

RAISE the AGE | NY

April 7, 2020

Honorable Bill de Blasio
Mayor of the City of New York
City Hall
New York, NY 10007

Dear Mayor de Blasio,

The undersigned organizations are deeply concerned about health risks to young people arrested, prosecuted, and incarcerated in New York City. As the City and State take essential but drastic measures to reduce contact, including closing schools and shuttering all non-essential businesses, young people and family members continue to face deadly exposure to COVID-19 in precincts, courts, detention centers, and jails, sometimes even for minor offenses.

While most of the reporting on COVID-19 has focused on the risks to older adults, a [recent CDC report](#) on the first reported US cases found hospitalizations and ICU admissions for adults as young as 20. As of late March, [53% of coronavirus cases statewide and over a quarter of hospitalizations in New York City are younger adults age 18-49](#). Young people with asthma, diabetes, and weakened immune systems are especially at risk. And when youth are arrested and detained, their parents, grandparents, and other family members may be compelled to risk infection themselves to support the young person.

As you have acknowledged, the COVID-19 crisis presents painful challenges for New York City's youth, particularly low-income youth of color who rely on public schools and other programs for not only education and enrichment but meals and other basic necessities. Young people whose lives are already incalculably disrupted are also surely feeling the stress that this virus is placing on their parents and other family members.

We urge you, as part of your commitment to young people in this city and to the public health of all New Yorkers, to immediately adopt the recommendations that we outline below to reduce risks to young people and families:

1. **Work with criminal justice partners to [release as many young people as possible from confinement](#), including Rikers Island and other DOC jails for young adults age**

18-25 and juvenile and specialized secure detention for youth under 18. While we understand that this cannot be done by executive action alone, we call on you to:

- Convene District Attorneys in each county to identify eligible Adolescent Offenders and young adults age 18-25 for whom they can consent to release. As of this week there were almost 1000 young adults in this age group in DOC custody.
- Use executive powers to release **all** young people serving city sentences of under one year and work with criminal justice partners to ensure release of **all** young people detained for administrative reasons.
- Release any youth detained solely because of a violation of terms of Probation.
- Transfer eligible youth held in secure juvenile detention to non-secure facilities to facilitate social distancing.
- Increase transparency about medically vulnerable young people held in detention and jail.

2. Stop custodial arrests of youth for all but the most serious charges. At this point, every custodial arrest puts both young people and NYPD officers at risk of contracting and spreading COVID-19. We can simultaneously protect public safety and public health. To this end, the NYPD should:

- Immediately end stops, tickets, arrests or other enforcement of broken windows and other low-level offenses, including but not limited to fare evasion, trespass, and drug offenses.
- Prioritize warnings whenever possible, and, when necessary, utilize the least disruptive tools, such as summonses.

3. If a young person must be arrested, reduce arrest-to-arraignment time. Arrest to arraignment times for youth under 18 charged as adults can be extremely long, sometimes surpassing 24 hours. For much of this time, youth are held in NYPD precincts in close quarters with officers, staff, and others being detained, risking exposure and spread of COVID-19 to all involved.

4. Ensure access to video visitation for youth in secure and specialized secure juvenile detention. While necessary for public health, the suspension of visits is difficult for youth and families. ACS must ensure uninterrupted access to video visits in a space that allows for social distancing consistent with COVID-19 guidelines.

5. Ensure that the City’s implementation of the governor’s PAUSE Executive Order (or any other “shelter in place” or other “stay-at-home” orders) do not lead to young people being targeted for harsh policing responses, stops or searches, harassment, or monitoring. In some jurisdictions, violations of “shelter in place” orders are punishable by misdemeanors, creating potential for additional arrests and exposure and for escalation and police abuse. Young people must be able to safely practice social distancing outdoors, in accordance with the current guidance, without fear of police intervention.

In a crisis of this magnitude, we urge you to do everything in your power to prioritize the health and safety of New York City’s youth.

Sincerely,

Center for Community Alternatives
Children's Defense Fund-New York
Children's Rights
Citizens' Committee for Children of NY
Covenant House
Dignity in Schools Campaign NY
Disability Rights New York
Families Together in New York State
Girl Vow, Inc.
Girls for Gender Equity
Global Action Project
Jails Action Coalition
Justice for Families
JustLeadershipUSA
Legal Aid Society of NYC
Make The Road New York
New Hour for Women & Children LI
Parent Action Committee
Restorative Justice Initiative
Rockaway Youth Task Force
Schuyler Center for Analysis and Advocacy
Suspension Representation Project (SRP)
Teachers Unite
The Bronx Defenders
The Brotherhood/Sister Sol
The Pinkerton Foundation
The Tow Foundation
Urban Youth Alliance (BronxConnect)

Youth Represent