



**New York State**  
**Council on Children and Families**



**Reform New York:**  
***Re-investing in New York's Youth***

**The Desmond—Albany, NY**

**February 28, 2008**

# Acknowledgements

*We would like to thank our partners in this effort for all of their work on behalf of this summit, and their ongoing commitment to reform:*

**Our Co-Sponsor: Fight Crime: Invest in Kids New York**



- ❖ Cayuga Home for Children
- ❖ Correctional Association of New York
- ❖ New York State Council on Children and Families staff
- ❖ New York State Division of Probation and Correctional Alternatives
- ❖ New York State Office of Children and Family Services
- ❖ Permanent Judicial Commission on Justice for Children

**We would like to thank today's presenters and facilitator:**

## **Presenters:**

- ❖ Ruben Austria
- ❖ Elizabeth Clarke
- ❖ Edward Myers Hayes
- ❖ Sally Prouty

## **Facilitator:**

- ❖ Mark Seidler

# Agenda

Registration ..... 8:15 a.m.

*Continental Breakfast served in the Ft. Orange Room*

Opening Remarks: ..... 9:00 a.m.

Deborah Benson, Executive Director  
NYS Council on Children and Families

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Fight Crime: Invest in Kids *New York*—Statewide Co-Chair—9:10 a.m.

The Vision: Dennis Maloney ..... 9:20 a.m.

Janelle Cleary  
NYS Council on Children and Families

Redeploy Illinois: ..... 9:30 a.m.

Elizabeth Clarke, President  
Juvenile Justice Initiative

Evidence-based and Promising Practices: ..... 10:30 a.m.

Edward Myers Hayes  
Ruben Austria

NASCC—Youth Restoration/Civic Justice Corps ..... 11:00 a.m.

Sally T. Prouty, President and CEO  
The Corps Network

*LUNCH (non-working) ..... 12:00 p.m. — 1:00 p.m.*

NYS Agency Initiatives and Reform ..... 1:00 p.m. — 2:30 p.m.

Gladys Carriòn, Commissioner  
NYS Office of Children and Family Services

Robert Maccarone, State Director  
NYS Division of Probation and Correctional Alternatives  
*Facilitated by Mark Seidler*

Wrap-up—Next Steps ..... 2:30 p.m. — 3:00 p.m.

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Elizabeth Clarke

Sally T. Prouty

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Executive Summary: Getting Juvenile Justice Right in New York

Proven Interventions Will Cut Crime and Save Money

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## New York State Department of Probation and Correctional Alternatives

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# **Biographies**

**Dedication—Dennis Maloney**

**Elizabeth Clarke**

**Sally T. Prouty**

# Dedication—Dennis Maloney

Dennis M. Maloney

1952-2007

**President—Community Justice Associates**

**D**ennis Maloney was the President of Community Justice Associates. He was a Senior Program Manager with the Balanced and Restorative Justice Project at Florida Atlantic University. Dennis had over 30 years of experience in corrections and community corrections. For 16 years he served as the Director of the Deschutes County Department of Community Justice of Oregon. There he initiated a variety of juvenile and adult corrections programs that gained national attention. He served as Juvenile Court Director, Community Corrections Director, and Community Justice Director. Dennis wrote two books and over 30 published articles. His book on probation remains the most widely distributed journal in the history of the National Council of Juvenile and Family Court Judges. Over the past decade Dennis provided technical assistance to all 50 states. Nearly 30 states have revamped their entire juvenile justice system based on Dennis' writings on the Balanced Approach to Juvenile Justice. The U.S. Department of State has distributed his writings to over 250 countries, and his work is now being utilized worldwide as a foundation for justice system reform. Maloney was a professional faculty member at Oregon State University in Bend, and Associate Director of the Cascades Center for Community Governance. Dennis' work remains as relevant today as it has been in the past, and those of us who worked closely with him continue this work in an effort to continue his legacy.

Dennis was honored with several awards during his lifetime, including the Sam Houston State Award for the Nation's Outstanding Publication on Community Corrections. In 1998, the United States Office of Juvenile Justice and Delinquency Prevention recognized Dennis as one of five citizens who have had the most positive influence on the nation's juvenile justice system. In the year 2000, the Deschutes County Community Youth Investment Program, a program designed by Dennis, was honored as one of the top 25 innovations in American government. The Portland Trailblazers named him as one of ten Oregon Superstars.

Most important to Dennis was the privilege of being a father to five daughters: Tracy, Shannon, Caitlin, Kelly and Molly. His widow, Nancy Maloney, is a physician in their hometown of Bend, Oregon.

# **Revenue/Programmatic Implementation Strategy**

## **Dennis M. Maloney—Community Justice Associates**

### **Redeployment of current expenditures**

Develop a statewide strategy to implement an “earned flexibility” incentive for counties to reduce dependence on state agencies for chronic care. The counties should then earn the flexibility to make primary prevention investments with the savings created.

### **Ounce of Prevention**

Cause Legislative and Executive branches to discipline themselves to make a 1/16th parallel increased appropriation in primary prevention any time the state is contemplating new expenditures for corrections.

### **New Revenues**

Base plus matching funds appropriations. Rather than simply appropriate new program funds on a per capita allocation, initiate a new system that leverages private sector participation. Offer a base fund to all counties but develop an incentive fund that is matched to a pre-determined limit for counties to raise private funds locally. This will enhance local ownership of the programs and make philanthropy more attractive.

### **Private Sector Incentives/Purchasing Power for Children**

Develop a system to qualify businesses as child friendly or family friendly. Once qualified, those businesses would receive preference during governmental bidding when bid performance is equal or within two percent. Encourage county and city governments, school districts, community college districts, and other taxing entities to adopt such a practice. Encourage corporations to join in the partnership.

### **Fines/Fees**

Determine those crimes that by their very nature place children in harm’s way. Establish a fine/fee schedule that is attached on top of standard sanctions. Appropriate those funds to violence prevention strategies.

### **Dedicated Business Fees**

Determine those commercial exchanges that generate substantial profits from child consumers. Attach a small fee to those transactions and dedicate those funds to violence prevention programs.

### **Community Service**

Work with corrections officials (community and institutional) to have supervised community service teams assigned to capital and equipment improvement projects for violence prevention programs.

# Elizabeth (Betsy) Clarke—Biography

## Elizabeth (Betsy) Clarke

### President—Juvenile Justice Initiative

**B**etsy Clarke is currently the President of the Juvenile Justice Initiative, a statewide advocacy organization to promote rational and effective juvenile justice policies in Illinois. The privately funded Juvenile Justice Initiative began in 2000 with a mission to *transform the juvenile justice system in Illinois by reducing reliance on confinement, enhancing fairness for all youth, and developing an adequate range of community-based resources throughout the state.*

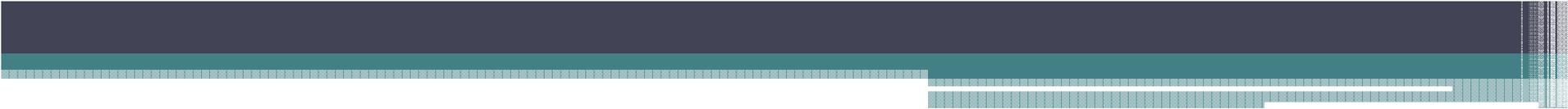
Prior to developing the Juvenile Justice Initiative, Betsy served as Juvenile Justice Counsel for the Office of the Cook County Public Defender for six years. In that capacity she advised the Public Defender about legislative and policy issues in the juvenile justice and child welfare fields. Prior to the Public Defender's office, Betsy spent 15 years in the Office of the State Appellate Defender, serving as Legislative Liaison and as Juvenile Justice Coordinator, in addition to appellate practice as an Assistant Defender.

Betsy is a member of the Legislative Committee and past chair of the Juvenile Justice Committee of the Illinois State Bar Association, current co-chair of the Midwest Juvenile Defender Center, current co-chair of the National Juvenile Justice Network, past chair of the Midwest Coalition of Juvenile Justice, past chair of the Legislative Committee of the Illinois Attorneys for Criminal Justice, as well as a past gubernatorial appointee to the Illinois Juvenile Justice Commission. She has authored numerous articles, including the chapter on Appellate Review in the IICLE Juvenile Law Handbook, and a detailed study of the Illinois juvenile transfer provisions published in the National Journal of the Juvenile and Family Court Judge's Association. She has been honored by the National Coalition for Juvenile Justice, the Illinois Public Defender Association, the Illinois Probation Association, the Illinois Attorneys for Criminal Justice, and the Illinois State Bar Association. Betsy is the proud mother of three daughters, and new grandmother of "Teddy".

# REDEPLOY ILLINOIS

*Shifting fiscal incentives to  
expand community resources and  
reduce confinement*

February, 2008



Presenter: Betsy Clarke,  
Juvenile Justice Initiative of Illinois

- Statewide juvenile justice advocacy organization
- [www.jjustice.org](http://www.jjustice.org)
- JJI mission statement - ***to transform the juvenile justice system in Illinois by reducing reliance on confinement, enhancing fairness for all youth, and developing a comprehensive continuum of community-based resources.***
- Dialogue, Education & Advocacy

# Juvenile Reform Sweeping the Nation

- States reducing confinement through fiscal incentive programs
  - Ohio, Penn, Wisc, IL
- States reducing confinement by prohibiting confinement for misdemeanors/low level
  - Cal, Texas
- States closing juvenile facilities in wake of abuses & ineffec.
  - Maryland, La, Texas, Cal
- States investing in alternatives to confinement
  - Detention reform now in over 30 states

# The Problem in IL -

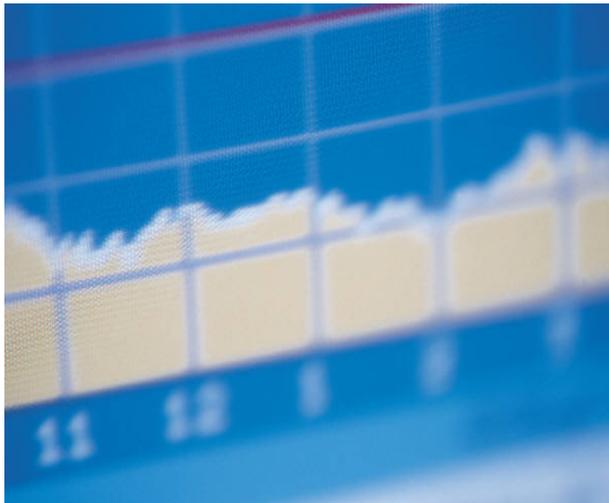


- Confinement Expensive
  - \$70,000/yr/bed
- Confinement Ineffective
  - Over 50% repeat offending rate

# The Problem -

- Overreliance on Confinement due to lack of local alternatives
  - Over 40% of juvenile correctional population committed on “technical” parole violations
  - Nearly 30% of juvenile correctional population committed for “evaluation”
- Fiscal incentives encouraged committing youth to state-funded corrections rather than developing county funded community-based alternatives

# Research

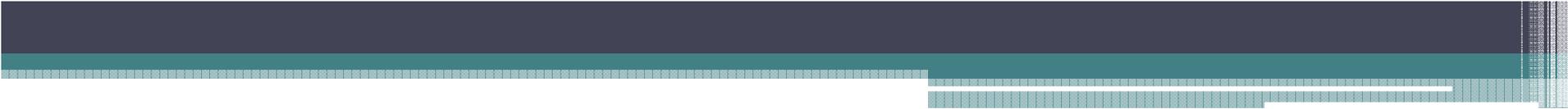


- The Dept of Corrections documented overreliance on corrections for youth.....particularly youth committed for “evaluation”
- Research documented success of alternatives to detention in IL. – particularly evening reporting centers
- Research documented success of evidence -based programming – i.e. MST/FFT

# Developing a Consensus for Change

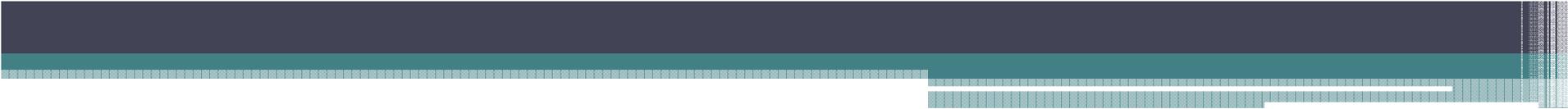
- Northwestern Univ's Children & Family Justice Center held a summit in Chicago in mid-90's with speaker from Ohio who presented concept of Reclaim Ohio – a fiscal incentive program to reduce reliance on confinement
- Reclaim Ohio touted frequently at jj mtgs & conferences thereafter





