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OP ED

BY STATE SENATOR VELMANETTE MONTGOMERY

“Raise the Age: The Movement Behind the Slogan”

■ *By State Senator Velmanette Montgomery*

“**R**aise the Age” is more than just a slogan. For me and the members of the Senate Democratic Conference, it is part of a much larger movement to fundamentally change juvenile justice in New York State. As the ranking member of the Senate Children and Families Committee, and more importantly, as the mother of a young man of color, this is an issue that I simply do not have the privilege of ignoring. Every time a child from my community is needlessly entangled in the criminal justice system, I think of what could have been, had the right resources been available to them.

Last summer, I ran into the grandmother of a young man who, now in college, could have easily been lost in the system. At just 12, someone hid a gun in his backpack and he was facing serious charges. I accompanied him to court to let everyone present know that he was not left alone to be swallowed up by a process that would have shuttled him right into the prison pipeline.

Unfortunately for so many other children, these situations end with an extended stay in Rikers or a detention facility upstate. If they are slightly older at 16 or 17 years old, they are automatically treated as adults. This is unacceptable. Throwing troubled children into our adult criminal justice system leaves them to be victimized in an environment that does not support nor respect them. It is detrimental to their chances of rehabilitation, hinders their path to a career and successful citizenship and jeopardizes our public safety.

“Raising the Age” continues to be an essential part of our movement to reform the juvenile and criminal justice systems. The legislation that I have been introducing since 2012 (S4157) is the same as the recently

passed Assembly bill A4876, introduced by Assemblyman Joseph R. Lentol. This bill is comprehensive and though similar in procedure, has significant differences from other proposals. It would take effect immediately to protect 16- and 17-year-olds, make it easier for youth to seal their records, and would require the state to fully reimburse localities for expenses related to “Raise the Age”. One of the most important parts of S4157 is that Family Court, which has an abundance of appropriate resources, would become the starting point for these children. Only if absolutely necessary, they would be kicked up to Criminal Court.

Through his budget, the executive has introduced a “Raise the Age” proposal; however, his bill includes an expanded number of offenses for which youth can be charged as adults. For example, various traffic infractions and drug possession would still be handled in Criminal Court.

We need to “Raise the Age” and we need to do it right. We cannot do this incrementally or come back and fix it in a few years. I do not want to open the paper to headlines that read, “New York Finally Raises the Age!” only to find that, in fact, we’ve done very little to improve the system for young people. We owe it to our youth to dismantle the prison pipeline completely, not simply reroute it. I call on my Senate colleagues to pass, and for the governor, to sign S4157. This is strong and comprehensive “Raise the Age” legislation that would change the lives of thousands of young people.

I urge my constituents and others who care about juvenile justice reform to call the governor (518-474-8390) and the Majority Coalition in the state Senate (518-455-2800) and ask them to support S4157. It is an outrage that we are one of only two states that still refuses to show our children the compassion they deserve and we must correct this injustice now.