

# RAISE the AGE | NY

## Governor Hochul Signs Legislation Allowing Youth Tried as Adults Second Chance to Seal Records

*November 4, 2021.* On Tuesday, Governor Hochul signed **S.282 (Myrie) / A.6769 (Hyndman)**, legislation providing people who were eligible for youthful offender (YO) status but denied in the past a new opportunity to apply for it. The measure is an important extension of the 2017 “Raise the Age” law.

Championed by Senator Zellnor Myrie and Assemblymember Alicia Hyndman, the bill was also endorsed by the [Black, Puerto Rican, Hispanic & Asian Legislative Caucus as part of a robust commitment to Expanding Youth Justice in New York](#).

No individual should be interminably judged for a conviction, especially one that they received as a teenager. **But for young people who were denied youthful offender status at the time of their conviction, there is no “second chance” to apply for it.** The consequences of adult criminal convictions disproportionately impact Black, Latinx, and other youth of color. They also exacerbate existing racial inequalities. This legislation allows a person who has served their sentence to apply for a new YO status determination, and for a court to provide relief from the civil consequences of a criminal conviction imposed during adolescence.

The Second Chance for YO bill is an important first step toward expanding protections for young people tried as adults in New York and towards ending the perpetual punishment of New Yorkers with convictions. We look forward to working with the legislature and governor to further expand protections for young people in the legal system.

"New Yorkers are safest when people who've made mistakes in their youth have a real shot at a second chance," said **Senator Myrie, sponsor of the legislation**. "This bill will strengthen and stabilize communities by allowing people to apply for reconsideration as a youthful offender which, if granted by the court, will allow them to contribute to their families and futures."

"The enactment of this law ensures that young people are not marred by a criminal record," said **Assemblymember Alicia Hyndman, sponsor of the legislation**. "As we continue to recover from the pandemic it is especially critical that we enhance opportunities for advancement through education and employment. This law opens that door for so many young people. I also commend my colleague Aravella Simotas for bringing this important issue forward and for her tireless advocacy."

“As someone who fought for Raise the Age and has been advocating for young people in the system for over a decade - and who was impacted myself by the stigma of a felony record at age 17 - I thank the legislature for passing this important bill and the Governor for signing it,” said **Aminta Williams, Founder and Director of Triple FFF, Flowers Fearlessly Flourishing.**

"When young people can succeed, communities thrive. We thank Governor Hochul for signing this important legislation, and for Senator Myrie and Assemblywoman Hyndman for sponsoring the bill. Expanding youthful offender protections removes barriers that get in the way of jobs, school and housing, especially for Black and Latinx youth who are overrepresented in the criminal legal system. We need all of our community members participating in our economic recovery and healing from the COVID pandemic. This bill is an important step towards that goal," said **Kercena A. Dozier, Executive Director of Children's Defense Fund-New York.**

“At Youth Represent we have worked with countless young people who, because they received youthful offender status, have been able to leave the stigma of a criminal conviction behind as they pursue education, employment, stable housing, and other goals,” said **Kate Rubin, Director of Policy at Youth Represent.** “Young people can be denied youthful offender status at sentencing for all kinds of reasons, and whether it is granted is often a matter of luck and privilege – which county you’re arrested in, which judge you’re before, the depth of support and services available, and the color of your skin. This legislation takes an important first step towards expanding youthful offender protections by allowing young people who were denied them at sentencing the chance to apply for reconsideration. We thank Senator Myrie, Assembly Member Hyndman, Assembly Member Solages, and the Black, Puerto Rican, Hispanic & Asian Legislative Caucus for championing this bill, and Governor Hochul for signing it. We look forward to working with the legislature and Governor to expand protections for young people in the adult legal system.”

“This is a significant win the fight for youth justice and greater race equity in New York. Criminal convictions too often lead to lifelong barriers to economic security. This legislation will lead to expanded protections for young people and remove significant barriers to employment and economic mobility. **Citizens’ Committee for Children** thanks Senator Myrie, Assembly member Hyndman, and Governor Hochul for championing this this important reform,” said **Jennifer March, Executive Director.**

“Youth should not have to shoulder the consequences of a criminal conviction for a lifetime, and these punitive laws only hurt our communities rather than keeping them safe. Creating lifelong barriers for behavior that has been shown, for the most part, to be time-limited is an unnecessarily harsh consequence for young people and fails to support true community safety,” said **Tina Luongo, Attorney-In-Charge of the Criminal Defense Practice at The Legal Aid Society.** “Relieving the civil consequences of a conviction will allow many young people, particularly young people of color, to meaningfully join the workforce and housing market and reach their full potential as contributing members of our communities. The Legal Aid Society thanks Governor Hochul for enacting S.282/A.6769, and bill sponsors Senator Zellnor Myrie and

Assembly Member Alicia Hyndman and former Assembly Member Aravella Simotas for their unwavering support on this critical issue.”

“At the Youth Shelter Program of Westchester, we believe it is important that youthful offenders be processed as youth,” said **Joanne Dunn, Executive Director of the Youth Shelter Program of Westchester**. “By signing this legislation, S.282 (Myrie) / A.6769 (Hyndman), Governor Hochul has provided a critical second chance for young offenders to restore their lives and reimagine their futures without the burden being convicted as an adult carries.”

Until now, when a judge decided whether to grant YO status to a teenager at sentencing, the Court was using its one and only chance to recognize their youthfulness by removing the lifelong barrier of a felony conviction to accessing work, housing, vocational licensing, and obtaining loans,” said **Chris Pahigian, Executive Director of the Youth Justice Network**. “Second Chance for YO offers young people an opportunity to ask for reconsideration if they had been previously denied YO. Second chance for YO is courageous legislation which reflects the will and has the capacity to promote racial justice over time. We applaud Governor Hochul for signing the law which allows eligible young people to retroactively apply for YO designation.

For more than 30 years, Youth Justice Network has worked with NYC’s adolescents and young adults in their transition home from custody – in their attempts to get work, find a place to live, pursue a vocational license. The consequences of a criminal conviction on one’s record – on a young person of color’s record – are permanent. Second Chance for YO will ease that permanent pressure for some, facilitating young adults’ opportunity to exercise their full potential. This law is simple at its core, and it is just.”

“We applaud Governor Hochul for signing the Second Chance for YO Act and giving people an opportunity to have youthful convictions sealed. This will create new opportunities for employment, housing, and education for many New Yorkers. It’s an important step toward ending the lifelong punishment people face after involvement with the criminal legal system,” said **Alison Wilkey, Director of Public Policy at the John Jay College Institute for Justice and Opportunity**.

“People who were convicted of crimes in adolescence deserve a second chance, free of stigma and a criminal record which can stand in the way of finding employment, housing, and building a financially independent and stable life. Thank you Governor Hochul for signing the Second Chance for YO Act (A.6769/S.282) and taking one step forward to addressing the racial inequities that disproportionately impact Black and Brown New Yorkers,” said **Jennifer Feinberg, Litigation Supervisor for Policy and Government Affairs, Center for Family Representation**.

“A second chance for youthful offender status will mean the world to young people who are unjustly stigmatized for a conviction they received and are too often denied employment, housing, and educational opportunities as a result,” said **Sandy Santana, Executive Director, Children’s Rights**. “This is an especially welcome moment for young people of color, who are

disproportionately impacted by the consequences of adult criminal convictions. We are grateful to the governor for signing this courageous legislation. It is a win for young people who deserve the chance to move on with their lives - and in the ongoing fight for racial justice in the criminal legal system.”

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