



**children's  
defense fund  
new york**

# **Joint Legislative Hearing on the 2024 – 2025 New York State Executive Budget Proposal: Human Services**

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# Joint Legislative Hearing Testimony: 2024 – 2025 New York State Human Services Executive Budget Proposal

## About the Children’s Defense Fund – New York

Children’s Defense Fund – New York (CDF-NY) thanks the chairs of the Assembly Ways and Means Committee and the Senate Finance Committee for the opportunity to submit testimony on the 2024 – 2025 New York State Human Services Executive Budget Proposal.

CDF-NY is a non-profit child advocacy organization that works statewide to ensure every child in New York State has a *Healthy Start*, a *Head Start*, a *Fair Start*, a *Safe Start* and a *Moral Start* in life and a successful passage to adulthood with the help of caring families and communities. As the New York office of the Children’s Defense Fund, a national organization with roots in the Civil Rights Movement, we are committed to advancing racial equity and to leveling the playing field for marginalized New York children, young people, and their families and communities. We envision a state – and a nation – where marginalized children flourish, leaders prioritize their well-being and communities wield the power to ensure they thrive. CDF-NY provides a strong, effective, and independent voice for children. We pay particular attention to the needs of children living in poverty, children of color and those with disabilities. CDF-NY strives to improve conditions for children, young people, their families and communities through research, public education, policy development, direct service, organizing and advocacy in direct partnership with the communities we serve. We are focused on building community, in order that all young people grow up with dignity, hope, and joy. Our policy priorities include racial justice, health equity, education justice, child welfare, youth justice and economic mobility. To learn more about CDF-NY, please visit [www.cdfny.org](http://www.cdfny.org).

## The Budget Must Reflect Investments for Young People Who Have Contact with the Youth Justice, Child Welfare and Runaway and Homeless Youth Systems

### 1) Fully Fund Raise the Age Reforms

Raise the Age has been successful for young people and their communities, despite its underfunding. Youth crime has consistently gone down since its implementation in 2018:

- In New York City alone, since 2013, there has been a 77% decrease in adolescent arrests, as well as a 48% decrease in arrests for serious offenses.<sup>1</sup>

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<sup>1</sup> New York “Rest of State” (data does not include NYC) saw a decline of 73% in total arrests, and a decline of 68% in Index Crimes for young people under the age of 18. In NYC, there was a decline of 77% in total arrests, and a decline of 48% in Index Crimes for youth under the age of 18. Data from the New York State Division of Criminal Justice Services: Juvenile Arrests (Non-NYC) 2013-2022; Analysis of New York City Police Department data by Citizens Committee for Children of New York for 2013-2022. On file with the author.

- And throughout New York State, there has been a 73% decrease in adolescent arrests and a 68% decrease in arrests for serious offenses since 2013.<sup>2</sup>

Moreover, contrary to some press reports, there is no evidence that Raise the Age has led to increases in gun violence among adolescents. In New York City, a recent report from John Jay College of Criminal Justice that analyzed New York Police Department data found that the share of felony dangerous weapons offenses committed by people under 18 has *gone down* since RTA was passed in 2017.<sup>3</sup> Those under 18 also represented a *smaller* share of felony weapons arrests in 2022 (8%) than in 2014 (9%) or 2006 (11%).<sup>4</sup>

In 2022, arrests for felony assault among people under 18 made up 4% of all assault arrests, half the percentage from 2014 (8%) and far less than 2006, when it was 15% of all felony assault arrests.<sup>5</sup>

As the researchers found, “[i]f rising youth violence were caused by policies [like Raise the Age] preventing the prosecution of youth as adults, law enforcement data would show violence among juveniles under age 18 to be distinct and generally worse than trends among adults aged 18 and over.”<sup>6</sup> That is not the case.

While \$800 million was allocated for Raise the Age implementation in its first 4 years of budget cycles, it has been publicly reported that only \$270 million of those State dollars have been invested in communities. The FY 2024-2025 Budget must ensure that those funds reach the types of programs and community resources that support our young people, including mental health, education, restorative justice, and other trusted community-based programs.

