

# RAISE the AGE | NY

## COALITION STATEMENT ON PROTECTING YOUTH AND COMMUNITIES FROM RISKS POSED BY THE NOVEL CORONAVIRUS

March 19, 2020. The Raise the Age Coalition calls for the immediate release of as many youth as possible from detention facilities across New York in light of the risks posed by the Novel Coronavirus (COVID-19).

As of last week, there were more than 80 youth detained in New York City's secure or specialized secure facilities and more than 130 youth detained in these facilities in other parts of the state.<sup>1</sup>

Based on the most recent data publicly available, **nearly half (49%) of all youth detention admissions as juvenile delinquents (JDs) were for a non-violent felony or misdemeanor charge, statewide.**<sup>2</sup> In New York City, 52% of all admissions to detention among JDs were based on a non-violent felony or misdemeanor charge.<sup>3</sup> The same is true for 36% of admissions in Westchester county,<sup>4</sup> 42% of admissions in Albany county,<sup>5</sup> 56% of admissions in Monroe (Rochester)<sup>6</sup> and Nassau counties,<sup>7</sup> and 66% of admissions in Suffolk county.<sup>8</sup> **Outside of New York City, 29% of Adolescent Offender (AO) admissions to Specialized Secure Detention were for a non-violent felony charge.**<sup>9</sup>

**Community safety and well-being – both within and outside of these facilities – would be better served by releasing as many of these youth as is possible to community-based supports.**

Institutions like detention facilities are where this virus can spread the fastest. As schools close state-wide, and the federal government recommends limiting gatherings of people to 10 or fewer, youth and staff in our juvenile detention facilities are at significant risk of exposure and infection. Detention facilities require daily movement of facility staff, teachers, counselors, health care providers and others who are a potential source of infection, and risk infection themselves. To protect our young people, those who work in these facilities, and the broader community, we must immediately reduce the number of young people in custody.<sup>10</sup>

<sup>1</sup>This includes Adolescent Offenders, Juvenile Offenders and Juvenile Delinquents as of March 11, 2020, <https://ocfs.ny.gov/programs/youth/detention/census.php>

<sup>2</sup> This includes Non-Secure, Secure and Specialized Secure Detention facilities, <https://ocfs.ny.gov/reports/detention/stats/nys/NYS-Detention-Stats-2019-Q3.pdf>

<sup>3</sup> <https://ocfs.ny.gov/reports/detention/stats/nyc/NYC-Detention-Stats-2019-Q3.pdf>

<sup>4</sup> <https://ocfs.ny.gov/reports/detention/stats/counties/Westchester-Detention-Stats-2019-Q3.pdf>

<sup>5</sup> <https://ocfs.ny.gov/reports/detention/stats/counties/Albany-Detention-Stats-2019-Q3.pdf>

<sup>6</sup> <https://ocfs.ny.gov/reports/detention/stats/counties/Monroe-Detention-Stats-2019-Q3.pdf>

<sup>7</sup> <https://ocfs.ny.gov/reports/detention/stats/counties/Nassau-Detention-Stats-2019-Q3.pdf>

<sup>8</sup> <https://ocfs.ny.gov/reports/detention/stats/counties/Suffolk-Detention-Stats-2019-Q3.pdf>

<sup>9</sup> <https://ocfs.ny.gov/reports/detention/stats/ros/ROS-Detention-Stats-2019-Q3.pdf>

<sup>10</sup>[https://www.newyorker.com/news/q-and-a/how-prisons-and-jails-can-respond-to-the-coronavirus?utm\\_source=onsite-share&utm\\_medium=email&utm\\_campaign=onsite-share&utm\\_brand=the-new-yorker](https://www.newyorker.com/news/q-and-a/how-prisons-and-jails-can-respond-to-the-coronavirus?utm_source=onsite-share&utm_medium=email&utm_campaign=onsite-share&utm_brand=the-new-yorker)

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We urge the Governor to work with the courts and all criminal justice partners, including community-based service providers, to release as many young people from confinement as possible. This includes:

- A moratorium on detention and immediate release for those who are in detention for administrative reasons (including failure to appear or technical probation or parole violations);
- A moratorium and release from custody for all misdemeanor and low-level felony arrests and bench warrants;
- Immediate release of all youth with underlying health conditions that make them especially vulnerable to complications associated with COVID-19, including diabetes, asthma and weakened immune system, regardless of charges;
- Consideration of release for every youth with underlying medical conditions, regardless of charges; and
- Release of all Adolescent Offenders serving sentences in Specialized Secure Detention facilities.

When releasing youth, we request that young people be able to return home to parents or guardians, as well as other safe living arrangements with friends or extended family, to reduce the number of youth entering shelters and other congregate care settings.

For those who remain in custody, we request that young people in detention, placement or incarceration in Department of Correction and Community Supervision (DOCCS) Adolescent Offender facilities, be permitted daily access to telephone and/or video conferencing with family at no cost to youth or their family while visitation is suspended.

Finally, we request that the State share the updated census of youth in all forms of detention, placement and DOCCS Adolescent Offender facilities.