

Rochester D & C - Approve plan to raise the age (Editorial)

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Fear of the unknown is a powerful thing. It can push even the most rational person to argue against making a change that is for the betterment of society as a whole.

Uncertainty (and the apprehension that comes with it) was the brick wall that last year stopped Gov. Andrew Cuomo's proposed legislation to raise the age of criminal responsibility to 18. Currently, New York is one of only two states that process 16 and 17-year-olds as adults through the criminal court system. As a result, there are hundreds of teenagers who are placed in prison, facing daily contact with hardened criminals.

Gov. Cuomo's 2016-2017 executive budget once again includes a plan to raise the age of juvenile jurisdiction to 18. Youths age 16 and 17 who are accused of misdemeanors or non-violent felonies would have their cases sent to family court and would be treated as juvenile; those accused of serious violence would still face justice as adults.

Before the legislative session ends in June, the Assembly and the Senate should approve legislation that amends the penal code and raises the age. It's well past time for New York to end this draconian law that sends adolescents to adult prisons where they are often prey for physical abuse. Research indicates that the impact of teens in adult prisons includes higher suicide rates and increased recidivism, according to a report by the Commission on Youth, Public Safety and Justice.

Critics of the plan have expressed several concerns, and several are valid. Opponents of the change, for instance, were concerned about whether an already taxed Family Court could handle the load of cases for 16 and 17-years-olds from adult criminal court. And then there is the question of where juvenile offenders would be housed if moved from adult facilities. If the governor's office hasn't ironed out these issues and answered these questions, it must do so.

It should be noted that, despite failure to enact legislation to raise the age last year, some progress has been made. By executive order, Gov. Cuomo directed the Department of Corrections and Community Supervision to remove minors from adult prisons to a juvenile facility. Hudson Correctional Facility will house the youthful offenders, with the first group to be transferred by August.

The governor's office continues to reach out to members of the Legislature who still have doubts about raising the age of criminal responsibility. The good news is, there are indications from Albany that the Senate, which has been opposed to raising the age, is open to negotiation on the issue. The state Assembly has been supportive of the raise the age plan.

Now, Gov. Cuomo and the Legislature must find a way to work together and make the plan to raise the age a reality.

