

# Raise the Age is a Success

**Joint Justice Legislative Oversight Committee**

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**Advocate and Deputy Advocate**



# Agenda

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# OCYFA Mandate

- “The Office shall promote reforms necessary to better serve Vermont’s children, youths, and families in a manner that addresses racial and social equity.”

33 VSA § 3202

# The Ask

- We ask the Vermont legislature to take credit for the enormous success of Raise the Age by letting it go fully into effect.

# Why Did Vermont Enact Raise the Age?

- Raise the Age supports young people, ensures accountability, and minimizes state resources.
- Raise the Age does not significantly burden DCF.
- Raise the Age has no major effect on the need for locked facilities in Vermont.
- Significant research, policy work, and planning underlies Raise the Age.

# Why Did Vermont Enact Raise the Age?

- “Fortunately, research shows that: (1) nearly all youth will mature and age out of crime if given the opportunity to do so, and (2) that there are times when less formal intervention is better, as the justice system can unintentionally interfere with the natural desistance process.”
  - – “Report on Act 201 Implementation Plan Report & Recommendations,” November 1, 2019.

# What is Raise the Age?

- Raise the Age is a nation-leading and historic Vermont law enacted by the legislature and signed by Gov. Scott in 2018.
- Raise the Age gradually raises the upper age of family court jurisdiction from the 18th to the 20th birthday while still allowing for adult charges for serious offenses.
- Raise the Age balances support for young people and families with public accountability and public safety.

# What is Raise the Age?

- Raise the Age is based in modern brain science and was enacted after extensive collaboration between leading national experts and DCF.
- Raise the Age reduces court backlogs, lowers recidivism, and saves the State significant General Funds each year.
- Raise the Age is backed by research, data, and best practices. Vermont has become a national model.



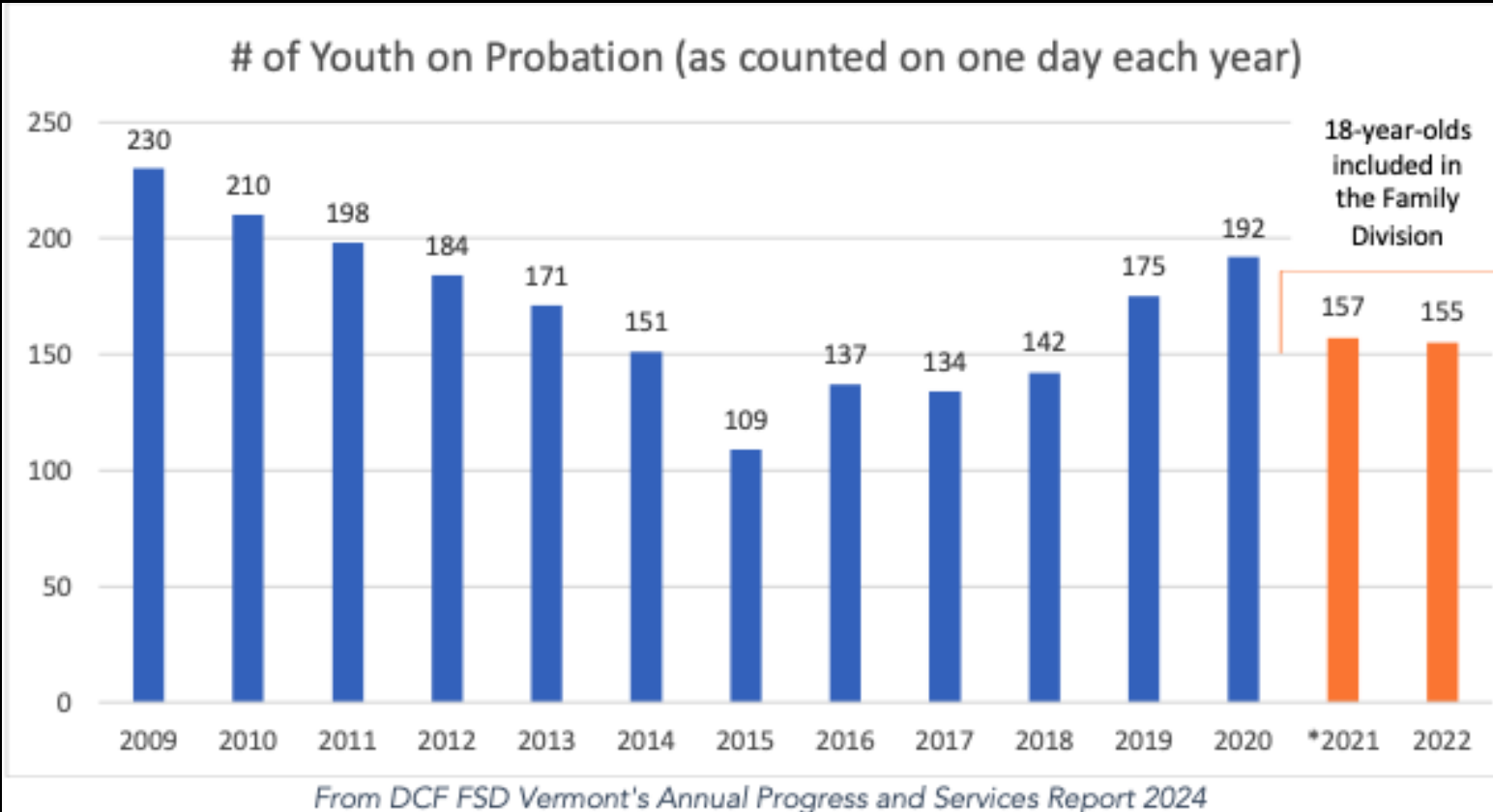
# What is Raise the Age?