## 2003 - Discussions began in earnest

- Juvenile Justice Initiative partnered with John Howard Association and Chicago Metropolis 2020 to host series of discussions with key stakeholders re issue of changing current fiscal incentives to reduce use of corrections for juveniles
- Stakeholders included: IDOC, Juvenile Advisory Board to IDOC, Judges, county boards, former legislator
- Key legislators kept apprised of issue



# Education & Coalition Building

- Chicago Council on Urban Affairs conducted 4 regional public opinion polls in Chicago neighborhoods – conclusion was that public supported use of community-based alternatives
- Juvenile Justice Initiative arranged for legislative hearing on fiscal incentive issue & brought public opinion research to attention of legislators
- Legislative hearing included presentation of Reclaim Ohio model from former legislator who urged similar legislation enacted in Illinois
- Juvenile Justice Initiative held summit in Chicago & presented concept of Reclaim Ohio/Redeploy Illinois to advocacy community

# 2004 - Legislation passed

- Legislation setting up Redeploy Illinois passed the IL General Assembly with bi-partisan sponsorship, without controversy & without any significant opposition in 2004; however:
  - *There was no appropriation to support the pilot phase*

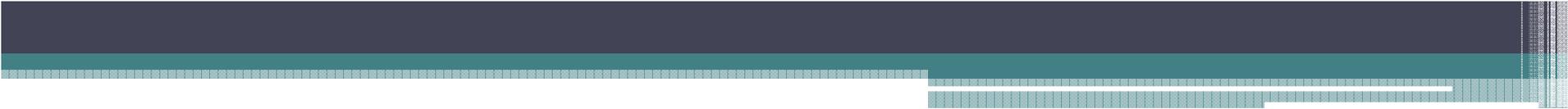


# 2004 Redeploy Illinois Legislation

- Compromised to apply only to youth charged with less serious felonies
- Included Purpose & Principles
- Selected counties as local “convener” of Redeploy application & process
- Selected state human services agency
- Set up pilot phase to develop Redeploy IL in handful of counties
- Set up benchmark (25% reduction) with “penalty” for failure to reduce juvenile commitments
- Encouraged use of evidence-based programs
- Required evaluation
- Required report of outcomes to Legis annually

# Purpose

- *To encourage the deinstitutionalization of juvenile offenders by establishing projects in counties or groups of counties that **reallocate State funds from juvenile correctional confinement to local jurisdictions**, which will establish a continuum of local, community-based sanctions and treatment alternatives for juvenile offenders **who would be incarcerated if those local services and sanctions did not exist.***



# Principles

- Restorative justice
- Youth should be treated in least restrictive manner
- Continuum of services and sanctions in every community
- Local responsibility

# Legislature added funding



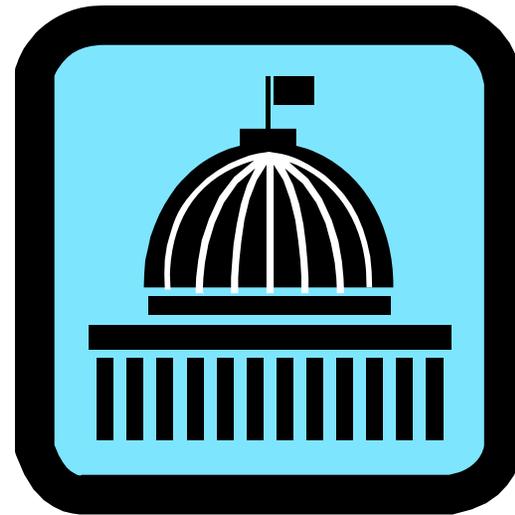
- Altho the theory was that eventually the reduction in corrections commitments would support expanded community-based programming, some funding had to be provided to “prime the pump”
- In the fall of 2004, the Legislature added \$2 million dollars to support the pilot phase of Redeploy Illinois

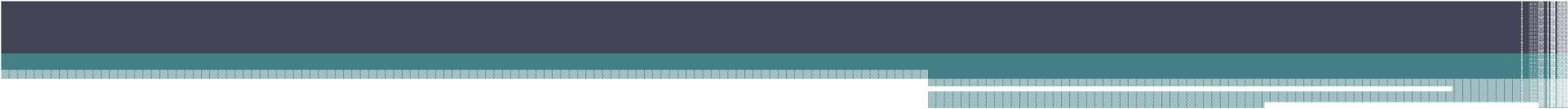
# Implementation

- Redeploy Partnership members: Judges, Prosecutors, Probation, County, State agency reps from child welfare and corrections, Original 3 – Metro 2020, John Howard & JJI
- Ptnshp Chair – DHS Director
- Application Process:
  - JJI held series of 4 public hearings to solicit input from community leaders on Redeploy Illinois - this community input was integrated into RFP process
  - Public hearings all held in sites of pilot DMC cmtes
- Applications:
  - Downstate only – Cook declined to apply due to penalty issue

# Short delay in Implementation

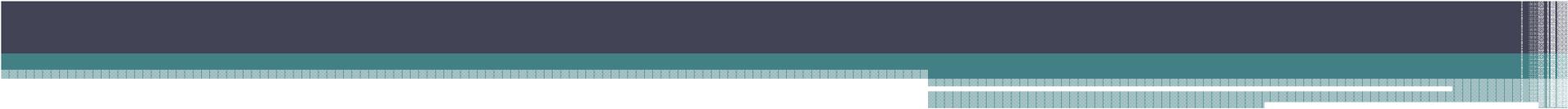
- The first year proved too short a time to appoint partnership, solicit input, develop application process, select pilot sites, and begin operation.
- As a result, second year funding was reduced to \$1.5 million since that was all that was needed for continuation funding.





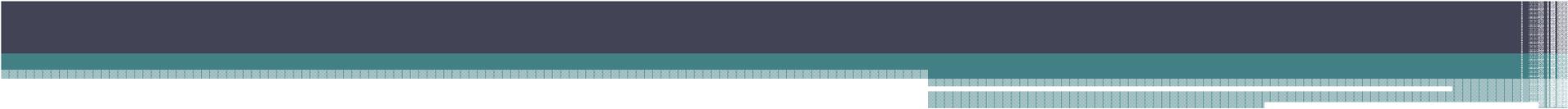
# First Year Results

- 4 pilot sites: 3 counties & one judicial circuit
- Overall a **33 percent reduction** in juvenile commitments to corrections by end of first yr



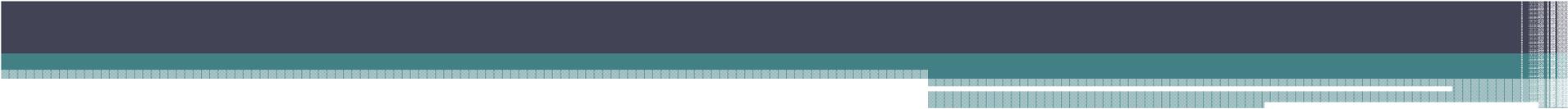
# Tweaking the statute

- Legislation passed revision to allow Redeploy Oversight Board to reduce or modify requirement of 25% reduction in corrections commitments annually (based on average of past 3 yrs)
- Legislation passed to allow Redeploy Oversight Board to approve a pilot that is a subset of a county (Cook issue)



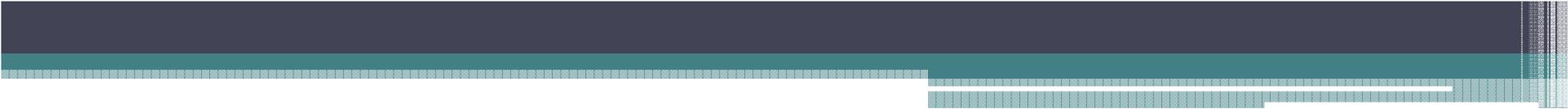
# Second Year Results

- 44% reduction in commitments second year



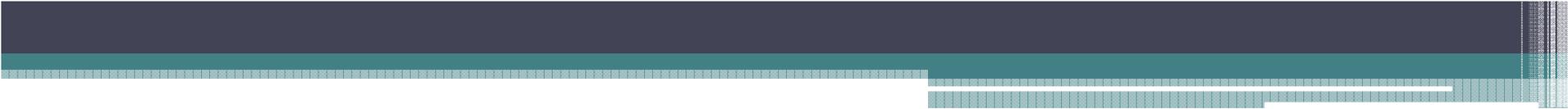
# Redeploy in operation

- 4 sites current
- Cook coming on board
- All sites use YASI to identify Redeploy eligible youth
- All sites use evidence-based programming, FFT & MST
- All sites have increased local collaboration thru Redeploy
- Each site unique



# EVALUATION

- Annual review of impact on commitments
- More thorough evaluation:
  - Funding included to evaluate Redeploy pilots
  - In depth evaluations underway now.
- Annual report back to Legislature



# Saving State Dollars

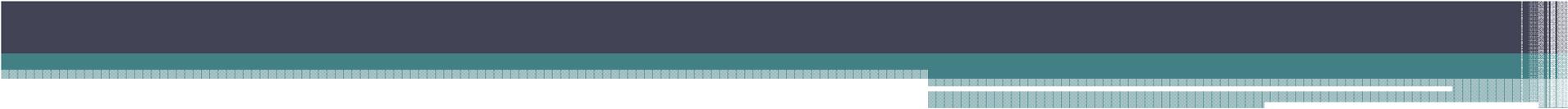
- In the first two years of implementation, the Redeploy IL pilot sites reduced commitments to state juvenile prisons by 44%, or 226 fewer youth,
- Saving \$11 million

## Costs

- State juvenile prison - \$70,000/yr
- Redeploy IL – \$4 to \$10,000/yr

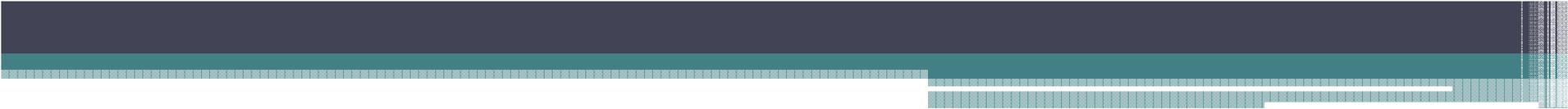
## State funding for Redeploy

- '05 - \$2 mil
- '06 - \$1.5 mil
- '07 – \$2.295 mil
- '08 – same
- '09 – Gov proposed additional \$3 mil
  
- [*vs \$160 mil for Juv Prisons*]



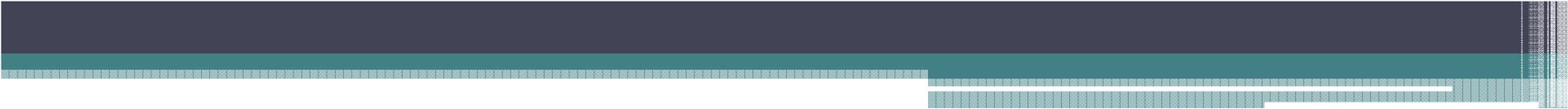
## Next Steps - targeted expansion

- Mapping – commitments to juvenile state prisons
  - 16 counties (of 102) highest commitment rates
- Planning grants to 16 counties with highest commitment rates
- Next year expand Redeploy to all 16 counties
  - Estimated additional \$10 mil



## Next steps - rest of state

- Proposed –
  - Allocation of resources within Redeploy to be made available for any county or group of counties which need resources only occasionally for services to avoid incarceration for a limited number of youth.

