

Massachusetts Task Force on Emerging Adults in the Criminal Justice System's Report Released February 28, 2020

After a thoughtful process that included 10 meetings over the course of nearly a year, the Massachusetts Task Force on Emerging Adults in the Criminal Justice System ("Task Force") released its findings and recommendations in a detailed [report](#).

Among the Task Force's key findings are:

- Emerging adults (ages 18-24) are a distinct developmental group that is uniquely amenable to rehabilitative programming.
- The adult criminal justice system in Massachusetts is not meeting the age-appropriate needs of emerging adults.
- Emerging adult women have distinct needs and often benefit from a trauma-informed environment.
- The [collateral consequences of adult system](#) involvement uniquely impact emerging adults, impeding their opportunities and development.
- Emerging adults can and should be diverted from system involvement whenever possible, preferably prior to arraignment.
- A Positive Youth Development (PYD) approach should be taken with emerging adults and is the model currently used by the Department of Youth Services (DYS) and the Youth Advocacy Division of the Committee for Public Counsel Services (indigent defense).
- The DYS already serves justice-involved emerging adults, and the Department successfully administers programming for this population.
- Juvenile Court [caseloads have steadily declined](#) since the upper age was raised from the 17th to the 18th birthday in 2013, such that the Court can accommodate emerging adults.

These findings are no surprise – they are the same conclusions that led [Vermont](#) to pass Legislation in 2018 to gradually raise the upper age of its juvenile jurisdiction to the 20th birthday by 2022. When Vermont's Raise the Age law is fully implemented, all teenagers will be treated the same by the justice system, with almost all under juvenile jurisdiction unless charged with one of twelve of the most serious offenses. Similar findings have also led the Chief Probation Officers of California (CPOC) to push for



legislation to raise the state's upper age of jurisdiction to age 20, resulting in a new bill being filed in that state.

The Massachusetts Task Force made a number of recommendations to address the unsuitability of the current adult system to promote success and public safety where emerging adults are concerned. One such recommendation was including 18–20-year-olds in the juvenile justice system. The Task Force noted that it will require legislative action to make this system change and that two bills to increase the age of juvenile court jurisdiction are already under consideration. The Justice Lab offered [expert testimony](#) for these bills at the Joint Committee of the Judiciary hearing.