



Raise the Age

ADVOCACY GUIDE



Action for Children North Carolina
3109 Poplarwood Court, Suite 300
Raleigh, NC 27604
Phone: 919.834-6623

For more information, visit: www.ncchild.org and www.raisetheagenc.com



Dear Advocate,

Congratulations! You've decided to get involved with the Campaign to Raise the Age! The Raise the Age Campaign seeks to raise awareness about the impact of prosecuting 16 and 17-year-old youth in the adult criminal justice system. The Raise the Age Campaign believes that youth deserve a second chance, and should not be tried and incarcerated in the adult criminal justice system, especially for minor offenses.

North Carolina is one of two states that automatically prosecutes all 16 and 17-year-olds as adults, no matter how minor the offense. Tell North Carolina's leaders that it's time to join the rest of the country. Tell them to throw out this nearly 100-year-old law and put 16- and 17-year-olds accused of low-level offenses in the juvenile justice system, where they can be rehabilitated.

In taking action, you will be joined by thousands of other people throughout the state and country in raising awareness of this issue.

We hope you find this information helpful as we work together to make a difference in the lives of North Carolina's children. THANK YOU for supporting the campaign to raise the age of juvenile court jurisdiction from 16 to 18 in North Carolina!

Sincerely,

Raise the Age Campaign
Action for Children North Carolina

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The goal of this Advocacy Guide is to provide you with the tools, skills and expertise necessary to help you make your case to decision-makers.

Winning the Raise the Age campaign in today's political and economic environments are much more than just half the battle. With a mountain of issues for legislators to consider, the Raise the Age campaign needs spokespeople confidently making the case.

This guide provides:

- ❖ Main message
- ❖ Dispel the myths & raise the age
- ❖ How to talk with the media
- ❖ How to write a letter to the editor
- ❖ How to send a letter or email to a legislator
- ❖ A script for calling a legislator
- ❖ Delivering key messages

MAIN MESSAGE: 30 Second Elevator Speech

The 30 second elevator speech below should be used when speaking with the media, elected officials, friends, family members, parents and youth. Remember—first impressions are everything! Make sure you have a handle on the issue.

We all want our kids to learn from their mistakes, go to school and get good jobs. But North Carolina is one of only two states that automatically prosecute all 16- and 17-year-olds as adults – for something as minor as stealing a candy bar.

This outdated system leads to exactly what we don't want -- North Carolina's kids' lives damaged by a permanent adult record. About 30,000 North Carolina kids are harmed because of our money-wasting, counter-productive system.

North Carolina should Raise the Age of juvenile jurisdiction from 16 to 18, and turn our kids into productive adults while holding them accountable and saving money for everyone. Tell your legislator to Raise the Age.

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Dispel the Myths & Raise the Age

MYTH (AND MISTAKE): Raise the Age means being soft on crime.

REALITY: Raise the Age is tougher on offenders —the juvenile system is punishment and treatment-oriented. The juvenile system holds youth **and** parents accountable unlike the adult system.

Raise the Age only applies to young people who commit low level offenses. Serious, violent offenders will remain in the adult system. Also, the transfer law won't change—judges still retain the discretion to transfer any youth age 13 or older accused of any felony to adult court.

The fact is, 16- and 17-year-olds sentenced to the adult system end up with higher re-arrest rates than all youthful offenders ages 13 to 21. The juvenile system is tough, and it works.

MYTH (AND MISTAKE): Raise the Age will cost too much.

REALITY: Raise the Age will save North Carolina taxpayers millions. It will mean fewer repeat offenders and fewer people in our jails, which saves money -- offsetting the modest startup costs. Raising the Age will generate \$52.3 million in benefits every year from the combined perspectives of taxpayers, youth and victims. Over time, Raise the Age will generate \$97.9 million in long-term benefits as a result of 16-and 17-year-olds not having an adult record.

Youth handled in the juvenile justice system return to the system far less than youth dealt with in the adult system. Less crime means more public savings, higher state GDP and more tax revenue for the state. Forty eight other states -- from Massachusetts to Mississippi -- have figured out how to raise the age because it's worth it.

MYTH (AND MISTAKE): The juvenile justice system is not equipped to handle 16 and 17-year-olds.

REALITY: In North Carolina, focusing on the appropriate treatment of youths has led to a 12-year low in the offense rate among children aged 15 and younger. All signs point to a similar beneficial outcome with 16- and 17-year-olds.

The juvenile system is accustomed to handling the complex needs of youth of **all** ages. In fact, the average age of youth entering the juvenile system is 15 1/2. Most youth stay in the system at least one year. That means the juvenile system is used to treating older youth.

MYTH (AND MISTAKE): Raising the age has not been studied.