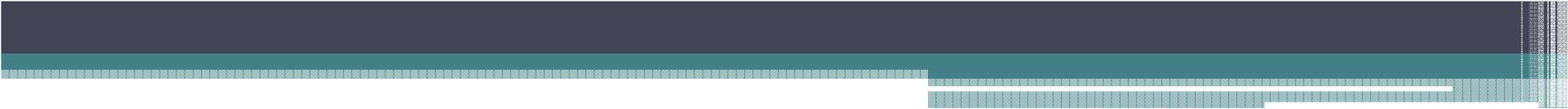


## Next steps -

- Collaboration to build local continuums to address
  - Detention
  - Commitment to juvenile prison
  - Aftercare
- Joint staff for JDAI/Redeploy
- Encouraging joint planning on local level

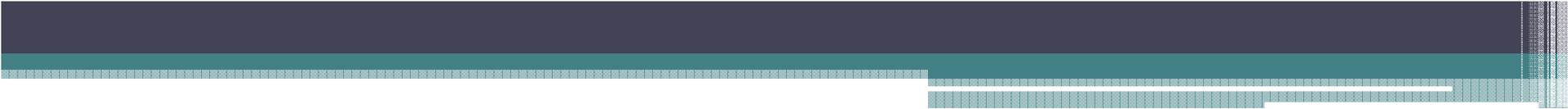
# Detention Alternatives

- Cook
  - Heavy investment in detention alternatives throughout '90's
  - Most success with evening reporting centers
  - Reduced detention population & avoided building
  - Every other detention center in IL doubled bed capacity thru '90's rather than create alternatives
  - Detention centers expensive - det cntrs overbuilt beds but underbuilt alternatives
  - Some det cntrs turning pods into alternatives



## Expanding community resources reduces juvenile crime

- IL doubled its detention (pre-trial) beds statewide from 694 beds in 1989 to 1,240 beds in 2001. Cook invested in detention alternatives & was the only detention center that did not add beds during this period.
- Delinquency petitions from 1990 to 2000, *increased 57.2% in non-Cook*  
*decreased 44.9% in Cook*



## From 1990-2000

- Probation – juvenile probation caseload
  - *Increased* by 61.4% outside Cook
  - *Decreased* by 20.7% in Cook
- Juvenile commitments to state prison
  - *Increased* by 63.3% outside Cook
  - *Decreased* by 19.8% in Cook

# PUBLIC SUPPORTS ALTERNATIVES TO CONFINEMENT FOR YOUTH

- National survey conducted for the Center for Children’s Law and Policy in the Fall of 2007 found:
  - The public recognizes the **potential of young people to change**. Nearly nine out of 10 (89 percent) of those surveyed agreed that “almost all youth who commit crimes have the potential to change”.
  - The public supports **redirecting government funds from incarceration to counseling, education, and job training programs** for youth offenders.
  - The public views the **provision of treatment and services as more effective** ways of rehabilitat-ing youth than incarceration
  - The public favors **keeping nonviolent juveniles in small, residential facilities** in their own communities rather than in large distant institutions.
  - The public believes the juvenile justice system treats low-income youth, **African American youth and Hispanic youth unfairly**.
- 
- The **public is more willing to pay for rehabilitation than incarceration** according to research conducted for Models for Change by MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice, director Lawrence Steinberg and his colleague Alex Piquero.
  - When offered at the same cost the option of keeping a child locked up and adding rehabilitative services, versus adding time to the child’s incarceration, **people preferred rehabilitation**.

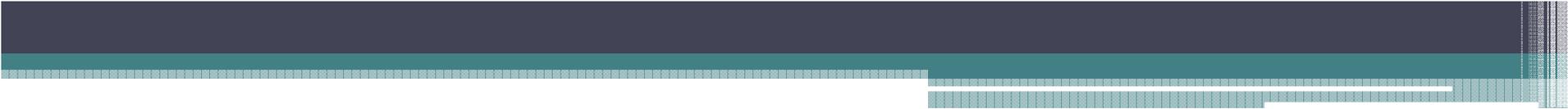
# Illinois polling

## Public supports Redeploy

- In Illinois, fully 85% of the public supports taking away some of the money that state government spends on incarceration and spending it instead on programs for counseling, education, and job training for youth offenders.

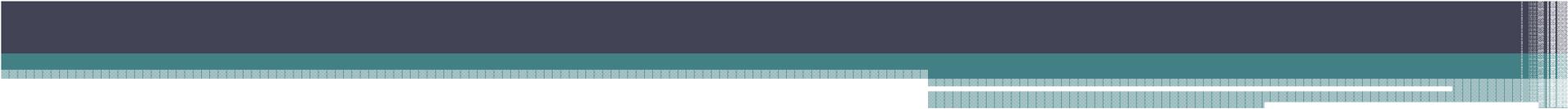
## Public willing to pay more for Redeploy than Jail

- In Illinois, the public is willing to pay 25% more for rehabilitation than for incarceration.



# Conclusion

- Broad support for revising fiscal incentives to reduce corrections commitments
  - Public polling reveals public willing to pay more for alternatives than for confinement
- No opposition.....but need standard bearer
- Must be effective oversight & evaluation to ensure not widening the net



## IL also moving to treatment model for juvenile sentencing

- Moved juvenile prisons into separate agency
- Adding funding for training in adolescent development & evidence-based treatment
- Utilizing evidence-based assessment tools & developing individualized treatment plans
- Planning development of aftercare system
- Planning to move youth back to community sooner to reduce length of stay

# Environment

Missouri



Illinois



# Living Space

Missouri



Illinois



# Educational Buildings

Missouri



Illinois



# Recreation/Programming

Missouri



Illinois



# Community Relations

Missouri



Illinois



Thank you



# ***Redeploy Illinois Annual Report***

## **Implementation and Impact**

May 2007

### **EXECUTIVE SUMMARY**

Research suggests that non-violent youth offenders are less likely to be involved in subsequent delinquent behavior if they remain in their home communities and receive appropriate services that address their underlying needs. Community-based services for juvenile offenders are generally less costly and more effective than institutional care in correctional facilities. In 2005, Redeploy Illinois began four pilot programs. These pilot sites were provided financial support to deliver comprehensive services in their home communities to youth who might otherwise have been sent to the Illinois Department of Juvenile Justice (IDJJ). The first two years of implementation for this pilot program resulted in a statewide reduction in commitments to IDJJ of 7%, for a net savings to the state of \$8 million.

### **INTRODUCTION**

In State fiscal year 2005, the financial cost to Illinois tax payers for incarcerating a juvenile offender in an Illinois correctional institution was \$70,827 per year. The corresponding juvenile recidivism rate in Illinois was forty-eight percent. As this recidivism rate only counts those juveniles that return to a juvenile institution within three years of release, the number of these youth who later became involved with the adult criminal justice system is unknown.

While the Redeploy Illinois Oversight Board (RIOB) has high hopes that the new Department of Juvenile Justice will have a significant impact on the recidivism rate of incarcerated youth, the RIOB is of the belief that many youth are better served in their home counties rather than in juvenile correctional institutions. Research suggests that non-violent youth offenders are less likely to be involved in subsequent delinquent behavior if they remain in their home communities and receive appropriate services that address their underlying needs. Community-based services for juvenile offenders are generally less costly and more effective than institutional care in correctional facilities. Unfortunately, a lack of local programs and services plays a significant role in a court's decision to commit a youth to the Illinois Department of Juvenile Justice (IDJJ). This coupled with the fact that a commitment to IDJJ is paid by the State and carries no cost for the committing county, is where Illinois has failed these youth. Illinois is financially encouraging counties to give up on these youth because it is cheaper for the county to commit them rather than provide them with the services they need.

Enter Redeploy Illinois. The Redeploy Illinois pilot program gives counties financial support to provide comprehensive services in their home communities to youth who might otherwise have been sent to IDJJ. The funds provided to the Redeploy Illinois pilot sites fill in the gaps in the local continuum of programs and services available for these delinquent youth, allowing counties to more cost-effectively serve these youth locally and reduce their reliance on IDJJ. As a result, youth are being given every opportunity to succeed in their own communities, commitments to IDJJ have been reduced significantly, and the State is saving millions of dollars.

The following discussion presents a series of analyses of the effect of Redeploy Illinois at the local and state level.

## **PROGRAM DESCRIPTION**

The primary target population eligible to receive services through Redeploy Illinois is those youth facing a possible sentence to IDJJ for an offense other than Murder or a Class X Forcible Felony. Redeploy Illinois is viewed as a last resort for these youth. Each pilot site may further restrict eligibility into the program. However, they may never accept a youth into the program that is being charged with Murder or a Class X Forcible Felony.

Local jurisdictions that participate as a Redeploy Illinois pilot site are required to develop plans for community-based treatments for juvenile offenders that protect their communities, promote accountability for the harm caused their victims and communities, and equip youth with the necessary competencies to live responsibly and productively.

It is also important to understand that because the focus of this pilot initiative is on providing alternatives for the high-end youth, there is still a portion of the continuum that needs to be sufficiently developed and funded beyond Redeploy Illinois to address the needs of youth just beginning their path into the juvenile justice system.

There are currently four Redeploy Illinois pilot sites:

- 2<sup>nd</sup> Judicial Circuit
- Macon County
- Peoria County
- St. Clair County

### **Pilot Site Descriptions**

#### **The 2<sup>nd</sup> Judicial Circuit**

*(Comprised of 12 rural counties in southeastern Illinois: Crawford, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jefferson, Lawrence, Richland, Wabash, Wayne and White.)*

The goal of the 2<sup>nd</sup> Judicial Circuit Redeploy Illinois program is to utilize individualized and evidence-based practices to address the needs of medium- and high-risk juvenile offenders. Probation officers and community service providers monitor and provide services to juveniles selected for this program. Specific needs are determined on a case-by-case basis. The following assessments are often utilized to ascertain areas of need:

- ❑ YASI (Youth Assessment and Screening Instrument);
- ❑ Psychological Assessment;
- ❑ Sex Offender Assessment;
- ❑ TRACKER Assessment; and
- ❑ Pre-sentence investigation prepared by the probation department.

While the 2<sup>nd</sup> Circuit has not established formal selection criteria to identify service providers for the initiative, there are several standards used for selection, including the provider's use of the Blueprint Evidence Based Practices programming, the service providers' ability to work with the targeted juvenile population in the geographical locations, and the ability to provide the needed services.

The five major service options supported by the 2<sup>nd</sup> Judicial Circuit's Redeploy Illinois program are:

- ❑ Aggression Replacement Training
- ❑ Functional Family Therapy

- ❑ Multi-Systemic Therapy
- ❑ Global Positioning System Monitoring
- ❑ Psychological and Psychiatric Evaluation

The expected outcome of these services, which are provided by probation department staff and community-based service providers, is an increase in public safety and the provision of pathways to positive change for youth who are involved in the juvenile justice system.

Juvenile participants of the 2<sup>nd</sup> Judicial Circuit program are required to be between the ages of 13 and 17 years old; have been adjudicated for an offense punishable by incarceration in IDJJ; have no more than one prior adjudication; and have a YASI score of Medium-High risk. Juveniles convicted of first-degree murder or a Class X forcible felony are ineligible for participation in the program.

### **Macon County**

The pilot program, Community ACCESS (Alternative Collaborative Change Education Support Success), was designed to offer individualized services to juvenile participants based on their specific risk factors and needs. The Macon County program utilizes the YASI, a tool that gathers information to determine appropriate services for participants. Other assessment tools examine mental health and substance abuse issues.

The continuum of services provided by the Macon County Redeploy Illinois program consists of strategies and sanctions ranging from least restrictive to most restrictive including:

- ❑ Quality assessment (initial and ongoing)
- ❑ Cognitive education and treatment
- ❑ Teen court
- ❑ Violence reduction treatment
- ❑ Victim-related services
- ❑ Life skills
- ❑ Community restorative boards
- ❑ Substance abuse treatment
- ❑ Gender-specific services
- ❑ Mental health treatment
- ❑ Parent/family support services
- ❑ Home detention

The pilot program employs local community restorative boards made up of small groups of citizens who are prepared by intensive training to conduct face-to-face meetings with offenders and develop agreements with them. The boards allow community members to meet with juveniles and their families, both to help restore community relationships and to hold the juveniles accountable for harm caused by their actions.

Macon County participants are required to be at least 13 years old; under consideration for possible commitment to IDJJ due to their current offense; eligible for a one year or more term of probation; and convicted of a non-forcible felony. The program could not be used as an alternative to juvenile court involvement or as part of a plea agreement.

### **Peoria County**

The Peoria County Redeploy Illinois program is a collaborative partnership between Peoria County Court Services and Children's Home Association of Illinois (CHAIL). Redeploy Illinois participants are referred from the Juvenile Court Judge as well as identified by probation staff from their existing caseloads. In addition, participant parents must agree to the Redeploy Illinois program assignment.

Peoria County's Redeploy Illinois targets two groups of juveniles. The first group is comprised of juveniles who would have previously been sent to IDJJ for an evaluation. The second group consists of those juveniles on probation who are assessed to be at greatest risk for a full commitment to IDJJ.

