

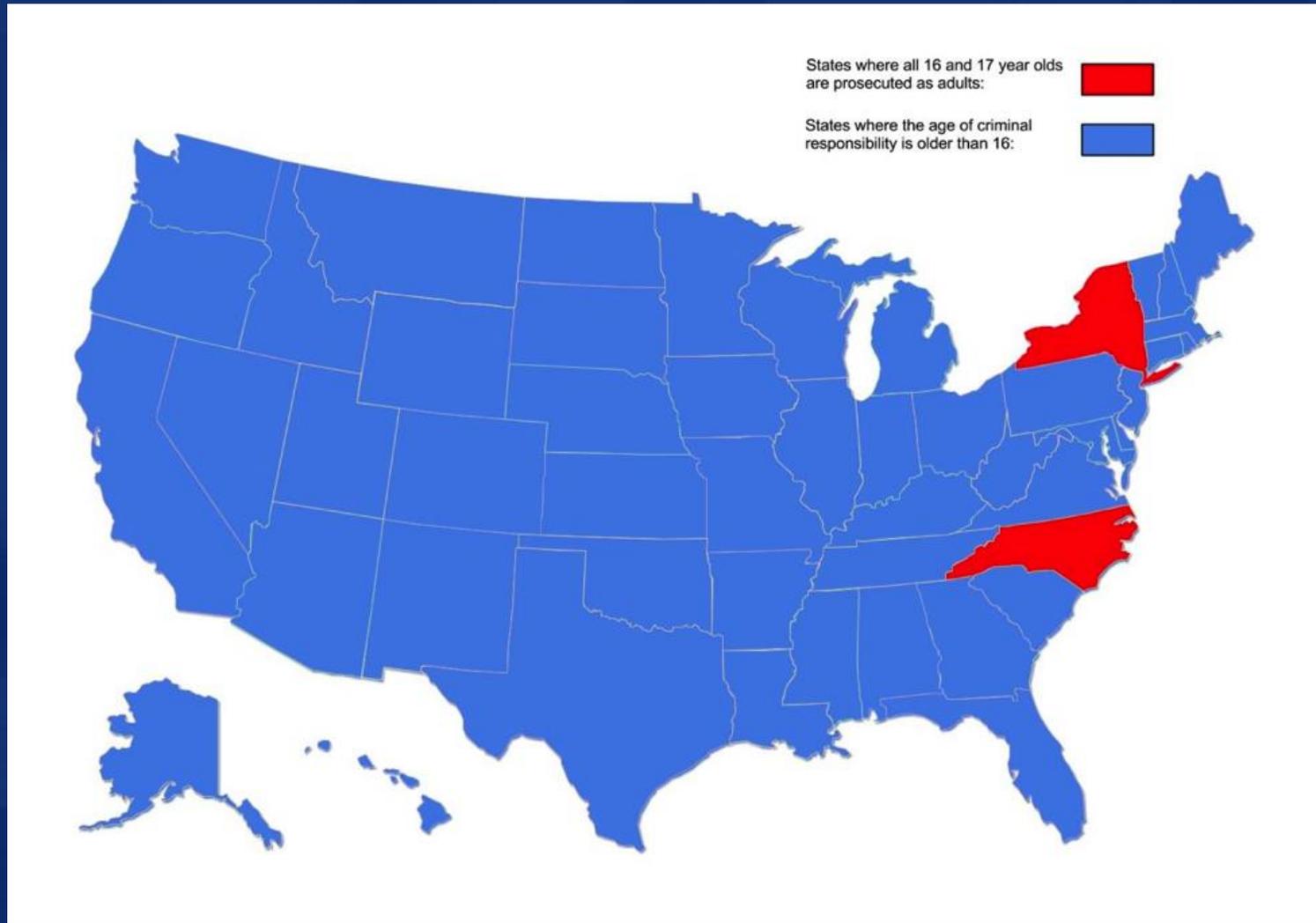
An Overview of the Raise the Age Campaign and Why Central in Action Proposes to Join It

Presented by Whitney Tilson on behalf of the
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Central Synagogue
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The Raise the Age Campaign

- The Raise the Age campaign is focused on age-appropriate treatment of youth in the criminal justice system.
- Specifically, it calls for Governor Cuomo and the legislature to change the state law so that 16- and 17-year olds who are charged with nonviolent crimes are treated as juveniles, not adults, in our state's criminal justice system.

