

RAISE the AGE | NY

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City Council Members, Youth, Families, Providers, And Advocates Call On The Mayor To Fulfill The Promise Of Raise The Age; Say “No” To Department Of Correction Staff In Juvenile Detention Facilities

Youth, advocates and providers urge City to reverse plan to staff detention centers with Department of Corrections staff, to remove all 16 and 17 year olds from Rikers Island by October, and to fully fund Raise the Age and Close to Home.

Raise the Age-NY Campaign warns that the culture of Rikers Island will be imported to juvenile facilities housing teenagers as young as 10.

New York, NY – Preceding an oversight hearing on NYC’s preparedness to Raise the Age of criminal responsibility, City Council Members, youth, service providers, legal, and advocacy organizations will call on the City to halt the plan to staff juvenile detention facilities with Department of Correction (DOC) Officers from Rikers Island and other NYC jails and will call on the city to recruit, hire and train staff specifically for youth facilities well before the October 2018 deadline established by Raise the Age legislation.

Raise the Age legislation passed by the State in 2017 mandates that all 16 and 17 year olds be removed from Rikers Island by October of 2018 and held in “specialized juvenile detention.” In addition, starting in October 2018, the age of criminal responsibility will be raised for newly arrested 16 year olds. In March, over 70 local organizations sent a letter to Mayor de Blasio outlining serious concerns with the City’s plan to staff specialized juvenile detention—which will be located in existing juvenile detention facilities that house children as young as 10—with Correction Officers who are already hired and trained to supervise adults.

Today, the Campaign will emphasize the risk of transporting the culture of Rikers Island to New York’s juvenile detention facilities, highlighting the most recent report of the Independent Monitor in *Nunez v City of New York et. al.*, covering the first half of 2017, which found that “[t]he cultural dynamic that permeates so many encounters between Staff and inmates in DOC is quite simply a consequence of Staff actions and behaviors that too often engender, nurture, and encourage confrontation.”

The clear intent of the Raise the Age law is to ensure that 16 and 17 year olds receive developmentally appropriate services, supports, and supervision. The diverse coalition of

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providers and advocates participating in today's press conference and hearing stand ready to work with the administration to find alternatives to having youth in juvenile detention facilities supervised by DOC staff.

"As a former ACS worker and youth development professional chairing the Council's Juvenile Justice Committee, I understand and appreciate the need for dedicated, experienced professionals with the proper training and attitude to work with the 16 and 17 year old young people affected by Raise the Age reforms," **said Bronx Council Member Andy King, Chair of the Committee on Juvenile Justice.** "As we work on oversight of this transition, we must not put expediency before implementing the spirit of this legislation and ensure the appropriate resources and personnel are in place by mandated deadlines."

"The use of DOC staff in juvenile correction facilities, as part of the implementation of New York's Raise the Age law, makes no sense," **said Queens Council Member Rory Lancman, Chair of the Committee on the Justice System.** "The City has an opportunity to fundamentally change how young people interact with the justice system, but the Mayor's plan just replicates what has not worked in the past. I urge the Mayor to reverse this misguided decision and develop a transition plan that provides proper services and support for these teenagers."

"It is of deep concern that the City is planning to use DOC staff in juvenile correctional facilities as part of its plan to implement the Raise the Age law," **said Bronx Council Member Ritchie Torres, Chair of the Committee on Oversight and Investigation.** "If the City is able to quickly and adequately implement other programs that impact youth, then it can surely figure out how to best handle the transition of youth to juvenile facilities with the appropriate staff that are not DOC officers coming from Rikers Island. This is a matter of will-power to overcome bureaucratic red-tape. I look forward to working with my colleagues and the Administration to figure out the best transition and implementation plan that ensures youth in juvenile facilities get the appropriate services they need by the appropriate staff."

"I share the concerns of removing juveniles from Rikers Island but continuing to supervise them with correctional staff from DOC," **said Manhattan Council Member Keith Powers, Chair of the Committee on Criminal Justice.** "This undermines the purpose of the Raise the Age effort. I also believe that juveniles sentenced at age 16 or 17 before Raise the Age went into effect must see justice. That is why today I am also introducing a resolution calling on the Governor to retroactively review cases involving 16 and 17 year olds, before Raise the Age legislation was passed. I look forward to working with my colleagues in the City Council to ensure that juvenile individuals receive the appropriate services and personnel, and justice is sought for those not previously protected by law."

"Transferring youth from Rikers Island only to keep them under the supervision of DOC staff invalidates the progress made through the passing of Raise the Age legislation," **said Sr. Paulette LoMonaco, Executive Director of Good Shepherd Services.** "The unacceptable conditions and abuses in prisons will only be resolved by ending teenage incarceration in the

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adult correctional system. We urge the Mayor to work with community organizations and providers to find a comprehensive alternative that ensures the best path forward for these teenagers.”

