



# children's defense fund new york

## **Prioritizing the *Whole Child, Whole Community's* Needs: New York State Budget and Legislative Priorities FY2024 - 2025**

### **WHAT'S AT STAKE**

New York was recently classified as having among the highest structural racism and income inequality indexes in the United States.

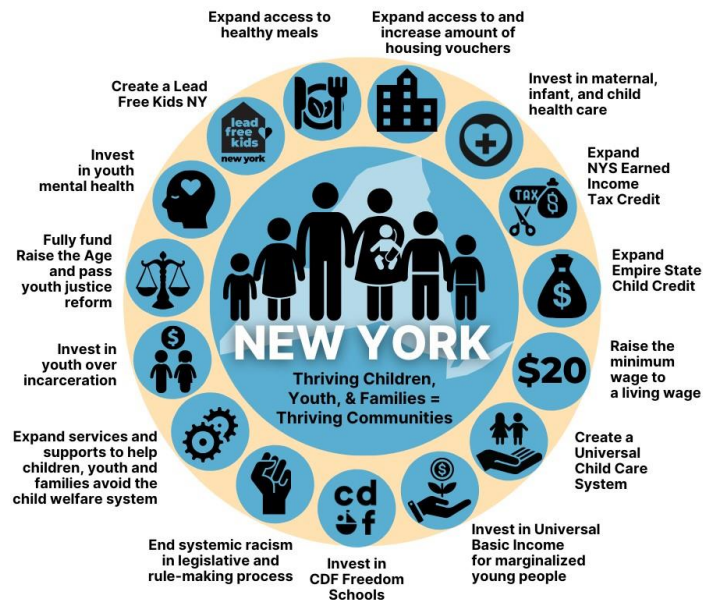
- Nearly 800,000 children in New York live in poverty, meaning that one in five Black and Latinx children are more than twice as likely as white children to live in poverty. New York's 15th Congressional District, located in the Bronx, carries the highest child poverty rate of any of our nation's Congressional Districts. Syracuse carries the highest child poverty rate in the nation among cities with at least 100,000 people (48.4 percent), with Buffalo and Rochester also ranking within the top ten list of large U.S. cities with the highest child poverty rates.
- Black women in New York have maternal mortality rates that are more than 3 times higher than white women.
- 84% of 16- and 17-year-olds arrested on felony charges are Black and Latinx, despite being only 25% of the adolescent population in New York State.
- In New York City during 2018, more than 90% of all elementary school-age children who were arrested were Black or Latinx, and 100% of delinquency petitions filed in court were against children of color.
- Only 16% of New Yorkers aged 15 to 24 are Black, but 43% of young adults arrested in New York in 2019 were Black. Latinx youth represented 26% of those arrested but only 22% of the youth population in New York.
- 80% of youth under 18 admitted to youth prisons are Black and Latinx.
- Over 90% of youth held on Rikers Island are Black or Latinx.
- Over half of emerging adults 18 to 24 who were sentenced to prison in 2018 were Black. Although 51% of teenagers and young adults in New York are white/non-Latinx, they represented less than 20% of those sentenced to prison in 2018.
- There are over 16,000 children in foster care in New York. Over half of these children are Black or Latinx. Similarly, about 40,000 families with over 80,000 children have contact with the child welfare system, often as a result of a CPS investigation and/or a referral for preventive services that are intended to support family stability and prevent the need for child removal. Over 70% of those children were Black or Latinx.
- New York ranks number 1 in the nation for childhood lead poisoning. New York's childhood lead crisis disproportionately impacts children and color and children living in poverty. For example, in Buffalo, children in predominantly Black and Latino neighborhoods are 12x more likely to get lead poisoning than children in white neighborhoods.