REALITY: The Youth Accountability Planning Task Force, a statewide body of legislators, judges, law enforcement, court counselors, service providers and state agency representatives, studied the issue for 18 months. Task Force issued its final report in January 2011, which outlined the cost impacts, changes to current laws and plans for program and service expansion.

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Raising the age will not happen without proper planning and funding. The current legislation raises the age in six-month increments over a four-year period (from bill passage). Legislators are committed to ensuring that this policy change is properly planned and funded.

MYTH (AND MISTAKE): Many youth are serious, repeat offenders.

REALITY: The fact is, most offenses committed by youth are minor and most youth are first time offenders. Of 16 and 17-year-olds: 79% are accused of misdemeanors. 18% are accused of low-level felonies (class F-I). Only 3 percent are accused of serious felonies (class A-E). 67% are first-time offenders; another 21% have committed one minor offense—most often a misdemeanor.

MYTH (AND MISTAKE): Raise the Age isn't necessary because judges and DAs already keep 16- and 17-year-olds out of adult court.

REALITY: We can't leave our kids' future to chance. Or risk some kids being treated differently than others, just because of where they live. Raise the Age will make sure ALL our kids get the same treatment, regardless of where they live: serious, appropriate consequences and treatment **in the juvenile system** and a fair chance at becoming a productive adult.

North Carolina's expunction laws are limited to a specific age group and type of offense (e.g., offenders under age 18; underage drinking, simple drug possession; first offenders for G-I felonies with exceptions). Only a few offenses are eligible to be erased from a person's criminal record. The expunction process is costly and time consuming. Most families lack the information and resources to pursue expunction.

MYTH (AND MISTAKE): Law enforcement and judicial officials are firmly against Raise the Age.

REALITY: Raise the Age enjoys bipartisan support, including legislators, law enforcement and judicial officials. The bipartisan legislative team working on Raise the Age in the General Assembly has been meeting with law enforcement officials across the state. We all agree that reducing crime and saving money are important for our state. Raising the Age **will** reduce crime and save money -- exactly what everyone wants.

Former President of the N.C. Association of Chiefs of Police Frank Palombo has said, "The Raise the Age bills provide the right combination of helping our youngsters while protecting the public. The bills properly phase in the changes for misdemeanor and low-level felony offenses while keeping violent young criminals in the adult system."

Former NC Supreme Court Justice and Republican candidate for governor Robert Orr is one of many supporters. He wrote in an op-ed, "Our General Assembly now has the opportunity to discuss and potentially change a criminal justice practice that is not serving the best interest of the public, and certainly not serving the best interest of thousands of teenagers."

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Talking with the Media

When a reporter calls, be certain that you understand the reporter's request and make a note of the following:

- Reporter's name
- Name of the newspaper or broadcast station
- Reporter's timeframe or deadline for getting back to him/her with your information
- Interview topic and angle of story
- Who else will be interviewed for the story
- Tell the reporter the appropriate person will call back as soon as possible

Once you have the information outlined above please email this media inquiry to the Raise the Age Communications Consultants. *Note: Please hold off on any further action until you hear back from one of the team members below.*

Greg Behr - gebehr@gmail.com

Billy Warden - billy@billywarden.com

Brandy Bynum - brandy@ncchild.org

If you are at an event that requires an immediate response: We recommend using the "30 second elevator speech," to make sure you highlight all the major points related to the importance of Raise the Age.

We all want our kids to learn from their mistakes, go to school and get good jobs. But North Carolina is one of only two states that automatically prosecute all 16- and 17-year-olds as adults – for something as minor as stealing a candy bar.

This outdated system leads to exactly what we don't want -- North Carolina's kids' lives damaged by a permanent adult record. About 30,000 North Carolina kids are harmed because of our money-wasting, counter-productive system.

North Carolina should Raise the Age of juvenile jurisdiction from 16 to 18, and turn our kids into productive citizens while holding them accountable and saving money for everyone. Tell your legislator to Raise the Age.

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How to Write a Letter to the Editor

Essential points for a strong letter to the editor:

- Shorter is always better, 200 words or less.
- Make your point at the beginning and then provide clear examples.
- When writing in response to an article, cite the article and publication date at the beginning of your letter.
- If there's no coverage hook or it's too old (three weeks or so past), just refer to 'recent coverage.'
- Address the letter (in email form) "To the editor:"
- Also send the letter to the preferred email address for letters to the editor listed on the publication's Web site.
- Write an original letter. The sample below is only to give you an idea of how a letter should be structured using raise the age campaign messaging.

To the Editor:

Regardless of political party, we can all agree that it's important to create opportunities for North Carolina's youth to succeed. Yet, as recent coverage shows, our outdated criminal system ensures that youth who commit minor offenses are forever scarred by an adult record.