“Children need therapeutic interventions and supports,” said **Jeremy Kohomban, President and Chief Executive of The Children's Village**. “The Department of Correction plays many important roles, but we don’t believe that DOC staff have the clinical expertise and foundational therapeutic approach needed in juvenile detention.”

“Raising the Age of criminal responsibility represents a major step in advancing reform for youth impacted by the justice system,” said **Naomi Post, Executive Director, Children’s Defense Fund – New York**. How the law is implemented, however, will determine the impact the change is able to have on the lives of children and families in New York. Removing youth from Rikers only to continue their supervision by adult corrections defeats the intent of the reform and misses a critical opportunity to remove young people from the ongoing harms they have been exposed to on Rikers Island.

“Since the transfer of juvenile detention to ACS in 2010, ACS has thoughtfully and deliberately enhanced the City’s juvenile justice system to better address trauma, education and service needs of youth and their families,” said **Jennifer March, Executive Director, Citizens’ Committee for Children**. “The City’s plan to transfer staff from adult jails, like Rikers, to juvenile detention facilities will inevitably result in the transfer of a toxic culture and violence into the detention system. We must not allow this to happen and must instead find an alternative that ensures that the City protects and expands upon the progress it has achieved in the juvenile justice system as we raise the age of criminal responsibility.”

“For far too long, New York City’s youth have suffered abhorrent conditions at Rikers Island in adult incarceration,” said **Tina Luongo, Attorney-In-Charge of the Criminal Defense Practice at The Legal Aid Society**. “A critical reform of Raise the Age was to stop jailing 16 and 17 year olds as adults, but moving these individuals to facilities supervised by the Department of Correction does not do this. It is shortsighted and subverts what this reform seeks to change. Correction officers would poison the well by transporting the culture of confrontation widespread at other jails throughout the city to these facilities. We must and can do better for young New Yorkers entangled in the juvenile justice system.”

“Having been incarcerated at both Rikers Island and Crossroads, I can say that the staff are completely different,” said youth advocate **Luis Padilla**. “DOC Correction Officers have militarized training that will just create a mini Rikers. Staff in juvenile facilities are trained to deescalate conflict and promote positive youth development, which is what our young people need and deserve.”

“Among the most important achievements of Raise the Age legislation is the promise of finally ending adult incarceration of 16 and 17 year olds in New York,” said **Laurie Parise, Executive**

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Director of Youth Represent. “We understand that it will be extremely difficult to hire and train new ACS staff on a short timeline. But doing so will not be nearly as difficult as uprooting the culture of Rikers Island once it establishes itself in our youth detention facilities.”

“We fought for five long years to reform the juvenile justice system to one that treats juveniles as the children they are,” said **Paige Pierce, Chief Executive Officer, Families Together in New York State.** “Simply moving them to a new facility with the same staff and same mentality is nothing more than a location change. That is not RTA. The RTA movement and mission have been, and continue to be rooted in a philosophical understanding that our youth deserve a system created and maintained to nurture their rehabilitation.”

“No child should ever be in a cage and we look eagerly to the phasing out of youth prisons altogether,” said **Rev. Rubén Austria, Executive Director of Community Connections for Youth.** “But while children are still being held in custody, it matters who is watching them. The culture of the Department of Correction is one of coercion and control and goes against the fundamental truth undergirding raise the age - that children are children and need to be treated as such.”

“The collective understanding behind New York’s successful efforts to raise the age of criminal responsibility is that children are not adults, and they should not be treated as adults simply because they are charged with committing a crime,” said **David R. Jones, President and CEO of the Community Service Society of New York.** “Moving young people off Rikers Island is an important step in the right direction; using Department of Correction staff to supervise them is not. I urge the Mayor to consider other alternatives.”

“Implementing Raise the Age presents an opportunity for New York City to demonstrate a sense of humanity towards 16 and 17 year olds after decades of injustice, unfairly treating children as adults,” said **Rob DeLeon, Associate Vice President of Programs at The Fortune Society.** “Removing all youth under 18 from Rikers Island by October is a critical step forward, but the culture of Rikers is not formed by buildings alone. Allowing Department of Correction staff to continue supervising youth will recreate the same harmful culture and power dynamics of Rikers Island, despite a new setting. We urge Mayor de Blasio to reconsider the current strategy.”