- Raise the Age is already in effect: Vermont is the only state in the nation that currently prosecutes 18-year-olds as juveniles for low-level offenses.
- RTA will soon include 19-year-olds who commit low-level offenses unless the legislature actively reverses enacted law.
- Raise the Age pertains primarily to low-level offenses handled through diversion, restorative justice, or probation.

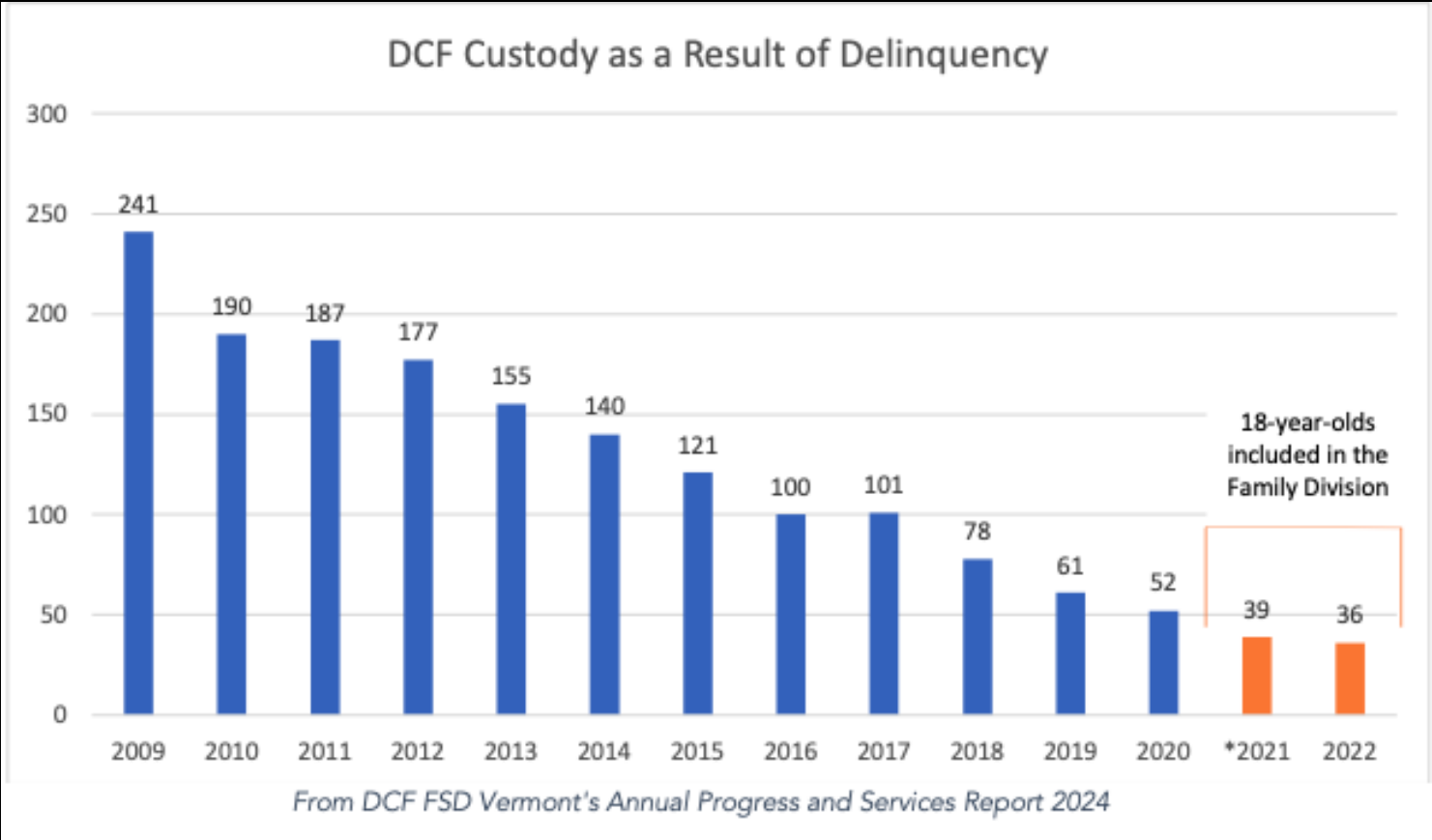
# What is Raise the Age NOT?

