Legislation Details (With Text)

File #:	Res 0283-2018	**Version:**	*	**Name:**	Review of cases involving persons convicted of a crime at the age of 16 or 17 years of age, before Raise the Age legislation went into effect.
Type:	Resolution			**Status:**	Adopted
				In control:	Committee on Juvenile Justice
On agenda:	4/11/2018				
Enactment date:				**Enactment #:**	

Title: Resolution calling upon the Governor to coordinate a review of cases involving persons convicted of a crime at the age of 16 or 17 years of age, before Raise the Age legislation went into effect, who are currently incarcerated or are sentenced in criminal court to ensure those sentences are equitable and just.

Sponsors:

Indexes:

Attachments: 1. Res. No. 283, 2. April 11, 2018 - Stated Meeting Agenda, 3. Hearing Transcript - Stated Meeting 4-11-18, 4. Minutes of the Stated Meeting - April 11, 2018, 5. Committee Report 4/18/18, 6. Hearing Testimony 4/18/18, 7. Hearing Transcript 4/18/18, 8. Committee Report 9/20/18, 9. Hearing Transcript 9/20/18, 10. September 26, 2018 - Stated Meeting Agenda with Links to Files, 11. Hearing Transcript - Stated Meeting 9-26-18, 12. Minutes of the Stated Meeting - September 26, 2018

Date	Ver.	Action By	Action	Result
4/11/2018	*	City Council	Introduced by Council	
4/11/2018	*	City Council	Referred to Comm by Council	
4/18/2018	*	Committee on Juvenile Justice	Hearing Held by Committee	
4/18/2018	*	Committee on Juvenile Justice	Laid Over by Committee	
4/18/2018	*	Committee on Justice System	Hearing Held by Committee	
4/18/2018	*	Committee on Justice System	Laid Over by Committee	
9/20/2018	*	Committee on Juvenile Justice	Hearing Held by Committee	
9/20/2018	*	Committee on Juvenile Justice	Approved by Committee	Pass
9/26/2018	*	City Council	Approved, by Council	Pass

Res. No. 283

Resolution calling upon the Governor to coordinate a review of cases involving persons convicted of a crime at the age of 16 or 17 years of age, before Raise the Age legislation went into effect, who are currently incarcerated or are sentenced in criminal court to ensure those sentences are equitable and just.

By Council Members Powers, Brannan, Rivera, Kallos and Rosenthal

Whereas, In April of 2017, Governor Andrew Cuomo signed legislation known as “Raise the Age” into law; and

Whereas, Pursuant to Raise the Age, New York state will no longer automatically prosecute 16- and 17-year-olds as adults by October 2019; and

Whereas, Prior to the passage of this legislation, cases involving 16- and 17-year-old defendants were adjudicated in the criminal justice system, and deprived of the treatment and services afforded to juveniles; and

Whereas, In New York, juvenile cases are adjudicated in Family Court by judges with special training and access to social services; and

Whereas, The courts collaborate with the Administration for Children's Services, the Department of Probation, the Department of Education, attorneys, community-based providers and others to provide a wide range of services to improve the lives of children and families involved in the juvenile justice system; and

Whereas, The overarching goal of the juvenile system is to rehabilitate young people who commit offenses by coordinating services that meet their special needs; and

Whereas, According to the Administration for Children's Services, 46% of youth placed into juvenile detention facilities required mental health services in 2017; and

Whereas, In the New York City juvenile justice system, several programs offer a range of supervision to youth, with the goal of detaining only those who pose a high-risk to themselves or their communities; and

Whereas, Moreover, a conviction for a juvenile in Family Court is not considered a criminal conviction and therefore youth do not have a criminal record as a result of the proceeding; and

Whereas, Family Court Judges, in a response to a motion made by the youth, may seal any records related to the case; and

Whereas, Before the passage of Raise the Age, cases involving 16 -and 17- year olds were adjudicated in the adult criminal justice system, which is widely considered more punitive, imposing longer prison sentences and resulting in youth having criminal records along with negative collateral consequences; and

Whereas, Considering the significant change in practice that is being gradually implemented, incarcerated persons whose cases were adjudicated in adult criminal court, instead of Family Court, at the age

of 16 or 17 should have their sentences reviewed and commuted accordingly; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Governor to coordinate a review of cases involving persons convicted of a crime at the age of 16 or 17 years of age, before Raise the Age legislation went into effect, who are currently incarcerated or are sentenced in criminal court to ensure those sentences are equitable and just.

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03/09/18
CMA