

Raise the Age Workgroup

Meeting Summary

Wednesday, April 10, 2024

2-4 PM | Via Microsoft Teams

Welcome & Introductions

Co-Leads Drew Hill and Heidi Sadri welcomed the group and all exchanged introductions.

Attendees: Heidi Sadri, Drew Hill, Katie Bailey, Norrie Gregoire, Jack Murphy, Melody Youker, Jenny Young, Judge Jennifer Forbes, Frank Thomas, Paul Daniels, Tristan Eddy, Hailey Gray, Michael Althaus, Liz Mustin, Marley West, Lael Chester, Megan Allen, Nicholas Oakley, Roxana Gomez, Prachi Dave, Julissa Sanchez, Daniel Wable, Charles Smith, Kelsey-anne Fung, Stephanie Budrus, Nicole McGrath

February meeting recap:

- Lael Chester of the Emerging Adult Justice Project provided an overview of the field of emerging adult justice.
- The workgroup explored areas of need, impact, and opportunity for this project and discussed priorities and guiding principles for our work.

Review Shared Agreements for Engagement

Drew offered a review and highlight of shared agreements.

Guest Panel

Guest panelists Katie Bailey, Marley West, and Daniel Wable work in service to people with substance use disorder, including youth and young adult clients and people whose lives have been impacted by juvenile and/or adult court contact. In addition to their professional experience, the panelists also spoke from personal lived experiences with the juvenile and adult legal systems and from their academic backgrounds.

The panel discussion sought to center and learn from the experiences of young adults who have court contact – to understand the experience of navigating either the juvenile or adult court system as a young person, to know the supportive forces in young people’s lives, and to learn what change they would want to see for others who come after them. Panelists spoke to those topics through co-developed questions. The discussion is summarized below.

Panelists:

- Katie Bailey works as a recovery coordinator for a substance use disorder (SUD) treatment program in Walla Walla, serving youth ages 12-25. Her academic background is in psychology,

focusing on adverse childhood experiences (ACES) in connection with juvenile justice.

Intrinsically motivated by lived experience in the juvenile justice system as a teen.

- Marley West is the program director at an inpatient/outpatient residential substance use treatment facility serving ages 18+. She has experience with the young adult age range who has had system contact and experience barriers that make it difficult to progress in life, accompanied by personal lived experience.
- Daniel Wable works as an intensive outpatient facilitator for clients with substance use disorder, is a student of the Addiction Studies Program at Spokane Falls Community College, and is a certified peer counselor and certified human rights consultant through the US Institute of Diplomacy and Human Rights.

Questions & Discussion

- Most of us develop our identity during our late teens and into our early/mid-twenties. What kind of environments and responses are best for people during the years when their identity is taking shape, especially as it relates to people who have system contact?
 - o Katie: Identity is one part who someone is and one part where they belong. During this time, emerging adults rebel and look for social circles. Need to highlight healthy socialization at this time. Detention is negative socialization. Discussion of Stanford Prison Experiment demonstrating how people take on the roles/labels assigned to them. When we assign criminalizing labels to emerging adults, it sets them up to reoffend. Emerging adults need chances to make mistakes without being labeled. If we think of JR as the first or only form of structure in someone's early life, those labels really stick. Even now I hear negative thoughts about myself that came from labels assigned to me, even though I know they're not true.
- What's happening in life during the first years of adulthood? What are important milestones to be able to achieve during that time, and how would an adult record interfere?
 - o Marley: That time is for developing life skills, but we aren't taught those skills prior to turn 18. Filing taxes, getting a well-paying job for a stable life. That lifestyle used to be more attainable for young adults than it is now. Young adults are often still living with parents and developing identity. I didn't feel like I had a footing in adult life until my mid-twenties. There is an unrealistic expectation that people can figure it all out right at 18. Having a charge adds barriers. I couldn't take certain jobs when I was younger because of my charge, couldn't get a license, couldn't get to work, had to pay for restitution and classes. It was hard to navigate that time in life living regular life as an adult along with the financial and legal things happening. I was trying to go to college at that time, moved far away from home, hard to navigate that alone and couldn't rely on anyone at home to help figure out normal life skills.
- How does court contact and incarceration impact people psychologically, especially during the transitional years into adulthood?
 - o Daniel: At that time, we are rapidly adapting to adulthood. Moving out of home, trying to get bearings and understand how to interact as an adult. In high school, if you get into an altercation, you get a suspension, go home, and then return to school and get on with

