

**AN OPEN LETTER TO GOVERNOR ANDREW CUOMO AND THE NEW YORK STATE LEGISLATURE:  
THE TIME IS NOW TO RAISE THE AGE OF CRIMINAL RESPONSIBILITY**

We, the undersigned organizations dedicated to the well-being of children and youth and other supporters, call on you to pass legislation to raise the age of criminal responsibility before this legislative session ends June 17<sup>th</sup>. We cannot wait any longer.

Currently, New York is one of only two states that still prosecute all 16- and 17 –year- olds in the justice system as adults. The tragic suicide of Kalief Browder illustrates the urgent need to raise the age immediately. Mr. Browder experienced all of the harms that result from prosecuting youth as adults, including the myriad barriers to real opportunities for personal and professional growth upon release. We cannot lose another life as a result of this archaic policy.

Raising the age will not only mean safer, healthier outcomes for youth, but increased public safety for all New Yorkers. Why? **Prosecuting kids as adults increases crime, including violent crime.** A study comparing youth charged in New York’s adult courts with youth charged with identical crimes in New Jersey’s juvenile courts found New York youth were 100% more likely to re-offend with a violent offense and 26% more likely to be re-incarcerated. The Governor’s Commission on Youth, Public Safety, and Justice found that **raising the age and reforming the justice system for youth would eliminate between 1,500 and 2,400 crime victimizations every five years.**

**Any legislation to Raise the Age must:**

- **Get youth out of adult jails and prisons**, where they are at great risk of suicide and physical, sexual, and emotional abuse. Youth in adult jails are **thirty-six times more likely to commit suicide** than those in juvenile detention facilities. Youth in adult facilities are nearly **one hundred percent more likely to face physical assault** by staff than youth in juvenile facilities.
- **Originate as many cases of 16- and 17-year-olds in Family Court** as possible, **create Youth Parts** in the adult court system for the remaining cases, and **apply the Family Court Act** to as many of those cases as possible.
- **Create facilities to house 16- and 17-year-olds that utilize evidence-based therapeutic youth development models in small residential settings**, proven to be an effective approach to preventing recidivism and helping young people make positive, lasting changes in their behavior. **All facilities for 16- and 17-year-olds should be placed under the supervision of the Office of Children and Family Services (OCFS)**, not the NYS Department of Corrections and Community Supervision (DOCCS).
- Ensure **parental notification** of arrest.
  
- **Allow for pre-petition diversion.** The state should expand the capacity for local law enforcement and probation departments to divert low-level cases from the juvenile

justice system. States that have increased diversion from arrest and court have experienced significant reductions in youth crime.

- **Allow for the sealing of records.** Young people with criminal convictions face enormous barriers to maintain stable and productive lives – including barriers to obtaining housing, employment, public benefits and education. The state must provide relief from the collateral consequences of an adult conviction by granting the capacity to seal convictions for crimes committed by those under age 21.

Our youth need and deserve your commitment to their success and investment in their futures that will allow them to thrive as members of our global community. Don't let another young person languish, suffer, despair, hurt – die -- and leave their dreams and wishes unfulfilled. Do the right thing and Raise the Age NOW.

Respectfully,

Amnesty International USA

Brooklyn Defender Services

Buffalo AntiRacism Coalition

Buffalo Save The Kids

Campaign for Youth Justice

Capital Area Against Mass Incarceration

Center for Community Alternatives

Committee for Modern Courts

Community Connections for Youth

Community Voices Heard

Correctional Association of New York

Drama Club

Families Together in New York State

Federation of Protestant Welfare Agencies

The Gathering for Justice / Justice League NYC

Housing Works Re-entry to Care

International Women's Human Rights Clinic, CUNY Law School

Jim Owles Democratic Club

Justice For Families

Justice Policy Institute

JustleadershipUSA

Juvenile Law Center

The Legal Aid Society NYC  
The Lesbian, Gay, Bisexual & Transgender Community Center  
Metro New York Religious Campaign Against Torture  
Morningside Quaker Meeting, Peace and Social Concerns Committee  
NAMI Huntington  
NAMI New York State  
National Action Network NYC Chapter Second Chance Committee  
National Association of Social Workers - New York State Chapter  
National Juvenile Justice Network  
National Lawyers Guild - New York City Chapter  
National Religious Campaign Against Torture  
New York Campaign for Alternatives to Isolated Confinement  
New York City Jails Action Coalition (JAC)  
New York Civil Liberties Union  
New York State Coalition for Children's Mental Health Services  
New York State Prisoner Justice Network  
Prison Families Anonymous  
Release Aging People in Prison (RAPP) Campaign  
St. Mary's Episcopal Church - Manhattanville  
Schuyler Center for Analysis and Advocacy  
SCO Family of Services  
Social Workers Against Criminalization  
Southampton Youth Bureau  
Students for Prison Education and Reform, Princeton  
The Legal Aid Society, NYC  
The Osborne Association  
The Children's Defense Fund - New York  
The Sentencing Project  
Urban Justice Center Mental Health Project  
Westchester Children's Association  
Witness to Mass Incarceration  
YOUTH POWER!  
Youth Represent  
Youth Justice Club - John Jay College of Criminal Justice