New York Is One of Only Two States That Prosecutes All 16-Year-Olds as Adults



The Tragic Story of Kalief Browder

- At the age of 16, he was arrested and charged with robbing a man of a backpack.
- He denied it and refused to take a plea deal, but because he and his family were too poor to post the \$3,000 bail he was sent to Rikers Island.



Kalief Browder

- He languished there for *three years* awaiting trial, two of them in solitary confinement, isolated for 23 hours/day.
- While there, he was starved and beaten multiple times by both guards and other inmates.
- Here are images from a video tape of one of the beatings:



Kalief Browder

- Eventually prosecutors dropped all charges and released Kalief, but by then he had missed his junior and senior years of high school, as well as his graduation and senior prom.
- In fact, he wasn't even a teenager anymore: he turned 20 four days before he was released.
- He was a broken man, with no high school diploma, no job, no money and no apartment of his own.
- Multiple times a day, he had flashbacks to the horrors he'd seen and experienced at Rikers.



Kalief Browder

- He suffered from terrible depression and, after multiple attempts, finally succeeded in killing himself in June 2015.



Kalief Browder

- His mother, a civil rights activist, never recovered – she died last October, of a broken heart her friends say.



We Need to Fix This System So Nothing Like This Ever Happens Again

Raise the Age is a comprehensive campaign to:

- Take 16- and 17-year old adolescents who are charged with nonviolent crimes out of the adult justice system
 - Prosecution in family or specialized youth courts instead of adult criminal courts
 - Move detention and incarceration of youth from adult to juvenile correctional facilities
- Raise the minimum age of arrest from 7 years old
 - NY is one of only three states that starts arresting children at age 7, the rest are mostly around 10-12

Raise the Age Is a Comprehensive Campaign (2)

- Replace youth prisons and detention centers with community-based alternatives when possible and appropriate.
- Improve rehabilitation and treatment programs for incarcerated youth.
- Address adolescents' mental health needs in the juvenile justice system.
- Make sure that juveniles have appropriate legal protections.
- Address racial and ethnic bias in the system.

Raising the Age Would Affect More Than 20,000 Mostly Minority Youth Every Year

- Every year in our state, 28,000 16- and 17-year-olds are arrested.
- Though 72% of the arrests are for *misdemeanors*, all currently go into the adult criminal justice system.
- 70% of those arrested are African American or Latino, so this campaign is not only about criminal justice reform but also racial inequality.

Raise the Age Is Not a “Get Out of Jail Free Card”

- Adolescents charged with violent crimes would still be handled by the adult system.
- There would still be serious consequences for adolescents charged with misdemeanors.
- But the emphasis would be on rehabilitation, anti-recidivism, and helping youth get on a better track, which is the focus of the juvenile system.
- Instead of incarceration and punishment, which is the focus of the adult system.
- Raise the Age isn't about being tough on crime versus soft on crime – it's about being *smart on crime*.

Other States and Israel Have Shown the Benefits of Raising the Age

- In the last few years, numerous states have Raised the Age, ranging from the very liberal to very conservative: not only Connecticut, Illinois, Massachusetts and New Hampshire, but also Mississippi, Louisiana and South Carolina.
- Given that we're a Jewish community, it's also interesting to note that Israel, both when prosecuting Israeli youth *and* when prosecuting Palestinian youth in its military courts in the territories, has raised the age to 18, set up specialized courts for youth, and does not arrest kids under age 12.
- All of these collective experiences highlight the many reasons why nonviolent 16- and 17-year olds should be going into the juvenile justice system.

16- and 17-Year Olds Are Not Adults, and It Is Immoral to Punish Them as Such

- Those of us who know teenagers (or remember our teenage years) won't be surprised to learn of the research which shows that young adults' brains are not yet fully formed.
- Adolescents can be impulsive, reckless and vulnerable to peer pressure, and can lack judgment and the ability to focus on the consequences of their actions. That's why we don't allow 16- and 17-year olds to vote or serve on juries.
- Yet, for the same reasons, character, personality traits and behavior of adolescents are highly receptive to change. They respond well to interventions, learn to make responsible choices, and are likely to grow out of negative or delinquent behavior.

