



New York needs to pass the YOUTH JUSTICE AND OPPORTUNITIES ACT

S. 4330 (Myrie) / A. 5293 (Walker)



The Youth Justice & Opportunities Act (“YJ&O”) expands alternatives to incarceration, diversion, and immediate record sealing for young people who are arrested in New York. It recognizes that emerging adults—young people ages 18 to 25—have unique needs and tremendous potential. Rather than punishing risk-taking and mistakes with harsh sentencing and the barriers that accompany a criminal conviction, YJ&O provides for effective, age-appropriate interventions to move young people out of the criminal legal system and into education, stability, and economic opportunity.

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Each year, tens of thousands of young people—mostly Black and Brown youth—are arrested in New York and face adult prosecution and criminal records, with no protections based on age.

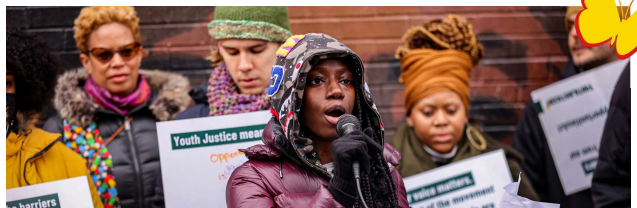


Photo by Johnny Perez

WHY NEW YORK NEEDS THE YOUTH JUSTICE AND OPPORTUNITIES ACT:

YOUTHFUL OFFENDER (“YO”) STATUS



Under current New York law, judges can grant YO status to young people under the age of 19, which allows for sentencing to a program or treatment instead of jail, and seals cases so they don’t show up on background checks. However, the current YO law has three key limitations.

3 LIMITATIONS OF “YO” STATUS



YO does not apply to adolescents and young adults, ages 19-25.



YO is only automatic in very limited cases, which means that whether a young person gets YO often depends on where they were arrested and how good their lawyer is.



Once a young person receives YO status for a felony, they can never get YO status again.

THE YOUTH JUSTICE AND OPPORTUNITIES ACT WOULD:



Create a new “Young Adult” (YA) status for young people ages 19-25.



Make YO mandatory for most low-level offenses like shoplifting and turnstile jumping.



Give judges more options to grant YO and YA, including the power to grant YO/YA more than once.



Allow judges to sentence young people to treatment or other programs, instead of jail or prison.



Allow people who were convicted when they were 25 or younger to apply to be “re-sentenced” and granted YO or YA status retroactively.



Allow judges to waive surcharges and fees for all young people up to age 25.



YJ&O protects the futures of young people up to age 25, by providing emerging adults the opportunity to move forward in their lives without the barrier of a criminal conviction.



YJ&O reduces State and local spending on youth incarceration—money that should be invested in communities to prevent violence and promote opportunities.



YJ&O increases community health and safety by stabilizing communities, promoting public health, furthering racial justice, and increasing safety for all.