



FACING TIME: FACING FUTURE

The Correctional Association of New York

Introduction

The book you are reading is part of the Correctional Association's *Facing Time: Facing Future* series. *Facing Time: Facing Future* is comprised of portraits, videos, and stories highlighting the experiences of those most directly impacted by New York State's prosecution of children as adults.

New York is **one of only two states in the country** that prosecutes all 16 and 17 year olds in the justice system as adults, with zero exceptions. In 2013, over 33,000 16-and 17-year-olds were arrested as adults in New York State.

In New York State, 16 and 17-year-olds are **confined in adult prisons and jails where they are in grave danger**. Children in adult jails and prisons face very high rates of sexual assault and rape, physical assaults, attacks with weapons, and can, in some facilities, be held in solitary confinement. Children in adult jails are 36 percent more likely to commit suicide than children in youth detention facilities.

Parents of 16- and 17-year-olds in New York State have no right to be notified if their children are picked up or interrogated by the police. And youth charged as adults do not have access to the rigorous and age-appropriate rehabilitative services that are available in Family Court.

Prosecuting kids as adults can increase crime, including violent crime. A 2007 study comparing youth charged in New York's adult courts with youth charged with identical crimes in New Jersey's juvenile courts found New York youth were **100% more likely to re-offend with a violent offense** and 26% more likely to be re-incarcerated. When Connecticut moved the majority of the cases of 16- and 17-year-olds **out of adult court, arrests plummeted, including for violent crime.**

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Anjie

“Always Going to be the Mark”

“When you go in young, when you come out, what do you have? They have no skills or anything. All they learn how to do is be a better criminal when they leave. If you’re not trying to teach them not to do the wrong thing, and you’re just going to throw them in jail ‘cause it’s easier – and it’s sad.

“I was 17 when I was charged. I wanted to go back to school, and I wanted to do nursing, they told me I couldn’t, because I have drug charges. So, I can never be a primary care giver to a patient, because it’s **always going to be the mark**. I tried to go somewhere else to find another job, at a senior care. And I almost had the job, but then, because of my background, **they didn’t want to hire me**. I’m a convicted felon. It makes them see me as somebody different, who lives with this scar. And we’re going to live with it forever, until something changes. Hopefully one day something will change. **We just have to keep fighting for it** (laughs). Hopefully. Fingers Crossed.”





Hernan

“A Burden to Carry”

“**The reality is,** is that putting young people through the criminal court process, convicting them with an adult felony conviction, regardless of it being a juvenile offense – if the young person does not believe in himself, he will end up becoming that adult defendant that everybody fears. And that is essentially the fault of the community and society itself, the way **we’ve criminalized young people.**”

“This is why you shouldn’t put them through the adult system. This is why you need, you need to raise the age because we have young people, 13, 14, 15, going through this process. And it scars them for the rest of their lives. It scarred me for the rest of my life. I will have to live with what I did, and I will have to share my story again and again.”

“It is **a burden to carry,** that weight of knowing that society, the moment they hear that I have a felony conviction, will automatically look at me with a different eye instead of just looking at me as a young 21-year-old aspiring college student with a passion for youth justice. And that’s why the age should be raised, because every young person deserves **a second chance.**”

“At the end of this year I will be receiving my degree in criminal justice. I hope to work on public policy to bring about changes in the juvenile justice system and broadly in the criminal justice system for other young people and for our communities. So in my work and everything that I do -- everywhere that I go -- the first thing that I always try to bring out to people is that we need to humanize the people that we’re, you know, doing this work for. These are young people. I myself am still young, and the reality is that the way the system is right now, I’m criminalized for what I did. In the conversations and speaking engagements I emphasize the power of education. I emphasize the fact that young people have a **capacity to change,** if given the chance.”

“From 2007 to 2011, New York issued more than 68,100 sentences to extreme isolation for violations of prison rules. The average sentence was five months, although many prisoners are held in extreme isolation for years.”