Youth that have been referred into the Redeploy Illinois program in need of a court evaluation are placed in a residential setting. During a 21-day stabilization period, they receive an evaluation and assessment. They are then transitioned into the program group. Youth who need more intense mental health treatment receive therapy.

A staff member from the Children's Home Association conducts a thorough assessment on each youth participating in the Redeploy Illinois program to obtain the information that will assist in developing an individualized service plan for the youth and his/her family. The staff member then collaborates with Peoria County probation staff that work directly with delinquent youth and their families to provide the identified services or link them to resources within the community.

Once the referral to the program has been made and the assessment completed, program staff provide the following functions:

- ❑ A minimum of three contacts per week with the youth. These three contacts will consist of counseling, skill building, collateral contact, curfew checks, and/or staffings with the Probation Officer.
- ❑ Transportation for the youth to and from court hearings, meetings with Probation Officers, treatment sessions/meetings, or other related appointments/meetings.
- ❑ Linkage to community resources.
- ❑ Group counseling sessions.

In order to set goals for the youth and family, each youth receives an Individualized Family Service Plan (IFSP) provided by CHAIL. The IFSP is based on intensive interviews, observations and research into the individual's school, mental health, social, and family history gathered from schools, hospitals, family members, and other relevant individuals.

Types of service include:

- ❑ Individual counseling
- ❑ Family counseling
- ❑ Psychological evaluations
- ❑ Drug treatment
- ❑ Aggression Replacement Training (ART)
- ❑ Service to family
- ❑ Community service/ recreation
- ❑ Collateral contacts and referrals

Another goal is to reduce the level of disproportionate minority confinement (DMC). The percentage of minority youth in Redeploy was higher than the percentage of minority youth committed to IDJJ in 2005. This suggests that Redeploy Illinois in Peoria County may have an impact on DMC.

### **St. Clair County**

The St. Clair County Youth Coalition (SCCYC), consisting of over 100 community stakeholders and youth service providers oversees the pilot initiative. The Children's Home and Aid Society of Illinois (CHASI), a local social service agency, provide program delivery and implementation. Other agencies such as the Lessie Bates Davis Neighborhood House, Kids Hope United, and

Cahokia Park United Methodist Church offer services. A court liaison is provided to assist youth and their families during court proceedings and to make referrals to services.

The target population is youth between 13 and 17 years of age with at least one prior delinquent offense who are currently adjudicated for an offense that is punishable by an IDJJ commitment and who are at medium or high risk for re-offending. Youth who are involved in both the juvenile justice system and the child welfare system are given priority. Court ordered referrals to the Redeploy Illinois program are from the State's Attorney's Office, Public Defender's Office, or Juvenile Court Judge. Families have to be willing to participate in the Redeploy program. In addition, non court-ordered referrals from probation or other agencies are allowed to benefit from the program. These youth receive services but are not officially in the Redeploy program.

All referred youth to the St. Clair Redeploy Illinois program are required to undergo a 30-day assessment period. During this period, youth are generally remanded to custody in the St. Clair County Detention Center. Each youth is matched with a CHASI caseworker within 24-hours. The caseworker completes the assessment process through an examination of participants' school, mental health, social, and family history. This information is gathered from schools, hospitals, family members, and other documentation such as YASI scores. In order to set goals for the youth and family, each youth receives a case plan provided by CHASI. After the assessment of the youth and case plan are submitted to the judge, a determination is made whether or not to accept the youth into the Redeploy Program.

To date, more than 30 different services have been made available to participants. The following represent the most commonly utilized services:

- |  |  |
|--|--|
| <input type="checkbox"/> Multi-systemic Therapy            | <input type="checkbox"/> Individual therapy            |
| <input type="checkbox"/> Functional Family Therapy         | <input type="checkbox"/> Victimization Counseling      |
| <input type="checkbox"/> Aggression Replacement Therapy    | <input type="checkbox"/> Mental health                 |
| <input type="checkbox"/> Family group conferencing         | <input type="checkbox"/> Substance related             |
| <input type="checkbox"/> Domestic violence                 | <input type="checkbox"/> Education/ Workforce training |
| <input type="checkbox"/> Program for Reshaping Adolescents | <input type="checkbox"/> Recreation Therapy            |
| Sexual Expression  | <input type="checkbox"/> Supervision/ monitoring       |

The RIOB allowed St. Clair County to use a baseline of 86 commitments, the number of Redeploy eligible juvenile commitments in 2004 rather than the average number of commitments to IDJJ for the 2001 – 2003 years as seen with the remaining three pilot sites. This was due to the dramatically increasing numbers of juvenile commitments over the more recent years. Therefore, the Oversight Board agreed to a more accurate and realistic baseline. In 2007, the Oversight Board and the St Clair County pilot site agreed to adjust their baseline to the 3-year average for 2003 - 2005 for purposes of calculating penalties and monitoring the minimum 25% reduction requirement.

### **Pilot Expansion**

In FY2007, the Redeploy Illinois line item received an increase of \$750,000 to expand the initiative. A Request For Proposals (RFP) was developed to solicit applications. The RFP was released on 9/1/06 and due back on 9/26/06. Two applications were reviewed and scored by RIOB members and staff. At the 10/16/06 RIOB meeting, results were discussed and the RIOB determined that Hunters Productions was not an eligible applicant and the decision was made to request additional eligibility information from the Cook County applicant, due back on 11/30/06.

This addendum satisfied eligibility requirements; however, the RIOB wanted further clarifications and assurances on a few topics. Following extended negotiations, the RIOB decided on 2/16/07 that Cook County would become the next Redeploy Illinois pilot site. On 3/13/07 IDHS issued a contract to Cook County for signature.

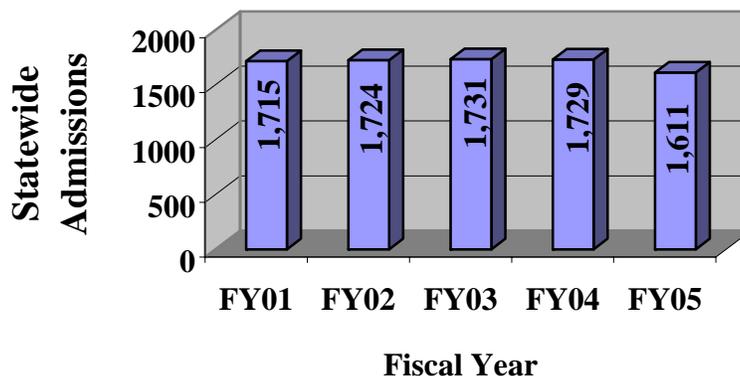
Upon receipt of the contract, Cook County expressed concerns about the reduction in the Redeploy Illinois line item in the Governor’s proposed budget released on 3/7/07. As the RIOB and IDHS were unable to assure Cook County that full funding would be made available to the site in FY08, regardless of the appropriation, Cook County understandably did not sign the contract. Cook County remains very interested in becoming the next Redeploy Illinois pilot site, should funding be restored.

## PERFORMANCE ANALYSIS

### IDJJ Admissions

Implementation in two of the four Redeploy Illinois pilot sites began in January 2005 with the remaining two beginning implementation later that same year. From 2001 to 2004 there was a statewide average of 1,725 new court admissions of juveniles per year to IDJJ (Figure 1). During calendar year 2005 alone, there was a statewide decrease in new court admissions to IDJJ of 7% (118 youth). In the preceding four years there was never a variation of more than 16 admissions. Is this a direct result of the Redeploy Illinois initiative? The RIOB believes it is. According to IDJJ data for the four pilot sites, during their first year of implementation (2005), 93 fewer youth were admitted to IDJJ than in the corresponding baseline years of the pilot. The RIOB expects that this drop in admissions will hold as the second year of pilot data indicates that 133 fewer youth will have been admitted during the 2006 project period.

**Figure 1 - New Admissions to IDJJ  
FY 2001-2005**



Source: 2005 Department Data, report found on the Illinois Department of Corrections website, Reports & Stats.

## Detention Utilization

The four pilot sites implementing the Redeploy Illinois Initiative are focusing on reducing the number of confinement days within IDJJ. To this end, some of the pilot sites utilize a brief stay in detention while the determination is made as to the youth's eligibility and acceptance into the program. For this reason, the RIOB monitors detention data in these pilot sites to ensure that there is not a dramatic shift in confinement from IDJJ to county detention. During the first two years of Redeploy Illinois implementation, the pilot sites saw a collective average length of stay in detention of 12.25 days. This compares to the statewide two-year average of 19 days.

## Cost Savings by Pilot Site

In State fiscal year 2005, according to IDJJ, the average cost for a 12-month juvenile commitment was \$70,827. The average length of stay for a delinquency commitment was 8.8 months (\$51,940). The average length of stay for a court evaluation commitment was 3.5 months (\$20,658). In FY 2005, nine percent of the IDJJ juvenile population was incarcerated for a court evaluation. These data are utilized throughout the remainder of this section to calculate cost savings.

Cost savings resulting from Redeploy Illinois were estimated using the following methodology. The estimated number of youth that were "Redeployed" is the difference between the observed number of eligible commitments for a given year and the average annual number of youth sentenced to IDJJ during the baseline period for a given pilot site. The cost savings due to a decrease in commitments was estimated by determining the number of "Redeployed" youth who would have been committed for evaluation (.09 x redeployed youth) and those for a delinquency or full commitment (.91 x redeployed youth). The resulting figures were then applied to the estimated length of stay averages and associated costs calculated.

**2<sup>nd</sup> Circuit** - 2-Year Cost Savings to IDJJ = \$1,375,489

The 2<sup>nd</sup> Circuit Redeploy Illinois pilot program operates on a calendar year. The average annual number of youth sentenced to IDJJ from 1/1/01 to 12/31/03 eligible for participation in Redeploy was 40.

<b>Program Period</b>	<b>Eligible Commitments</b>	<b>Percent Reduction from Baseline (40)</b>	<b>Number Redeployed</b>	<b>Cost Savings to IDJJ</b>
Year One 1/1/05 – 12/31/05	22	41%	18	\$884,243
Year Two 1/1/06 – 12/31/06	30	25%	10	\$491,246
<b>2 Year Figures</b>	<b>52 Youth Incarcerated</b>	<b>33% Average Reduction</b>	<b>28 Fewer Youth Incarcerated</b>	<b>\$1,375,489 Cost Savings to IDJJ</b>

**Macon County - 2-Year Cost Savings to IDJJ = \$2,947,478**

The Macon County Redeploy Illinois pilot program operates on a calendar year. The average annual number of youth sentenced to IDJJ from 1/1/01 to 12/31/03 eligible for participation in Redeploy was 51.

<b>Program Period</b>	<b>Eligible Commitments</b>	<b>Percent Reduction from Baseline (51)</b>	<b>Number Redeployed</b>	<b>Cost Savings to IDJJ</b>
Year One 1/1/05 – 12/31/05	30	41%	21	\$1,031,617
Year Two 1/1/06 – 12/31/06	12	76%	39	\$1,915,861
<b>2 Year Figures</b>	<b>42 Youth Incarcerated</b>	<b>59% Average Reduction</b>	<b>60 Fewer Youth Incarcerated</b>	<b>\$2,947,478 Cost Savings to IDJJ</b>

**Peoria County - 2-Year Cost Savings to IDJJ = \$2,947,478**

The Peoria County Redeploy Illinois pilot program operates on a fiscal year. The average annual number of youth sentenced to IDJJ from 7/1/01 to 6/30/04 eligible for participation in Redeploy was 78.

<b>Program Period</b>	<b>Eligible Commitments</b>	<b>Percent Reduction from Baseline (78)</b>	<b>Number Redeployed</b>	<b>Cost Savings to IDJJ</b>
Year One 7/1/05 – 6/30/06	48	39%	30	\$1,473,739
Year Two 7/1/06 – 6/30/07*	48	39%	30	\$1,473,739
<b>2 Year Figures</b>	<b>96 Youth Incarcerated</b>	<b>39% Average Reduction</b>	<b>60 Fewer Youth Incarcerated</b>	<b>\$2,947,478 Cost Savings to IDJJ</b>

\* Year two figures are estimated based on the first six months of commitment data (24).

**St. Clair County - 2-Year Cost Savings to IDJJ = \$3,831,721**

The St. Clair County Redeploy Illinois pilot program operates on a fiscal year. The average annual number of youth sentenced to IDJJ from 7/1/01 to 6/30/04 eligible for participation in Redeploy was 86.