The Executive Budget proposal includes \$250 million in Raise the Age implementation dollars, however there is no change to the mechanisms for getting these critical funds to communities.<sup>7</sup> Those who serve and work with young people who may have contact with the criminal legal system need to have better access to this support, meaning that counties must access the funds more easily, and community-based organizations and service providers must be allowed to apply and receive state dollars directly.

Since Raise the Age was passed, New York City, which represents half of the youth justice system, has been excluded from receiving state funding. Unfortunately, the Executive Budget proposal does not change this. Permitting the City to access these dollars should be part of the Budget this year.

**Call to Action:** We call on the Senate and Assembly to include the \$250 Million appropriation in its One House legislation, remove the tax cap restriction that effectively prohibits New York City from accessing state Raise the Age implementation funding, and establish a Youth Justice Innovation Fund with \$20 Million of the appropriation. This Youth Justice Innovation Fund would be administered by the Division of Criminal Justice Services and permit community-based organizations in every part of the state (including New York City) to apply for and access

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<sup>2</sup> *Id.*

<sup>3</sup> Jeffrey A. Butts, Sheyla A. Delgado, and Richard A. Espinobarros, *Minor Role: Youth Under Age 18 and New York City Violence* (2023), John Jay College of Criminal Justice Research and Evaluation Center, available at: <https://johnjayrec.nyc/2023/02/13/databit202301/>.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> See the Executive Budget Proposal, Aid to Localities bill at 1044.

implementation dollars directly from the state and provide a continuum of services from prevention, early intervention, to alternatives to detention, placement and incarceration. The Fund would complement existing state support for local probation services under Raise the Age.

## 2) Increase Funding for STSJP

New York's Supervision and Treatment Services for Juveniles Program (STSJP), administered by the Office of Children and Family Services, provides matching state dollars to support local youth justice services.<sup>8</sup> The program supports a continuum of services from prevention, early intervention, to alternatives to detention, incarceration and placement, as well as re-entry and aftercare for youth coming back into communities. The funding is flexible, permitting counties to invest in programs and services as well as the indirect supports necessary for young people and families to participate, including incentives for youth and transportation vouchers.<sup>9</sup> STSJP pre-dates Raise the Age, but remains an important part of the state's commitment to implementation and investing in adolescents who have contact with, or may have contact with, police, including 16- and 17-year-olds impacted by Raise the Age reforms. STSJP is also available for differential response programs developed pursuant to the state's raising the lower age for juvenile delinquency, and serving children aged 7-11.<sup>10</sup>

Evidence from a wide range of disciplines has consistently shown that programs and services for youth reduce the likelihood that young people will have contact with the criminal legal system and are cost-effective alternatives to harmful detention and incarceration.<sup>11</sup> This includes programs currently supported through STSJP in counties across the State, including credible messengers, multi-pronged family-focused treatment models, wraparound programs, employment programs, and community-based counseling, support and skill-building and recreational programs.<sup>12</sup>

**Call to Action:** The Executive Budget proposal adds \$3 Million in state funding to STSJP, increasing the appropriation to \$11.3 Million.<sup>13</sup> We support this critical investment in youth justice and encourage the Senate and Assembly to adopt the same increase in their One House legislation.

## 3) Amending the Child Welfare Preventive Services Housing Subsidy to Index to Inflation

The Office of Children and Family Services currently administers (through local departments of social services) a state-wide housing subsidy available to parents involved in the child welfare system and young people aging out of foster care. Following legislative reform included in last year's enacted budget, counties can offer up to \$725 a month in housing assistance to families and youth aged 18 up to 21. The subsidy is available for up to three years.

While the monthly amount was raised for the first time in last year's budget, it was not indexed to inflation to ensure the subsidy keeps pace with rising costs. This limits the impact and value

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<sup>8</sup> See NYS Office of Children and Family Services – STSJP: <https://ocfs.ny.gov/programs/youth/stsjp/>.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> See, e.g., The Sentencing Project, *Why Youth Incarceration Fails: An Updated Review of the Evidence* (2023), available at: <https://www.sentencingproject.org/reports/why-youth-incarceration-fails-an-updated-review-of-the-evidence/>.