We all make mistakes as youth. Only in North Carolina and New York are 16- and 17-year-olds hindered by an adult record for the rest of their lives -- even for low-level offenses. It's an injustice that hurts us all--youth from other states who committed the same mistakes don't have to bear the same burden when applying for schools and jobs.

Should doing something silly--but definitely wrong--like stealing a bag of Doritos from a lunch line or Gatorade from a snack stand limit our youth's potential for the rest of their lives and increase their chances of becoming career criminals?

Both are real examples and both do not represent how I want my tax money spent.

Let's give North Carolina's youth a chance to succeed. Bipartisan legislation this spring seeks to Raise the Age of juvenile jurisdiction, bringing our state in line with 48 others. I urge Sheriff X, District Attorney X, Sen. X and Rep. X (*local delegation*) to support this important effort.

Sincerely,

Name:

Address:

Office phone/Mobile phone/Fax number:

For more information, visit www.ncchild.org and www.raisetheagenc.com



How to Send a Letter and/or Email to a Legislator

Essential points for a strong email to a legislator:

- Be clear, compelling and brief.
- Make your point at the beginning and then provide clear examples.
- Make sure to copy all of the right people to your email. This includes the legislator and the individuals who provide support in your district or neighborhood (e.g. district attorney, sheriff). The legislator's communications director, if applicable, is also a good person to copy.
- For legislative information and to find your legislator visit www.ncleg.net and click on "Who Represents Me?" or call 919-733-7928
- In addition to emailing the legislator, you can make a strong impact by sending a written copy of the letter, as well. To make even more of an impact, make an appointment with your legislator to talk about your concerns.

Dear Representative XXXXXX,

As a member in your district, I am concerned with the amount of money and precious resources we are wasting with the outdated and irrational way we treat 16- and 17-year-olds who commit low-level offenses.

For example, right now in Edgecombe and Gaston Counties, teens are facing a permanent adult record due to the theft of Gatorade and Doritos, respectively.

Youth who go through the adult system are re-arrested, reconvicted, re-incarcerated and have their probation revoked at higher rates than other adult offenders.

Without access to good jobs and education, that means we can expect to pay for these youth for years to come.

That doesn't make sense to me. I encourage you to support bipartisan legislation to Raise the Age of juvenile jurisdiction and help put these youth on the right path to becoming productive adults and contributors to our state economy.

Sincerely,

June Smith
1831 Lovely Way
Freedom Hill, NC 27681
jsmith@yahoo.com

For more information, visit www.ncchild.org and www.raisetheagenc.com



Script for Calling a Legislator

- It's likely you won't speak to the legislator when calling out of the blue. They are busy and most of the time you'll have to leave a message either on voicemail or with a legislative assistant.
- For legislative information and to find your legislator visit www.ncleg.net and click on "Who Represents Me?" or call 919-733-7928.

Hi, my name is _____. I am a constituent of Senator/Representative _____.

I was hoping to speak with the staff person responsible for budget issues. [Wait for the staff person or, if necessary, continue with the receptionist]

I am calling about the need to save our state millions of dollars in the long term and keep our youth out of the adult criminal system by Raising the Age.

[Give background]

North Carolina is one of only two states in the entire country that prosecute ALL 16- and 17-year-olds as adults, no matter how minor the offense. This outdated policy means our youth are **less likely** to be able to get a good job or education, and **more likely** to become career criminals.

Youth handled in the juvenile system recidivate far less than youth in the adult system. Less crime means a huge savings for tax payers and more people at work making our economy strong.

I ask you, on behalf of taxpayers in your district, to support bipartisan legislation to Raise the Age of juvenile jurisdiction.

I live at _____, in _____, _____.
My phone number is _____.

I appreciate the time you've spent talking with me about this issue. Thank you for your time.

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Delivering Key Messages

Adult vs. Juvenile System

Raising the Age Holds Youth and Families Accountable

- **Raising the age is tougher on youthful offenders -- keeping them off the streets:** Youth who serve adult time are **more than twice as likely** to be reconvicted as youth who receive punishment, treatment and rehabilitative services in the juvenile system.
- **The adult system is a vicious spiral:** Most youthful offenders (86%) in the adult system receive probation because of the minor offenses they commit. The adult system probation system places fewer demands on offenders, potentially allowing them to commit other, more serious offenses. With its inconsistent treatment or rehabilitative services, minimal community restitution and little contact with probation officers the adult system is no place for low-level, youthful offenders.
- **Raising the age means making stronger demands on 16- and 17- year-olds and involving their families.** There's no get-out-jail-free-card in the youth system. It includes **frequent** contact with court counselors, assessments, rehabilitative services, mental health and substance abuse treatment, counseling and education. It also **involves families** -- our most powerful institution -- in keeping young people on the right path.
- **Raising the age means making youth pay back victims.** The youth system requires youth to pay back victims for the harm and damage they caused. Raising the age means youth are held accountable.

