

July 31, 2020

Commission Member Julian Jefferson issues the following statement in response to the letters received from both Nashua Police Department and Manchester Police Department regarding juvenile arrests:

In my remarks during a commission hearing on the issue of police in our schools I made the statement: children as young as 10, 11, and 12 years-old are constantly being arrested by the police.

The Manchester Police and Nashua Police have issued statements to clarify the accuracy of my statement. Specifically, the use of the word "arrested". They are correct that I misspoke when I used the word arrested, "prosecuted" is the better word to use.

It remains the case that police are frequently initiating prosecutions of young children. To be clear, these prosecutions are not confined to the cities of Manchester and Nashua. We need to discuss the prosecution of children.

The Manchester police, according to their own data, have initiated prosecutions during the past 5 ½ years for 14 juveniles ages 12 and under for alleged felony offenses; and roughly 78 prosecutions for 12 year-old children for misdemeanor offenses. There was no data provided for children under 12 years-old for that same time-period for misdemeanor offenses. 92 prosecutions for children 12 years-old or younger from one locality during that timeframe is something worth us taking the time to deliberate upon.

The question I am posing to this commission is: Would it be a better approach be to have disciplinary action be handled by parents and school officials (if the alleged crime occurred in school). Do we need to resort to the police initiating a prosecution for alleged misdemeanor offenses committed by children? Do we need to resort to the police initiating a prosecution for all alleged felony offenses committed by children?

In summary, I agree with the Manchester Police and Nashua Police that I was wrong to use the word "arrested". I apologize for that error; the better word is "prosecuted". Otherwise, my concerns about prosecuting children 12 years-old and younger are real and factual. Likewise, my concerns reading the prosecution of children for normal school behavior, such as getting into a fight, is also real and factual.

I welcome continued discussion and debate around ways we can improve laws, policies and police procedure in regard to the prosecution of children for alleged criminal offenses.