

Protect communities and hold youth accountable by including 17-year olds in the juvenile justice system

Issue Overview

The age of adult criminal majority in New Hampshire included 17-year-olds until it was lowered to limit inclusion to 16-year-olds in 1996. The NH legislature changed the policy during a national 'get tough' atmosphere of speculative fears of a juvenile crime wave based on a few sensational youth crimes, and truth in sentencing for adults. The 1997-1998 budget preparation pressures made cutting DHHS's juvenile justice budget and shifting costs to county corrections attractive. NH became only one of 13 states who actually lowered the age of majority in delinquency statutes. Several of these states are now overturning these failed policies.ⁱ

In the generation since, these mistaken assumptions and the reality of how to effectively provide for community safety and rehabilitate youthful offenders has been slow to reach the public and decision-makers.ⁱⁱ Perennially bills to undo the harm to communities and youth have been passed by the legislature making incremental progress.ⁱⁱⁱ

Chapter 170, Laws of 2002, Task Force on Juvenile Justice Service Capacity and Administrative Simplification recommendations includes raising the age of criminal responsibility include 17 year olds; the only one not enacted.



Twice the House, including Finance Committee, has overwhelmingly supported raising the age limit. These bills failed in the Senate due to opposition from local law enforcement. 2007's HB 584 was retained in committee in order to work with local law enforcement. Although subcommittee compromises failed to gain their support, the committee unanimously supported the bill

Proposed Solution

HB 584 allows non-violent youths age 17 to be adjudicated delinquent in the juvenile justice system rather than convicted in the adult corrections system.

House Bill 584 does NOT change current statutes providing that youth as young as 13 may be tried adults for certain violent felonies such as various categories of murder and assault, and drug offenses, or the four strikes polices. It does NOT change the ability to prosecute and penalize youth from other states who commit crimes in New Hampshire. It does NOT change the ability of police to hold parents accountable for contributing to the delinquency of their young offenders.^{iv}

They would be held more accountable for their behavior by making restitution to their victims and communities, and receive the treatment and supervision necessary to promote their becoming productive

The 2008 Priorities for New Hampshire's Children

NH CAN is a statewide, nonpartisan network of nearly 100 child-serving organizations working to improve the health and well-being of New Hampshire's children by driving governmental policy, changing budget priorities, and inspiring community action. Each year, NH CAN develops a collective set of Priorities for New Hampshire's Children, a child-centered plan of action for the legislature, state leaders, state agencies, social service providers, schools, communities and families. The Priorities for New Hampshire's Children reflects the consensus of nearly 100 partner organizations, and creates a common call to action that can be shared across our state.

members of society. Long term costs to the state would be reduced with the pipeline to adult corrections narrowed with less recidivism and greater participation in productive community lifestyles.^v

Call to Action

Across the nation, legislatures and the public are examining the research and applying it to their juvenile policies reversing their earlier decisions that were based on rhetoric and speculation.

New Hampshire legislators and other public officials also need to hear this information and be urged adopt policies that not only promote positive, productive youth development but protect our communities and state from imprudent crime fighting and fiscal spending policies.

If you have had enough of escalating spending on failed public policies that drain your families, communities and state budget, please contact your legislators and other public officials. If you work with families or provide services in communities experiencing chronic cycles of fiscal and social failure, it's time to let your

voices be heard locally and in the state house. We now know how to have a safer, more productive and less costly New Hampshire if we want it.

Find Out More

- Child and Family Services is the lead NH CAN partner for this Priority. More information about CFS is online here: <http://www.cfsnh.org/>
- New Hampshire General Court. You can follow the progress of the bill, or find contact information for your local representatives by going to <http://www.gencourt.state.nh.us/house/default.htm>.
- Children's Alliance of New Hampshire: You can download copies of the complete Priorities for New Hampshire's Children, additional fact sheets, and information about the New Hampshire Child Advocacy Network at the Children's Alliance website, www.childrennh.org. You can also track the progress of all the Priorities-related bills, as well as contact your local representatives, under the "Get Active" link.



References

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NH CAN is a project of the Children's Alliance of New Hampshire

For more information on the 2008 Priorities for New Hampshire's Children, please visit www.ChildrenNH.org

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