Ismael

“Tired of Talking to Myself”

“Why put a young person through the torture of the box? It breaks you down mentally. I went to the box: the bing, solitary confinement, the hoosegow, the SHU. I went to solitary in 2005 with a tobacco possession; they gave me 15 days. That was my first time in the box. And then I did 120 days in solitary, but upstate though, I did 6 months. That was brutal. They strip search you and then they put you in your cell. So now once you’re there, **all you have is a mattress.**”

“After your first day, that’s when your mind starts to play tricks on you, but not too bad, not that much, it’s still bearable, because you could still kind of ignore it. But then, that’s when your **thoughts start running wild**, and then before you know it you actually start speaking out your thoughts. By your third, fourth day, you’re not only speaking out your thoughts, but you’re speaking out your thoughts and answering your thoughts at the same time, but you’re answering yourself, because **you’re talking to yourself.**”

“I was ready to pull my hair out. I got tired of talking on the gate, to try to occupy my mind, I got **tired of talking to myself**; got tired of screaming out the window. I got tired of pacing back and forth. Now I’m sitting in here in this box. I just started getting very angry, then I started getting very sad at the same time. Then I started getting anxious.”

“Young people don’t need to be in anybody’s jail, detention center, period. What they need, what they really do need, is some type of services. Some place where they really can be rehabilitated. A place that’s more therapeutic, and not more oppressing.”

Jim

“Things to Look Forward To”

“I was arrested, **I was charged as a juvenile**, whereas, if it was just a few months later, I would have been tried as an adult, and then we’d be having a totally different conversation than we’re having today.

“The **help and attention** that I needed at the time, I was able to find that within the juvenile justice system. It was a house in Brooklyn, it’s a regular brownstown, it’s three floors. We had our bedrooms, in the backyard we had a basketball court, and we had a gym in the basement. The environment also promoted positivity and when you have a kid in an environment like that, it’s really conducive to positivity and learning, and (to) staying out of trouble, (then) that kid will most likely do well.

“When I left, I had completed my GED and had already started college. I had a job, and I was also able to get my driver’s license. I had **things to look forward to**. When you think about young people, one of the reasons why they get into a lot of trouble is **they don’t have hope**. They don’t have that one thing that they can look forward to, as like a sign of positivity that can get them to the next point.

“I graduated from college, with an Associate’s degree in human services. After that, I went to John Jay College, where I got my Bachelor’s degree in political science. I want a seat at the table, so I can advocate on behalf of at-risk youth and those young people who have been marginalized, and who have been unfairly treated by our system.”



Jordyn

“A Dream Deferred”

“I had probably about 13,000 young people in the three years I was teaching on Rikers Island. I had approximately nine white students in the entire 2-3 years I was there.

“We were reading *A Raisin in the Sun*, and we were going over the Langston Hughes poem in the beginning of the book, **“A Dream Deferred,”** and we were talking about dreams just in general, talking about what it means to have a dream, what does it mean to have a dream deferred. A young person asked me if I thought he could be an architect, and I gave him a response saying that he has strength in math, which is important, and strength in the visual arts, which is important, but that architecture would be a really hard path.

“And so while I think it would be a long road, I said, ‘yeah, I do think you could do it. I do.’

“And a kid who had been completely dead asleep in the beginning of class, just woke up, raised his head, and said: ‘Oh hell no!’

“And I said, ‘oh, welcome to class’ (laughs), and I said, ‘Why not?’

“He says, ‘Miss, no disrespect, I appreciate what you’re doing here, but **you’re selling dreams.**’

“And I recognized actually in that moment that he was right. Adult jail and prison is absolutely **no place for young people**, and the detrimental impact that the system has firsthand, while incarcerated- you can feel it; it’s pulsing throughout the whole place. Being 16, 17 years old, having your whole life ahead of you, being so full of potential, yet leaving the system with a felony on your record possibly. And not being able to get a job, not being able to go back to school in many cases, not being allowed to live in public housing. We are putting young people in a position where the hurdles are just mountains.”



