

2022 Youth Justice Platform for New York

The pandemic has compromised the safety and stability of families, highlighting and exacerbating existing inequalities and disproportionately impacting youth of color. New York's children, youth and families have experienced enormous adversity and disruption. As we recover from the collective trauma of the COVID-19 crisis across New York, this is the moment for a bold new vision for youth justice for more resilient and safer communities. Our leaders at every level of State and City government must embrace these principles to promote true community safety and well-being.

Promote and Center the Leadership of Directly Impacted Youth and Young Adults

Provide funding for an Independent New York State Youth Justice Task Force composed of youth leaders impacted by the juvenile or adult criminal legal system to make annual recommendations on youth justice policy to the Governor and legislature, and to oversee and assist with implementation of youth justice policies. Task Force members would receive leadership and professional development as well as living wage compensation.

Build on the Success of Raise the Age Reforms

Show strong and unwavering support for landmark Raise the Age legislation and resist any rollbacks to the law. Increase implementation funding and direct funds to community-based organizations who have the strongest ties to youth and families and are best equipped to serve them.

Embrace a Public Health Response to Gun Violence

Every young person has a right to feel safe in their neighborhood, on their block, in parks and playgrounds, and in school. Too often, New York has responded to the real problem of gun violence with more police, [even when that strategy has been proven ineffective time and time again](#). Research provides evidence that the safest communities have the most resources and support for families, high-quality housing, and green space – not the most police.

Recent research from the [Center for Court Innovation](#), [John Jay College Research & Evaluation Center](#), and the [Vera Institute of Justice](#), among other sources, points to a wide range of solutions that the City and State can pursue or expand right now to reverse the increase in gun violence that began in the summer of 2020. These include:

- Expanding investment in Cure Violence and other programs across New York City and State that employ a public health approach, utilize violence intervention, and strengthen anti-violence norms. [While New York State has led the nation by investing in these programs](#), the resources they receive remain a tiny fraction of those received by traditional law enforcement. Violence intervention programs must be funded to expand catchment areas, hire more staff, and create robust intake systems to serve more participants city and statewide.
- Bringing high-quality youth engagement programs and services, including those employing “credible messengers,” to young people in spaces that are important to them.

- Creating job programs that meet young people where they are at (including in schools) and help them find pathways to living wage jobs.
- Funding comprehensive civil legal services for young people facing barriers to employment, housing, accessing public benefits, or any other legal need.
- [Investing in green spaces, safe and affordable housing, and accessible public spaces.](#)

Invest in Health, Mental Health and Well-Being for Youth and Families

New York's Black and Latinx communities that are hardest hit by gun violence *have also been the hardest hit by COVID-19*. During the first few months of the COVID-19 pandemic, [1 in 600 Black children and 1 in 700 Latinx children lost their parent or caregiver to the pandemic in New York State](#), more than double the rate of white and Asian children. More than half of those parent deaths were in the Bronx, Brooklyn, and Queens. Losing a primary or secondary caregiver is associated with a range of negative health effects, including lower self-esteem, a higher risk of suicide, and mental health issues. According to pediatricians, addressing the impact of family death on young people will [“require intentional investment to address individual, community, and structural inequalities.”](#)

Research over the past 18 months has also highlighted devastating mental health impacts of COVID-19 on youth across the country—more psychiatric emergency room visits, more reports of suicidal thoughts, and the single largest increase in drug overdoses in 20 years. Children's health experts, including the [American Academy of Pediatrics \(AAP\)](#), have recently called a State of Emergency in Children's Mental Health. The AAP stated that the “worsening crisis in child and adolescent mental health is inextricably tied to the stress brought on by COVID-19 and the ongoing struggle for racial justice and represents an acceleration of trends observed prior to 2020. . . We are caring for young people with soaring rates of depression, anxiety, trauma, loneliness, and suicidality that will have lasting impacts on them, their families, and their communities.” In response, we must:

- Increase investments in high-quality, culturally competent mental health services for youth and families, in schools and in the community, [reversing a trend of disinvestment and lost opportunities to provide needed care](#), and addressing [needs that bring many young people into the youth justice system](#).
- Ensure access, equity, and quality of behavioral health services for young people delivered via telehealth, particularly for vulnerable youth impacted by the digital divide and for those living in unstable home environments. This includes providing options covered by Medicaid and other major state insurance providers as well as free options for the uninsured.
- [Fully resource schools with licensed school counselors and social workers who are representative of the racial and ethnic communities of New York's public schools](#) so that every student has access to support.
- Invest more deeply in conflict mediation resources at schools and in neighborhoods.
- Ensure that all children and youth have access to comprehensive health care services, by, at a minimum, protecting and expanding Medicaid and the Children's Health Insurance Program (CHIP) for children and their families.

- Deliver health and mental health services to young people where they are by expanding Medicaid-covered school health services in New York public schools and making them available to more students.
- Move swiftly to reverse [troubling trends in Black youth suicide in New York](#) by increasing investments in youth suicide prevention through such actions as creating a Black Youth Suicide Prevention Task Force.