<b>Program Period</b>	<b>Eligible Commitments</b>	<b>Percent Reduction from Baseline (86)</b>	<b>Number Redeployed</b>	<b>Cost Savings to IDJJ</b>
Year One 7/1/05 – 6/30/06	62	28%	24	\$1,178,991
Year Two 7/1/06 – 6/30/07*	32	63%	54	\$2,652,730
<b>2 Year Figures</b>	<b>94 Youth Incarcerated</b>	<b>46% Average Reduction</b>	<b>78 Fewer Youth Incarcerated</b>	<b>\$3,831,721 Cost Savings to IDJJ</b>

\* Year two figures are estimated based on the first six months of commitment data (16).

## 2-Year Cost Savings to IDJJ

This table reflects compiled pilot site calculations from the preceding tables. From site start-up through the end of their second full year of implementation, compared to the calculated cost savings to IDJJ during that same time period.

<b>Pilot Site</b>	<b>2-Year Number Reduction from Baseline</b>	<b>2-Year Cost Savings to IDJJ from Baseline</b>
2 <sup>nd</sup> Circuit	28	\$1,375,489
Macon County	60	\$2,947,478
Peoria County*	60	\$2,947,478
St. Clair County*	78	\$3,831,721
	<b>226 Fewer Youth Incarcerated</b>	<b>\$11,102,166 Cost Savings to IDJJ</b>

\* Year two figures are estimated based on the first six months of commitment data.

## 2-Year Cost Savings to the State of Illinois

This table reflects pilot site grant expenditures from site start-up through the end of their second full year of implementation, compared to the calculated cost savings to IDJJ during that same time period.

<b>Pilot Site</b>	<b>2-Year Project Period State Grant Expenditures</b>	<b>2-Year Cost Savings to IDJJ from Baseline</b>	<b>2-Year Cost Savings to the State of Illinois from Baseline</b>
2 <sup>nd</sup> Circuit	\$906,604	\$1,375,489	\$468,885
Macon County	\$597,087	\$2,947,478	\$2,350,391
Peoria County*	\$764,938	\$2,947,478	\$2,182,540
St. Clair County*	\$862,794	\$3,831,721	\$2,968,927
	<b>\$3,131,423 Pilot Site Grant Expenditures</b>	<b>\$11,102,166 Cost Savings to IDJJ</b>	<b>\$7,970,743 Cost Savings to the State</b>

\* Year two figures are estimated based on the first six months of commitment data.

## **CASE STUDY**

Rachael is a 13-year-old female on probation for car theft. She struggled to get along with her mother and sister at home, but family relationships were very strained. Rachael was also struggling at school. She was receiving services both in school and from a private psychiatrist for mental health issues. In an effort to help, the probation officer had also referred the family for group therapy. However, the family was seemingly overwhelmed by the general chaos, and the situation remained critical.

In an effort to reduce stress within the family, Rachael moved out of her mother's home and into her oldest sister's home, which allowed Rachael also to transfer to an alternate junior high school in the district. Rachael continued to have problems, however, and her behavior and poor attitude caused conflict with her sister. She eventually returned to her mother's home and finished out the school year, but due to ongoing probation violations, she was brought back before the court. This time, Rachael was referred to the Redeploy Illinois program.

Rachael first received a thorough psychological assessment, and an in-depth family assessment was performed. These tools indicated ongoing family conflict, poor communication, clinical depression and suspicion of drug use. Rachael and her family were linked with needed counseling and services to repair family relationships. At this very fragile time in their family life, Rachael's family home caught fire and was extensively damaged. Though family tensions inevitably increased for a time, the coordination of services established through Redeploy helped to stabilize the situation.

Rachael and her mother have now completed family therapy and their relationship has improved. Through mental health counseling and substance abuse treatment services, Rachael is now following her mother's rules and curfew, and is abiding by the terms of her probation. Redeploy Illinois has helped Rachael to build the skills and find the confidence to succeed. She has been able to use skills learned in Aggression Replacement Therapy to assist her in coping with problems that arise at school and home. Rachael completed the first semester of school at an alternative school and did so well that she was transferred back to her original school for the start of the second semester. Rachael reports at this time that she is looking forward to attending her old school again and believes she can succeed. She is following all of her probationary guidelines and has turned her life around.

## **EVALUATION**

Independent evaluators were hired to conduct a process and preliminary impact evaluation utilizing an approach that was systematic and comprehensive with a variety of qualitative and quantitative data collection methods. The evaluations were designed to address the unique characteristics of the pilot sites through establishing key performance indicators and research questions for assessing the impact and implementation of the Redeploy Illinois program

The research team at Powered Performance, Ghenno Senbetta, Ph.D., and Darryl L. Jinkerson, Ph.D. evaluated the 2nd Judicial Circuit and Macon County Redeploy programs. The 2<sup>nd</sup> Judicial Circuit was evaluated for the time period of March 1 through December 31, 2005. The Macon County Redeploy program was evaluated for the time period of January 1 and October 31, 2005.

The research team at Southern Illinois University-Carbondale, Gaylene S. Armstrong, Ph.D., Todd A. Armstrong, Ph.D., and Vince J. Webb, Ph.D., evaluated the St. Clair County Redeploy and the Peoria County Redeploy programs. The Peoria Redeploy program was evaluated for the time period of June of 2005 through March of 2006. The St. Clair program was evaluated for the time period of January 1 through Oct. 31, 2005

The evaluation reports describe in detail the developmental processes that took place within each site as well as an in-depth description of each initiative. The data and process analysis conducted in each site indicated that all were on-track to meet the goals set forth in the statute, implementing community-based sanctions, treatment alternatives, and services for juveniles who would have otherwise been committed to IDJJ, while projecting that each would successfully meet the minimum 25% reduction requirement. Additionally, the program costs were dramatically lower per juvenile than the cost of committing juveniles to IDJJ.

To view these evaluation reports, please visit the web site for the Illinois Criminal Justice Information Authority at [www.ICJIA.state.il.us](http://www.ICJIA.state.il.us).

## CONCLUSION

In the first two years of implementation, the Redeploy Illinois pilot sites, on average, reduced commitments to the Illinois Department of Juvenile Justice (IDJJ) by 44% within their communities, or 226 fewer youth. Thus, for every one million dollars spent by Redeploy Illinois Pilot sites, IDJJ has seen a decrease of \$3.55 million in costs to incarcerate juveniles. This equates to an \$11 million dollar 2-year cost savings to IDJJ. Although the RIOB understands that this cost savings to IDJJ does not represent an actual dollar for dollar decrease in IDJJ direct costs, it does stand to reason that if these reductions are maintained over time, that IDJJ would be able to begin restructuring and downsizing.

2005 represents the first year of Redeploy Illinois implementation in the four pilot sites. Pilot site commitment data indicated that 93 fewer youth were sentenced to IDJJ than in baseline years. In 2005, IDJJ saw a 7% (118 youth) statewide decrease in new admissions. A drop of this size has not been seen in recent years. The RIOB expects that this drop in admissions will continue to hold as the second year of pilot data indicates that 133 fewer youth will have been committed during the 2006 project period.

If these reductions are to be maintained, it will be critical for the Legislature and this initiative to continue to direct funding toward the continuum of services being developed in these pilot sites.

The RIOB recommends that this pilot be continued and expanded to more communities throughout the State.

# Sally T. Prouty—Biography

Sally T. Prouty

**President and CEO—The Corps Network**

**M**s. Prouty has 30 years experience in both the public and private sectors as well as in volunteer non-profit positions at the local, state, national and international levels. She has worked extensively in health care, as a Registered Nurse and as an administrator, supervisor, and teacher in medical settings.

Immediately before her appointment at The Corps Network in 2002, Ms. Prouty served four years as Deputy Director, Ohio Department of Natural Resources (ODNR) and seven years as Director of the Ohio Civilian Conservation Corps (OCCC), a division of ODNR, operating two residential and six non-residential facilities statewide.

Under Ms. Prouty's leadership, OCCC enrolled both middle class young men and women in a traditional Conservation Corps model and also unemployed young adults in a program focused on conservation based service-learning and youth development. In 2000, the Department of Labor recognized OCCC as one of ten effective youth initiatives in the nation, and in 2002 the Annie E. Casey Foundation recognized OCCC as "one of the premier youth programs in the nation" for effectively serving youth exiting the juvenile justice system.

Currently, Sally Prouty is co-chair of both Voices for National Service and the national Campaign for Youth. She also serves on the Board of Directors of the National Youth Employment Coalition.



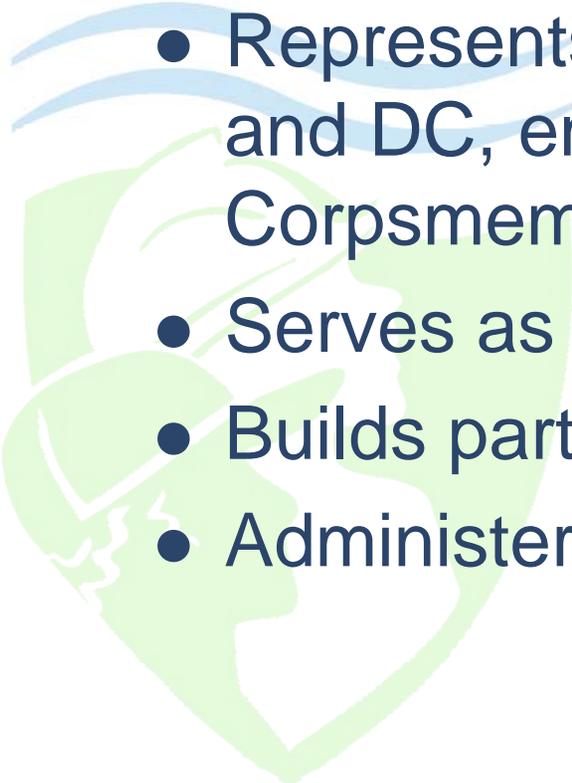
**The  
CorpsNetwork**

Strengthening America through  
service and conservation

# Civic Justice Corps Re-Direct-Reform NY February, 2008

Sally Prouty  
President and CEO  
The Corps Network

## The Corps Network

- 
- Represents 115 Corps operating in 42 States and DC, enrolling over 21,000 Corpsmembers
  - Serves as the voice for Corps nationally
  - Builds partnerships to support Corps
  - Administers national projects

## The Corps Network

- Promotes service and service learning as strategies to achieve
  - positive youth development
  - Educational advancement
  - Career preparation
- Promotes an ethic of stewardship
- Assures quality programming
- Provides training and technical assistance

## Goals for today...

- Share regarding the in-process development of the Civic Justice Corps program model
- Share regarding US DOL and Corporation for National and Community Service funded Civic Justice Corps projects
- Share regarding newly funded Civic Justice Corps projects in New Orleans
- Answer your questions

## My Corps Experience

- 7 years – Director of a statewide Civilian Conservation Corps
- 2 residential and 6 non-residential sites
- Enrollment target changed to include formerly incarcerated and court involved
- Over 400 formerly incarcerated enrolled upon exit from DYS

## Results

- “Youth enrolled were 4 times less likely to be re-incarcerated than youth who did not participate in CCC...”

– Gino Natalucci-Persichetti, DYS Director

# **Civic Justice Corps – Susan Tucker, Director, After Prison Initiative, OSI**

**The  
CorpsNetwork**

- A national service initiative that creates stipended, service-learning opportunities for residents of high-incarceration neighborhoods.
- Affirmatively recruiting people with criminal records, the CJC involves its Corpsmembers in visible and valuable projects designed to improve community health, safety, beauty, and sustainability.