Nationally, African-American youth are nine times more likely than white youth to receive an adult prison sentence



Nurideen

“It’s With You Forever”

“I grew up in prison. My age more than doubled while I was there. I went in at 18, came home right before I turned 44, so everything I learned in life, I learned behind the wall unfortunately. Once I got behind the wall, I was like someone just **dropped me off at a cemetery.** People were like tombstones. But, the funny part of that, I was really the dead one. I was like a dead teenager walking around the yard. It was like the living dead. You can’t snatch someone out of society when they’re 16, 17, 18 years old, or even 15, give them nothing, and expect them to come home, and there’s going to be this huge success rate. That’s not how it happens.

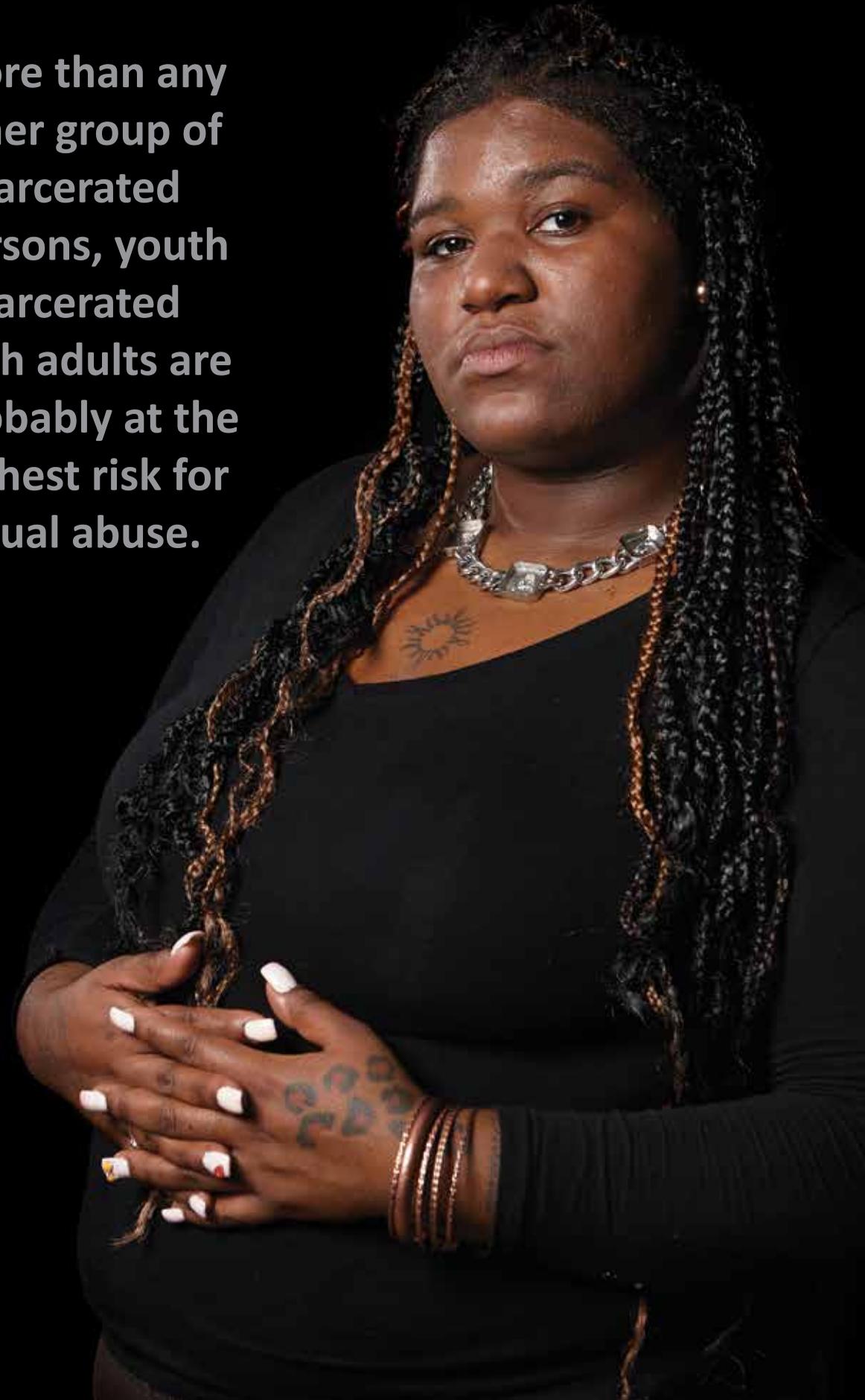
“Teenagers shouldn’t be treated like a young adult, and a young adult shouldn’t be treated like a grown adult, because our minds are different. Our human development is different, and that’s a fact. But that’s not a sentiment yet amongst society. My time is done, I’ve done my time, but I haven’t done my job. Part of my mission in life for the rest of my life is to sort of educate and steer youth that are going down the wrong path, so to speak, away from prison. **You can’t pursue a dream from prison.** Prison’s not a place for anyone. Once you’re in prisons, once you got a felony, **it’s with you forever.”**