- Gun violence is often concentrated in high poverty zip codes in communities of color. This is evident in Rochester, which carries the second highest child poverty rate in the nation among cities with at least 100,000 people, and other counties throughout New York State.
- Suicide is the second leading cause of death among Latina adolescents in New York, accounting for approximately 23.5 percent of all deaths of Latinas ages 15 to 19 between 2006 and 2015, with the risk of completed suicides among Latina adolescents nearly doubling since 1999.
- Black youth are at a particularly heightened risk of suicide in our State and are classified as a high-risk suicide population in New York. New York's data reflects stark national trends.
- Nationwide, the suicide death rate among Black youth is increasing faster than that of any other racial or ethnic group, with self-reported Black adolescent suicide attempts rising by 73 percent between 1991 and 2017 and injury by suicide attempt growing by 122 percent for Black adolescent boys during this time.
- Tragically, families of color are finding themselves having to make the hard, unfair decision to leave the state or experience homelessness. For example, Black children in particular are disappearing from New York City, and many families point to one reason: raising children here has become too expensive, citing housing costs as their top issue. In New York City, where shelter capacity is at an all-time high, the largest population of those experiencing homelessness is families with children. Immorally, 95% of families with children living in shelters are Black or Hispanic. Housing affordability is not just a downstate issue. In 49 counties, more than 20 percent of rental households spend at least half of their income on rent.

Our children and young people do not live on an island unto themselves. Our time out in the community really highlights for us that our children cannot be well if their communities are not well. New York's children and young people are impacted by not just their family's individual circumstances but also by the conditions of their communities, the circumstances of their neighbors, and by racist, unjust, and inequitable systems. For example, this is why communities experiencing high rates of gun violence are often communities of color in high poverty neighborhoods that are disproportionately impacted by homelessness, childhood lead poisoning, untreated mental illness, contact with the child welfare system, contact with the youth justice system, hunger, and poverty wages. To have thriving children, youth, and families requires having thriving communities. To have thriving communities requires holistic funding to meet the full needs of all marginalized children, youth, young adults, and families in their respective communities.

**New York's pervasive racial and ethnic disparities harm our children, young people and their families and communities as well as our State and must be urgently addressed through meaningful, holistic systemic change and bold investment.** As communities of color continue to navigate the triple crises of COVID-19, inflation, and systemic oppression rooted in racism, our State elected officials must do what is just and equitable by centering and prioritizing the needs of the youngest New Yorkers along with marginalized children, young people, and their families and communities in the FY 2024-2025 Budget and Legislative Session in ways that center their physical and mental wellness and economic health, thereby enabling them to have joy and to thrive. **To do so, New York must pass and sign into law a Whole Child, Whole Community budget and legislative agenda.**

# Whole Child, Whole Community Movement



*“The Working Families Tax Credit (WFTC) would be essential to my family. Three of my five children have special needs. What I supply for them can be so beneficial and essential. ... NYC rent is very high.*

*We really want to make sure our children are safe, and they have a (stable) place to (live).*

*Representing communities here in the northwest Bronx, a lot of our families have had to deal with having to strap together whatever comes with their paycheck every month, so they have the essentials to go home with and provide for their child. (The WFTC money) could be paying monthly rent that (my neighbors) are behind on, utilities, child care, baby sitter, and making sure they get transportation to work or get their kids to school. I have grown teenagers now who are looking forward to college. What the WFTC means to me is financial support for me that can support my children on campus with dorm supplies, and with classes they want to take for their majors.”*

**Amy Tsai, Bronx parent of five children and parent advocate**

## Economic Mobility

Close to 800,000 children in New York live in households with incomes below the federal poverty level. This is higher than the national rate of 16%. By following the proposals listed below, New York will be on track to decrease that rate.

