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Remembering Susan Broderick

By Katie Jerstad, NDAA

Juvenile justice professionals lost an advocate and champion with the passing of Susan Broderick to cancer in December of 2022, just a couple months shy of her 60th birthday. A longtime Manhattan prosecutor, Susan became well-known for her leadership training and mentoring of juvenile court prosecutors. She was also an expert on addiction and recovery. She founded Bridges to Recovery, through which she provided private recovery coaching, keynote presentations and training workshops about the latest recovery research, innovative programs, and strategies to achieve both accountability and positive change in the criminal justice system. Susan recognized that doing justice required an understanding of the forces that drive people to criminality, and she worked constantly to understand and educate others about those forces. Family, friends and colleagues all agree that Susan was a dedicated and compassionate advocate who made a difference.

Susan started her legal career in the Manhattan DA's Office in 1989, where she served as a prosecutor for 14 years and handled family violence, sex crimes, and homicide cases. During her time there, she supervised the Child Abuse Bureau and became known for her work on cases involving children. One early example was a particularly horrific case involving the starvation of a child, resulting in death, which she tried before a

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The Adolescent Brain

By Katie Jerstad

Editor's Note: Juvenile Justice Update is very pleased to publish this contribution from the NDAA's forthcoming "Juvenile Prosecution Handbook," following on "What Juvenile Court Prosecutors Need To Know about Risk Assessment Instruments," also adapted from the handbook, in the Summer 2023 issue of JJU. Both articles were written by Katie Jerstad, senior attorney with the National District Attorney's Association. She received significant input and guidance from Susan Broderick, profiled in this issue on page 1, in the development of "Risk Assessment," and from Michele Linley and Stacy Miller in "Brain Science." The author and NDAA want to emphasize that she is an attorney, not a neuroscientist, and that the material here, while grounded in current science, is written for and by attorneys serving the juvenile courts.

Introduction

Society has known for a long time that child and adolescent brains are different than those of adults. This difference was the reason for the creation of the juvenile justice system in Chicago in the late 1890s.¹ Even before advances in brain

science explained these behavioral differences between teens and adults, states legislated an 18-year-old threshold for "adulthood"—the right to vote, the right to join the military, the right to marry without parental consent, etc. On the one hand, some laws are designed to protect the young and society from youth's immaturity, such as setting the legal age for alcohol consumption at 21. On the other hand, many states' juvenile court jurisdiction has no floor and children ten years of age or younger can be brought before a juvenile court judge. Most states allow for youth as young as fourteen to be prosecuted as adults for the most serious crimes. During this period of brain growth, American adolescents live in a "precarious middle ground" (and thus legal status) between innocence and immaturity, and responsibility and accountability.²

With the advancements in brain science, society has come to accept that, while most young adults may stop growing vertically by age 17 or 18, their brains continue to develop into their mid-to-late 20s. Advancements in science in the last 20 years, particularly research

¹ *In re. Gault*, 387 U.S. 1, 15, 87 S. Ct. 1428, 1437 (1967) ("The Juvenile Court movement began in this country at the end of the last century. From the juvenile court statute adopted in Illinois in 1899, the system has spread to every State in the Union, the District of Columbia, and Puerto Rico." However, it was lacking in expertise and legal resources. As the *Gault* court included in a footnote, see Harvard Law Review Note, p. 809; and also McCune, Profile of the Nation's Juvenile Court Judges (monograph, George Washington University, Center for the Behavioral Sciences, 1965.)

² ACT4JuvenileJustice, *Adolescent Brain Development & Juvenile Justice Fact Sheet*, JJDPa Fact Book, accessed August 7, 2023, <https://tinyurl.com/3h3hnwt7>

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jury. Susan's command of the case, the facts, the evidence, was unforgettable according to her colleagues. Susan was the calm steady hand. She kept the child witnesses protected, positive, and hopeful and shepherded the very difficult case—both scientifically and emotionally—to conviction and maximum sentence. She suffered her own terrifying experience in the middle of the trial, when her apartment was broken into and she woke up to a stranger standing over her. Despite this, Susan kept her cool, carried on with trial, and never lost her focus on justice. Other prosecutors could and did learn from her trial skills and leadership.

Susan loved working with prosecutors. She believed that the prosecutor, above all others, was exceptionally positioned to make an impact on the community they serve. She was convinced that juvenile court presented a unique avenue for prosecutors to do just that. Susan also knew that well-trained, experienced juvenile court prosecutors were necessary to have the positive impact that was envisioned by the juvenile court. Making the move from trial work and prosecutor supervision to national leadership and professional development, she dedicated her work to the specialized training of juvenile court prosecutors.

Given her leadership ability and infectious personality, her transition from the courtroom to the classroom was a natural one. First as an Assistant Research Professor at Georgetown University's McCourt School of Public Policy, and then as Project Director at the Center for Juvenile Justice Reform, she convened a group of experienced juvenile prosecutors from around the country entitled the Juvenile Prosecutors Leadership Network (JPLN). As a veteran prosecutor herself, Susan approached juvenile justice with amazing grace and humility. She engaged in meaningful conversations and allowed

the uninterrupted flow of ideas and discussion. Because of her sincerity, forthright demeanor, and experience, the platform she created for juvenile justice professionals thrived. A mentor and friend to many juvenile justice professionals, Susan inspired and empowered juvenile prosecutors to commit to the concept of a specialized juvenile expertise. Through this work, Susan created an everlasting legacy in the field.

Susan brought an incredible level of passion to everything she cared about. She was a fiercely loyal daughter, sister, aunt and friend. Susan's devotion to her family, especially to her mother, is what made her such a remarkable, strong woman with "moxie." She was more like

member remembers Susie telling her, "You never know what someone else is going through. Seeing one side of a person does not tell the whole story." She always saw the positive in everyone and everything.

Throughout her many years fighting cancer, she could always find humor, even at the bleakest times. She kept everyone laughing up until the end of her life. Susan had a deep and abiding faith that there was more love and laughter ahead for her, even after her passing.

Susan's passion for helping people, especially children, is what she will be known for and remembered for. She left a lasting legacy through her career and helped save countless children's lives.

"She lived her best, most authentic life each and every day. She was funny, brave and most courageous about being imperfect."

a best friend or a second mother to her nieces. The range and depth of her professional and personal relationships was vast. To know Susan was to love her.

Anyone who knew Susan knows that any words written about her must include words about her humor, laughter and joy—the fuel that was her fire. Despite the serious nature of her work and impressive accomplishments within the legal field, she always tempered her intensity with humility and a love of laughter. She had no time for conformity in the workplace. Her friends proclaim there was nobody more fun to talk to than Susie. She lived her best, most authentic life each and every day.

She was funny, brave, and courageous about being imperfect. Susan was open about her battle with addiction. She used her own experience with addiction to help others understand how substances can affect behavior, and was a champion of treatment and rehabilitation. A family

Her family shared that her heart and soul were devoted to her work, and she was happy as long as she made the world a little bit better, no matter how small. As one family member reflected, "she was always fighting for someone, whether that was a case for a child, a person in her AA group battling their own self, or her own family." In her last few days, even as she was drifting in and out of consciousness, she spoke about one intense murder case in which she had been able to track down the perpetrator and give the victim's family closure. In those last moments of her life, the fact that she was even thinking about that case is emblematic of her selflessness and tenacity. Through her recovery with alcohol and her multiple battles with cancer, her love of the law and her passion to help others was what pushed her through. She knew that her sole purpose on this earth was to improve every life she could, and she did. ■