What is Youthful Offender Status?

New York’s Youthful Offender (“YO”) law (Criminal Procedure Law § 720):

- Available to young people under the age of 19 in certain criminal cases
- Substitutes criminal convictions with a non-criminal adjudication at sentencing
- Allows for reduced prison or alternative-to-incarceration sentences, including mental health and drug treatment
- Provides for automatic sealing
- Mandatory for first-time, low-level offenses
- Judge has the discretion to grant YO in more serious cases
- 75% of 16- and 17-year-olds have their convictions converted to YO

It’s Time to Raise the Age of YO!

Why Raise the Age of YO?

- Modern neuroscience research proves that a young person’s brain does not fully develop until their mid-twenties
- Current law does not allow judges to grant YO to older adolescents ages 19-21 years old
- YO allows judges to prevent mandatory upstate prison time based on the individual circumstances of the youth
- Immediate sealing improves a young person’s opportunities for employment, education, and housing and provides critical protection from deportation

What does A.4743B do?

- Authorizes judges to grant YO to youth younger than 22 years old
- Allows judges to consider granting YO to young people who have previously received YO for a felony charge
- Shields the name and charges of a young person accused of a YO-eligible crime from the public unless and until the time of conviction, except in felony sex offenses. Currently this protection is limited only to misdemeanor charges.
- Creates a statutory presumption that judges grant YO in eligible cases unless the District Attorney can show that the interests of justice require otherwise