



A LAW FIRM OF AND FOR THE PEOPLE

March 14, 2024

Re: HF 3671 / SF 3694

Dear Chair Moller and Committee Members,

The Legal Rights Center, and our partners in the MN Coalition for Youth Justice, submit this letter in strong support of HF 3671 / SF3694, which works to more effectively intervene with youth by raising the lower age of juvenile court jurisdiction from 10 to 13. Children in the 10-13 age range are better served by the child welfare system, which allows for interventions that are more timely, that minimize collateral consequences, and that are better aligned with their developmental stage.

As a nonprofit public defense corporation, the Legal Rights Center annually represents hundreds of indigent Minnesotans facing criminal charges. Through this work, our attorneys see firsthand how ineffective the youth justice system is at providing appropriate interventions for our youngest community members. Very often, the youth we represent who are 10, 11, and 12 years old are found incompetent to stand trial, delaying for years at times any meaningful accountability or intervention. In addition, the arrest and court records created, along with the mental and emotional stress of juvenile court proceedings, have ongoing impacts into adulthood for our clients.

When children in this age range make mistakes or poor choices, we need to provide support that includes and wraps around their family systems. The interventions of the child welfare system are designed to do this in a way that the juvenile justice system simply cannot.

The policy change outlined in this bill brings Minnesota in alignment with best practices nationwide and aligns with our value of being the best state in the country for a child to grow up. For these reasons, we are proud to support HF 3671 / SF3694.

Sincerely,

Malaika Eban
Executive Director



2024 YOUTH JUSTICE LEGISLATIVE PRIORITIES

RIGHT SIZING THE YOUTH JUSTICE SYSTEM

There is growing movement nationwide to right-size juvenile justice systems to better meet the developmental needs of youth and young adults by examining the parameters of juvenile court jurisdiction.

SF 3694 / HF 3671: RAISING THE LOWER AGE FROM 10 TO 13

In Minnesota, children as young as ten years old can be detained, prosecuted, and adjudicated through the juvenile court system. This practice is ineffective not only because many children this young aren't competent to stand trial, but also because the interventions of the juvenile court system are isolated primarily to the youth themselves, without the inclusion of their family systems, a critical ecosystem factor at this age. This proposal moves children in this age group from the youth justice system to the child welfare system.

WHY THIS MATTERS

The United States is an outlier internationally in the practice of trying young children and confining them in correctional facilities. The most common minimum age of criminal responsibility internationally is 14.

Raising the lower age of juvenile court aligns with recent advances in developmental science, efforts to reduce racial disparities in the youth justice system, and our values as a state.

Importantly:

- Young adolescents' brains often have not developed enough for them to fully understand risk and consequences, and regularly they are found incompetent to participate meaningfully in their defense.
- Early contact with the youth legal system has a negative impact on children's future behavior, increasing inversely with the age of the first contact.
- Younger children are at the greatest risk of being victims of violence when in custody.
- Locally and nationwide, less than 10% of juvenile court cases and detention admissions are children aged 13 and under.
- The Child Welfare & Children's Mental Health systems in Minnesota already respond to delinquency for children younger than 10.

QUESTIONS? CONTACT MALAIKA EBAN, LEGAL RIGHTS CENTER
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