



New York Juvenile Justice Coalition

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COALITION OF COMMUNITY ORGANIZATIONS, ADVOCATES, AND YOUTH CALLS ON STATE TO CURB ABUSE OF INCARCERATED YOUTH BY ENACTING JUVENILE JUSTICE REFORMS

Coalition Introduces Plan to End Prosecution of Sexually Exploited Youth; Urges State to Increase Funding for Alternatives to Detention

Who: The Juvenile Justice Coalition, an alliance of over 300 groups and individuals, including advocates, community organizations, and young people who have been involved with the juvenile justice system.

What: Press Briefing with legislators, advocates, formerly incarcerated youth, and parents.
Meetings with 45 legislators to follow (schedule of legislative meetings available upon request).

Where: Legislative Office Building (LOB), Hearing Room B

When: Tuesday, February 28, 2006 at 11:00 a.m.

Why: "The purpose of Juvenile Justice Advocacy Day is to highlight the need for far-reaching juvenile justice reforms in New York," says Mishi Faruqee, director of the Correctional Association's Juvenile Justice Project and one of the organizers of the event. "Children locked up in state correctional facilities experience abuse on a regular basis – we have received repeated reports of staff breaking young people's arms and scraping their faces against carpeted floors, giving children rugburns. Today is the rare occasion when formerly incarcerated youth can speak directly to legislators about the abusive and damaging treatment they received while in state custody. Instead of locking up youth who are charged with low-level offenses or who have been sexually exploited, New York must create more effective alternatives to jail and prison. Furthermore, the state must adopt measures to protect incarcerated youth from abuse and discrimination." The Juvenile Justice Coalition recommends that the state create a Child Advocate Office to protect the rights of youth in out-of-home placements and enact the SAFETY Act to prevent abuse of lesbian, gay, bisexual and transgender youth in youth facilities.

With bipartisan support in the Senate and Assembly, the Juvenile Justice Coalition has initiated a landmark bill to end the prosecution of sexually exploited youth. **The Safe Harbor for Exploited Children Act (Bill A. 6597/ S. 4423 sponsored by Assembly Member William Scarborough and Senator Dale Volker)** would stop children under the age of 18 from being prosecuted or incarcerated for prostitution charges. Instead, the bill creates a range of specialized, community-based services – such as community outreach, safe houses, and long-term housing – to help youth break away from sexually exploitative situations and relationships. “Despite the fact that children under the age of 17 cannot legally consent to sex, children as young as 11 and 12 are routinely charged and incarcerated for prostitution in New York. The Safe Harbor Act would remedy this cruel double standard in the law, ” says Margaret Loftus, Project Associate of the Correctional Association’s Juvenile Justice Project. “The current practice of locking up youth for prostitution further traumatizes them and makes it more difficult for them to leave the streets. The Safe Harbor Act will give young people the critical support they need to rebuild their lives.”

The Juvenile Justice Coalition proposes these additional reforms:

- **Shift money from youth detention to community-based alternatives to jail.** New York State spends \$62 million a year to jail youth under age 16 who are awaiting trial in juvenile court. Rather than expanding state spending on youth detention, the Legislature should redirect funding towards community-based alternatives to detention for pre-adjudicated youth. Community-based programs cost much less than detention and are far more effective in reducing youth crime and recidivism.
- **Enact the Safe and Fair, Equal Treatment (SAFETY) Act (Bill A.6502 sponsored by Assembly Member Roger Green) to protect lesbian, gay, bisexual, and transgender (LGBT) youth from harassment and abuse.** LGBT youth are subject to harassment and abuse within state facilities operated by the NYS Office of Children and Families (OCFS). Although roughly 10% of youth in state custody are LGBT, OCFS does not have an anti-discrimination policy regarding sexual orientation and gender identity. The SAFETY Act would prohibit all discrimination and harassment in juvenile facilities and require that OCFS provide comprehensive training to its personnel instructing them on appropriate responses to incidents involving harassment of LGBT youth.
- **Create an Independent Child Advocate’s Office (Bill A.6334 sponsored by Assembly Member Barbara Clark) to safeguard the rights of youth confined in state institutions.** New York State needs an independent state office to monitor conditions of confinement for youth in OCFS youth facilities. This legislation would create a Child Advocate Office to monitor public and private child welfare and juvenile justice facilities.