

# StrategiesforYouth

Judiciary Committee  
Arkansa Legislature  
1 Capitol Mall, Fifth Floor  
Little Rock, AR 72201

**RE: In support of SB459 To Amend the minimum age necessary to adjudicate a  
juvenile delinquent to age 10**

On behalf of [Strategies for Youth](#), a national training and policy organization dedicated to ensuring the best possible outcomes for youth who interact with law enforcement, we are writing to strongly encourage you to favorably vote out Bill 459 which raises the minimum age of youth involved in the juvenile justice system from 9 to 10.

This amendment is a step in the right direction for Arkansas children.

First, it will enable the Arkansas juvenile justice system to more fully deliver on its obligation to “...assure that all juveniles brought to the attention of the courts receive the guidance, care, and control, preferably in each juvenile's own home when the juvenile's health and safety are not at risk, that will best serve the emotional, mental, and physical welfare of the juvenile and the best interest of the state.” AR Code Sec. 9-27-302. Bill 459 moves towards ensuring harmonization of juvenile court practice with the extent of the court's jurisdiction.

Second, it brings the state's practices more in line with what extensive research on child and adolescent development shows to be irremediably harmful to developing children and typically ensures their future system involvement instead of preventing it.

Third, choosing a punishment strategy with children whose maturity and social/emotional development are at this critical stage of development, is likely to derail and stunt their emotional growth, as well as risk provoking behavioral issues that will

create long term behavioral issues. Study after study shows the harsher the treatment, the more likely youth will become involved in institutional treatment, and the less likely they will be able to be rehabilitated and to live independently.

Fourth, extending the jurisdiction of juvenile delinquency courts from age 9 to 10, brings Arkansas in line with the number of states presently choosing ages 12- or 13-years-old as the minimum age of system involvement. Various studies have documented that while children aged 12 and up often lack the capacity to understand their involvement in the system, children under 12-years-old do not possess the capacity to understand or assist in their own defense in juvenile court. Further, youth under 12 are routinely excluded from treatment programs in juvenile justice system facilities, which are typically designed for older juveniles.

Finally, supporting an amendment to raise the age to 10 will not put public safety at risk. Nationally, the majority of youth in the juvenile justice system are older (typically ages 15 to 17). Children younger than 12 represent a very small percentage of this population, with children under the age of 10 representing the smallest group.

We urge you to favorably report out this legislation for the Governor's signature. This change is an important improvement that will progress so that law aligns with the research on adolescent development and how to effectively work with youth.

Thank you for considering our perspective. Please feel free to contact me at [lht@strategiesforyouth.org](mailto:lht@strategiesforyouth.org) or at 617-714-3789.

Very truly yours,

Lisa H. Thureau