



# Policy Brief from the Office of Assemblywoman Latoya Joyner

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# 33,000

Number of 16-and 17-  
year-olds arrested in  
New York State

Source: Correctional  
Association of New York

Number of youth tried, sentenced,  
or incarcerated as adults every  
year:

# 250,000

Source: Campaign for Youth Justice

## Giving our youth a second chance

In 2013, more than 33,000 16-and 17-year-olds were arrested as adults in New York State, according to the Correctional Association of New York. Not only are these minors in grave danger from the grips of our criminal justice system, studies show that prosecuting them as adults can increase crime in our society. Prior research has found that youth charged in New York adult courts are more likely to re-offend with a violent offense.

Ensuring that 16-, 17-and 18-year-olds charged with misdemeanors will be treated as youthful offenders can help our communities for the better and bring uniformity to New York's legal system. This can be achieved by making sure that youthful offender determinations will be the same for defendants who are convicted in local and superior court (county or supreme).

Youthful offender status is particularly important because it removes the criminal record and label that would otherwise stay with the person through life. Under current law, a youthful defendant who is convicted in a superior court may be treated differently than someone who is convicted in local court. The statute now allows a superior court judge to deny youthful offender status, while a local court judge is required to grant youthful offender status.

## Legislation:

**Assembly Bill A.7212:** An act to amend the criminal procedure law, in relation to youthful offender determination and alter the current practice in which defendants who are ages 16, 17, or 18 are considered for youthful offender status. It will require a defendant in a superior court who is found guilty of a misdemeanor, either by guilty plea or after trial, be adjudicated as a youthful offender.

## Message from Assemblywoman Joyner:

This legislation is about ensuring equitable treatment of our youth is put at the heart of our criminal justice system – especially for first time youthful misdemeanor defendants – whether their cases are resolved in a local or a superior court. Ensuring youthful offender status in both courts is essential to guaranteeing that youthful transgressions don't lead to the lifelong stigma of a permanent criminal record, and makes sure all New Yorkers are given the opportunity for a second chance.