

Children's Defense Fund

Children's Rights

<https://www.childrensdefense.org/blog/we-must-protect-our-children-in-the-criminal-justice-system-amid-the-pandemic-and-beyond/>

Public Facing Advocacy Writing

Mom, I just dont know how to stay well anymore, one [17-year-old boy](#) said on a call to his mom from the Bon Air Juvenile Correctional Center while residents continued to become sick around him and he awaited the result of his COVID-19 test. ***That would break any mothers heart, because I didnt know what to tell him, either***, his mother said after the call.

Her son and other children in this Virginia facility have had their family visits, schooling, and counseling suspended and some are being isolated in their cells 23 hours a day. All of this while coping with the fears of becoming sick in detention, fearing for their families well-being, and feeling more alone than ever. Advocates and parents like this mother have felt understandably helpless and concerned in response.

This familys story is unfortunately not unique. There are reports of young people and their families living through similar nightmares across the country including [Illinois](#), [Louisiana](#), [South Carolina](#), [Texas](#), and [Wyoming](#). Living in congregate care settings with inadequate resources places these children at great risk of COVID-19 and [as of late June](#), over 1,600 young people and staff in juvenile facilities have been diagnosed with coronavirus across 29 states, DC, and Puerto Rico. **The roughly 44,000 incarcerated children across the country are living in fear of COVID-19 and are facing solitary confinement as a form of social distancing, limited access to PPE, limited or no visitations or contact with loved ones, and limited educational and recreational activities.** This is cruelty, not rehabilitation, and our nations leaders must take action to protect our children.

Congress provided [emergency funding](#) for adult and juvenile facilities through the CARES Act but it was not enough to provide adequate protection and support for our children. In May, the House passed the HEROES Act which would provide \$75 million in funding for Pandemic Justice Response Act Grants through the Juvenile Justice and Delinquency Prevention Act. These grants would be used to help prevent the spread of COVID-19 in youth facilities, support continued access to education, and provide community support for youth returning home. The HEROES Act would also provide incentives for state and local courts to stop charging and collecting juvenile fees and fines during the COVID-19 crisis. **The Senate must enact these provisions of the HEROES Act to ensure the safety and well-being of our children in the justice system and ensure children are not placed at greater risk of COVID-19 solely because they cant afford a fee or fine.**

Even with adequate funding and appropriate resources, however, living in a congregate care setting is not safe during a public health crisis. **We must work to reduce the number of children detained amid the pandemic and after.** [Advocates have called for](#) juvenile justice agencies to suspend new admissions to juvenile facilities and release as many young people as possible from congregate care settings as quickly and safely as possible in order to limit crowding, prevent the spread of COVID-19, and keep children safe. At the state level, [CDF-CA](#) and [CDF-NY](#) have continuously joined these calls to release youth from detention. Out-of-home or congregate care placements should only be a last resort, especially during the pandemic when these placements would mean greater risks of children being forced into isolation, having limited access to services, and becoming sick.

While we work to reduce the number of children in detention, **we must also ensure access to reentry assistance for children leaving detention as well as critical services and supports for children remaining in detention.** While in congregate care, children need:

Reducing the number of young people in detention and ensuring children have access to services and supports should not be limited to the duration of the pandemic. Even without the threats of a public health crisis, incarceration has [lasting negative impacts](#) on young peoples health, well-being, and economic opportunities. **We must prioritize reducing incarceration and instead invest in restorative, community-based solutions we know work to support children after the pandemic.**

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