Public Safety

Raising the Age Keeps All of Us Safe

- **Adult prosecution of youth puts all of us at risk.** The numbers don't lie. Youth who go through the adult system are re-arrested, reconvicted, re-incarcerated and have their probation revoked at higher rates than other adult offenders. With our youth in the juvenile system, all of us are less likely to be victims of future offense.
- **Raising the age helps keeps most youth out of the adult system.** Raising the age will shift most youth **out of jails and into** community-based programs and other treatment and punishment options (e.g. electronic monitoring and juvenile detention centers).
- **Raising the age will lower the offense rate.** In North Carolina, focusing on the appropriate treatment of youth has led to a 12-year low in the offense rate among children aged 15 and younger. All signs point to a similar beneficial outcome with 16- and 17-year-olds.

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Economics

Raising the Age Protects Our Wallets; Adult Prosecution Ultimately Costs Tax Payers More and Robs Our Economy

- **Raising the age means saving money ... and lives:** Youth handled in the adult system head back to court far more frequently than youth dealt within the juvenile system. Fewer offenses mean more savings for tax payers and more people at work making our economy strong.
- **Raising the age means programs that work:** Forty eight states have their age set at either 17 or 18 because it works. National studies show that appropriate intervention in the lives of troubled youth is highly cost-effective.
 - The Washington State Institute for Public Policy performed cost-benefit analyses of over 60 prevention and intervention programs for youth in various categories, including pre-K, home visitation, juvenile offender programs, etc. **The study found that effective programs for juvenile offenders have the highest net benefit of any category.** Eight of the 10 most cost-effective programs were for juvenile offenders. Many of these successful programs are working in N.C.
- **Raising the age makes sense in 48 other states and in North Carolina:** An expert cost-benefit analysis conducted in Connecticut as that state considered moving their 16- and 17-year-olds into the juvenile system concluded that:
 - Excluding costs for new juvenile detention construction, raising the age returned \$3 in benefit for every \$1 spent.
 - Even including those costs, raising the age did not add costs. Factoring in the long term savings, raising the age protects our wallets.
- **Two expert cost-benefit analyses conducted in North Carolina:** In 2007, the Governor's Crime Commission hired the Estis Group and in 2011, the Youth Accountability Planning Task Force commissioned a second study by the Vera Institute for Justice. Both studies concluded that over time the benefits to raising the age outweigh the short-term costs. Raising the age will mean fewer youth will have a permanent adult record.
- **Raising the age will save money:** The Vera report estimated that the recidivism rates among 16 and 17-year-olds handled by the juvenile justice system will be 10 percent lower than the recidivism rates of 16-and 17-year-olds currently handled by the adult criminal justice system.
- **Raising the age means helping North Carolinians compete:** 16- and 17-year olds who commit offenses in 48 other states can have their records wiped clean at age 18. North Carolinians who commit the same offenses at 16- and 17-years-old are forced to carry that mark with them on their resumes for the rest of their lives. Same offenses. Different states. North Carolina's youth are unable to compete with the rest of the nation.

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Adolescence

Raising the Age Means Positive Changes and No Excuses, Adult Incarceration Destroys Youth' Futures and Our Families

- **Youth need consequences *and* guidance:** The rapid growth and development of adolescent brains make them highly elastic. Relationships made and behaviors learned are hard-wired into their brain architecture and help determine life outcomes.
 - When young people hit a rough patch, consequences matter, but so does guidance from responsible adults. The right programs, services and punishment can act as a scaffolding to support their healthy development.
- **Youth brains are not *yet* adult brains:** Youth have to be responsible for their own actions. But as they develop, youth do not have the same abilities as adults to make sound judgments in stressful situations.
- **Still developing:** The adolescent brain undergoes significant neural development, including dramatic changes to structure and function. These changes are not an excuse, but they do impact the way adolescents process and react to information.
- **Crucial skills are among last to develop:** The region of the brain that is the last to develop is the region that controls many of the abilities related to decision-making: long-term planning, impulse control, insight and judgment.
- **Juvenile justice system is based in right-and-wrong as well as brain science:** The juvenile justice system is based on science. Troubled youth face consequences -- including paying restitution to their victims -- *and* get the tight supervision they need from mentors, educators and, importantly, their families.
- **Adult system not set up for youth:** Minors in the adult system do not have guidance from responsible adults or access to age-appropriate programs, services and punishment to help them own up to their mistakes, accept the consequences -- including paying restitution -- and change their ways so they become hard working and productive.

For more information, contact:

The Raise the Age Campaign
rtagrassrootsnc@gmail.com

**and share your efforts with other allies
on Facebook:**
www.facebook.com/raisetheagenorthcarolina

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