

# RAISE the AGE | NY

## FOR IMMEDIATE RELEASE

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## **BROAD CAMPAIGN CALLS ON ALBANY TO “RAISE THE AGE”**

***NEW YORK IS ONE OF ONLY TWO STATES TO TREAT ALL 16- AND 17- YEAR OLDS AS ADULTS WHEN ARRESTED; 50,000 CHILDREN IMPACTED EACH YEAR***

**CHILDREN’S ADVOCATES, FAITH LEADERS, LAW ENFORCEMENT, CIVIL RIGHTS GROUPS, UNIONS CALL ON ALBANY TO BRING STATE IN LINE WITH NATION**

New York, NY – Just steps from the courthouses in Lower Manhattan, leading advocates for children, faith and civil rights leaders, unions and law enforcement officials today called for New York State to build on its recent reforms to the juvenile justice system and join the rest of the country in treating children as children in the criminal justice system. New York is the only state other than North Carolina where all children 16 and older are treated as adults in the criminal justice system, often ending up in adult jails and prisons.

Research shows that children react better to developmentally appropriate interventions available in the youth justice system. Children who go through the adult system, on the other hand, are more likely to re-offend and are at a higher risk of violence than adults. The groups urged elected officials in Albany to raise the age of criminal responsibility for all of the 50,000 children who are arrested each year and treated as adults, regardless of the crime allegedly committed.

“Governor Cuomo has taken the lead in reforming our state’s youth justice system, closing underutilized incarceration facilities and shifting the system towards the kinds of community-based rehabilitation programs that have been shown to work, and saving taxpayers millions of dollars in the process,” **said Jennifer March-Joly, Executive Director of Citizens’ Committee for Children of New York.** “It is time to take the next step to ensure that we treat children as children, and give them every opportunity to reclaim their lives for the betterment of all of us.”

“Being tough on crime means being smart on crime,” **said Westchester County District Attorney Janet DiFiore.** “Treating children like children is good for the juveniles, good for families, good for communities, good for public safety and just good common sense.”

A statistical analysis of children under the age of 18 who are arrested shows that black and Latino children make up over 70 percent of those arrested, and 80 percent of those who are incarcerated.

“Our nation’s Cradle to Prison Pipeline -- a toxic cocktail of poverty, illiteracy, racial disparities, violence and massive incarceration -- is sentencing millions of children of color to dead end, powerless and hopeless lives and threatens to undermine the past half century of racial and social progress. New York State needs to ‘raise the age’, dismantle the Cradle to Prison Pipeline, and begin to replace it with a pipeline to college and productive work,” **said Marian Wright Edelman, president, The Children’s Defense Fund.**

“We should be providing our youth the support and services they need to overcome challenges and be successful, not prosecuting and incarcerating them as adults,” **said Donna Lieberman, executive director of the New York Civil Liberties Union.** “The time to end this cruel, wasteful and destructive practice is long overdue.”

Currently, all of the estimated 50,000 16- and 17-year-olds arrested in New York, whether for a felony or misdemeanor, are presumptively treated as adults and their cases adjudicated in adult criminal courts. Three out of every four arrests for the juveniles – 75.3 percent – are for misdemeanors. Children as young as 13 are prosecuted in adult court each year as well, seriously diminishing their life prospects before they even enter high school.

“Every day in the courts in all five boroughs of New York City, frontline Legal Aid staff see first-hand that adolescents are different than adults and should be treated that way by the law,” **said Steven Banks, the Attorney-in-Chief of the Legal Aid Society** which represents the vast majority of teenagers prosecuted in the courts in New York City. “Social science, brain science and the United States Supreme Court have all recognized this obvious truth, and New York should finally come into line with 48 other States that set the age of responsibility for the purpose of criminal prosecution at age 18.”

“Prosecuting children under the age of 18 as adults is immoral, ineffective and a waste of taxpayer dollars,” **said George Gresham, President of 1199SEIU United Healthcare Workers East,** the largest healthcare union in New York State and the nation. “When children between the ages of 13 and 17 are sent to adult prisons, they are more likely to face physical and sexual abuse, and to return to prison once they get out. Studies have shown that adolescents can change their behavior and make responsible decisions if they are given the proper guidance and support. We need a smarter and more compassionate approach to juvenile justice in New York State, which focuses on education, counseling, job training and rehabilitation.”

Placing children into adult facilities, where they are subject to being victimized by violence and denied the treatment to redirect them, too often hardens those young people into committing new crimes when they are released far more often than those who are kept within the oversight of the youth justice system.

