under the current system, we don't get these opportunities to accomplish our goals.

In our role as advocates, we often speak with policymakers who praise us for sharing our stories and advocating for these policies. This is nice, however actions speak louder than words. What would be more powerful is acting now to Raise the Age. We need to decriminalize young adult development in our communities, and to make the success that we have achieved far more common.

Emilia Flores Teran, Jacob Robinson and Luis Pacheco are members of the Power is Yours Team at More than Words