your life. Contrast that with getting in a fight at 18, getting arrested and charged, and having lifelong consequences. Taking someone from a stable, predictable environment to jail is extremely traumatizing and makes it hard to adapt to adulthood after that because of the impact of trauma on the developing brain. The brain is not fully developed until 25. 18-21 is a crucial time for brain development. The prefrontal cortex is not developed at that time, so the reward-seeking part of the brain is more active at that time. It should be about smoothing the transitional period – if someone breaks the law, provide counseling. There shouldn't be an abrupt cutoff at 18.

- What can support the smoothing of that transitional period?
 - o Marley: Life skills that aren't part of education – taxes, job applications, resume, finding opportunities. If you get an adult record, it could prevent you from getting stable housing. More apartment applications are now asking if you have ever in your lifetime had criminal involvement. Those barriers make it hard to break away from a lifestyle where you have been institutionalized.
 - o Daniel: I got arrested when I was 19, and that arrest cost me a job. If I had been arrested before 18, I would've had access to treatment and services. Instead, I would've had to pay for those services myself, which I couldn't do without a job. Now 14.5 months sober, tried many times to sustain recovery. If I had state-funded services at 19, my life would've taken a different route. I am 37 still get questions on the charge from when I was 19 when I apply for anything.
 - o Katie: Our brains don't finish maturing until we are 25, but society believes that adulthood is at 18. Someone may make a mistake while they are figuring out where they belong in the world, but if that mistake is after 18, it has a lifelong consequence. It is too high of an expectation at 18 and should be aligned with what is supported by science. It is an injustice that it doesn't align.

- What would it look like to respond to a young adult who is charged with a crime/offense in a way that fosters rehabilitation? What approach do you use to think about that person's needs and what they deserve from the legal system?
 - o Katie: People who experience high levels of trauma have inhibited brain maturation, so even with the standard of 25, there is variation caused by adverse experiences. To rehabilitate, we need to know the cause of the dysfunction. Strain theory tells us that people commit crime to relieve social, economic, emotional strain. All behavior is a form of communication, especially with children and adolescents. What strain are youth or young adults trying to communicate to us in the crimes they commit? When we find the strain or unmet need, we find the intervention. They deserve support and meaningful rehabilitation that is developmentally appropriate. We need to treat the person and the environment. Strive for as little detention as possible. When we do find JR to be the only option, it should minimize negative socialization and labeling as much as possible.
 - o Daniel: We think of the juvenile system as having a rehabilitative focus, but we should remember that for a lot of people it's not about learning it again, but learning it for the first time. I made a mistake, didn't know what to do, now I've learned, but I have to deal with it for the rest of my life. I wasn't taught the skills or how to interact, so I made a

mistake and now the rest of my life is going to be difficult. This causes mental and emotional health issues, and those lead people to substance use and keep them in addiction without healthy coping skills.

