

RI Prosecutes 17-Year-Olds to Save Money

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PROVIDENCE, R.I. -- When state legislators passed a law last month requiring that 17-year-olds be tried as adults, they hoped the reduced cost of providing for adult prisoners rather than juveniles would save the state about \$3.6 million.

But almost immediately, prison officials said they didn't think the move would save any money, and critics around the country denounced it as shortsighted and wrong.

Gov. Don Carcieri, a Republican, proposed the change earlier this year as a way to close a \$450 million budget shortfall. It costs an average of \$40,000 a year to house an inmate at the state prison _ less than half the \$98,000 it costs to put a teen through the Rhode Island Training School, where juveniles attend classes and receive rehabilitative services.

The Democratic-dominated General Assembly reluctantly approved the change last month despite a late effort by Senate members to prevent it from taking effect.

"This was a decision that none of us liked," said state Rep. Paul Crowley, deputy chair of the House Finance Committee. "It was basically a money decision."

He said the General Assembly may reconsider the law when the state's fiscal situation improves, and Senate spokesman Greg Pare said he was confident that some lawmakers would propose doing away with it once the legislature reconvenes.

"Nobody was advocating for it," Crowley said. "It was done with a lot of reluctance."

After the law was passed, the state Department of Corrections pointed out that inmates under 18 are placed for their protection in the state prison's expensive high security unit, where the average annual cost per prisoner is roughly \$100,000, a department spokeswoman said.

Carcieri spokesman Jeff Neal said the governor was hoping to find other ways to reduce the prison population and the cost of housing teenage inmates. But he said the \$3.6 million in projected savings looks unrealistic.

"It seems much, much harder to achieve than originally contemplated," Neal said.

The law change comes as other states are rethinking whether teens younger than 18 belong in adult court.

Eleven states, now including Rhode Island, automatically place 17-year-olds in the adult system for all criminal offenses, and three others treat 16-year-olds as adults, according to the National Center for Juvenile Justice. But several are considering changes.

Connecticut this year raised the age of juvenile court jurisdiction for most offenses from 16 to 18, effective 2010, and an advisory commission in North Carolina recommended a similar move. Illinois lawmakers are considering a bill that would allow 17-year-olds to be tried as juveniles for misdemeanors, and Wisconsin lawmakers have authorized a study of that state's approach to teen offenders.

Youth advocates say 17-year-olds are better off in a juvenile system geared toward rehabilitation than alongside adult criminals in prison. While juvenile records are generally sealed, an adult conviction can limit a teen's college or career prospects.

"When you place a child in the adult criminal justice system, they're more likely to re-offend," said Liz Ryan, president and chief executive of the Campaign for Youth Justice. "So you're going to be paying for them again and again."

Some police and prosecutors, however, have said they support trying 17-year-olds as adults. New Haven, Conn., Police Chief Francisco Ortiz opposed Connecticut's decision to move the age to 18. He said 16- and 17-year-olds are old enough to face the consequences of their actions like adults.

Rhode Island Chief Family Court Judge Jeremiah Jeremiah said teens get important services in family court that they can't get in the adult system. Young people accused of drunken driving, for example, are taken to hospitals on weekends to see what possible consequences could have come from their actions.

Attorney General Patrick Lynch said he already had the discretion to try those younger than 18 as adults, but that he rarely did so because he believes family court can turn children around. The new law leaves him no choice about what to do with 17-year-old defendants, Lynch said.

"I'm going to prosecute them, and they'll have to put them wherever they have to put them," he said.