- Raise the Age does not interfere with prosecutorial discretion to charge youth as adults for major crimes.
- Raise the Age does not require significant additional capacity in adult or juvenile facilities.
- Youth charged under Raise the Age are supervised in the community, not in locked facilities.

# How Do We Know Raise the Age is Working? CJL 5



# How Do We Know Raise the Age is Working? CJL 6



# What Data are Missing?

- “As of 6/3/2024 there were 170 youth on probation who were not in DCF custody, which is the population we propose would shift from DCF supervision to BARJ.”  
—DCF RTA Progress Report, 7.31.24, p. 7.
- This figure includes all youth on probation, ages 10 to 21.
- DCF does not have an age breakdown of these youth.
- DCF asserts that BARJ providers would have “responsibility for these youth” but does not present relevant data.

# What Data are Missing?

- State decisionmakers have very little relevant, useful juvenile justice data to support healthy and responsive systems in Vermont.
- How can we measure the *success* of Raise the Age to show improvements in youth outcomes, public safety, and state coffers? How might we build on the *success* of RTA?
- DCF's pending RFP for its new CCWIS data system is crucial to producing data directly linked to the safety of children.

# Key Takeaways

- RTA is a successful policy based on brain science and child development research.
- Expansion of RTA to include 19-year-olds reduces stress on our systems and enhances safety in the community.
- Full implementation to 19-year-olds would not significantly burden DCF or state facilities.

# Key Takeaways

- DCF needs more resources to support youth and families.
- Delaying Raise the Age does not address that problem.
- Our Office continues to support leveraging resources to implement RTA, such as increasing the BARJ budget.
- Raise the Age works. It is time to move forward.



# Thank you / Questions / Contact

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  - Text to 802-312-1010 - confidential OCYFA text

# Sources

- Columbia Justice Lab, [Update on the Implementation of Vermont's 'Raise the Age' Law](#)," February 2024.
- [Department of Corrections Testimony](#), Senate Judiciary Committee, January 4, 2024.
- OCYFA communications with DOC, DCF, and others.
- ["Report on Act 201 Implementation Plan Report & Recommendations"](#), November 1, 2019.