- **Expand the Empire State Child Credit.** One of the most effective ways to tackle child poverty is through refundable tax credits. New York must make the credit available at the highest credit amount for those families with the lowest income as well as increase the credit to provide meaningful support for families. New York must ensure the credit continues to be available to all New Yorker regardless of their immigration status.
- **Expand the Earned Income Tax Credit,** so all working New Yorkers may access the credit, including those filing with an ITIN.
- Create a strong, streamlined and inclusive **Working Families Tax Credit** by passing S.277A (Gounardes) / A.4022A (Hevesi).
- **Establish the Housing Access Voucher Program (HAVP)** as a state funded and administered housing voucher to provide rental assistance to eligible individuals and families, regardless of

immigration status. Housing affordability and housing scarcity are a plague upon many New Yorkers. Those who are the most vulnerable are pulled into a loop that worst leads to eviction and at best brings on the agonizing decision of paying rent or putting food on the table.

- **Increase the statewide Runaway and Homeless Youth program investment** by \$5.75M to support a continuum of housing supports for young people across New York State.
- **Increase the minimum wage to \$20/hour and index it to inflation.** New Yorkers need wages they and their families can live on with dignity. As our minimum wage lags behind the cost of living and prices continue rising at the fastest rate we have seen in 40 years, lower-wage workers and their families are being hit the hardest, with many being unable to afford to continue to live in New York and/or ending up experiencing homelessness and hunger and being unable to afford other basic necessities for themselves and their families. It is time New York provides families the economic stability they need and have a right to, because all labor has dignity.

*“Even prior to COVID-19 and the traumas that it has inflicted on our children, youth, and young people, **mental health** has been one of the most concerning topics among youth. Good mental health is necessary to develop wealth, build strong relationships, adapt to change, and deal with life changes. Teenagers experience the stress of gaining or maintaining a new job, the increase of school work and misunderstanding parents. As these ups and downs happen, this can be where youth go through depression, self-harm, or commit suicide. Mental health among young people is an everyday issue. Youth voices must be at the center of decision-making processes for their own health and wellbeing, their empowerment and resilience, their education and skills, and their connection with people. The impact of existing mental health issues can be reduced through early intervention through making appropriate services readily available to the youth when they might need them. This may include improving community capacity to deal with mental health problems in young people through the provision of information, training, and self-care initiatives, and through increased primary services (being easily available and) provided (to youth) by general practitioners and other frontline service providers, such as school counselors, community health care workers and/or nongovernment agency youth workers. Let’s better our relationship with the youth and make a positive change.”*

**Shenneil Cunningham, youth advocate who attends school in Harlem**

*“My story with **lead poisoning** began 41 years ago when my brother at the young age of two was poisoned in the home my parents were renting at the time. At two years old, his entire future was decided for him. At the age of 43, he has the mind of an eight-year-old and counts on my siblings and I for his daily care, because he has outlived both our parents. Fast forward, some 40 years later and my granddaughter became poisoned in my own home. My granddaughter now counts on help in school just so she can participate and keep up with her peers. She has to take medication for ADHD daily just so she can concentrate on her school work. You might think lead poisoning being generational is a 1 in a million chance. Unfortunately, in Syracuse, we hear those stories often. We hear about grandmothers who were lead poisoned, who then went on to raise children who were lead poisoned and who now have grandchildren who are lead poisoned. You might think this is just a Syracuse (problem). (It’s not.)*

*Due to systemic racism that shaped our communities way back when redlining and other governmental procedures were put into place, our communities (and their issues and problems) are now by design. In Syracuse, our Black and brown children are poisoned at a rate of 10-to-1 to their Caucasian counterparts. If you are a Black male child living in my neighborhood, you have a 1-in-4 chance of being poisoned in your own home. This affects a child’s ability to learn, lowers their IQ, and makes completing high school education almost impossible. What we need from our New York leaders*

*now is to stand up. **Childhood lead poisoning** is a completely preventable illness. There is no reason for any child to be lead poisoned ever. We need to strengthen the laws to protect our children. We need to put the money behind the laws that get remediation for our children. And we need to provide funding, so our children and families have what they need.”*

