All Teens Deserve a Chance to Succeed

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Op-ed: All teens deserve a chance to succeed

By Tamar R. Birckhead

When it comes time for North Carolina's youth to apply to colleges and prepare for future careers, their biggest concerns should be SAT scores and job interviews. Unfortunately, many will face a far greater challenge: explaining a criminal record.

North Carolina is one of only two states that treat all 16- and 17-year-olds who commit minor crimes as adults, and it is the only state that prohibits these cases from ever being heard in juvenile court.

After countless studies and reports by task forces and commissions, it is time for lawmakers to follow the repeated recommendation to raise the age at which we automatically send youth to criminal court from 16 to 18. Such a change would have no effect on current law that allows judges to transfer teens as young as 13 from juvenile to adult court when they are charged with felonies.

For one typical teenager, Cydney Shirley - a high school student whose life revolved around friends and chorus - North Carolina's outdated law may mean checking the "yes" box on every form that asks, "Have you ever been convicted of a crime?" Cydney could never have known that a scuffle with another girl at school could, if she is convicted, place her entire future in jeopardy. Now Cydney and her mother, Teresa, work tirelessly to convince lawmakers that when 16- and 17-year-olds are charged with crimes, their cases should begin in juvenile court.

As described at a recent forum in Fayetteville, the reality our children face is both unfair and out of step with the rest of the country. As young people from other states flood North Carolina's colleges and work force, their teenage mistakes - handled by juvenile courts - can be washed away while our kids, forced into the adult system, must carry theirs like a scarlet letter.

Though admissions offices within the University of North Carolina system have reported that a criminal record does not result in an automatic denial of admission, only five schools have an appeals process and just a few inform applicants that the criminal record was the reason for the denial.

The working world

The situation is not any better when young people enter the work force. While it is widely known that adults with criminal histories are automatically excluded from many jobs, the proliferation of criminal history background checks and the reluctance of insurers to cover employers who
hire those with convictions mean that youths with criminal records face extreme obstacles getting jobs.

In addition, evidence shows that raising the age will more effectively control crime. Most youthful offenders in the adult system commit misdemeanors for which they receive no sentence or a short period of probation. The probation system places few demands on these young defendants, increasing the risk that they will commit other, more serious crimes.

In contrast, the juvenile system holds youths accountable for their actions. Disposition in delinquency court requires close supervision by juvenile probation officers, mandatory rehabilitative services as well as mental health and substance abuse treatment. Juvenile court directs 16- and 17-year-olds under its jurisdiction to remain in school or earn a G.E.D., while the laws of North Carolina allow anyone older than 15 to drop out - no questions asked. Equally important, juvenile court has control over parents and guardians, a critical factor in keeping young people on the right path.

Tax savings

The decision to raise the age becomes even easier when considering the savings to taxpayers of rehabilitating youths in trouble rather than putting them through an adult system that produces repeat offenders. A recent cost-benefit analysis commissioned by the bipartisan Youth Accountability Task Force found that raising the age would lower recidivism rates among 16- and 17-year-olds, which would reduce victimizations as well as the costs of investigating and prosecuting crimes. This would result in a recurring benefit to youths, victims, and taxpayers of approximately $50 million per year.

Cydney Shirley and thousands of other young people throughout the state have certainly learned their lesson. Now it is time for our legislators to learn one, too. Teens such as Cydney - no different from any of us who has made a mistake - deserve the right to get their lives back on track. Raising the age of juvenile court jurisdiction is a modest step that will allow North Carolina's children to grow into productive adults, college graduates, co-workers and leaders.

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