



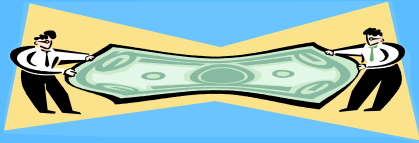
# New York Juvenile Justice Coalition

## PROPOSALS FOR REFORM 2007

### Proposal 1:

## Redirect Money From Costly Youth Jails to Community-Based Alternatives

Every year, New York State spends millions to jail children under the age of 16 while they await trial in juvenile court. This year, the Governor's Executive Budget proposes \$63 million to operate local youth detention centers statewide and \$8 million for alternatives to detention.



### *Support Re-Direct New York:*

### *A Comprehensive Plan to Reduce the Use and Cost of Detention in New York State*

Currently, the state reimburses counties for 50% of the cost of detention—regardless of how many children are detained. There is no similar reimbursement for alternative programs. Re-direct NY will create a fiscal incentive for counties to develop alternatives to detention. Counties that rely heavily on the use of detention would be reimbursed at a higher rate for creating new alternative-to-detention programs.

**We urge the Legislature to redirect detention funding to support community-based alternatives,** programs that cost much less than detention. Most importantly, unlike jail, alternative programs help children obtain the tools and resources they need to stay out of trouble and become engaged in positive activities.

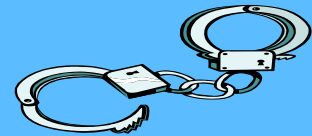
### **FACT:**

In New York City, it costs nearly **\$171,000** to lock up **one child** in a detention center for one year, while it costs only \$9,000 to \$12,000 a year to send a child to a community-based alternative program.

## Proposal 2:

# Support Legislation That Will End the Prosecution of Sexually Exploited Youth.

Despite the fact that, under New York law, children under the age of 17 cannot consent to sex, children as young as 11 and 12 are routinely charged with and incarcerated for prostitution. We urge the Legislature to reform the law so that sexually exploited children are no longer treated as criminals. Experts agree that prosecuting sexually exploited children re-traumatizes them and makes leaving the streets more difficult for them. To help sexually exploited children, the state must provide services and safe houses - not jail cells.



**The Safe Harbor For Exploited Children Act (Bill A.5258)**, sponsored by Assembly Member William Scarborough, would stop the prosecution of sexually exploited children and create a range of community-based programs - such as community outreach, preventive services, short-term safe houses, and long-term housing. It is time for New York State to stop criminalizing sexually exploited children and to create programs that will put them on the road to healing their lives.

“As an outreach worker and formerly exploited youth, I go into the [youth detention] facilities weekly to meet with other girls. I’ve witnessed the constant belittling, the constant disrespecting, and constant abuse that they endure from the way some of the staff mistreats them. Hitting on the girls and calling them whores doesn’t help them any. In the end, the girls end up emotionally and mentally scarred.”

—Shaneiqua Boyd, 18

Outreach Worker for GEMS

*Girls Employment and Mentoring Services (GEMS) provides preventive and transitional services to young women, ages 13-21, who are at risk for or involved in sexual exploitation and violence.*

## Proposal 3:

# Support Legislation to Protect the Rights of LGBT Youth in the Juvenile Justice System.



It is estimated that up to ten percent of the children who are currently incarcerated in Office of Children and Family Services (OCFS) facilities identify as lesbian, gay, bisexual, or transgender (LGBT). Despite the growing presence of LGBT children within OCFS facilities, the agency does not provide comprehensive, ongoing training for staff on how to address homophobia in youth facilities.

**We urge the Legislature to pass the SAFETY (Safe, Fair and Equal Treatment for Youth) Act (Bill A.1613),** sponsored by Assembly member William Scarborough which prohibits all discrimination and harassment in OCFS facilities including harassment based on sexual orientation or gender identity. The bill would also require OCFS to provide staff training to raise awareness and sensitivity about these issues and to support staff in responding appropriately to incidents involving harassment of LGBT children in state facilities.

"April 8

The sexual harassment starts again. The staff does things to get the kids to retaliate against me. Everybody is verbally assaulting me."

— excerpt of a letter from a child confined in an OCFS facility

"April 10

The harassment continues. I complain but they don't take it serious. I'm afraid it might get out of hand. Boys are trying to touch me and stuff, but staff does nothing. I feel like I live in hell. This evening was filled with violence. Kids got literally beat up. They got punched, kicked, thrown, stomped, slapped....I fear for my safety. I fear for my body. I fear for my life...."

— excerpt of a letter from a child confined in an OCFS facility

## Proposal 4:

# Create a Child Advocate's Office to Safeguard Incarcerated Youth From Abuse.



New York should enact legislation to create an independent **Office of the Child Advocate (Bill A.0304)**, sponsored by Assembly Member Barbara Clark, to monitor all juvenile justice and foster care facilities. A Child Advocate Office would have the authority to visit youth facilities and investigate allegations of abuse.

In November 2006, a 15-year-old boy died at the OCFS Tryon Boys Residential Center after he was restrained by two facility staff members. This tragic death, which the Fulton County district attorney's office has ruled a homicide, underscores the need to create independent oversight of the state's youth prisons. Because OCFS facilities are closed institutions, it is important to have outside officials regularly check on the facilities and make sure that young people are not mistreated or abused while in custody.

"I was in the OCFS facility called Louis Gossett Residential Center—a.k.a. "Rugburn City". Every time a YDA (OCFS staff person) restrained residents they would get rug burns on their face. When the Ombudsman came to the facility, we didn't even talk to him because we knew he worked for OCFS...so that made us not want to talk or write to him."

— Darrel, 18

"A staff member tried to talk to me... at night time he decided that he wanted to be my spouse. He made me feel uncomfortable, but I never mentioned it to anybody. I wanted to keep it to myself but I did vent to a friend through a kite (a letter) - came to find out I wasn't the only one that had to deal with this. The majority of the girls were affected just like me."

— Juanita, 17

The **Juvenile Justice Coalition (JJC)** is a network of child advocacy groups, legal service providers, alternative sentencing programs and other community organizations working to make the juvenile justice system in New York more fair, humane, and effective.

For more information or to become involved contact:

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