

STATE OF NEW YORK

3885

2025-2026 Regular Sessions

IN SENATE

January 30, 2025

Introduced by Sen. SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the family court act and the executive law, in relation to prohibiting segregated confinement of children in a detention facility

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as the "keep kids
2 out of solitary confinement act".

3 § 2. Section 304.1 of the family court act is amended by adding a new
4 subdivision 5 to read as follows:

5 5. A detention facility which receives a child under this article
6 shall not place any such child in segregated confinement for any length
7 of time. For the purposes of this subdivision, the term "segregated
8 confinement" shall mean the confinement of a child in any form of cell
9 confinement for more than seventeen hours a day other than in a facili-
10 ty-wide emergency or for the purpose of providing medical or mental
11 health treatment. "Segregated confinement" shall not include room
12 confinement authorized pursuant to regulations of the office of children
13 and family services in cases where a child constitutes a serious and
14 evident danger to himself or others.

15 § 3. Section 503 of the executive law is amended by adding a new
16 subdivision 10 to read as follows:

17 10. A detention facility certified under this article shall not place
18 any child detained pursuant to the family court act or the criminal
19 procedure law in segregated confinement for any length of time. For the
20 purposes of this subdivision, the term "segregated confinement" shall
21 mean the confinement of a child in any form of cell confinement for more
22 than seventeen hours a day other than in a facility-wide emergency or
23 for the purpose of providing medical or mental health treatment. "Segre-
24 gated confinement" shall not include room confinement authorized pursu-

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 ant to regulations of the office of children and family services in
2 cases where a child constitutes a serious and evident danger to themself
3 or others.

4 § 4. This act shall take effect immediately.