***Oceanna Fair, Syracuse sibling and grandparent impacted by childhood lead poisoning and parent advocate***

## **Health Equity**

- **End Childhood Lead Poisoning in New York.** New York has more children with elevated blood lead levels than any other state. Lead exposure rates in some parts of New York are five to six times higher than those in Flint, Michigan at the height of its lead crisis, with children of color and children living in poverty disproportionately impacted. To reduce lead exposure, New York must make bold investments and must pivot to a prevention framework by enacting and funding proactive rental inspections to fund lead hazards before they harm children; establishing minimum maintenance standards for lead hazards in housing; and adopting a state Renovation, Repair and Painting (RRP) rule. The State must also prohibit insurance carriers from excluding coverage for lead exposure from landlord liability policies.
- **Expand Health Coverage for Children and Families.** Despite the coverage gains our State has made in recent years, too many New York families still lack affordable and comprehensive health coverage. While the New York Health Act would provide universal coverage for all New Yorkers, our State can make incremental progress **by enacting legislation to expand coverage and care regardless of immigration status and implementing continuous coverage for children during their first six years of life to improve access to care and lower out-of-pocket costs.**
- **Increase the Health Insurance Navigator Budget** to guarantee high-quality enrollment services and provide additional funding to community-based organizations to educate consumers about coverage options.
- **Assess Equity, Access and Quality of Telehealth Service Provision.** As New Yorkers of all ages increasingly turn to telehealth, it is incumbent upon our State to ensure equity, access, and quality in telehealth service provision, particularly for our Black and Brown communities who are disparately affected by the digital divide and for marginalized youth in need of behavioral health services.
- **Expand School Health Services.** New York must amend its Medicaid State Plan so that public schools can become approved locations where health and behavioral health services can be provided to all Medicaid-enrolled students, not just to students with Individualized Education Programs (IEPs).
- **Invest in Youth Mental Health.** New York must respond to the increasing mental health needs of New York’s marginalized young people. The State must increase access to in person behavioral health supports for youth who may lack access to telehealth services and create community safe spaces where young people can safely and privately access teletherapy services. Furthermore New York must bolster mental health supports and increase investments in suicide prevention resources for Black youth, who experience disproportionately high risk of suicide in our State. New York must establish a Black Youth Suicide Prevention Task Force to examine mental health policies and practice and improve prevention resources for Black youth ages 5 through 18.

- **Black maternal and infant mortality.** We support [Governor Hochul's efforts to address New York State's black maternal and infant mortality crisis by](#): expanding New York's Paid Family Leave policy to include 40 hours of paid leave to attend prenatal medical appointments – making New York the first state in the nation to establish statewide coverage for prenatal care; expanding access to doula care through standing order, which would allow New Yorkers to utilize doula services without a referral from a physician, thereby, eliminating an unnecessary hurdle for pregnant mothers to cross, especially low-income mothers who rely on Medicaid for health insurance coverage; eliminating cost-sharing – including co-pays and other out-of-pocket costs – for pregnancy-related benefits for any New Yorker enrolled in the Essential Plan or Qualified Health Plans; launching new initiatives to reduce the rate of unnecessary C-sections, which will include new oversight measures to identify physicians whose behavior is out of line with clinical best practices, allowing the Department of Health to hold providers – including those overutilizing C-sections – accountable, and it also includes a new Medicaid financial incentives for hospitals to reduce the number of unnecessary C-sections; addressing maternal mental health and post-partum depression through mental health supports; and reducing the risk of Sudden Unexpected Infant Deaths (SUID) by providing funding for the distribution of portable cribs for under resourced New Yorkers at no cost.