<sup>12</sup> *Id.* at 6, 22-23.

<sup>13</sup> See the Executive Budget Proposal, Aid to Localities bill at 330.

of this critical resource at a time where New York State is experiencing significant deficits in affordable housing. New Yorkers are suffering from a housing crisis, due to a lack of political will to pass policy that meets the true affordable housing needs of New Yorkers as well as due to woefully insufficient investment in permanent affordable housing for the most marginalized communities.<sup>14</sup> Because unstable housing and homelessness is a driver of family contact with the child welfare system, and housing instability and homelessness is a significant risk for youth aging-out of foster care, ensuring that the State's child welfare housing subsidy grows with the economic realities of families and communities is essential.

**Call to Action:** We urge the legislature to include a provision indexing this subsidy to inflation in both One House bills to ensure that it remains large enough to be able to serve its purpose of stabilizing young people's and families' housing. It must be indexed to inflation, so that it will rise with housing costs.

#### 4) Increasing Support for Youth in Foster Care for Higher Education

The Governor's budget proposes \$7.9 Million in funding for the Foster Youth College Success Initiative (FYCSI) to support youth who are or were in foster care to pursue higher education. This reflects a reduction in state support from last year's appropriation of \$8.2 Million. FYCSI is a critical bridge to college for young people who have experienced foster care, covering tuition and fees, books, transportation, housing, medical and personal expenses. Because young people leaving foster care face significant barriers in accessing and completing higher education, FYCSI is a crucial source of financial support.

**Call to Action:** We urge the Senate and Assembly to make a bolder investment in young people by increasing the appropriation for the Fostering Youth College Success Initiative to \$10 Million in their One House legislation for FY 2024-2025.

#### 5) Increasing State Investments in Runaway and Homeless Youth Services

There are currently 1,149 Office of Children and Family Services certified runaway and homeless youth (RHY) beds in only 28 of the state's 62 counties, leaving most of New York without any shelters for young people. Of all certified RHY beds, over half are in New York City. The most recent system-wide data published by OCFS is from 2020, showing that during that year:

- 5,478 youth stayed in a runaway or homeless youth crisis or transitional program;
- almost 2,000 youth were turned away from a bed; and,
- another 12,400 youth received non-shelter services through drop-in centers, hotlines and street-outreach.<sup>15</sup>

It is likely that these numbers have only increased over the past three years, and according to the 2023 Housing and Urban Development (HUD) Point-in-Time count, New York State has the second highest population of youth and young adults experiencing homelessness in the country, which accounts for over 17% of the total national population of unaccompanied homeless youth.<sup>16</sup>

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<sup>14</sup> See, e.g., NYU Furman Center, *New York State Housing Agenda 2023*, available at: <https://furmancenter.org/nyshousing2023>.

<sup>15</sup> These data were provided by the Coalition for Homeless Youth.

<sup>16</sup> *Id.*

To describe the State's current investment in homeless and runaway youth as inadequate is an understatement. Because of a lack of access to robust, age-appropriate shelters and services, many homeless youth must use adult shelters, which are not sensitive to the particular needs of young people and often fail to provide the age-appropriate support they need.

Although the 2023-24 Enacted Budget included a welcomed increase of \$2.8 Million for the Runaway and Homeless Youth Program, the appropriation still does not come close to meeting the true costs statewide. If New York State wants to ensure that all young people have the mental health care they need, and that LGBTQIA+ youth have safe and supportive programs they can turn to for shelter, additional funding is critical.

**Call to Action:** We urge the Senate and Assembly to provide an additional \$5.57 Million for the Runaway and Homeless Youth Program, for a total of \$12,234,000 in their One House legislation to bring us closer to an enacted budget for FY 2024-2025 that reflects our shared goal of ensuring that no young person is ever forced to sleep on the streets.

## **Conclusion**

Thank you for your consideration of this written testimony. The Children's Defense Fund – New York looks forward to working with you on a State budget that improves the health and well-being of children, young people, their families and marginalized communities throughout New York State.