“To increase public safety, we must work to prevent crime, not excessively punish our young people and set them up for a life of crime,” **said Hazel Dukes, President of the NAACP New York State Conference.**

“Teenagers who come into contact with our justice system urgently need services and support, not criminalization,” **said Judge Michael Corriero, a former judge and executive director and founder of the New York Center for Juvenile Justice.** “They need to be seen and treated, not according to an ill-conceived adult criminal standard, but rather, precisely for who they are: New York’s children.”

“It might be politically convenient when juveniles are tried as adults, but it’s inhumane and expensive to give up on our future leaders,” **said Jim St. Germain, a youth advocate.**

Supporters of the effort include prominent conservative groups as well. “Raising the age is important from a conservative perspective because of its benefits for public safety and family cohesion,” **said Marc Levin of Right on Crime and the Center for Effective Justice at the Texas Public Policy Foundation.** “The juvenile justice system has proven to be more effective at reducing re-offending by these youngsters and only the juvenile system ensures that the parent is notified and has an opportunity to be formally involved in the process of holding that youngster accountable and putting them on a productive, law-abiding path.”

The “Raise the Age New York” campaign says that raising the age for adult criminal responsibility for all crimes would enhance public safety and promote opportunities for children to lead productive adult lives, allowing these young people to become taxpaying adults without the stigma of a criminal record hanging over their futures.

“Thousands of youth are convicted as adults every year and these convictions prevent them from getting jobs, going to college, and living with their families,” **according to Laurie Parise, Executive Director of Youth Represent,** which provides holistic, community-based, legal representation to youth under age 25 in criminal court and in overcoming the barriers caused by convictions.

Raising the age would also ensure compliance with the federal Prison Rape Elimination Act or PREA, which requires states to segregate juveniles under 18 from the adult prison population.

“As an independent monitor of the adult criminal justice system in New York State, we have long known that adult prisons are no place for children,” **said Soffiyah Elijah, Executive Director of the Correctional Association of New York.** “The Correctional Association pressed for the creation of separate facilities for youth convicted of crimes as early as 1864. Treating children as adults in the criminal justice system has always been ineffective and short-sighted, subjecting them to physical and emotional abuse that leads to far higher recidivism rates than those who are treated through the youth justice system.”

The Raise the Age New York campaign also announced the launch of a website – [www.raisetheagency.com](http://www.raisetheagency.com) - which will serve as a clearinghouse for information on “raise the age” reform efforts.

“It is shocking to some of us that New York lags so far behind the rest of the country in the basic understanding that we should treat children as children,” **said Jennifer Jones Austin, CEO & Executive Director of Federation of Protestant Welfare Agencies.** “Treating children as adults in the criminal justice system is ineffective and short-sighted, subjecting them to physical and emotional abuse that leads to far higher recidivism rates than those who are treated through the youth justice system.”

According to national studies, those children placed in the adult criminal justice system also show far higher rates of recidivism – 80 percent commit new offenses after their release, and are 34 percent more likely to reoffend than those who are not placed in the adult system.

Children in adult jails and prisons are at great risk of physical, emotional and sexual abuse and are 36 times more likely to commit suicide than those in youth detention facilities. Youths in adult prisons are more likely to have a substantiated report of sexual violence, twice as likely to report being beaten by staff and 50 percent more likely to be attacked with a weapon.

“Research and program evaluation shows that providing young people with developmentally-appropriate interventions leads to better outcomes for children both immediately and in the long term,” **said Marsha Weissman, Executive Director of the Center for Community Alternatives.** “For more than 25 years, our organization has worked with children charged with the most serious offenses, yet over that period of time, few have been rearrested and most have gone on to complete school, enroll in college or become employed.”

“Adolescents are in fact children, and research has shown that the adolescent brain is not fully formed until the age of 25,” **said Cora Greenberg, Executive Director, Westchester Children’s Association.** “That means the character, behavior and personalities of juveniles can change for the better with the proper interventions. Those interventions are not possible in adult prisons.”

Justice Fellowship, the criminal justice reform affiliate of Prison Fellowship Ministries, expressed wholehearted support for the ‘Raise the Age’ movement in New York.

“We urge New York State to consider this investment opportunity that will decrease the number of kids returning to crime and give New York’s children a pathway to becoming productive, self-sufficient and crime-free adults,” **said Justice Fellowship President Craig DeRoche.** “New York can make communities safer and save taxpayer dollars in the long-term by raising the age at which youth are tried as adults and ensuring that all children and youth are held accountable for their actions in a developmentally appropriate manner.”