“Who can know the needs of our communities better than the ones who live and serve there daily?”  
**Embraia Fraizer, YouthNPower: Transforming Care youth advocate**

#### Youth Justice

- **Ensure Raise the Age Reforms in Communities are Fully Funded.** The evidence shows that the Raise the Age law has been successful for young people and their communities, despite its underfunding. While over \$1 billion has been allocated for Raise the Age reforms over the last 5 years, it has been reported that less than half of those State dollars have actually been invested in communities. We are looking to our elected leaders to ensure those funds actually reach the types of programs and resources necessary to meet the promise of Raise the Age, including mental health, education, restorative justice, and other trusted community-based programs. That means streamlining processes for counties and local organizations to access dollars.
- **Youth Justice Investments Must be Equitable.** Since Raise the Age was passed, New York City, which represents half of the youth justice system, has been excluded from receiving state Raise the Age implementation funding. Permitting the City to access these dollars must be part of the budget this year.
- **We support Governor Hochul's proposal to increase funding for the Supervision and Treatment Services for Juveniles Program (STSJP)** to increase the continuum of community-based services and programs from prevention through re-entry and return home for youth who have had contact with the criminal legal system.
- **Pass #Right2RemainSilent Youth Interrogation Legislation (S1099 (Bailey) A1963 (Joyner)).** Without a lawyer, nine out of ten young people waive their rights to counsel, often at the urging of their well-meaning parents or guardians, and almost always without understanding they have the right to remain silent. The results are devastating. Young people are at grave risk of giving false confessions, being wrongfully convicted, incarcerated and all of the collateral consequences that a criminal conviction includes. That is why we must pass the #Right2RemainSilent Act. This

legislation will protect our children by requiring every young person to talk with a lawyer before they waive their rights and subject themselves to police interrogation. Whether in person, by telephone, or by video conference, every young person under the age of 18, regardless of their family's economic status, should be able to consult with an attorney before police interrogation.

- **Pass the Youth Justice and Opportunities Act (S3426 (Myrie) A4238 (O'Donnell)).** The current law allows judges to grant Youthful Offender ("YO") status to some young people arrested and charged with criminal offenses prior to their 19th birthday. YO status seals cases so they will not appear on a background check and allows judges to sentence young people to age-appropriate, non-jail sentences. However, the current law is limited. By expanding eligibility for YO and creating a new status for emerging adults up through age 25 with similar benefits, the Act would update New York's law to reflect the consensus among medical and mental health professionals that emerging adulthood is a unique developmental period and should receive protections under the law.

"Whether it's dealing with an investigation or having an experience in the child welfare system, many families and youth are stuck feeling confused, unaware of what may be useful to them, isolated, ashamed, traumatized, and honestly just live in survival mode with their broken relationships of trust between communities, families, and systems."

**Grace Tatom, YouthNPower: Transforming Care youth advocate**

#### Child Welfare

- **Pass Family Miranda Rights Legislation (S901 (Brisport) A1980 (Walker)).** The Family Miranda Rights Act requires child protection services (CPS) investigators to advise parents and caretakers of their rights at the start of an investigation. This legislation does not create new rights; it simply ensures that parents are aware of the rights already guaranteed by New York State law and the Constitution.
- **Pass the Anti-Harassment in Reporting Legislation (S902 (Brisport) A2479 (Hevesi)).** This bill requires reporters of suspected child abuse or maltreatment to provide their name and contact information to the statewide central register of child abuse, prohibiting the harmful practice of anonymous reporting. In many instances, false anonymous reports are used as a form of harassment. Reporters' safety would still be assured, but replacing anonymous reporting with confidential reporting will deter a significant amount of malicious reporting, allow agencies to conduct more effective investigations and focus resources on the cases that merit them.
- **Pass legislation to stop pursuing parents for child support while their children are in foster care (S7054 (Hoylman-Sigal) A4027 (Kim)).** This bill would restrict actions seeking child support payments from parents while their children are in foster care. Child support enforcement against families after being separated from their children has been shown to delay family reunification and increase family instability, which are inconsistent with child and family wellbeing.
- **Create a Child and Family Wellbeing Fund.** We look forward to working with our elected leaders to establish a new community reinvestment fund to increase the neighborhood assets that contribute to children and families being healthy and thriving. Developed by a Working Group of policy advocates, direct service providers, and organizations working with and on behalf of children, youth and families across New York, the Fund would direct funding to small community groups without ties to the child welfare system. Decisions about local investments would be

made in a unique way: neighborhood residents would lead a process of mapping community assets to decide for themselves what strengths to build on.