## CJC Service Learning Projects

- Focus on environmental, economic, and social sustainability;
- Provide pathways out of poverty and prison by promoting active citizenship and preparing residents for careers in the emerging green economy;
- Promote active citizenship;

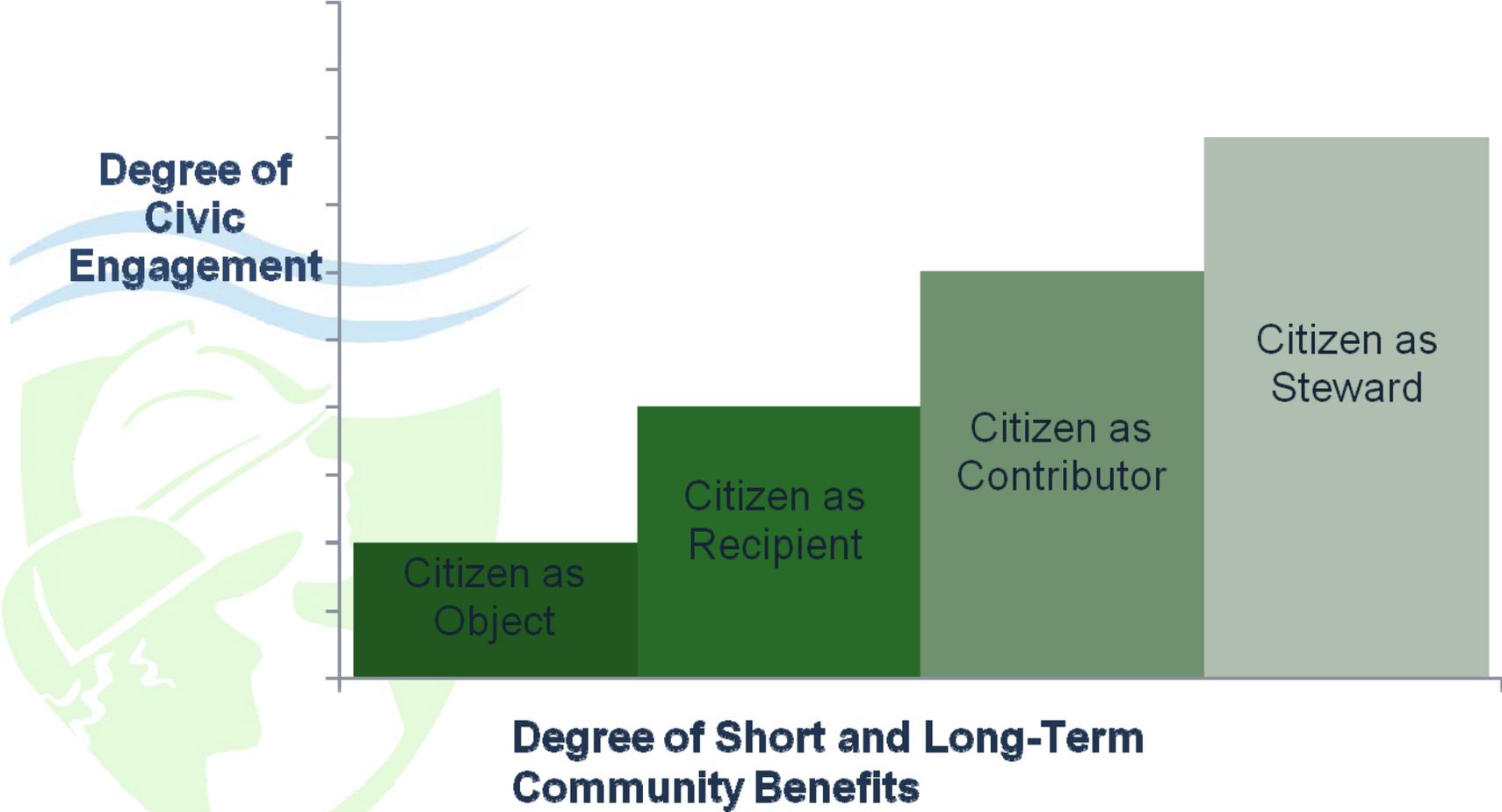
## CJC Service Learning Projects cont.

- Strengthen neighborhood infrastructure and civil institutions by mobilizing financial and human capital;
- Reorient the mission and resources of state and local justice systems toward performative, restorative justice and away from harsh punishment and excessive prison, parole and probationary terms.

## Dennis Maloney's Legacy



# Dennis Maloney's Frame for the Civic Justice Corps



# History of Service and Conservation Corps

The  
CorpsNetwork

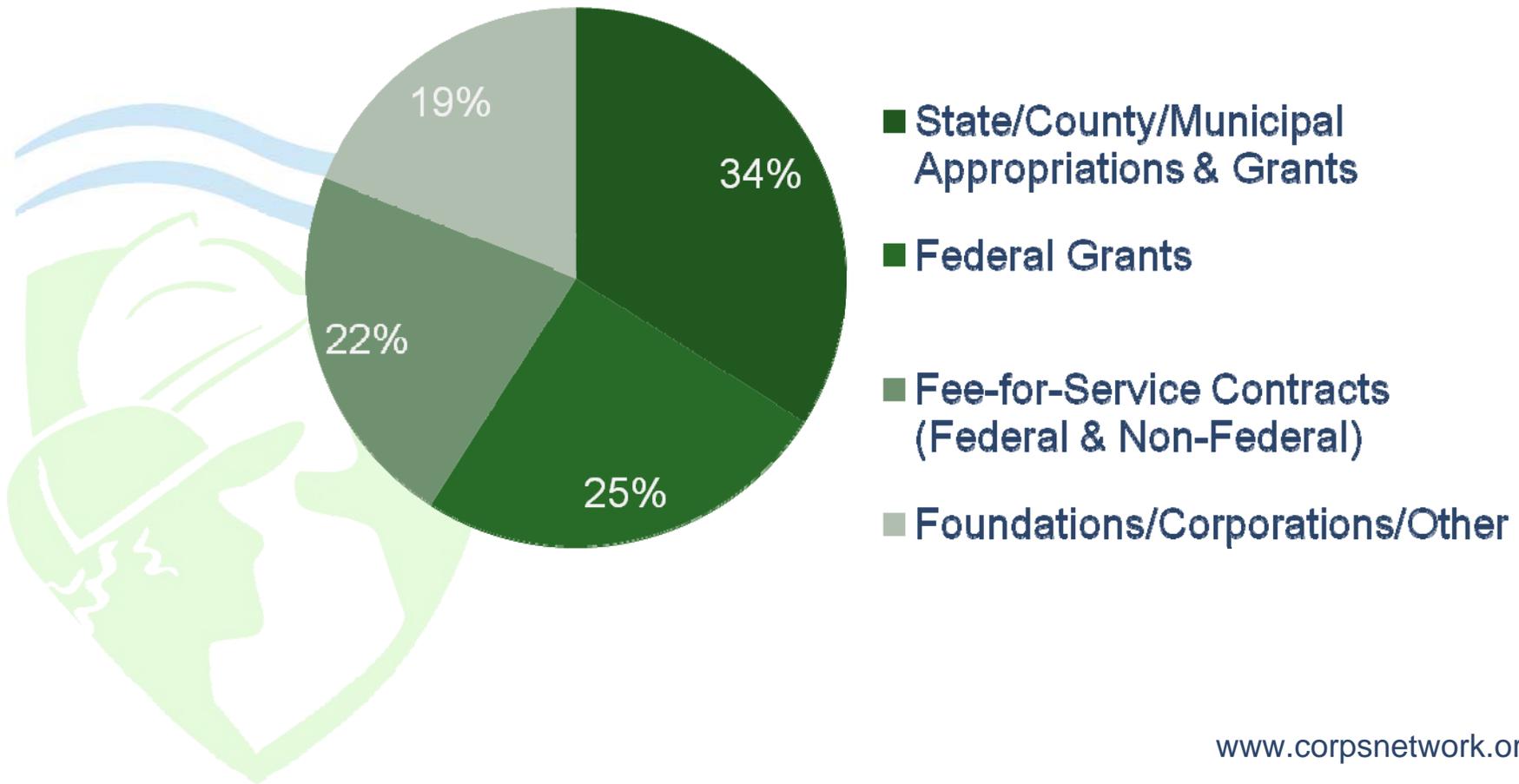
- Legacy of the 1930's Civilian Conservation Corps
- Relunched in 1976—25+ years of experience
- Knowledge base of youth development and community engagement



A proven strategy for giving young men and women the chance to change their communities, their own lives and those of their families through service.

# Funding Sources for Service and Conservation Corps

The CorpsNetwork



## Service and Conservation Corps

- Primarily crew-based with adult leaders serving as mentors and role models
- Service that meets community needs as the central element

### Corpsmember Demographics:

- 59% male
- 60% young people of color
- 50% family income less than \$15,000
- 52% without HS diploma or GED
- 30% court involved
- 10% formerly in foster care



## Service as a Strategy

Service is a proven strategy for reengaging young people—enabling them to change their lives and their communities.

A random assignment evaluation by Abt Associates found

- Significant employment and earnings gains by Corpsmembers;
- Positive outcomes especially strong for young African-American men;
- Arrest rates drop by one-third among all Corpsmembers;
- Out-of-wedlock pregnancy rates drop among female Corpsmembers; and
- Corps generate over \$13.24 worth of services per program hour.

## Civic Justice Corps: Yr 1 Results

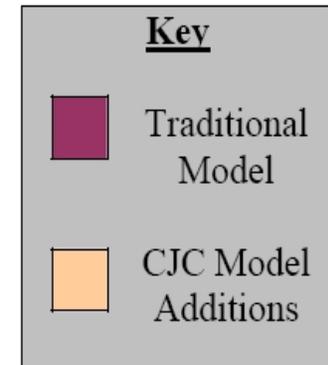
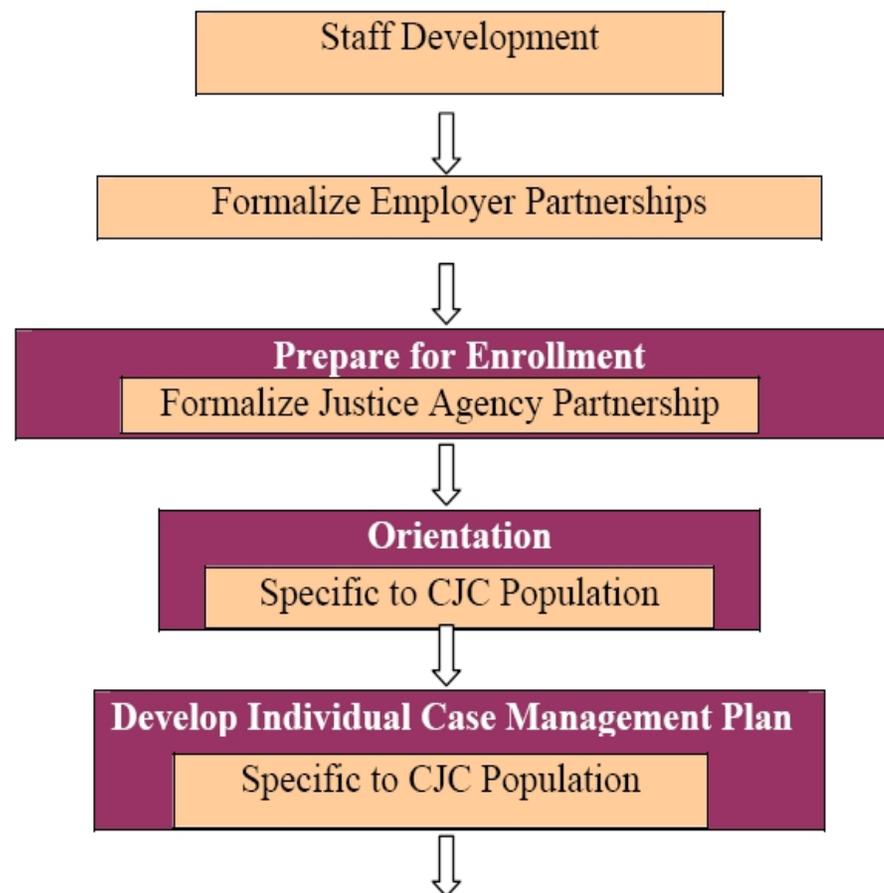
- 9.2 % recidivism (we promised 20% below the prevailing rate of 50 - 70%)
- 90.7% activity participation (80% promised)
- 95.9% retention in job/college placements (75% promised)
- 401 enrolled (we promised 300 the first year & 400 over the entire project)
- 309 formerly/currently incarcerated (we promised 1/2 or 200)
- High growth employers engaged

