

# Vera Institute of Justice

## Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/redefining-who-gets-to-be-called-youth>

### Public Facing Advocacy Writing

Every year, the President declares October National Youth Justice Awareness Month, and this year is no exception. On September 30, President Obama [made the annual proclamation](#) and gave the nation this charge:

Often, when we talk about our youth, we mean younger teenagers high school kids. However, we at Vera have been thinking about how this charge applies not only to this younger group but also to young adults between the ages of 18 and 25. That's why last Thursday, October 13, we convened a group of national experts juvenile justice and adult criminal justice practitioners, as well as young people and family members who have been affected directly by the justice system. We wanted to know what lessons corrections can take from juvenile justice, [international examples](#), and the best science has to offer, and how to combine them to best position these young adults for success once they return to their communities after incarceration. We'll share our observations from this event soon, but for now, I invite you to think about the social and legal disconnect between what it means to be an adult.

When I was a family therapist for teenagers who had been arrested in New York City, I frequently heard clients invoke the 18th birthday as the day they imagined they would be able to do whatever they wanted. Why not? Much of our legal infrastructure reinforces the magic of this day at 18, young people are suddenly deemed ready to enlist in the army, sign legal documents, buy lottery tickets, smoke cigarettes, and vote. They are considered "independent."

Yet, parents, from their own experience, knew that most things would not be dramatically different once that date on the calendar arrived. (This was often embodied in the parental trump card: "Not in MY house you're not.") This is perhaps more true now than ever, as 18-year-olds are much less likely today than they were even a few decades ago to get married, hold full-time jobs, or enlist in the army. And as our society has changed, the legal infrastructure that reinforces the power of the 18th birthday has gotten less monolithic. Our laws reflect a decision that 18 is too young to responsibly handle the risks associated with alcohol, and in some states the same is now true for tobacco. Rental car companies decided that entrusting their vehicles to young renters was a safer bet if they "raised the age" to 25.

But the criminal justice system has been slower to adapt. The vast majority of states and the District of Columbia set the age of criminal responsibility at 18; the rest set the age even lower. The past decade has seen advancements in neuroscience that have demonstrated what parents have known for years: young people are not suddenly mature adults at age 18. The science has had a significant influence on Supreme Court decisions, opening up conversations that in many ways mirror the conversations that we were having in those family therapy sessions: what can we expect of young people and at what age? What kind of help do they need? What should we do to respond when they are off track, so that they can turn things around? Science and common sense tell us that there is no magic in the 18th birthday; we should have a justice system that understands the same thing.

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