

**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, along with 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  
Buffalo AntiRacism Coalition  
Buffalo Save The Kids  
Campaign for the Fair Sentencing of Youth  
Campaign for Youth Justice  
Capital Area Against Mass Incarceration  
Center for Children's Law and Policy  
Center for Community Alternatives  
The Children's Defense Fund - New York  
Citizens' Committee for Children  
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  
Long Island Council of Churches  
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 (CAIC)  
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  
The Osborne Association  
Prison Families Anonymous  
Raise the Age NY Campaign, *a public awareness campaign that includes national and local advocates, youth, parents, law enforcement and legal representative groups, faith leaders, and unions*  
Release Aging People in Prison (RAPP) Campaign  
St. Mary's Episcopal Church - Manhattanville  
Schuyler Center for Analysis and Advocacy  
SCO Family of Services  
The Sentencing Project  
Social Workers Against Criminalization  
Southampton Youth Bureau  
Students for Prison Education and Reform, Princeton  
Urban Justice Center Mental Health Project  
Voices UnBroken  
Westchester Children's Association  
Witness to Mass Incarceration  
YOUTH POWER!  
Youth Represent  
Youth Justice Club - John Jay College of Criminal Justice