"I really love the whole aspect of **CDF Freedom Schools** and how it brings us full circle with social justice issues in our communities. That program is important because it fits directly in with our mission and program here. (At Cameron Community Ministries) we are addressing the same issues of education (injustice), poverty, community violence, and healthcare (disparities). Cameron is focused on all of those (issues) and CDF Freedom Schools allow us to bring our young people in so they can also learn about those issues in our community and how they can become advocates themselves.

*The CDF Freedom Schools program is just a win-win all around."*

**Olivia Kassoum-Amadou, Executive Director of Cameron Community Ministries in Rochester, NY**

"*There is a need for a CDF Freedom School (in Buffalo).* (In Buffalo) education has impacted many of our learners because of context and scarcity of resources. The work of changing the tide, painting a new picture of a new Buffalo where the sky is the limit to the society you create is why I value Children's Defense Fund and **CDF Freedom Schools**. It is through the literacy journey that we are able to imagine a world investing in education and investing and pouring into our children. Literacy programs like CDF Freedom Schools and other (youth) programs that will provide training and skills will allow Buffalo to experience a new birth that our young people desire to see.

*We are determined that we will see CDF Freedom School in Buffalo and that it will spread."*

**Rev. Paul Thomas, Pastor of Bethel A.M.E. Church in Buffalo, NY**

### **Education Justice**

***\$2 million state Investment in CDF Freedom Schools program.*** The main objective of CDF Freedom Schools program is to offer high-quality education to every student, encourage active participation in civic matters, and uplift marginalized communities. Through their innovative curriculum, CDF Freedom Schools provide students with a unique and empowering educational experience tailored to their lives and the demands of the Freedom Movement. These schools have shown significant positive outcomes in promoting civic engagement and have a lasting impact across generations. By providing quality instruction, especially to historically disadvantaged groups like African American and other students of color, Freedom Schools enhance student confidence, critical thinking abilities, and social and emotional development.

### **Child Care**

We are a long way from a system of universal child care, and funding is absolutely critical in order to reach that important goal. This year, in order to move towards a universal system, New York must:

- Create a permanent state child care fund that is sufficient to increase compensation for all child care workers who work in licensed and regulated programs at parity with similar positions in the public school system.
- Increase rates for legally exempt child care providers to 75% of the family child care rate and to 85% for providers who are eligible for the enhanced rate.
- Commit New York State to using a cost estimation model to determine state child care reimbursement rates by 2025 with input from child care providers and parents.
- Establish a health insurance premium support program for child care workers



**Require Racial and Ethnic Impact Statements for All Legislation and Rulemaking.**

As shared above, throughout all walks of life, racial disparities persist in New York. Furthermore, the recent pandemic has shed light on where disparities not only endure but are increasing. Whether it is within education, home ownership, health or by any other metric, disparities within New York continue and are increasing. The median household net worth for white New Yorker's is \$276,900. This is 1400% greater than the median household net worth of Black New Yorkers at \$18,870. New York's pervasive racial and ethnic disparities can only be addressed through systemic change.

New York's pervasive racial and ethnic disparities must be addressed through systemic change by no longer passing legislation or adopting rules without first analyzing their potential impact on communities of color. New York must require all bills leaving committee and all proposed rules to be accompanied by a [racial and ethnic impact statement](#), and prohibit the passage of bills or adoption of rules that can increase racial or ethnic disparities.

By requiring racial and ethnic impact statements on all proposed bills and rules, New York would lead the nation in addressing and helping to end structural racism in the legislation and rule-making process, which will have a direct, tangible impact on communities of color.

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The Children's Defense Fund-New York (CDF-NY) has a unique approach to improving conditions for children, combining research, public education, policy development, direct services, and advocacy. A recognized authority in the endeavor to protect New York children and strengthen their families, CDF-NY serves as a resource and partner for children, youth, families and organizations throughout New York State.