

FactSheet



Raise the Age – New York

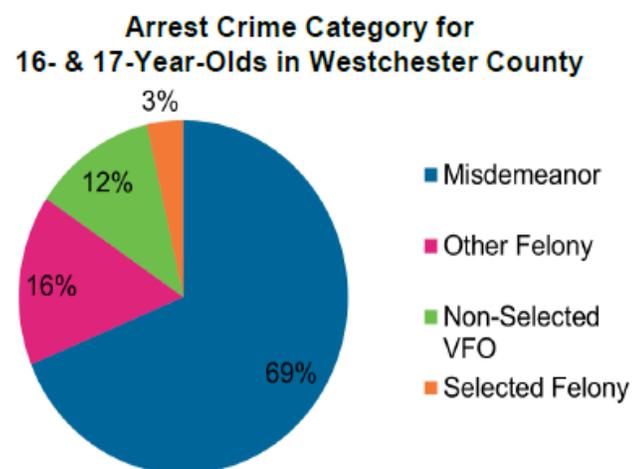
New York is one of only two states in the country that have failed to recognize what research and science have confirmed – adolescents are children, and prosecuting and placing them in the adult criminal justice system doesn't work for them and doesn't work for public safety. However, New York continues to be the only state other than North Carolina that prosecutes ALL youth as adults when they turn 16 years of age. Research into brain development underscores that adolescents are in fact children and that the human brain is not fully formed until the age of 25¹.



By raising the age of criminal responsibility in NY, we keep young people who commit crimes out of the criminal justice system and give them a better chance for a positive future, as well as making our communities safer.

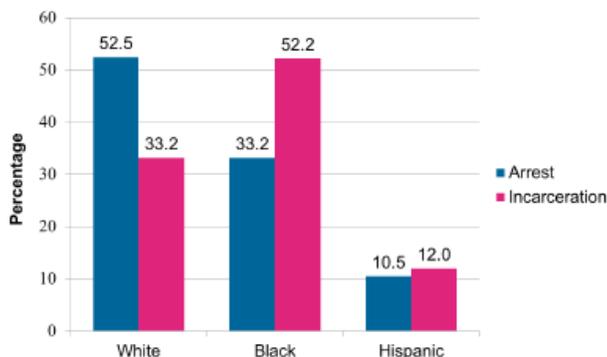
Key Facts

- 75% of criminal acts committed by children and adolescents in New York are misdemeanors².
- Of the 1,236 sixteen and seventeen year olds that were arrested in 2010 in Westchester County, approximately 70% were misdemeanors².
- Young people transferred to the adult criminal justice system are approximately 34% more likely to be re-arrested for a violent crime than youth retained in the juvenile justice system³.
- Youth in adult prisons can be placed in solitary confinement. The isolation young people face in adult facilities is destructive to their mental health. Youth in adult facilities are 36 times more likely to commit suicide than those in juvenile facilities⁴.



Criminal Justice Case Processing of 16-17 Year Olds. Prepared by New York State Department of Criminal Justice Services, Office of Justice Research and Performance, January 4, 2013.

Arrest & Incarceration Rates by Race/Ethnicity in the Rest of State (not New York City)



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Comparison of the Youth Justice System and Adult Justice System in New York State

	Youth Justice System	Adult Justice System
Parents notified of arrest or court proceedings	YES	NO
Parents' consent and presence required during police questioning	YES	NO
Parents involved in court proceedings, improving outcomes	YES	NO
Age-appropriate substance abuse, mental health, and other services consistently provided where needed, reducing recidivism	YES	NO
Special education services consistently provided, improving outcomes	YES	NO
Court and police records are confidential and not released to the public or to the press.	YES	NO
Youth held in the same facilities as adults, and sometimes sleep in same rooms, increasing their risk of being subjected to violence and sexual assault	NO	YES
Youth can be put in solitary confinement, locked up alone in small cell for 23 hours per day, causing serious mental and physical health problems	NO	YES
Youth's court records can be used to evict their families from subsidized housing and cause lifetime barriers to employment and education	NO	YES

For more information:

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We Can Do Better

- New York State needs to raise the age of criminal responsibility in a comprehensive manner including ensuring that youth are not housed in adult jails and that funding is provided for community-based developmentally appropriate alternatives to incarceration.
- The legal process must respond to all children as children; services and placement options must meet the rehabilitative needs of all children and youth.
- New York should become a national leader in juvenile justice practices by doing more than raising the age to 18.
- A permanent criminal record can cause lifetime barriers to higher education, housing and employment.

Join the campaign to Raise the Age at
www.raisetheagency.com
 or on Twitter and Facebook
 @RaiseTheAgeNY

Sources:

¹ MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice. Issue Brief #3: Less Guilty by Reason of Adolescence. Retrieved from: www.adjj.org/downloads/6093issue_brief_3.pdf

² Criminal Justice Case Processing of 16-17 Year Olds. Prepared by DCJS OJRP January 4, 2013

³ National Campaign to Reform State Juvenile Justice Systems. *The Fourth Wave: Juvenile Justice Reforms for the Twenty-First Century* (Winter 2013) <http://www.publicinterestprojects.org/wp-content/uploads/2013/09/The-Fourth-Wave-Long.pdf>

⁴ National Juvenile Justice Network. *Juvenile Justice Reform: A Blueprint* (2012) http://www.njjn.org/uploads/digital-library/A-Blueprint-for-Juvenile-Justice-Reform_Third-Edition_YTFG.pdf