The groups said that they plan to educate stakeholders across the state about the need to Raise the Age, and hope to see action by Albany to deal with the growing problem so that no children are prosecuted as adults or housed in adult jails and prisons.

“New York State’s current juvenile laws are nothing short of archaic,” **said Assemblyman Karim Camara, chair of the Black, Puerto Rican, Hispanic and Asian Legislative Caucus.** “Automatically treating all 16-year-olds as adults is a grave injustice. Studies show that by placing 16 year olds convicted of misdemeanors in adult facilities with hardened criminals we are increasing the chances of them becoming re-offenders. I stand with this coalition adding my voice to its call that New York State raise the age of automatic adult criminal responsibility to 18 years of age.”

“I am proud to stand with RAISE the AGE NY in this important campaign,” **said Assembly Member Daniel O’Donnell**. “As a former public defender and current Chair of the New York State Assembly Committee on Correction, I am acutely aware of the damage our current law inflicts on minors and our society as a whole. From the production of high rates of recidivism to the deterioration of mental health, treating children as adults in criminal court harms communities statewide and is a dangerous and antiquated practice.

“We must raise the age of criminal responsibility to 18 so that the legal process will reflect what we know currently, that prosecuting children in adult criminal courts is unjust and detrimental to our youth.” To this end I am the sponsor of two Assembly bills, A1794 and A3692, both of which will address this grave inadequacy. I will continue to fight for what is in the best interest of New Yorkers, and for a criminal justice system that is fair and effective.”

“It is unacceptable that New York continues to be one of only two states in the country that prosecutes all children 16 years and older as adults,” **said State Senator Gustavo Rivera**. “Our justice system should focus on rehabilitating our youth and protecting the public, not in placing children in a situation where they are more likely to be abused and to reoffend. Treating children, who are not yet fully developed, as adults in the eyes of the criminal justice system is not only inefficient but also unjust.”

“New York is one of only two states that continues to prosecute troubled youth ages 16 and 17 years old as adults in the criminal courts, rather than as children in the family court system,” **said Senator Velmanette Montgomery**. “The time to reverse this practice is now, and that is why I stand today with advocates for juvenile justice reform and elected officials in support of legislative action to 'Raise the Age of Criminal Responsibility' and to urge Governor Cuomo to support the public policy change we are proposing.”

“Children are not adults,” **said State Senator Ruth Hassell-Thompson**. “Research has made this point quite clear, but unfortunately, New York and North Carolina are the only states in the union that prosecute all youth as adults when they turn 16 years of age. I have reviewed this issue for several years and I believe that New York State should comprehensively review how adolescents are treated in the criminal justice system. I believe that best practices can divert young people from a life of breaking the law, therefore reducing crime, making the streets safer and saving the tax payers money.”

Supporters of the Raise the Age New York campaign include:

Center for Community Alternatives | Children’s Defense Fund – New York | Citizen’s Committee for Children | Correctional Association of New York | Families Together in NYS | Federation of Protestant Welfare Agencies | NAACP | Schuyler Center for Analysis and Advocacy | Westchester Children’s Association | Youth Represent! | 1199 SEIU United Healthcare Workers East | Association for Community Living, Inc. | Harry Belafonte | Bronx Christian Fellowship Church | Bronx Clergy Roundtable | Brooklyn Defender Services | Casa Rochester/Monroe County Inc. | Center for Popular Democracy | Coalition for Asian American Children and Families | Coalition for Hispanic Children and Families | Coalition for the Homeless | Community Connections for Youth | Community Service Society | Crossway Church | Dignity in Schools Campaign – New York | Equal Justice Initiative | Families Together in New York State | First Corinthian Baptist Church | Graham Windham | Herstory | Human Services Council | Lawyers for Children | Make the Road New York | National Economic and Social Rights Initiative | Neighborhood Family Services Coalition | New York Association of Alcoholism and Substance Abuse Providers, Inc. | New York Center for Juvenile Justice | New York Civil Liberties Union | New York Society for Ethical Culture | Partners in Restorative Initiatives | Pumphouse Projects | Teachers Unite | The Brotherhood/Sister Sol | The Center for Alternative Sentencing and Employment Services (CASES) | The Children’s Agenda | The Children’s Aid Society | The Legal Aid Society | The New York Foundling | Tremont United Methodist Church | Unique People Services | Pastor Michael A. Walrond

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