“Youth detention facilities are safest when they are trauma-informed,” said **David Condliffe, Executive Director of the Center for Community Alternatives.** “As the provider of daily afterschool programming for youth at Crossroads Juvenile Detention Facility, Center for Community Alternatives can speak firsthand to the importance of creating an emotionally safe space to support the healthy development of justice-involved youth. Facility Staff must be aware of their own triggers, trained on de-escalation techniques and able to build mutually respectful relationships with youth. Trauma-informed ACS Junior Counselors are best equipped to create both an emotionally and physically safe environment for NYC youth in secure detention facilities.”

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"Leaving the safety and rehabilitation of children in the hands of those who fostered the culture of violence at Rikers Island undermines the very purpose and promise of Raise the Age," said **Gregg Stankewicz, Director of The Bronx Defenders' Adolescent Defense Project**. "When the legislation takes effect, New York City must place 16 and 17 year old children who are detained or sentenced under the supervision of ACS, not with the staff who allowed the abuses that are driving the impending shutdown of Rikers."

"Moving young people off Rikers Island only to jail them with the same inept and abusive Rikers staff isn't reform, it's sleight of hand," said **New York Civil Liberties Union Executive Director Donna Lieberman**. "If the city is truly interested in reform, as it has claimed, it will offer these children services like rehabilitation and support for re-entry, not jail time at Rikers-lite."

"Transferring 16 and 17 year olds off of Rikers Island is surely the right thing to do," said **Edwin Santana, member of Just Leadership USA**. "However, transferring the Correction Officers who oversee them now is defeating the purpose. Incarcerated youth need counselors who are compassionate about healing. Allowing the CO's to continue to oversee the incarcerated youth is to allow continued abuse instead of healing. As a member of JustLeadership USA, and as a formerly incarcerated youth who has suffered at the hands of abusive CO's, I oppose this idea!"

"This is an important, and critical opportunity to end debilitating practices that harm our youth further. At exalt we oppose having DOC correctional officers monitor youth in Juvenile Detentions. We understand the challenges that come with new legislation, as well as the immense work that must be done in effectively implementing priorities and plans. However, these challenges must not prevent efforts in channeling a comprehensive approach to end violent, inhumane and unjust practices in the juvenile justice system, and we are here to support and offer other viable options to NYC youth in the system" said **Gisele Castro, Executive Director, exalt youth**.

"Children should not be tried as adults," said **Khary Lazzarre-White, Executive Director of The Brotherhood/Sister Sol**. "Children should not be housed in adult prisons. It is immoral and barbaric. NYS stands on the wrong side of history. The elected officials of this City and State must work, aggressively to change these practices. They must act as urgently as they would if it was their own child behind bars - experiencing all the horrors that have been well documented. Every day that the sun goes down and we continue to treat children in this manner - is one more day of atrocious behavior by those who are supposed to lead."

Jennifer Scaife, Executive Director of the Correctional Association of NY, said: "Children and young people in detention facilities should receive age appropriate, strength based, and trauma informed services provided by the staff and agencies best equipped to provide them. For this reason, the Correctional Association stands with our allies in calling on the City to remove all 16- and 17-year-olds from Rikers by October 2018, fully fund Raise the Age and Close to Home,

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and ensure all children are in the youth justice system with staff who are trained in that system."

"For too long, our 16 and 17 year old clients have been subjugated to devastating violence and inhumane conditions while in Department of Correction (DOC) custody," said **Terrence Bogans, Director of Bail Operations at the Brooklyn Community Bail Fund**. "The Mayor's proposal - moving kids off Rikers, but keeping them under DOC custody - simply replicates a system that promotes physical confrontation and abuse. The proposal falls far short of what we need - the recognition that 16 and 17 year olds are children who must be treated as such, rather than treated as criminals and supervised by correctional officers."

"Removing all youth under 18 from Rikers Island is a critical next step to implement Raise the Age and ultimately close the jail complex," said **Mo Farrell, Policy Strategist at the Katal Center for Health, Equity, and Justice**. "To do this right, the City must ensure that the abusive and violent conditions that persist at Rikers are not transferred to juvenile facilities. The 16 and 17 year olds who are being transferred deserve to be supervised by appropriately trained staff who are committed to their safety and well-being."

"It's time to end the criminalization of young people of color in New York and invest in programs that support healthy and thriving communities," said **Alisa Wellek, Executive Director of the Immigrant Defense Project**. "That means not only removing all children from Rikers, but also ensuring that children are not held in alternative facilities overseen by Department of Correction staff."

"A child's zip code should not matter," said **Allison Lake, Deputy Director, Westchester Children's Association**. "Successful implementation of Raise the Age in New York requires children from all counties, especially New York City—which has the largest population in the state—have access to fully funded resources and service-rich facilities run by the Office of Children and Family Services and the Administration for Children's Services. In a year from now, when we begin to measure the progress and success of Raise the Age legislation, youth should have similar experiences, opportunities and outcomes whether from Westchester, Kings or Monroe County."
