



NEW YORK STATE SENATOR

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NEW YORK STATE SENATE COMMITTEE ON CHILDREN & FAMILIES AND COMMITTEE ON CRIME VICTIMS, CRIME & CORRECTION HOLD HEARING ON THE AGE OF CRIMINAL RESPONSIBILITY AND ITS IMPACT IN NEW YORK

JEFFREY D. KLEIN February 6, 2017

| ISSUE: **RAISE THE AGE, CRIMINAL JUSTICE REFORM, CORRECTIONS**

Hearing was the first dedicated to the age of criminal responsibility

Albany, NY - The New York State Senate Committees on Children and Families and Crime Victims, Crime and Correction held the first public hearing dedicated to the age of criminal responsibility and its impact in New York. Members of both committees questioned and heard testimony from a wide range of advocates and law enforcement professionals.

“It is shocking to many to find out that New York stands alongside North Carolina in being one of the last states to continue to charge 16- and 17-year-olds as adults. We should be treating children like children, not throwing them behind bars with grown men and women for minor offenses. Today’s hearing is an important first step in finding a real common sense solution to keep youth offenders out of our criminal justice system so that they can go on to lead successful lives,” **said Senator Jeff Klein (D-Bronx/Westchester)**.

“New York is one of only two states in the country that treats 16- and 17-year-olds the same as fully developed adults in the criminal justice system. Unfortunately, this can have

debilitating consequences for our state's youth as they make non-violent mistakes that the juvenile system can easily address but isn't because of the state's archaic law. It is surprising that a state as progressive as ours, that is usually at the forefront of key social issues, has yet to understand this harsh reality. As chair of the Children and Families Committee, it is my job to do right by our youth. That is why I am making raising the age my committee's top priority this legislative session," **Said Senator Tony Avella (D-Queens).**

"For far too long New York has been one of only two states where the age of criminal responsibility is 16-years-old. Today's testimony was insightful and an important step in the legislative process. I have seen first hand in my community the effects that this has had on teens now and in their futures. I am confident that we will be able to implement these reforms and I look forward to working with the IDC to accomplish this goal," **said Senator Jesse Hamilton (D-Brooklyn).**

"We cannot afford to give up on our teenagers who have made mistakes during their formative years. Treating 16- and 17-year-old nonviolent offenders as adults makes little sense and leaves no room for rehabilitation. Such a policy turns teens who have made mistakes into career criminals who spend their lives within the criminal justice system. These teens, most of whom are people of color, deserve the chance to take a positive path focusing on rehabilitation so that they can become productive, contributing members of society," **said Senator Marisol Alcantara (D-Manhattan).**

"I was glad to participate in the Senate's first ever hearing about raising the age of criminal responsibility. After hearing testimony from mental health professionals and families affected by mental illness, it was clear we need a new system that supports our youth, especially those with disabilities. New York needs to focus on rehabilitation for our youth, not incarceration. I proudly support raising the age and urge my colleagues in the State Legislature to work together on passing legislation that changes this unjust system of

incarceration,” **said Senator David Carlucci (D-Rockland/Westchester).**

“New York is a leading progressive State, so it is appalling to see us next to North Carolina as the only two states in the country that still charge 16- and 17-year-old as adults. We must put a stop to this nonsense. People make mistakes, and when most juveniles do so, we should work on rehabilitating them, not simply throwing them into a prison. I am glad the IDC has made this issue a top priority in their agenda, and today’s hearing, the first the Senate has ever held on raising the age of criminal responsibility, is an important step toward righting this wrong,” **said Senator Jose Peralta (D-Queens).**

The Independent Democratic Conference recently published a report, “*The Price of Juvenile Justice: Why Raising the Age Makes Cents for New York*,” that found that raising the age of criminal responsibility could save the state \$117.11 million. The IDC pledged to hold hearing to focus on the issue and its effects. Today’s hearing featured a wider range of guests who discussed the current policy’s effects on the lives of youth offenders as well as on the criminal justice system.

New York is one of only two states in the United States that still charges 16- and 17-year-olds as adults within the criminal justice system.

Marc Levin, Policy Director for Right on Crime, who made his third appearance in Albany to discuss the need for reforms to New York’s criminal justice system said, “That by ensuring that the criminal justice system is age appropriate, New York lawmakers can enhance public safety and personal responsibility and can ensure that parents are part of the process when their son or daughter is arrested. These much needed reforms will also reduce crime. Research shows youngsters, who are typically juniors and seniors in high school, have far lower rates of re-offending when held accountable in a system which provides closer supervision, offers more treatment, and is set up to work with schools and families.”

“Brooklyn Defender Services is proud to support Raise the Age legislation to meet the unique needs of adolescents in the criminal justice system. We look forward to working with the IDC and other stakeholders to develop meaningful solutions that improve outcomes for those whose bright futures can be destroyed by a single arrest,” **said Lisa Schreibersdorf, Executive Director of Brooklyn Defender Services.**

“Prosecuting teenagers in our adult criminal justice system is simply wrong and we must raise the age of criminal responsibility. No teenager should be jailed at Rikers, sent upstate to prison or fear the lifelong consequences of a criminal conviction that bar them from housing, future employment and other opportunities. With the implementation of significant juvenile justice reform in the past 5 years, there are better options available in that system that allow for evidence based and more effective interventions for youth and their families. We look forward to continuing to work with the Governor, Senator Klein, the legislature and community advocates on this important issue,” **said Seymour James, Attorney-in-Chief, The Legal Aid Society.**

“Support for smart criminal justice policy is growing. Citizens' Committee for Children and Children's Defense Fund-New York look forward to working with the Governor and the state legislature to ensure legislation to Raise the Age of criminal responsibility is passed this session. Doing so will not only bring New York in line with 48 other states, but will also improve outcomes for youth and public safety in communities across the state,” **said Jennifer March, Executive Director, Citizens' Committee for Children and Naomi Post, Executive Director, Children's Defense Fund-New York.**

“We’ve spent years presenting the scientific and fiscal evidence, advocating for reformation of an archaic system, and sharing the dire consequences our current system exacts on youth and their families. The time has come to Raise the Age. We, the families stand hopeful this will be the year the legislature and Governor reach an undoubtedly life saving consensus for our youth,” **said Paige Pierce, CEO, Families Together in New York State.**

“Right now there are children in jails and prisons in New York State, most of whom have not been convicted of anything and have been arrested for allegedly committing non-violent offenses. Some of these children will spend over a month in solitary confinement, 23 hour lockdown in a cell, where they receive food through a hole in the door. Others will be sexually assaulted, violently attacked, and some will even take their own lives.

Unfortunately, this only begins to capture the horror of the 33,000 16 and 17 year-olds automatically prosecuted as adults every year in New York State, we must Raise the Age now. We want to thank the IDC for their leadership and support of Raise the Age and it is our sincere hope that we will now Raise the Age,” **said Angelo Pinto, Campaign Manager of the Raise the Age Campaign at the Correctional Association of New York.**