

STATES CONSIDERING RAISING THE AGE
 to
Extend Juvenile Court Jurisdiction Over the 18th Birthday
May 2024

When the U.S. Justice Department’s Administrator for the Office of Juvenile Justice and Delinquency Prevention and Acting Director of the National Institute of Justice suggested in 2014 that state policymakers should consider raising the upper age of their juvenile court jurisdiction (“RtA”) to the 21st or 24th birthday,ⁱ there was no state in the country that extended the age beyond a youth’s 18th birthday. But in 2018, this changed: **Vermont** became the first state to break this traditional barrier by enacting [Act 201](#), which gradually raises the upper age of juvenile (or family) court jurisdiction to the 20th birthday.

But Vermont may not be alone for long, as a growing number of other states appear to be moving in this direction. Here is a table summary of states that have considered or are considering similar legislation (followed by a more in-depth narrative description for each state):

States that Have Considered RTA Legislation*				
	STATE	Year RtA Legislation Was Filed/Pending	Proposal to RtA to the following birthday:	Proposal to create a Task Force
1	CALIFORNIA	2020	20 th	No
2	COLORADO	2019	21 st	Yes
3	CONNECTICUT	2016 & 2018	21 st	Yes
4	ILLINOIS	2016 - 2021	21 st (misdemeanor only)	No
5	MASSACHUSETTS	2018 - 2023	21 st	Yes
6	MINNESOTA	2024	21 st	No
7	NEBRASKA	2021	21 st	No
8	VIRGINIA	2022 - 2023	21 st	No
9	WASHINGTON	2021 & 2023	21 st	Yes

* In 2018, Vermont passed Act 201, which gradually raises the upper age of juvenile jurisdiction to the 20th birthday.

1. **California:** In November, 2019, the Chief Probation Officers of California announced their [support](#) for the Elevate Justice Act to raise the upper age of juvenile court jurisdiction to the 20th birthday and, in January 2020, State Senator Nancy Skinner filed a Bill to do that ([S.B. 889](#)). The Bill was referred to the Rules Committee but no action was taken, as the same year California undertook a major juvenile justice reform by deciding to close all state youth prisons (in essence, dismantling the Division of Juvenile Justice) and realigning youth corrections to California counties.

- Colorado:** In 2019, State Representative Serena Gonzales-Gutierrez introduced a bill entitled “Concerning Directing the Age of Delinquency Task Force of the Colorado Commission on Criminal and Juvenile Justice to Study Serving Emerging Adults in the Juvenile Justice System” ([H.B.19-1149](#)). The bill passed and the Task Force was charged with, among other things, making “recommendations regarding appropriate uses of the juvenile justice system or youthful offender system for young adults.” The Task Force submitted its report to the Judiciary Committees of the Colorado House of Representatives and the Senate on August 17, 2020 (about 6 weeks after the legislative deadline of June 30, due to COVID). The Task Force did not include any findings regarding the merit or feasibility of raising the age but made two recommendations focused on serving emerging adults within the Probation Department and the Youthful Offender System.ⁱⁱ

Connecticut: Governor Dannel Malloy [introduced legislation](#) in 2016 and 2018 to raise the upper age of juvenile jurisdiction to the 21st birthday over a three-year period but the bills did not pass. The Juvenile Justice Policy and Oversight Committee (JJPOC), an entity created by the Legislature, drafted and adopted a [strategic plan in 2018](#) that included the goal to “right size” the State’s juvenile justice system by raising both the lower age (from age 7 to 12) and upper age (from 18 to 21) of juvenile jurisdiction. JJPOC advocates for legislation to achieve all the goals within its [strategic plan](#).

