



NEW YORK STATE SENATOR

Velmanette Montgomery

Raise the Age!

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New York is one of only two states in our nation to set the age of criminal responsibility at 16. For certain crimes, a child as young as 13 can also be adjudicated as an adult. In these instances, childhood decisions could have a devastating effect on the lives of many young men and women.

Senator Montgomery has introduced legislation (S.1409) to raise the age of adult criminal responsibility from 16 to 18 so that youth who are charged with a crime may be treated in a more fair and appropriate matter. The changes implemented in the bill reflect the evidence that the current system has not been effective in deterring and preventing future crime. This bill preserves the jurisdiction of the adult courts to try persons 13, 14, 15, 16 or 17 years old for "juvenile offender" crimes. But for less serious crimes, and for "JO" crimes that can best be

handled in Family Court, this bill brings about a necessary reform.

There are significant and sometimes lifelong implications for young people adjudicated in the criminal court system, which extend into the areas of education and employment, including earning potential. Only about one-third of young adults returning from prison in New York return to school, and studies have shown that those who do not have a high school diploma are more likely to be unemployed and more likely to be recipients of public assistance.

In addition to potentially improving the lives and future of New York's troubled youth, this bill enables the state to realize real cost savings in treating many of those under the age of eighteen as juveniles as opposed to treating all persons sixteen and older as adults. Many states that have shifted younger persons out of criminal court and into the juvenile or family court system have seen tremendous savings due in part to the lower cost of community-based alternatives, as well as the reduced recidivism rate of these youth.

New York should adjust this aspect of its juvenile justice system to reflect the better understanding we now have of youth accused of crimes. We now know the potential that some of these youths have for redemption and the possibility to become productive members of society. **The bill is sponsored in the Assembly by Assemblyman Joseph Lentol (D-Brooklyn).**