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Aging Out of Foster Care in the Midst of a Pandemic

As immediate fears of the pandemic begin to ease and the state begins its phased reopening, there is a slight, collective sigh of relief for some, but many will continue to feel the impact of the crisis for months to come, especially young adults on the precipice of aging out of foster care. 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, Senator Velmanette Montgomery and Assembly members Didi Barret, Ellen Jaffee and Tremaine Wright have introduced legislation to extend foster care benefits while the state continues to reel from high unemployment and slowed court processing.

“COVID-19 has had a multiplier effect on the struggles faced by our most vulnerable populations, and as such has elevated our consciousness to the need to protect our young people during any state of emergency. Young people aging out of foster care already face immense hurdles as they try to secure stable housing, employment and healthcare. We cannot throw them out to fend for themselves in the middle of an unprecedented pandemic,” said State Senator Velmanette Montgomery. “Allowing them the opportunity to remain in foster care in any state of emergency is one of the most important actions we can take right now.”

Assembly member Didi Barrett also noted the urgency, saying “New York cannot wait to act on this vital legislation. Aging out of foster care during Covid-19 means that these young people will face insurmountable challenges to beginning an independent life. Finding employment, housing, and other services is challenging for foster youth during normal times, and in these unprecedented times New York State must take on the responsibility to care for these young people who have been through so much adversity in their lives. I'm proud to sponsor A.10510 to ensure foster youth are cared for throughout the pandemic, and I'm grateful to Families Together in New York State, the Schuyler Center for Analysis and Advocacy, CHAMPS-NY, and all the advocates who are supporting this bill, and to my colleagues who are joining in the effort to turn this legislation into law.”

Advocates and Legislators have been calling for such an extension (through an Executive Order) for months, however, their calls to date have fallen upon deaf ears. Assemblywoman Ellen Jaffee, Chair of the Committee on Children and Families said “Since March, we have been pushing for a moratorium on children aging out of foster care. Our foster youth need the structure and stability that the foster care system provides while we are slowly re-opening our state. 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.”

Governors of California, Illinois, Ohio, Rhode Island, Georgia, Connecticut, Michigan and South Carolina and the Mayor of the District of Columbia heeded similar calls months ago by providing a safety net for young adults about to age out. Thus far, New York’s 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. Kate Breslin, President and CEO of Schuyler Center for Analysis and Advocacy and Co-Chair of CHAMPS-NY noted, "Young people leaving foster care already face many obstacles. Now, 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. New York

needs to take simple, straightforward, and urgently needed action to ensure that 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."

"Together with attorneys who represent youth all around New York State, we are calling on the Legislature and the Governor to act now to protect youth who are aging out of foster care, "said Betsy Kramer, Director of Policy & Special Litigation at Lawyers For Children representing a coalition of attorneys for youth in foster care across New York. "New York State stands in the place of the parent for these young people who have been abused, neglected, abandoned, and orphaned. No decent parent would kick their child out of their home in the middle of a pandemic, and neither should New York. The cost of extending foster care and allowing young people to return to placement is minimal, while the cost of not acting is tremendous."

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