16- and 17-year-olds don't belong in adult prisons (editorial)

Cuomo-Sentencing Reform

Gov. Andrew Cuomo speaks during a news conference at the Greene Correctional Facility on Thursday, May 28, 2015, in Coxsackie, N.Y. Cuomo is promoting a legislative proposal to raise the age of criminal responsibility from 16 to 18 years of age. That would spare minors from adult prisons and jails. (PAUL BUCKOWSKI)

Staten Island Advance Editorial By Staten Island Advance Editorial on May 30, 2015 at 8:00 AM, updated May 30, 2015 at 8:06 AM

New York is one of only two states in the nation (the other being North Carolina) to prosecute 16- and 17-year-olds as adults. Those convicted are sent to prison with hardened criminals.

But this will change if the state Legislature votes to approve Gov. Andrew Cuomo's "Raise the Age" proposal, an effort to save non-violent minors from abuse at the hands of hardened prison inmates and, it's hoped, a career of crime.

"It is too early to condemn a 16-year-old to a life without redemption," Mr. Cuomo said of the need to prevent young lawbreakers from being imprisoned along with adult convicts.

The governor wants to raise the age of criminal responsibility from 16 to 18 years old and remove all minors from adult prisons and jails.

His proposal has won widespread support among members of the state's law enforcement community, as well as from children's and civil rights advocates.

We urge members of the state Senate and the Assembly to approve this common-sense reform before the current session of the Legislature ends on June 17.

There are approximately 90 inmates statewide who are under age 18 and incarcerated in prisons for felonies. The state ought not to add to that total.

'Improving public safety'

Mr. Cuomo says that removing 16- and 17-year-olds from the world of adult prosecutions and convictions "is key to both improving public safety and helping at-risk teenagers build safe and successful futures."

The fact is, youths processed as adults have a 26-percent greater likelihood of re-incarceration than youths processed as juveniles with the prospect of rehabilitation.

Enacting this "Raising the Age" initiative would surely improve public safety for that very reason. As the
governor points out, "Without this reform, hundreds of young people each year will continue to be placed in adult prisons, where they face abuse and limited opportunities to rebuild their lives — which makes it more likely that they will commit criminal activity in the future."

Helping young offenders get back on track through means other than imprisonment is touted as a way for New York to reduce the cost of repeat imprisonments.

"Do you really want to pay for a prison cell for 16-year-old for the rest of their lives?" Mr. Cuomo asks. "Do you really want to pay $40,000 to $50,000 per year for 50 years to incarcerate that young person?"

'Hybrid' facilities

Under the "Raise the Age" initiative, 16- and 17-year-olds convicted of non-violent felonies could be sentenced to a "hybrid" facility, a place that is neither an adult prison nor a juvenile detention center to which younger offenders are sent.

Currently, more than $100 million is spent each year to house troubled youth in detention and placement, even when they are not accused of committing any crime.

"So if you have a 16- or 17-year-old who made a mistake, or made a bad choice, or a bad act, try to give them a skill and education so you can actually improve their lives," Mr. Cuomo said about his proposal.

It's one of the recommendations made by the governor's Commission on Youth, Public Safety & Justice.

Other recommendations

Besides removing minors from adult jails and facilities, the panel's recommendations for young people include: revising arrest and police custody procedure; revamping pre-trial diversion and court processing; expanding services to assist offender re-entry to communities; and addressing the collateral consequences of juvenile and youthful offenses.

The commission comprises members of the law enforcement community, criminal justice system and children's and civil rights advocates.

Its recommendations are designed to reduce the number of crimes against people by 1,500 to 2,400 every five years and save taxpayer dollars.

At the moment, the focus is on the "Raise the Age" proposal, which is being debated in Albany in the Democrat-led Assembly and the Republican-controlled Senate.

"Even if the Senate and Assembly can't agree on everything, they must agree to get the 16- and 17-year-olds out of state facilities and into discrete facilities where they are getting the services they need," said Mr. Cuomo.
We hope this important reform doesn't get lost in the shuffle as the Legislature rushes to end its session.

Let's give young offenders a second chance.

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