



**Testimony for the  
Joint Legislative Hearing on the  
State Fiscal Year 2025-26 Executive Budget Proposal  
Public Protection**

**Testimony of Julia L. Davis**

**Director of Youth Justice & Child Welfare**

**Children's Defense Fund – New York**

**[jdavis@childrensdefense.org](mailto:jdavis@childrensdefense.org)**

**February 13, 2025**

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 for the Joint Legislative SFY 2025-2026 Budget Hearing on Public Protection.

### **About the Children’s Defense Fund**

Children’s Defense Fund (CDF) is the only national, multi-issue advocacy organization working at the intersection of child well-being and racial justice by wielding the moral authority of programmatic proximity and community organizing to inform public policy. CDF serves and advocates for the largest, most diverse generation in America: the 74 million children and youth under the age of 18 and 30 million young adults under the age of 25, with particular attention to those living in poverty and communities of color. We partner with policymakers, aligned organizations, and funders to serve children, youth, and young adults. As the New York State office of the Children’s Defense Fund, we focus our statewide movement-building and policy work on economic mobility, health equity, child welfare and youth justice.

#### **I. Passing the Youth Justice Innovation Fund in the Budget: Expanding Community-Based Support for Youth and Public Safety**

Overall, youth crime has consistently gone down since the Raise the Age law was first implemented in 2018. Evidence from across the State shows how the law has improved community safety and youth well-being. Despite this significant progress, New York State has failed to fully deliver on its promise to fund community-based programs that provide a continuum of services from prevention and early intervention through alternatives to incarceration, re-entry, and aftercare. From 2019 to 2023, only a third of the money appropriated for youth justice under Raise the Age was spent.<sup>1</sup> In 8 out of the top 10 counties outside of New York City,<sup>2</sup> more than 80% of approved spending on Raise the Age implementation was for detention, placement and law enforcement. In these counties, less than 20% of funds approved – sometimes as little as 10% – were for community-based services and programs.<sup>3</sup>

---

<sup>1</sup> [Jason Beeferman. \*The \\$980M collecting dust in Albany\*. Politico. Jan. 16, 2025.](#)

<sup>2</sup> The top 10 counties outside of New York City are based on the number of arrests among youth under the age of 18 in 2022 for Rest of State counties. Those 10 counties include: Albany, Broome, Erie, Monroe, Nassau, Oneida, Onondaga, Orange, Suffolk and Westchester.

<sup>3</sup> [Children’s Defense Fund-New York for the Raise the Age New York Campaign. \*Analysis of Top 10 Rest of State County Raise the Age Implementation Plans\*. July 2024.](#)

The Executive Budget Proposal includes \$250 million in Raise the Age implementation funding again this year, providing an opportunity to direct \$50 million of the appropriation to a new Fund accessible to community-based organizations working with young people.

**Call to Action:** The final enacted budget should include the **Youth Justice Innovation Fund (A767 Solages / S643 Cleare)**. The Fund would be administered by the New York State Division of Criminal Justice Services<sup>4</sup>, making \$50 million of the current appropriation available to community-based organizations most trusted and best-equipped to serve adolescents and young adults, through a grant-making program for serving young people who are at-risk for or who come into contact with law enforcement. The Fund would support local organizations providing services ranging from mentoring and school support to employment and internships, as well as for mental health, counseling and other age-appropriate programs shown to reduce contact with the criminal justice system and future court-involvement. A recent report from the statewide Alternatives to Incarceration coalition shows that there is a significant gap in these kinds of programs.<sup>5</sup> Before this, community-based organizations have accessed state funding for youth justice through county plans, meaning that the fabric of community-based support is vastly different in different parts of the state, based on local politics and priorities. The Innovation Fund would be available to community-based organizations across New York State, and groups could apply for this state funding directly, making access more equitable.

Many kinds of services designed for adolescents and young adults who have contact with the criminal justice system have been shown to reduce incarceration and additional police contact.<sup>6</sup> Research demonstrates that program models like credible messenger mentoring, family focused multidimensional therapy like Multisystemic Therapy and Functional Family Therapy, Cognitive Behavioral Therapy, restorative justice and wraparound programs that include care coordination produce better results for young people and community safety over more punitive approaches, including jail, placement and prison.<sup>7</sup>

---

<sup>4</sup> New York State Division of Criminal Justice Services currently administers a similar grant program called [Project RISE](#).