## Civic Justice Corps Demonstration

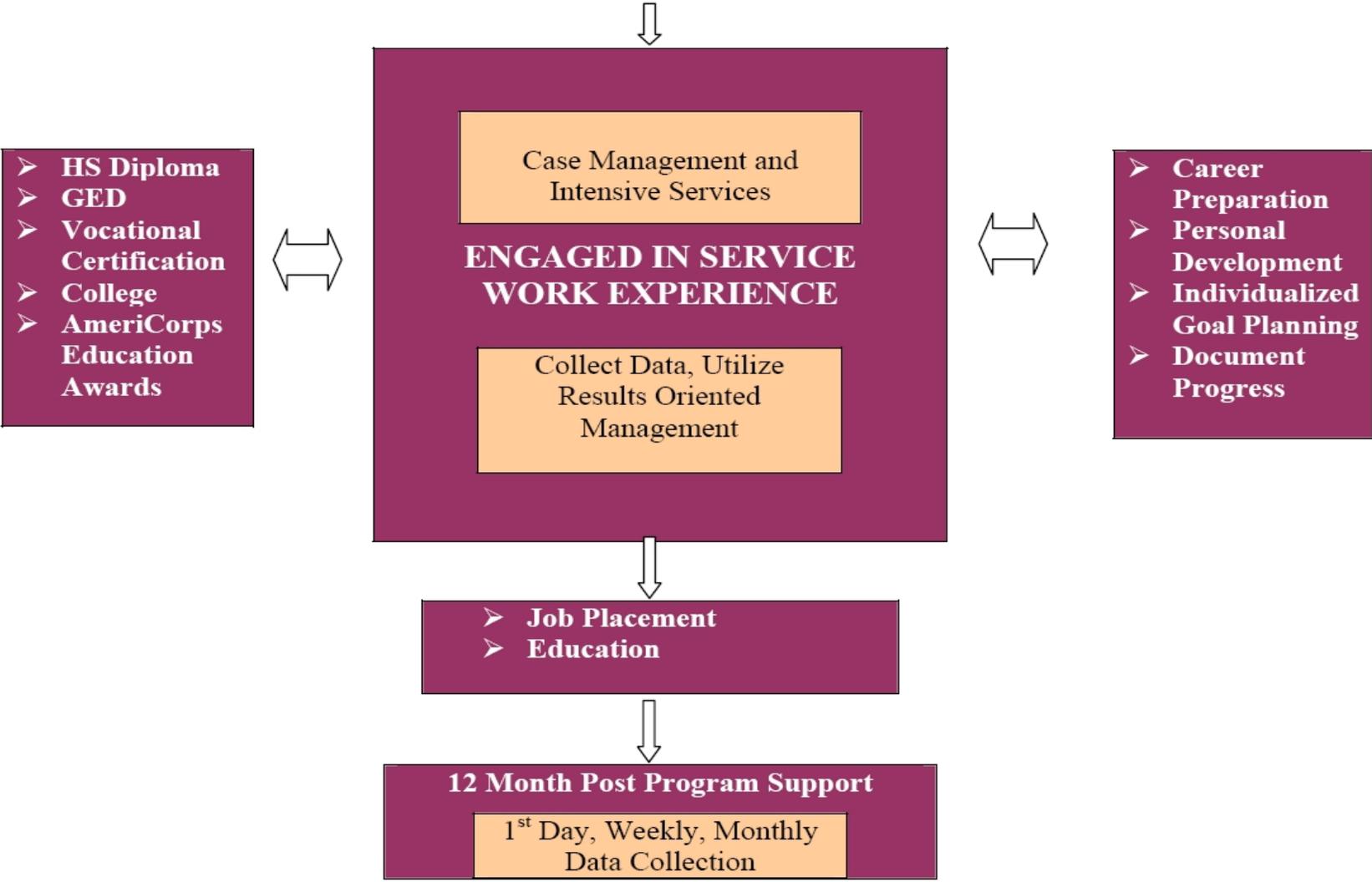
- CNCS – 3 sites
- U.S. Department of Labor – 11 sites
- Open Society Institute
- JEHT Foundation
- Cascade Center for Community Change



## Civic Justice Corps – The Corps Network



# The CorpsNetwork



## Systems Change

- *Justice agencies as allies*  
Formal partnerships with justice agencies
- *Employers as primary partners*  
Formal partnerships with employers
- *Teaming up with youth to remove barriers*  
Case management during the term of service—  
and for 12 months following
- *Service as a strategy for re-engagement*  
- giving back, gaining skills, confidence, maturity
- *A team committed to results*  
Intensive focus on data and outcomes

# Increasing Civic Engagement through Service Learning

## Key Service-Learning Strategies (1)

- Youth Ownership

Young people active partners in identifying community needs, planning service activities, and evaluating success.

- Genuine Community Needs

Service addresses needs that the community identifies as important. The community is an active and respected partner.

Material adapted from [www.NYLC.org](http://www.NYLC.org), The National Youth Leadership Council

# Increasing Civic Engagement through Service Learning

The CorpsNetwork

## Key Service-Learning Strategies (cont.)

- **Connections to Learning Objectives**

Service is tied directly to specific learning objectives—  
Corpsmembers understand that learning has direct application to  
community improvement.

- **Reflection**

Critical and creative thinking ensures high levels of benefit for youth  
and community.

Material adapted from [www.NYLC.org](http://www.NYLC.org), The National Youth Leadership Council

[www.corpsnetwork.org](http://www.corpsnetwork.org)

# Increasing Community Benefit through Service **The CorpsNetwork**

## Categories of Service:

Conservation/Environmental Restoration/Recycling	53%
Education/Human Services/Healthcare	33%
Homeland Security/Disaster Relief	9%
Building Construction/Renovation	5%



# Impact on Community and Environment

- Quilter CCC (Ohio). Partnering with Community Action in weatherization of low-income homes, Corpsmembers are trained, receive college credit and national certification
- Montana CC – Warm Hearts Warm Homes program established by Governor Schweitzer. MCC served 1400 LIHEAP eligible homes
- Earth Conservation Corps (Washington, DC): Install green roofs on city government buildings. (ECC itself had first green roof in the city.)
- Mile High Youth Corps (Colorado) – Corpsmembers improve energy efficiency of homes in their own communities through Gov's Energy Office Low-Income Energy Assistance Program
- East Bay (Oakland)—Corpsmembers plant trees in urban areas through Urban Re-leaf program.
- Baltimore Civic Works – Corpsmembers perform energy audits and develop plans for energy savings.

# Civic Justice Corps: Key Components

- *Employer Partnerships*: High growth industry
- *Justice Agency Partnerships*
- *Community Partnerships*: meaningful service projects, collaboration, resource sharing
- *Corpsmember Development*: All elements enhanced by the service experience
  - Education
  - Lifeskills development
  - Career preparation
  - Targeted support services

# Southeast Louisiana Youth Career Development Project

The CorpsNetwork

- US DOL National Emergency Grant
- The Corps Network in partnership with Greater New Orleans WIB's, JOB1, LA State DOL and the US DOL
- \$8.5 million
- Utilizing Civic Justice Corps program model

## Southeast Louisiana YCDP cont.

- Civic Justice Corps program model
- Unique - based on 4 month enrollment and offering a 450 hour education award
- Community capacity building – 6 agencies/organizations will house the Corps
- Enrolling 800 youth and young adults (16 – 24) in next 22 months

## Southeast Louisiana YCDP cont.

- At least 25% formerly incarcerated and additional 25% court involved
- No substantial work history (less than 6 months)
- WIB region - enrollment and service projects
- Focus - environmental restoration, energy conservation, restoration of historic structures
- Sustainability – goal from the start!

# Next Steps: Clean Energy Corps and Green Jobs

The “Green New Deal”

Through service, young men and women find pathways out of poverty into green economy jobs that can't be outsourced.

*Clean Energy Corps:*

Improving energy efficiency, transportation enhancements, and environmental restoration.

## In summary...

- Thanks to Susan Tucker and Dennis Maloney – the CJC concept is being incorporated into the traditional Corps program model.
- We believe that the knowledge base being developed by the CJC learning community will be invaluable. Already great results are evident.

## In summary...

- Ideally, the CJC/service learning experience would begin in the institution or while under supervision and lead to enrollment in a CJC that offers support upon exit – as members continue their education and/or enter employment while also serving as creative problem solvers and leaders in their communities.

## Conclusion...

- We would like to see every high incarceration community in the U.S. host an active Civic Justice Corps and every adult and juvenile prison become a center for service learning.



# The CorpsNetwork

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**New York State  
Council on Children and Families  
Summary of Reform Efforts**

# Reform New York: Reinvesting in New York's Youth

Since 1997, the Council on Children and Families and the Division of Probation and Correctional Alternatives (DPCA) have worked together to promote reform in the juvenile justice system. During that time, there have been a number of meaningful steps taken to change and improve the way we address the needs of youth within the system.

A significant outcome of the first partnership between the Council and DPCA was the development of the Youth Assessment and Screening Instrument (YASI). The Youth Assessment Screening Instrument (YASI) is a systematic set of assessment and case planning tools, practices, and software for use with PINS and JD cases at juvenile intake, investigation and supervision. The YASI project brings together good probation practice with developments in research regarding assessment, prevention, and effective intervention. The YASI tool was initially developed, field-tested, and validated in Washington State based upon empirical research, and has been customized and enhanced to meet the needs of New York State. YASI provides a framework to incorporate into juvenile practice the research findings on risk for recidivism, protective factors, and case planning to improve outcomes for PINS and JD youth. Currently, the YASI is being utilized in 54 counties across the state.

Ongoing training, provided through the New York State Community Justice Forum, is another result of the partnership between the Council and DPCA. Extensive training has been made available in restorative and community justice principles; related practices; and the implementation (RJPP) of these principles to reduce out-of-home placements. The emphasis of this training has been on ways communities can provide opportunities for youth to be accountable to their victims, communities and families that have been harmed by their offenses while reducing the need for youth to be removed from their communities. In 1999, the Council sponsored a two-day statewide conference exploring balanced and restorative justice principles, practices and implementation of these principles at the national, state and local levels. The conference provided an opportunity to hear from renowned national speakers including:

- **Dr. Gordon Bazemore**— Professor of Criminal Justice at Florida Atlantic University and Principal Examiner of the National Balanced and Restorative Justice Project through OJJDP;
- **Honorable Ronald Earle**— District Attorney, Travis County, Texas;
- **Dennis Maloney**, then Director of the Department of Community Justice, Deschutes County, Oregon; and
- **Kay Pranis**, then Restorative Justice Planner for the Minnesota Department of Corrections.

This conference, attended by over 300 individuals from across New York State, was funded through the Division of Criminal Justice Services and served as the foundation for all subsequent work undertaken by the Council.

In 2000, the Council on Children and Families and the Division of Probation and Correctional Alternatives participated with seven other states (California, Colorado, Florida, Illinois, Michigan, Pennsylvania, Texas) in the national Balanced and Restorative Justice (BARJ) project's Special Emphasis States' (SES) Initiative. The goal of this initiative was to implement systemic juvenile justice reform using restorative and community justice principles, which, simply put are: repair harm, reduce risk, and build community. Through this initiative, New York was offered technical assistance from several of the nation's juvenile justice experts. Among them was Dennis Maloney, one of the principle architects of the national BARJ and SES initiatives.

Between 2000 and 2005, the Community Justice Training Initiative (CJTI), headed by Council staff, provided training in restorative justice principles and practices to over 3,000 individuals from diverse disciplines, and presented workshops at numerous statewide and national conferences, reaching over 1000 individuals. The CJTI was instrumental in developing

# Reform New York: Reinvesting in New York's Youth

partnerships with the New York State Police School Resource Officers and the New York State Office of Children and Family Services to increase their knowledge and understanding of implementing restorative approaches as a response to youth crime and delinquency, and to increase awareness of the rights and needs of crime victims.

In 2005, Fight Crime: Invest in Kids New York, along with staff from the Schuyler Center for Analysis and Advocacy and the Council organized a series of meetings in the Capital District with Dennis Maloney to explore innovative approaches to juvenile justice reform, including reinvestment strategies. The meetings included community leaders, policy-makers, and state officials throughout New York, and generated a high level of statewide interest. Based on that interest, the Council partnered with Fight Crime to explore using six counties to launch the first phase of a statewide initiative modeled after the work Mr. Maloney piloted in his home state of Oregon. The counties working on this initiative are Albany, Nassau, Orange, Rensselaer, Schenectady and Suffolk.

