Nathan M. Graves, Judicial Administrator for the 22nd Judicial Circuit Court
Kathryn Herman, Assistant Court Administrator/ Juvenile Officer
Twenty-Second Judicial Circuit Court
Honorable Steven R. Ohmer, Family Court Administrative Judge
22nd Judicial Circuit Court

Hope E. Whitehead, Judicial Administrator for the 21st Judicial Circuit Court
Ben Burkemper, Family Court Administrator for 21st Judicial Circuit Court
Rick Gaines, Chief Juvenile Officer for 21st Judicial Circuit Court
Honorable Sandra Farragut-Hemphill, Family Court Administrative Judge for
21st Judicial Circuit Court

Jennifer Tidball, Acting Director Missouri Department of Social Services
Scott Odum, Director of Youth Services Missouri Department of Social Services

Dear Public Officials:

On behalf of Metropolitan Congregations United’s (MCU) Juvenile Justice Taskforce and the Missouri State Public Defender Children's Defense Team, we are writing to share our urgent concerns about the impact of coronavirus disease (COVID-19) on our incarcerated youth. Coronavirus is no longer “something on the outside;” a young person in custody of Missouri Division of Youth Services, Hogan Street has tested positive for coronavirus.

“When I read the article about the youth who tested positive for Covid-19 at the Hogan Street Regional Youth Center, all I could think is who else? This is a virus that spreads like wildfire and our youth in detention are trapped. As the organizer for the Family Partner Campaign for Metropolitan Congregations United, our goal is to help families keep their youth from unnecessary incarceration. We strongly urge the authorities in St. Louis city and county juvenile facilities to release youth to their families before this becomes a tragedy that can’t be undone. Every day the evidence mounts that Covid-19 is no respecter of age. Our youth cannot be sacrificed. Are their offenses worth keeping the youth detained away from their families? No. Period. Send them home.” Latrisha Gandy, mother and MCU Parent Organizer.
There is a pandemic in our community, and we are not protecting all of our children. We have closed our public schools and are shifting to supporting children in their homes and communities. Yet we have left some of our youth behind, living and going to school in group settings where Coronavirus is known to thrive.

Research by health care experts shows that incarcerated populations are most at risk during a public health crisis. COVID-19 has spread quickly in enclosed spaces such as cruise ships and nursing homes and it will spread just as quickly in detention centers, prisons, and jails. Contagious viruses such as COVID-19 spread much faster in detention centers and prisons as incarcerated youth are in close quarters and sometimes in unsanitary conditions. Behind bars, youth are not able to participate in proactive measures to keep themselves safe, such as social distancing, frequently washing hands, or staying in sanitized spaces. Infection control is a challenge in these situations as incarcerated youth are in close contact to other youth and staff in communal settings. Even if youth are in individual cells, ventilation is often inadequate, and fresh air infrequent.

While some jurisdictions have canceled visitation, we believe that this is not a time for youth to be separated from their support systems. This will only exacerbate mental health issues and further isolate youth. In addition, youth detention and correctional facilities are unlikely to be equipped to meet the medical needs of youth if a COVID-19 outbreak inside a juvenile detention or correctional facility should occur. Youth will not have many options to stay away from other youth if they become ill. If staff become ill, it will be difficult to provide care and support to youth, and if lockdowns are utilized that will only intensify virus infection rates.

To prevent the spread of COVID-19, we urge you to publicly share your emergency plan for addressing COVID-19 in the juvenile justice system, including the adoption of the following measures to protect youth under the supervision of the juvenile justice system:

1. Immediately halt new admissions to juvenile detention and correctional facilities and initiate the removal of youth from juvenile detention and correctional facilities by:
a. Examining all pre- and post-adjudication release processes and mechanisms and begin employing these as quickly as possible;

b. Removing youth who have COVID-19 symptoms; chronic illnesses, such as asthma or diabetes; other serious illnesses; or are in need of medical care;

c. Eliminating any form of detention or incarceration for youth unless a determination is made that a youth is a substantial safety risk to others.

2. While youth are awaiting release:

a. Provide written and verbal communications to youth on COVID-19, access to medical care, and community-based supports;

b. Ensure continued access to education;

c. Ensure access to legal counsel through confidential visits or teleconferencing;

d. Ensure access to family contacts and support networks;

e. Guarantee access to unlimited phone calls.

f. Create transitional plans for youth released from custody to:

g. Ensure they have a place to live;

h. Meet their basic needs;

i. Receive immediate & adequate medical care;

j. Ensure immediate access to Medicaid

4. For youth on probation:

a. Eliminate incarceration as an option for technical violations of probation;

b. Allow youth to travel and access medical care, stay isolated when necessary, and take care of themselves and their loved ones;

c. Eliminate requirements for in-person meetings with their probation officers;

d. Place a moratorium on all requirements to attend and pay for court and probation-ordered programs, community service and labor.

5. Expand community-based programs for youth in the justice system by investing sufficient funds so that they are effectively supported in their homes.
6. Address the economic instability caused by COVID by creating an immediate moratorium on the assessment and collection of all fines and fees in the juvenile legal system for the duration of the public health and economic crisis.

MCU’s Family Partners Campaign is joining with families to provide information and support while they are court involved. If youth, family members, administrators or staff have concerns or questions, please contact Latrisha Gandy, MCU Parent Organizer at (314) 367-3484. Concerns about legal support for court involved youth in their homes or those in custody can also be directed to the Missouri Public Defender Children’s Defense Team at (314) 584-1200.

Ms. Herman, Mr. Burkemper and Mr. Odum, we would like to meet with you to discuss your emergency plans by April 3, 2020. We understand the need to proceed virtually. Please let us know your availability.

Sincerely,

Rev. Dr. Dietra Wise Baker, Organizer
Break the Pipeline Campaign
Metropolitan Congregations United

Sarah Johnson
Director of Juvenile Defense and Policy
Children’s Defense Team
Missouri State Public Defender