

# RAISE the AGE | NY

## Policy Points – 2017

### What we need in a comprehensive Raise the Age Policy

1. Raise the overall age of juvenile jurisdiction to 18, which is consistent with other states. Ensure Raise the Age legislation creates no additional harm for younger youth nor 16- and 17-year-olds, including but not limited to creating more punitive measures, allowing longer sentences, or decreasing the likelihood of youth being processed in the Family Court or juvenile justice system.
2. Ensure no youth who is 16 or 17 years old is placed in an adult jail or prison.
3. Originate as many cases of 16- and 17-year-olds in Family Court as possible; create Youth Parts in adult court for remaining cases and automatically apply the Family Court Act to as many as possible, regardless of which courthouse in which the case is heard. At a minimum, the Family Court Act Article 3 should be applied to the majority of youth and only the most serious violent felonies should be processed pursuant to the Juvenile Offender Laws.
4. Amend the law to ensure parental notification upon the arrest of a 16 or 17 year old and ensure 16- and 17-year-olds are interviewed using practices employed for youth, including parental involvement prior to waiving Miranda rights.
5. Better address the collateral consequences of court involvement and help youth become successful adults by allowing for retroactive sealing, expanding access to youthful offender (YO) status and raising the YO eligibility to youth under 21.
6. Increase investments in the front-end diversion services that keep youth in their communities rather than incarceration. These alternatives to detention, placement and incarceration services are less expensive and more effective at reducing recidivism.
7. Raise the lower age of juvenile delinquency from age 7 to age 12 (except for homicide offenses, which should be raised to 10).