Vanessa

“Am I Going to Die in Here?”

“I was sent to Rikers for a very long time. I had just turned 16, I was very, very scared. I’ve seen people get raped in there. Is that going to be me? Am I going to have to fight for my life in here? **Am I going to die in here?** Am I ever going to go home? I’ve seen **girls get touched by COs** in there. Seen a CO slap a girl’s behind before; I seen a male CO grab a girl’s boob. I’ve seen female COs hit these inmates; I’ve seen COs bust open cells, you know open up cells, so these other COs or other inmates can run in there and harm people. I’ve seen COs **spit on women that are from the LGBT world**, lesbians, gays, being talked very disrespectfully to. One day, I was getting ready to go, and I was excited, so I was explaining to one of the wardens that was on at the time, and I was like, “yeah, I’m going to go home, and I’m going to do everything right this time.” First thing she said was, “You’ll be back. You will never be what you say you’re going to be”. Because it’s a re-, a re-, what’s that word I’m looking for? It’s a word that I’m looking for, the way that she used it, she was basically trying to say when you go home you’re going to do the same thing you did that got you back here.”

More than any other group of incarcerated persons, youth incarcerated with adults are probably at the highest risk for sexual abuse.





Jeannette

“A \$2 Mistake”

“He was not a kid that broke curfew. He was not a kid that was disrespectful. He was not a kid that was violent. My youngest made a huge—and I’m gonna say huge—mistake, because it’s now spiraled to him being part of a system that I’m trying to understand which is the adult system.

“He made a **\$2.00 mistake** in school. The dean called the cops. I went to the school and they said well, the cops are gonna pick him up from here. I said no, there’s no need for that, I’ll take him to the precinct myself. I wanted him to take responsibility for what he did and I was told that it’s gonna be okay. He’s just gonna make a statement and he’ll go home. Well, it didn’t happen like this. He got handcuffed.

“He was put on probation, put in some programs where he would have to participate but nothing came into place—and then he was with another kid and made another mistake. He got picked up by the cops and because he was on probation he was detained.

“That was my first experience in prison. That prison was in my neighborhood but I didn’t know that in the community that I grew up in, it had a prison. Even traveling to work was hard because I would travel and see the detention center where my son was at and I would say oh my God, my baby is in there so, so close but yet so far, and he’s never spent the night out

“The school-to-prison pipeline— it’s real. The only solution that schools have when kids make mistakes is calling the cops— and once you’re exposed to that system, it’s hard to go back. They suspend kids, they throw them out the streets during the time that they’re supposed to be in school, and cops pick them up. Kids make mistakes in school. Family court and calling the cops is not a solution.

“I also took a training on restorative conferencing where we can help young people and we can help the school and we can help the community in resolving some of the issues that they go through without having it to always be a hammer. I was obsessed...every young person in my community, every time I would walk by them I’d be like have you ever been arrested? Can you tell me a little bit about it and when did it happen, did it happen in the school? And many of them would say well, it happened at school.

“Our kids make mistakes and if we ask many of the parents have you ever made mistakes when you were a teenager, I would say yeah, but the system wasn’t the same. I had a few fights growing up and many of the young people that I meet, many young girls, wonderful young girls, and when I ask what got you here— fighting in school.

“The school is a prison pipeline. **Oh my God, I have to do something.”**

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Credit Langston Hughes – Harlem (“What happens to a dream deferred”?)





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