Thrusting Adolescents Into the Adult System Leads to More Crime, Not Less

- Placing 16- and 17-year-olds alongside adult hardened criminals makes it more likely these youth will become hardened criminals themselves.
- One study showed that youth going through the adult system:
 - Are 85% more likely to be re-arrested for a violent crime
 - Commit more serious new offences
 - Are 26% more likely to be re-incarcerated
- Another study estimated that there would be 300-500 fewer crimes committed in the state each year if Raise the Age is passed.

Having a Criminal Record Can Ruin Your Life

- One reason for the higher re-arrest/re-incarceration rates is that adolescents in the adult system are much more likely to end up with a criminal record (in the juvenile system, records are generally sealed)
- This can have a lifetime harmful effect on virtually every area of life – employment, housing, public assistance, citizenship, travel, voting, college loans – making it hard to “go straight”
- Only one-third return to school and, as adults, they have lower earnings.

It's Dangerous for Adolescents to Be in Adult Facilities

- Adolescents housed in adult facilities are:
 - Five times more likely to be sexually abused
 - Three times more likely to be physically assaulted by guards
 - 50% more likely to be assaulted with a weapon
 - 36 times more likely to attempt suicide
 - Are more likely to suffer from long-term mental health disorders like depression and post-traumatic stress disorder
- *The abuse and long-term effects Kalief Browder suffered weren't the exception, but the rule.*

Juvenile Courts Process Cases Much Faster and Don't Imprison Defendants for Being Poor

- By law, when a juvenile is taken into custody, there must be a hearing before a judge within 48 hours.
- There is a maximum of 14 days between hearings during a trial.
- These time standards don't exist in the adult system, so cases can drag on for years.
- In the adult system many defendants sit in prison for extended periods because they're too poor to post bail – this is what happened to Kalief Browder.
- In family courts, there is no bail so defendants remain free while awaiting trial if a judge determines that they aren't a risk to flee or reoffend.

Raising the Age Will Save the State Hundreds of Millions of Dollars Over Time

- A study by the Independent Democratic Conference in the state senate estimated that Raising the Age will save the state \$117 million *every year* because it costs four times more to incarcerate a youth in an adult facility rather than a juvenile one.
- In addition, the youth who benefit from Raising the Age every year will have \$358 million in additional lifetime earnings, yielding \$30 million in state taxes, plus the state will save \$56 million in lifetime welfare payments, social support programs, and healthcare costs.

Why This Is a Great First Campaign for Central in Action to Engage in Right Now

- 1) It's consistent with our tradition, which commands us to teach our children, care for them, guide them, and raise them well.
- 2) It would help heal real suffering taking place today in our city and state.
- 3) It's consistent with the second-most cited issue we heard during our Listening Campaign, reform of our criminal justice system.
- 4) This campaign has a clear objective and a defined timeframe: we aren't making an open-ended commitment; rather, we're going to try to get this passed this legislative session, in the first half of this year.

Why This Is a Great First Campaign for Central in Action to Engage in Right Now

5) The political winds are favorable. People across the political spectrum – ranging from Gov. Cuomo to the Koch Brothers – believe that raising the age is a good idea and have declared it a priority.

This doesn't at all mean it's a done deal, however. This issue has been on the agenda in Albany for years, so it's going to need a big, strategic push from faith communities and other parts of civic society to actually make it happen this session.

Why This Is a Great First Campaign for Central in Action to Engage in Right Now

6) There is a well-organized coalition behind this issue that has asked us to join them. It's led by partners we have come to trust, including mainstream children and youth organizations and other synagogues and faith-based institutions.

They – and we – believe that adding Central's resources, clout, relationships, and moral faith voice will materially increase the chances that Raise the Age is finally achieved in our state.

There Are Many Ways We Could Engage – We Need Your Input and Involvement

- The coalition has invited us to join them in Albany to make our case to lawmakers, which we could also do here in our home districts.
- We could reach out to our sister Reform Jewish communities upstate, where some important legislators need convincing.
- We could work with our teens to engage them.
- We could tie our work to Passover this year and invite our whole community to participate, as we ritualize freedom and hope.
- We could host some major decision makers and elected officials here to tell our stories and ask them to commit to getting this legislation over the finish line this year.

Conclusion

- There is so much we can do to heal this pain and we need the power of our community to make it happen.

Thank you!