

Opinion | Real justice shouldn't be sci-fi: A 'Star Trek' lesson about the developing brain

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Paramount+
Patrick Stewart in "Star Trek: Picard."

Today, Sept. 8, is "Star Trek" Day, marking the broadcast of the first episode, back in 1966. Note that this essay will contain spoilers from the finale of "Star Trek: Picard" from the spring and that some may roll their eyes at the idea that life should imitate sci-fi. Nevertheless, we will go boldly, because the characters' statements and actions show that, at least by the 24th century, we will have a criminal legal system based on developmental science.

In the series conclusion, the Borg, a perennial and dangerous enemy, gain control of all Starfleet officers under the age of 25. Those young people go on to mutiny on a grand scale. Dr. Beverly Crusher immediately figures out why: Their brains are not yet fully developed and so it is possible for the Borg to assert a disastrous influence over them.

At no point do any of the older officers give up on the mutinous younger generation. Admiral Jean Luc Picard orders the crew not to set their weapons to kill. Nobody (not even Worf!) wants to hurt them, because their lawlessness is seen as a temporary condition.

Indeed, brain development does continue into the mid-twenties, with the area most connected to judgment and restraint, the prefrontal cortex, forming last. This is why people in their early twenties pay higher auto insurance rates and have difficulty renting cars. It is also why this age group is so over-represented in our courts, jails and prisons. Emerging adults, 18- to 25-year-olds, share many of the same characteristics as youth under 18: They are risk takers and highly influenced by their environment and their peers.

Around the country, we are seeing innovations that take this developmental stage into account. Vermont has raised the upper age of juvenile court above 18, and other states are considering similar measures.

Some jurisdictions have developed special parole or resentencing provisions, taking into account the impact of this developmental stage and the rapid and ongoing maturity over time. Others have provided opportunities for young people to expunge their records and thus have a fair shot at education, jobs and housing.

We are seeing these approaches because the traditional adult correctional system fails utterly to address the behavior of emerging adults, who wind up back behind bars at a higher rate than any other age group. This is an extremely important developmental period. Again: peers and environment matter, which is why so many families will spend small fortunes (or sink into debt) to send their children to fine colleges.

Back to "Star Trek: Picard," where Picard's son, Jack, falls prey to the Borg. Jack has ached for connection all his life. The Borg offer it, though with a loss of self-determination. Desperate and unable to see any other way forward, Jack joins them. The tide turns when Picard reaches out to Jack, has a massively overdue heart-to-heart, and even consents to live under the Borg's hellish control himself rather than leave Jack to languish alone there.

Emerging adults need connection, with family, with community, with peers. The criminal legal system often deprives young people of connections, which is one reason why the outcomes for this age group are so poor. Picard offered Jack a

healthy connection, exactly what young people need to thrive.

Because he loves his son, Picard does not give up. Thanks to this bond, the world is quite literally saved. Jack will go to Starfleet Academy and become an officer. Hints abound from the franchise that Jack and many of the ex-mutineers will crew a new Enterprise and delight us for seasons to come. They are the future.

“Star Trek” is prescient. It gave us an early look at what were essentially cell phones, video conferencing and a female president. We are, of course, still waiting on that last one. We are also waiting on a system of justice that takes human development into account.

Though there are great innovations for emerging adult justice going on around the country, three states (Georgia, Wisconsin and Texas) have yet to raise the upper age of juvenile jurisdiction to even 18, all states allow children under 18 to be prosecuted and/or sentenced as adults, and no state has raised the age to 21, a much more rational age base.

If he lived in our century, Jack would have a record that makes it difficult to get into an elite school or serve in the military. In failing to account for the role of brain development in our legal system, we lock up the future. We don't want to have to wait until the 24th century to change that.

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