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Aging Out of Foster Care in the Midst of a Pandemic

While most young adults celebrate the right of passage that is their 21st birthday, for those who are in New York's foster care system, the approach to emancipation can be rife with anxiety and uncertainty. Coming of age in the midst of a pandemic leaves such young adults scrambling to find stability as the clock runs out on life sustaining supports and benefits. In the best of circumstances, young adults aging out of foster care face a myriad of challenges. Access to stable housing, employment, healthcare, and higher education have already proven to be difficult rings for this population to grasp hold of. The crisis that is COVID-19 and the resulting closures of businesses and college campuses has exacerbated the situation. As such, legislators, advocates and impacted young adults are calling upon the Governor to enact a moratorium on the aging out of foster care benefits.

In an effort to mitigate the domino effect of loss awaiting such young adults, members of the Legislature, child welfare advocates, experts and impacted youth joined the cacophony of voices across the country calling for state specific moratoriums on "aging out" of foster care during the pandemic. CHAMPS-NY, the statewide arm of a leading national child welfare advocacy group, recently sent a letter to the Governor requesting he wield his executive authority (as have nine other Governors of California, Illinois, Ohio, Rhode island, Georgia, Connecticut, Michigan and South Carolina and the Mayor of the District of Columbia), to provide a safety net for young adults about to age out. Specifically, the letter called for a 180-day moratorium (from the date the last region is fully operational) on discharging youth over the age of 21 from foster care.

Kate Breslin, President and CEO of Schuyler Center for Analysis and Advocacy and Co-Chair of CHAMPS-NY noted, "In the middle of a global health crisis, when a safe and stable home are vital

to both individual and public health, no young person should be pushed from their home or be forced to leave foster care without a family simply because they turn 21. Governor Cuomo needs to take Executive Action to ensure that all young people in foster care in New York State have the option to remain in foster care after their 21st birthday, and for at least 180 days after the last region in the state has fully reopened."

Today, Chairs of the Senate and Assembly Social Services and Children and Families Committees amplified such a message with a letter of their own to the Governor. "Youth aging out of foster care have always faced unique challenges, in the midst of the current pandemic, these challenges will increase exponentially. Accessing stable, permanent housing, gainful employment, or higher education are particularly challenging in this crisis. I urge the state to place a moratorium on discharging youth from foster care and to permit those who recently exited to re-enter should they choose," said Chair of Social Services Committee, Assemblyman Andrew Hevesi.

Chair of the Children and Families Committee, Assembly Member Ellen Jaffe, echoed such concerns, noting "Now more than ever, our foster youth need the structure and stability that the foster care system provides them. By temporarily stopping young adults from aging out of foster care, we are working to ensure that older foster kids are given a permanency that they need to thrive in New York State. It is essential that during a pandemic, our foster youth are not left without a support system. I urge the governor to place a temporary halt on youth aging out in order to provide them security during these difficult times."

Thus far, the Administration has yet to act, citing the state's fiscal constraints and looming \$13 billion budget shortfall. However, advocates and legislators alike point to collateral financial *and* human consequences of such inaction. The poor outcomes faced by youth who age out of foster care have been well documented. These youth are significantly more likely to become homeless, unemployed, and involved in the criminal justice system than their peers. They are also significantly less likely to participate in a program of higher education, or to receive the treatment and services they need to address the mental health issues that are prevalent among young people who have experienced abuse or neglect. "For young people, the transition from adolescence can be a tumultuous time. Most often, relying on family is key to success and having a safe place to come home to allows for the possibility of a false start. For youth in foster care, who may not have a home they can return to, a false start can mean homelessness. During a global pandemic and economic downturn, New York State must do everything in its power to prevent forcing young people to age out or preventing them from returning. We need strong direction from the State and funding to back it up." Paige Pierce, CEO of Families Together in New York State and Co-Chair of CHAMPS-NY.

Declaring a moratorium for 180 days post re-opening of the entire state will ensure that youth leaving foster care have time to secure a stable place to live and a source of income once it is safe to pursue housing and employment.

"As attorneys who represent individual children in foster care from Buffalo to Rochester to New York City, we continue to urge Governor Cuomo to join California and the other states that have taken Executive Action to protect youth aging out of care," said Betsy Kramer, Director of Policy & Special Litigation at Lawyers For Children, on behalf of a statewide coalition of attorneys for youth in foster care. "With access to the courts severely limited by the pandemic, our clients lack a critical

resource for ensuring that they are not discharged from foster care without appropriate housing. The executive order we are seeking will help to keep them safe.”

In addition to issuing a moratorium on allowing youth to age out of foster care, the groups are urging Governor Cuomo to allow young adults who have left foster care after age 18 to return to placement —*without* the need for approval from a judge—if they find themselves without a safe place to live. New York law allows those youth to return to placement with court approval if they agree to participate in a vocational or educational program. “However, the limitations on access to the courts have also left former foster youth between the ages of 18 and 21 with no recourse should they find themselves homeless, or hungry, or without a stable source of income, and in need of foster care services,” Kramer notes.

Kerry Moles, LMSW, Executive Director for CASA-NYS, an advocacy organization for children and youth in New York City’s foster care system, explained that “Aging out of foster care under the best of circumstances is extremely precarious. We have always seen incredibly high rates of homelessness among this population, which is why CASA and many other organizations have been advocating for extended supports for former foster youth to age 25. But now, during this crisis, even young people who seemed to have rock solid plans for life after foster care are seeing those plans evaporate. Lost jobs, lost housing, lost support systems and more barriers than ever to education and services they need to keep them stable. And many have children of their own – those babies are at very high risk. It would be unconscionable to shove them out in the middle of a pandemic and close the door. And failing to support them now will cost us more in the long run (in child welfare services, homelessness, benefits, etc.).”

CHAMPS-NY implores the Governor to reconsider the impact this crisis will have on our young adults aging out of the foster care system and as such, throw them a lifeline.