- Katie: People who are raised in environments where they aren't taught basic life skills or aren't taught about what is right or wrong need grace to acclimate to society. It's hard to make a single statement because no one experience is true for everyone. We need to look at the cause and what people need.
- How would you describe programming (or lack thereof) available to people in the adult system? What would better support people, especially young adults?
- Marley: When I was in jail, I was on 23 and 1 for a nonviolent offense and had nothing productive to do. It was a waste of life. Towards the end of my stay I could choose between general population, working, or education dorm. Knowing friends who have gone into general population, all you do is sit around, watch TV, play cards, drama, fights, criminal talk. People come out thinking they've learned a new skill or trade in crime. When you're freshly out you're excited until find out you are held back by the charge and lost time. People in the adult system don't have access to learning or developing productive skills. It prevents you from accessing resources that could benefit your life like treatment. It would be best to get rid of general population and have all specialized dorms/units for whatever people want to focus on for personal development, case management, planning for next steps, inspire change. Doing nothing reinforces the idea of living the criminal lifestyle. You miss out on time with family and friends. In our inpatient program, we take away devices to disconnect from outside influences and focus on rehabilitation and participation in community of recovery. Technology and media influence glamorize a criminal lifestyle, but it really creates barriers to succeed.
 - Daniel: In juvenile services, there is help. There's nothing in county jail – no help, no learning, you hang out with other criminals. In prisons there is more programming, but we don't want youth on a path to prison or federal systems. I'm tired of hearing "I earned my GED in prison." Why didn't we have something in place so they could get their GED earlier?
 - Katie: I benefitted from diversion programs as a youth. Seeing the difference between being presented with diversion and prosecution and working in the field I do now, I strongly support diversion. If we were to raise the age to 20, the room for a mistake with access to a diversion would lessen the barriers that people experience when trying to get on the right path.
 - Daniel: Frederick Douglass said, "It is easier to build strong children than fix broken men." This is what we need to focus on. We are sending 18-year-olds fresh out of high school into jail with grown adults. I learned more about being a criminal inside of jail than I did outside. When you have labels and a record, it prevents you from getting your bearings and being an adult when you're stopped at every turn. People turn to the skills they learned in jail because they have to pay bills that they're unable to pay because of the mistake they made.

- Can you talk about the younger clients you work with? How do you approach people during those early adult years, what do they need in their lives?
 - o Daniel: You want to put a lot of effort into people at this age. They need compassion, education, and guidance. When those young clients come in dealing with addiction, they don't know where to go, how to live, or what to do instead. We need to pour into these people and build them up, not condemn them. Need to smooth the transitional period into adulthood and help them develop a plan of what to do next. At that young age, you are full of opportunity with your full life ahead of you. It doesn't need to stop.
 - o Katie: Ambition is a common trait for 18–20-year-olds. If you have the ability to be hopeful, you are dreaming, planning, and motivated at that time.

- What are some common biases and myths about young adults that we need to dispel?
 - o Daniel: "You're 18, you're an adult, you should know better." When I was 19 and in court, that was said to me. "If you really wanted a good life, you would've done different," but at that point, I didn't know what else to do. It wasn't about rehabilitation, it was habilitation. There's also a lot that's changed between generations. The people making policy decisions are older and life was different for them. Family systems and roles have changed. There is an assumption that young people know laws and consequences, but there were things I did that I didn't know were illegal. I learned more about the law by being in and out of court. It was because of my upbringing that I thought these things were the norm, and the way I found out they weren't the norm was "You're an adult, you should know better, here are criminal charges." Things piled up in a way that made it difficult to move forward, so I had no option but to move back. There are biases tied to where people believe someone should be when they turn 18.
 - o Katie: "Once an addict, always an addict" stuck with me for a long time. I'm over 3 years clean now but have had lapses – trial and error. My parents modeled things that were illegal, but I didn't know they were illegal until I was an adult and made mistakes. This is another reason to give grace. The language, "young and dumb" misses that people in these age ranges are so capable, and they need to know that they are capable. They're not stupid just because they're young. Where is that guidance? Are courts and treatment programs reminding youth that they are capable?
 - o Marley: The idea that you should know everything by the time you are 18, you should know how to act in an adult environment when you've never been an adult before. This isn't taught in school or in the right order. There's another bias that young adults can't succeed on their own. A lot of people can and do figure it out on their own. I was lucky to find someone to guide me out of a dark place and provide me with opportunities to change my life and become who I am, but not a lot of people get that. When I was 18, I thought I knew everything. Looking back, I can't believe that I thought that. I didn't feel like I had an idea of what being an adult was until I was 25 or 26.