- Illinois:** State Senator Laura Fine has introduced [bills](#) to gradually raise the age for misdemeanor cases involving youth up to age 21 multiple times (including when she was previously a State Representative). (Note: When Illinois raised the age of juvenile jurisdiction previously, from the 17th to the 18th birthday, this same approach was used, first raising the age for misdemeanor cases and then later for felony cases too). In 2021, [House Bill 111](#), which after an adopted Floor Amendment raised the juvenile jurisdiction of misdemeanor cases from the 18th to the 19th birthday, was voted favorably by the House but was not voted on by the Senate before the legislative session ended.
- Massachusetts:** Multiple bills have been filed in Massachusetts to gradually raise the upper age of juvenile jurisdiction to the 21st birthday, from the 2017-8 session to the current session (2023-4). In the Spring of 2018, a bill was voted out favorably by the Senate but the final version of the bill, voted on by both chambers, was amended to create a special task force to examine the issue instead. The Task Force issued a final [report](#) in February 2020 which did not include a formal recommendation for raising the age of juvenile jurisdiction to 21. Instead, the report listed RtA as the first item of options “for legislative consideration.” As of October 2023, two identical bills are being considered by the Joint Judiciary Committee ([H.1710/S.942](#)), entitled, “An Act to Promote Public Safety and Better Outcomes for Young Adults,” and these bills are still pending as of the publication of this document.
- Minnesota:** In 2024, a bill was filed in Minnesota to raise the age from the 18th to the 21st birthday, making this the most recent state to consider legislation to raise the upper age of juvenile jurisdiction. The House bill, [HF 3480](#), was referred to the Judiciary Finance and Civil Law Committee, and the companion Senate bill, [SF 3904](#), was referred to the Judiciary and Public Safety Committee.
- Nebraska:** Legislation ([LB 330](#)) was introduced in the 2021 legislative session to raise the upper age of juvenile court jurisdiction to the 21st birthday but did not proceed beyond the Judiciary Committee. According to the [Statement of Intent](#), the Bill was filed in an “effort to provide more extensive rehabilitative services to Nebraska’s youth.”

7. **Virginia:** Two bills were introduced in the last two years attempting to raise the age of juvenile court jurisdiction from 18 to 20 years old. [SB 134](#) was introduced in January 2022 and was passed by the Senate but not the House. [SB 1080](#) was introduced in January 2023 and subsequently “passed by indefinitely” by the Senate Finance and Appropriations Committee. In 2022, the [Joint Legislative Audit and Review Commission](#) conducted [a Racial and Ethnic Impact Study](#) on the proposal and reported that Black emerging adults (18 – 21) are over-represented in the adult criminal system and that the bill would allow more youth to be eligible for diversion and “provide greater access to rehabilitative services.”

Washington: A bill ([S.B. 5122](#)) was filed in the 2021 legislative session to raise both the lower age (from age 7 to 12) and upper age (from age 18 to 20) of juvenile court jurisdiction. The Senate Committee on Human Services, Reentry & Rehabilitation held a hearing on January 19, 2021, and shortly thereafter voted the bill out favorably. The bill was subsequently amended: Noting that the Legislature “intends” to raise the age, the bill created a “raise the age juvenile justice task force to examine and plan for implementation of expanded juvenile court jurisdiction.” The amended bill was voted favorably by the House but did not proceed in the Senate. During the 2023 session, the legislature [directed](#) the Washington State Partnership Council on Justice (WA-PCJJ) to [report](#) to the governor and appropriate committees of the legislature, by June 30, 2025, “recommendations regarding implementation of juvenile court jurisdiction expansion to encompass persons 18, 19, and 20 years old.”ⁱⁱⁱ The legislature also identified a non-exhaustive list of partners to be included in the task force developing the recommendations, including incarcerated and formerly incarcerated youth and young adults, and allocated funding to compensate those providing expertise based on lived experience. The Task Force’s first meeting was held on February 14, 2024.^{iv}

CONCLUSION:

Prior to 2016, when then Governor of Connecticut Dannel Malloy proposed legislation to raise the upper age of juvenile jurisdiction over the 18th birthday (to the 21st birthday), no state in the country was seriously considering such a reform initiative. But since then, one state, Vermont, passed a Raise the Age law in 2018. Vermont’s Act 201 gradually raises the upper age of juvenile jurisdiction from the 18th to the 20th birthday. Most lawbreaking alleged to have been committed by 18-year-olds has been under the jurisdiction of the Family Division and the Department for Children and Families since July 1, 2020. The inclusion of 19-year-olds has been postponed and is now scheduled to begin on April 1, 2025.^v

Now, as of May 2024, four states have formed special task forces to study the issue (whether to recommend RtA and/or to plan for the implementation of RtA) while RtA bills have been filed in a total of eight states.

ⁱ Ridgeway, G. and Listenbee, R. (2014, Feb.) Young Offenders: What Happens and What Should Happen. Washington DC: National Institute of Justice. Available at <https://www.ncjrs.gov/pdffiles1/nij/242653.pdf>. Other reports funded by the Department of Justice that recommended raising the upper age of juvenile jurisdiction to 21 or 24 include: Schiraldi V., Western B., and Bradner K. (2015). “Community-Based Responses to Justice-Involved Young Adults.” *New Thinking in Community Corrections Bulletin*, Washington DC: U.S. Department of Justice, National Institute of Justice, NCJ 248900. Available at <https://www.ojp.gov/pdffiles1/nij/248900.pdf> and Howell, J., Feld, B., Mears, D., Farrington, D., Loeber, R., and Petechuk, D. (2013). “Bulletin 5: Young Offenders and an Effective

Response in the Juvenile and Adult Justice Systems: What Happens, What Should Happen, and What We Need to Know.” Study Group on the Transitions between Juvenile Delinquency and Adult Crime, National Institute of Justice, Office of Justice Programs, U.S. Department of Justice. Available at <https://www.ojp.gov/pdffiles1/nij/grants/242935.pdf>.

ⁱⁱ The EAJP wrote a report for the Colorado Legislature on the state’s Youthful Offender System. Entitled “Study of the Effectiveness of the Current Youthful Offender System, As Designed by the Enabling Statute and as Implemented by the Department of Corrections,” the report was submitted to the House and Senate Judiciary Committees in Response to Colo. Rev. Stat. § 18-1.3-407 (14). One of the recommendations of the report was to expand the upper age of the state’s special sentencing provision.

ⁱⁱⁱ “Recommendations shall include an implementation plan for the expansion, including necessary funding, essential personnel and programmatic resources, measures necessary to avoid a negative impact on the state’s child protection response, and specific milestones related to operations and policy. The implementation plan shall also include a timeline for structural and systemic changes within the juvenile justice system for the juvenile rehabilitation division; the department of children, youth, and families; the department of corrections; and the juvenile court pursuant to chapter 13.04 RCW. The implementation plan shall also include an operations and business plan that defines benchmarks including possible changes to resource allocations; a review of the estimated costs avoided by local and state governments with the reduction of recidivism and an analysis of cost savings reinvestment options; and estimated new costs incurred to provide juvenile justice services to persons 18, 19, and 20 years old.” WA Conference Committee 5187-S.E AMC Conf. H2006.4, ESSB 5187 (2023).

^{iv} The Emerging Adult Justice Project at the Columbia Justice Lab has been selected as a technical assistant provider to provide recommendations, guidance, and expertise to the working group in coordination with Washington’s Office of Juvenile Justice Policy Studies Manager.

^v Chester, Lael, Maya Sussman, Naoka Carey, and Vincent Schiraldi. (2019). [Report to Vermont Legislature on Act 201 Implementation Plan Report & Recommendations](#). New York: Columbia University Justice Lab; Chester, Lael, Maria Leon. (2024). [Update on the Implementation of Vermont’s “Raise the Age” Law: Decline in Delinquency Caseloads After 18-Year-Olds Added To the Juvenile Justice System](#); Incorporation of 19-Year-Olds Next. New York: Columbia University Justice Lab.