Focus Investments on Education, Employment for Youth, and Economic Mobility

Emerging evidence shows that the pandemic has widened pre-existing academic disparities and raised new barriers for many students. This has a heightened impact on students of color, students with disabilities, and students who are caregivers, both for entry into higher education and for continuing and completing their studies. Moreover, the number of young people 18-25 who are out of school and out of work [likely doubled](#) in the year after COVID-19 lockdowns began. We must:

- Build on recent investments to further expand access to social and emotional support for New York City students.
- Fully fund Restorative Justice practices within New York’s public schools so that we can begin to create a cultural shift that encourages community, safety, and healing when harm occurs.
- Eliminate policing infrastructure, practice, and culture from New York City public schools and replace it with youth, parent, and educator-led solutions that center liberation and restorative justice.
- Increase [City investments in year-round and summer youth employment](#) as well as after school and summer programs with wide-ranging academic, artistic, athletic, and cultural opportunities.
- Support state-law changes to permit New York State’s Earned Income Tax Credit to include eligibility for young adults without children.

Support Youth Justice Reforms

Every year, tens of thousands of young people 25 and under are arrested in New York, and the large majority are Black and Latinx. Today, New York needs bold policies that will promote genuine community safety, racial justice, and opportunities for youth. We also need to stay the course with successful reforms that have recognized that children are not small adults, and that young people’s development continues through their mid-twenties. We must:

- Expand protections for young people age 25 and younger who face the threat of permanent criminal convictions and adult prison sentences with the [Youth Justice & Opportunities Act](#).
- Expand investment in high quality diversion, alternative to incarceration, and reentry programs and ensure continuity of programs between adult and family court for youth whose cases are transferred.
- Pass the [Right 2 Remain Silent](#) bill to protect young people during police interrogations.

- Pass the [Solutions Not Suspensions](#) bill to limit exclusionary discipline state wide, and disrupt the school -to-prison-pipeline with school-based services to address conflict and meet students' needs.
- Pass the [Promoting Pre-Trial \(PromPT\) Stability Act](#), which ensures due process and individualized decision-making in the issuing of stay-away orders in criminal cases.
- Continue to support New York City's [Young Adult Plan in City jails](#).

Build Community Capacity to Reduce Youth Incarceration and Reinvest Savings from Youth Prison Closure

Services that provide for young people and their families in or close to their communities have been shown to be more effective in delivering long term community safety. Moreover, juvenile placement facilities are the site for extreme racial disproportionality. During 2019, almost 75% of children admitted to Office of Children and Family Services (OCFS) custody were Black or Latinx, while they represent only 40% of New York's children. Working toward building stronger community-based alternatives and closing state facilities is a crucial step for youth justice reform and racial equity in New York.

Between 2007 and 2013, the State closed 23 youth facilities and reduced capacity in others. Overall, OCFS reduced its residential capacity by more than 1,000 beds, which was part of a steep reduction in family court placements that continued for a decade. We also saw a [decrease in arrests](#) among youth under 18 during this time. These kinds of closures provide an opportunity for reinvestment in mental health, family supports and youth development programming to further reduce reliance on the carceral system and to decarcerate more youth.

Today the costs associated with placements in New York are nearly \$900,000 per child per year. Following the OCFS facility closures in 2012, a new fund was created (the Supervision and Treatment Services for Juveniles Program) to push more state dollars into counties to support prevention, alternatives to detention/placement, and reentry services. This is one of the most important mechanisms for reducing youth incarceration as communities develop programs that courts can rely on instead of sending youth to OCFS-operated facilities.

To continue to reduce reliance on youth incarceration and fully support community-based solutions, we must:

- Increase funding for Raise the Age implementation and for diversion and alternative to incarceration programs statewide, and make existing funding streams such as the Supervision and Treatment Services for Juveniles Program—as well as capital funding for community centers—as flexible as possible so funding can be accessed by small community-based organizations closest to the young people they serve.
- Invest in targeted intervention facilities that serve as specialized residential alternatives to incarceration for youth sentenced to jail or prison.
- Restore State funding for New York City's Close to Home Initiative and incentivize other counties to implement similar programs.
- Close more youth prisons and ensure that 100% of the dollars saved are reinvested in communities.

As organizations from across New York City and State who are led by, work with, or advocate for children, youth and families who have contact with the youth justice system, we endorse these priorities as essential steps toward community safety and well-being. We urge our State and local leaders to embrace these policies and investments in 2022.

Advocates for Children of New York
Brooklyn Defender Services
Center for Community Alternatives
Center for Family Representation
Center for the Study of Social Policy
Children's Defense Fund-New York
Children's Rights
Citizens' Committee for Children of New York
Columbia Justice Lab's Youth Justice Initiatives
Community Connections for Youth
Covenant House New York
Dutchess County Public Defender
Exalt youth
Exodus Transitional Community
Families Together in New York State
Forum For Youth Investment
Federation of Protestant Welfare Agencies
Freedom Agenda
Girl Vow
Girls for Gender Equity
Graham Windham
Harlem Dowling
Joseph Lentol, The author, long-time sponsor, and principal negotiator of the Raise the Age law.
Lawyers For Children
Legal Action Center
Legal Aid Society of Nassau County
Long Island Social Justice Action Network
Make the Road New York
Middle Collegiate Church
Neighborhood Defender Service of Harlem
New Hour
New York County Defender Services
New York State Coalition for Children's Behavioral Health
New York State Defenders Association
OCBA Assigned Counsel Program, Inc.
Oneida County Public Defender
Prophetic Whirlwind Ministries
Schuyler Center for Analysis and Advocacy

SparkAction
The Bronx Defenders
The Brotherhood Sister Sol
The Children's Village
The Fortune Society
The Legal Aid Society
The Osborne Association
Unchained
United Neighborhood Houses
Urban Justice Center Mental Health Project
Urban Youth Alliance
Westchester Children's Association
Youth Correctional Leaders for Justice
Youth Justice Network
Youth Represent
Youth Shelter Program of Westchester