<sup>5</sup> [New York State Alternatives to Incarceration and Reentry Coalition, \*Unlocking Potential: The Role of Community-Based Alternatives in Strengthening Public Safety\*. December 2024.](#)

<sup>6</sup> [Richard Mendel, \*Effective Alternatives to Youth Incarceration\*. The Sentencing Project. June 2023.](#)

<sup>7</sup> *Id.*

One such example is New York City's Arches Transformative Mentoring program that works with 16- to 24-year-olds on probation, combining credible messengers, group sessions and individualized activities to set positive goals.<sup>8</sup> Arches participants were less than half as likely as a matched comparison group to be convicted of a new felony both 12 months and 24 months after beginning probation.<sup>9</sup>

Roca Inc. is a service provider that operates programs for young men in five Massachusetts locations and in Baltimore, Maryland. The programs serve adolescents and young adults (16 to 24) who have a history of arrest, incarceration, violent behavior, gang involvement, or disconnection from education and work. In Massachusetts, 80% of the young men participating in Roca's programs from 2018 to 2020 had been arrested for felonies. Within three years of starting the program, only 29% of these young men with prior arraignments for violent offenses were incarcerated. In Baltimore, of the 352 young people Roca served in 2022, 98% had a history of prior arrests, but only 28% were arrested during their first two years in the program.<sup>10</sup>

Investments like these are critical now because they save tax payer dollars and reduce youth crime. All young people regardless of their community, including those in New York City, would benefit from the Fund. The Fund would also break-down current silos in funding that create arbitrary barriers to serving youth in different court systems by supporting programs and services for youth from age 12 through 25. Redirecting a portion of the appropriation to the Innovation Fund would help to build up these critical community resources that bolster neighborhood safety and support positive youth development.

## **II. Rejecting Rollbacks to Discovery Law**

The Governor has proposed significant changes to New York's discovery laws in her executive budget (Public Protection General Governments Article VII Legislation, Part B), which threaten tens of thousands of adolescents and young adults facing charges in the adult criminal courts, as a result of unwarranted expansions in prosecutorial and police discretion. If enacted, these proposals would decrease efficiency

---

<sup>8</sup> [Matthew Lynch, Nan Marie Astone, Juan Collazos, Micaela Lipman, Sino Esthappan. \*Arches transformative mentoring program. An Implementation and Impact Evaluation in New York City\*. Urban Institute. 2018.](#)

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

<sup>10</sup> [Richard Mendel. \*Effective Alternatives to Youth Incarceration\*. The Sentencing Project. June 2023.](#)

and accuracy, increasing the potential for wrongful convictions and prolonged pretrial detention in jails across New York, including Rikers Island, where more than 1300 young adults are currently held.<sup>11</sup>

The executive budget proposal would:

- End Open File Discovery. This proposal would return New York to the days when prosecutors decided which pieces of evidence are “relevant” to “the charges” and which allowed them to withhold evidence from the defense. The proposal would also permit prosecutors to unilaterally redact any information from discovery material that they deem irrelevant to the charges without getting approval from a judge. As such, this proposal could limit defense access to critical evidence by allowing the prosecution to enjoy unwarranted control of potentially relevant information.
- Allow Police to Withhold Evidence. Currently, the law ensures that the police cannot hide evidence by requiring prosecutors to disclose all the evidence in police possession before stating that they are “ready for trial.” This rule is vital because most evidence in a criminal case is collected by police. Under the Governor’s proposal, prosecutors would only be required to disclose evidence in their own actual possession, effectively allowing the police to decide what evidence gets disclosed to the defense.
- Diminish Enforcement of Discovery Rules. Under the current law, prosecutors have expansive time frames to hand over all evidence in a case: 90 days for misdemeanor cases and 6 months for felonies, with numerous exceptions that expand the speedy trial clock. Under the Governor’s proposal, prosecutors would be able to stop this clock without turning over evidence and with no meaningful consequence for their failure to do so. Cases could drag on, leading young people who cannot afford their bail to languish in youth detention and adult jails waiting to see evidence against them. The proposal turns a law that ensures fairness and transparency through meaningful enforcement into a toothless guideline that will lead to inefficiency in case progress, prolonged pretrial incarceration and wrongful convictions.

**Call to Action:** The Senate and Assembly should reject these dangerous and regressive proposals in their budget legislation.

---

<sup>11</sup> [NYC Department of Correction, Population Demographics, FY25 Qtr. 2 \(18-21, 22-25\) Average Daily Population.](#)

## **Conclusion**

Thank you for your consideration of this written testimony. The Children's Defense Fund – New York looks forward to working with you on an enacted State budget that improves the health and well-being of children, youth and families across New York State. Please contact me with any questions or concerns regarding this testimony.