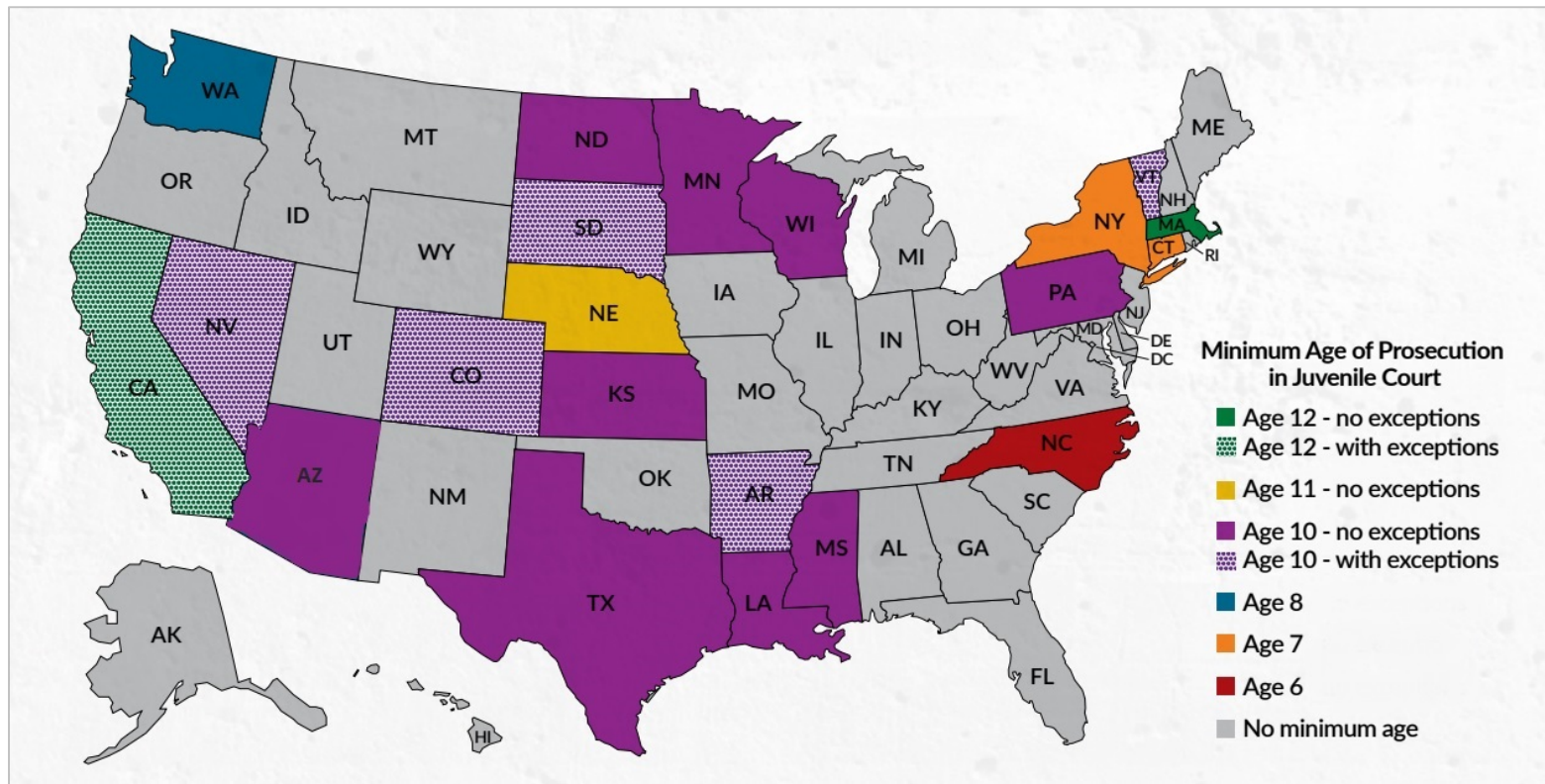

National Practice for Raising the Age of Jurisdiction

September 3, 2020

Maryland in National Context

Maryland is one of 27 states that do not set a minimum age of juvenile justice jurisdiction.



Recent Changes: In the last four years, four states have raised their floor

2020: Utah raises ages of jurisdiction to 12, with some exceptions (murder, felony aggravated assault, aggravated sexual assault, aggravated robbery, aggravated kidnapping, felony discharge of firearm)

2018: Massachusetts raises age of jurisdiction to 12, with no exceptions

2018: California raises age of jurisdiction to 12, with limited exceptions (murder, rape)

2016: Nebraska raises age of jurisdiction to 11, with no exceptions

CT Juvenile Justice Policy and Oversight Committee in January 2020 recommended raising age to 12, with no exceptions.

Why Create a Floor?

- Neuroscience: Pre-teens haven't reached a level of neurocognitive development necessary to be held legally culpable for their actions.
- Legal competence: Children have diminished ability to understand the charges against them, their rights, their role in an adversarial system, and the role of adults in this system.
- Harmful effects of juvenile justice experience: To children with many adverse childhood experiences, experience of the juvenile system is damaging, leads to poor outcomes.
- Collateral consequences: Missing school, family disruptions
- Poor use of resources: Most cases for children younger than 13 are dismissed
- International standards: United Nations Convention on the Rights of the Child sets minimum age at 12; the most common age cross-nationally is 14.

Sources: "No Place for a Child: Alternatives for Children Under 12 in Connecticut's Juvenile Justice System" February 2020

National Center for Youth Law: "Keeping Younger Children out of the Juvenile Court System" (2018)