- Workgroup question: We don't ask 18- and 19-year-olds often enough what their dreams are. Thinking back to when you were that age, what were your dreams?
 - o Katie: When I was 18-19, I was pregnant and in transitional housing in a youth program. I learned how to make a bed and keep a clean space in juvie. A lot of my skills I learned in

detention because I wasn't taught them at home. I never thought I would be where I am today, and I wouldn't be if the people who were helping me at 18, 19, 20 hadn't shown up for me and shown me I was capable and important. It's a powerful age for someone who never thought they would be anything other than a drug addict.

- Daniel: I think it's amazing to ask 18- and 19-year-olds about their dreams and ambitions. I would also add, what does that look like to get there? Do you know how to get there? We need to help them with the steps to get there. When I was 19, I wanted to be an architect.
 - Marley: When I was 18 and 19, I was moving into college dorms and partying, getting into trouble, found myself homeless and couch surfing. I was studying as a dance major and wanted to be a professional dancer but was constantly getting hurt and creating problems for me to move effectively, so that ended quickly. I also feel that I wouldn't be where I am today if I didn't have people supporting me. I always had a goal of wanting to help people but didn't know how to achieve it and didn't believe in myself. My journey is ongoing and I'm working my way to who I want to be. A lot has changed from who I thought I would be and what my goals were from when I was 18 or 19 to today.
- Anything else you want to tell us?
- Daniel: Because we are all here together, we are moving in the right direction to take care of youth. They are our future. We are moving in the right direction to make a real difference.
 - Katie: Working in juvenile justice can be difficult, and I want to commend everyone who works in juvenile justice, especially courts. Probation officers and court administrators are doing good work and I'm glad we're here together.
 - Marley: Court-ordered rehabilitation programs should be engaging and should spark ideas to change your path. It's important to offer engaging programs to young adults to show them through lived experience the change they can have. Don't expect them to figure it out on their own.

Breakout Discussions

The group split into small breakout discussions to explore this prompt: Identify one element of the juvenile system that is absent from the adult system and that we want to prioritize for emerging and young adults. Why is this element important for emerging and young adults?

Full Group Discussion

Reflections from the breakout discussions are summarized below:

- Youth charged as adults reflect on their experience in court and remember themselves as children, and the state tells them they have done something so bad that they are now an adult. It is shocking to be assigned that identity for that reason at a time in life where so much else is falling apart.
- Comprehensive pre-filing diversion programs are important for young adults to be able to deal with support outside of the court system and have a sealed or vacated record. Juvenile courts can offer comprehensive supports: employment, education, connection to behavioral health, family supports, therapy.

- A unique thing about juvenile court is the probation counselor as an advocate to support them in finding those resources. That does not exist in the adult system.
- If there is an offense at a younger age, there are services. If they are over the age, there is nothing. Guidance and services matter.
- Assessment of risk, needs, and responsivity. Probation staff try to coach and advocate, including helping getting to court and collaborating on treatment plan with youth and caregiver to meet needs. In the adult system, this is based solely on compliance.
- Services for someone in county jail are scarce, speaking from personal professional experience.
- There is a difference between the juvenile and adult systems regarding oversight to increase success and completion of obligations. All parties want to see that system involvement brings meaningful change to prevent future harm. Certain harm is very personal to victims and families.
- Consider that we expand the lens to include victims. There is a crossover – young people who have active cases of their own while also being a victim in another case.
- Every court room in every county is different, including when someone is transferred to adult jail.
- People in adult custody do not have adequate access to education and special education. In Washington we have a right for individuals on an IEP to access education up to age 21. There is a missed opportunity and a place to consider the benefit for young adults to better access education.
- At what point do we let go? The younger they are, the easier it is for us to say we hang on. Our experience and what brain science tells us is that we shouldn't let go yet at 18. If we can focus on not letting go, we may have better outcomes.

Next Steps

Coming up in the July meeting:

- Experts from Vermont will share updates on its experience extending juvenile court jurisdiction past age 18.
- We will engage in a grouping exercise to break our project and workgroup into subgroups.

Next Meeting:

Wednesday, July 10, 2024 | 2-4 PM | Via Microsoft Teams