In September 2006, The Council hosted a forum, "Innovations in Youth Investment Strategies" featuring Dennis Maloney, which focused on implementing cost effective, evidence-based juvenile justice programs as alternatives to detention, and re-deploying the dollars saved to both expand the evidence-based programs for troubled youth, and fund evidence-based early prevention services. A specific strategy presented during the forum was the establishment of a Civic Justice Service Corps (CJSC) as a means of diversion or offender re-entry. Since the goal of the Service Corp is to re-design corrective and intervention efforts of the juvenile justice system by developing community-based models that engage youth in productive work on projects that benefit their communities, a CJSC could encourage participation of persons under supervision in any part of the justice system including diversion programs, community corrections and correctional facilities. During the week-long forum, Dennis Maloney provided technical assistance to interdisciplinary teams from the six counties on how to better serve non-violent offending youth with alternatives to detention, while keeping the community safe. Subsequent to those sessions, each county submitted action plans that included: current strategies that are yielding success at keeping young people on track; the county's vision to bolster its current successful strategies; the continuum of evidence-based practices that would be implemented if funding was available, and the indicators that would inform the county that its efforts were successful.

After the intensive weeklong work with Dennis, the Council and Fight Crime met with staff from the Correctional Association of New York, regarding a parallel effort with a similar goal to re-direct juvenile detention resources toward effective community-based interventions in New York City. At that point, we joined forces and began work on this initiative. Since New York State was about to have a change in administration, we were quite hopeful that our efforts would be noticed and supported at the highest levels.

During 2007, it was anticipated that the Council, Fight Crime and the Forum would support the efforts of the individual counties with ongoing training and technical assistance provided through a variety of sources, including bringing Dennis Maloney back to assist with these efforts. Unfortunately, Dennis Maloney passed away suddenly in February 2007 and it has taken considerable time to regroup and move forward. Despite the loss of Mr. Maloney, his vision and innovative strategies, we believe we can still achieve the goals of lowered placements and reinvestment opportunities. We have recently been notified that one of our county partners has realized a 3 percent reduction in placement, which equates to a savings of over six million dollars.

The continuation of the successes we have realized to date will require us to develop a larger partnership that includes the member agencies of the Council on Children and Families and other organizations that are directly involved or concerned with the juvenile justice system. Ideally, we would like to create a collaborative team to support the efforts of the identified six counties. This team would assist with those efforts to move forward with reform on the local level by identifying and removing barriers; exploring new ways to leverage returns on investments; designing and defining specific benchmarks; and monitoring and measuring outcomes to better serve New York's youth, families and communities.

# **Fight Crime: Invest in Kids New York**

## **Executive Summary**

### **Getting Juvenile Justice Right in New York**

***Proven Interventions Will Cut Crime and Save Money***

# Getting Juvenile Justice Right in New York

## Proven Interventions Will Cut Crime and Save Money

The good news is that, nationally, **6 in 10 juveniles brought before a juvenile court for the first time will not return to court** on another charge. However, some youth come back repeatedly. Too many New York juveniles are well on their way to becoming chronic, violent criminals. One study looked at those New York juvenile delinquents whose crimes were serious enough or frequent enough that they had been placed in state custody. It found disturbing results: “For males and females combined, **75 percent were arrested [again] for a felony or misdemeanor**, and 42 percent were arrested for a violent felony.”

Nothing will make juvenile crime totally disappear. But research from Missouri, Ohio and elsewhere shows that, if fully implemented, **the reforms New York State is beginning to put in place can eliminate 4 out of 10 or more of the repeat crimes** now committed by juvenile delinquents.

### What the Research Shows

Research has identified several effective approaches that help young delinquents avoid committing additional crimes. Here’s what works:

#### 1. The most serious and troubled juveniles in custody need effective interventions to become productive citizens instead of career criminals.

Missouri found that by moving teens who need confinement from large, impersonal institutions to smaller facilities and helping them learn to control their anti-social behaviors, reconviction rates within three years of release could be cut **40 percent below the rates experienced in New York State**.

In Wisconsin, seriously troubled juveniles who did not receive a specialized mental health intervention while in custody were **three times more likely than similar youths to commit violent crimes** when released.

Chicago found that, when its most dangerous violent offenders returned home to one high-crime area of the city after serving their sentences, a carrot-and-stick program helped **cut homicides in those neighborhoods by almost 40 percent**. This approach combines increased law enforcement supervision of the offenders, expedited return to custody if needed, and expedited access to jobs, substance abuse treatment or other services. The same approach has worked with juveniles in Boston, Philadelphia and many other cities.

#### 2. Use intensive foster care as an alternative to lock-up for less dangerous juveniles.

Many delinquents in custody who are not in high-security lock-up would re-offend less if placed in intensive foster care. Strict, specially-trained, foster parents ensure these medium-risk teens learn how to avoid criminal behavior while their parents are being trained to use the same methods to keep their children on track and away from crime when they leave foster care and return home. Research shows this approach can **cut new crimes in half**. There are currently 30 intensive foster care homes in the Bronx and 20 upstate. Hundreds more are needed.

### 3. Combine community sanctions with effective interventions as an alternative to out-of-home placement for many youth.

Many young delinquents committing serious or repeated crimes may not need placement outside the home. Along with the typical sanctions the courts are likely to impose on them, such as probation, curfews, and community service, if the troubled youth receive proven interventions, such as Cognitive Behavioral Therapy and Family Therapy, that effectively change their negative patterns of behavior the youth can be diverted from expensive custody and still commit fewer new crimes than if they are placed in custody. Those approaches, beginning to be used throughout New York, teach young people becoming involved in crime the social skills they need to sharply reduce further aggression, substance abuse or other criminal behavior.

### 4. Reduce pretrial detention for low-risk juveniles following arrest.

Data show that nationwide six out of 10 teens brought before courts are unlikely ever to return on new charges, yet many of them wind up being held in pretrial detention. ***One way to help finance effective interventions for juveniles who are more violent or chronic criminals is to reduce the unnecessary—and expensive—warehousing in pretrial detention of arrested young people who are not a high risk to their communities.*** This can be accomplished by using evidence-based screening tools coupled with alternative interventions. New York City and some upstate counties have already begun reforming how they handle children brought in for running away or other charges that would not be crimes if committed by adults.

### 5. Collect data and increase accountability.

Florida and Washington State systematically collect data on juvenile and adult repeat offending and use that data to increase accountability in their states. ***New York needs the legal framework and funding to support similar data collection and analysis so policymakers will have the information they need to replace failing approaches with effective efforts that cut crime.***

## Save Money by Cutting Crime

Analysis shows that research-based approaches for cutting juvenile aggression and substance abuse problems reduce current custody costs and future crime so much they can save an average of \$15,000 to \$75,000 per delinquent. RECLAIM Ohio redirected moderate-risk juvenile delinquents to community sanctions and interventions. Those left out of the interventions offended 5 times more often, costing on average \$47,000 more per delinquent. New York City reported that, in 2005, its initial efforts to redirect youth had already saved \$18 million simply by cutting the number of youths in state custody. The real savings will come from cutting future juvenile and adult crime because the criminal justice costs for juvenile and adult crime in New York State is over \$4 billion every year, and that figure does not begin to account for the costs to victims.

## Making New York Safer

The 300-plus members of Fight Crime: Invest in Kids New York are convinced by the research and their own experience that change is necessary. They are discouraged that they are arresting a few kids over and over again. The most important message is probably the simplest: when deciding how to invest wisely in stopping juvenile crime use science, data collection, and accountability to guide policy. Investing in what really works to prevent crime will produce both huge savings and safer streets.

For references, see the full report at [www.fightcrime.org](http://www.fightcrime.org)



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**New York City  
Independent Budget Office  
Fiscal Brief**



## The Rising Cost of the City's Juvenile Justice System

*Also available...*

[New Funding Formula Seeks to Alter School Budget Disparities](#)

*... at [www.ibo.nyc.ny.us](http://www.ibo.nyc.ny.us)*

### SUMMARY

NEW YORK CITY'S JUVENILE JUSTICE SYSTEM comprises a network of city agencies and nonprofit providers. In addition to the Department of Juvenile Justice, the network of city agencies includes the New York Police Department, Department of Probation, Law Department, Administration for Children's Services, and the Mayor's Office of the Criminal Justice Coordinator.

This report provides a primer to the stages in the juvenile justice process—from arrest to disposition—the different paths the case may take through those stages, and the typical costs per youth at each stage.

If a youth is arrested it may cost taxpayers a relatively small sum of money or a great deal, depending upon the individual case and decisions made as the case progresses through the juvenile justice system. Overall, the total cost of providing juvenile justice has increased from \$202 million in 2003 to more than \$251 million estimated for the current fiscal year—a rise of 24 percent. Among our other budgetary findings:

- The rise in spending has largely been driven by a 42.3 percent increase in detention costs, from \$59.1 million in 2003 to an expected \$84.1 million in 2008. One contributing factor to this increase has been a rise in “police admits,” the decision by police to send a youth directly to a Department of Juvenile Justice detention facility when Family Court is closed.
- Although the number of juvenile delinquents placed in state-run or contracted facilities declined from 1,319 in 2003 to 952 in 2007, the cost to the city has increased from \$110.1 million in 2003 to \$113.7 million in 2007.

New York City has recently expanded its efforts to decrease the number of juveniles who spend time in detention and placement. While the city's new alternative-to-detention continuum and other initiatives are still in the early stages, the investment in these programs may help to turn back the tide on the rising costs of the juvenile justice system, which are dominated by the costs of detention and placement, while improving outcomes for juveniles and their communities.

The cost of detaining arrested youth and, if determined by a judge, placing them in state facilities, consumes more than 75 percent of city spending on the juvenile justice system. Programs that provide alternatives to detention and placement can bring both immediate and long-term cost savings. The city currently bears the full cost of most alternative programs. Cost-sharing similar to that in place for detention and placement would benefit both the city and the State.

## INTRODUCTION

The juvenile justice system in New York City is composed of a network of city agencies and nonprofit providers. Youths in the system have contact with a range of city agencies including, but not limited to, the New York Police Department (NYPD), the Department of Juvenile Justice (DJJ), the Department of Probation (DOP), and the Law Department. The system is designed to provide opportunities at each stage to create positive outcomes for at-risk juveniles while protecting communities against crime. The different phases of the process and the options that exist throughout are described in this paper. In addition, we provide estimates of the costs associated with each phase.

During the current fiscal year (2008), New York City expects to spend more than \$250 million on the juvenile justice system. This includes screening and intake of juveniles upon arrest; detention; prosecution of juveniles in Family Court; probation supervision; placement (confinement) of youths in state facilities; and programs to help youths avoid future recidivism. More than 75 percent of spending will go for pre-trial detention and placement of youths in state facilities upon sentencing.

The total cost of providing juvenile justice has increased from \$202.1 million in 2003 to more than \$250 million in projected spending in 2008, an increase of 24 percent over that time. This has largely been driven by an increase in detention costs from \$59.1 million to \$84.1 million, or a 42.3 percent increase from 2003 to 2008; and a new Administration for Children's Services program (ACS), Juvenile Justice Initiative, to divert juveniles away from placement, and provide aftercare services, for \$11 million.

All the cost estimates in this analysis include identified agency budget costs as well as fringe benefits for city personnel (paid from central accounts rather than agency budgets), and, where appropriate, allocated agency administrative and support costs. There are several costs, however, that are not included in our estimate of the cost of the juvenile justice system to New York City. Court costs are not included in the costs estimates because they are borne by the state. Debt service for facilities, such as the city's secure detention facilities, is also not included. In addition, we do not include policing costs in this estimate since there is no budget per se for policing of juveniles. A rough estimate of police costs in fiscal year 2007 would be \$6.1 million.<sup>1</sup>

This report is organized according to the stages in the juvenile justice process, beginning with arrest and intake; detention and alternatives to detention, adjudication of juvenile cases, and disposition of juvenile cases, including placement and alternatives to placement. We finish with an estimate of the typical costs per juvenile at each stage, graphically depicted in the chart on pages 8-9.

When combined with careful outcome evaluations, understanding the different paths and the costs of each will provide decision-makers with important information to help allocate limited budgetary resources to achieve the best outcomes for youths involved in the juvenile justice system, their families, and communities.

**Recent Trends in Juvenile Arrests.** Overall, crime and major felony arrest rates have steadily fallen in the city for over a decade with a small uptick in arrests in 2007. Major felony arrests of juveniles make up roughly 10 percent of all major felony arrests in the city. Juvenile arrests for major felonies, however, have decreased less over time than adult arrests. Total major felony arrests in New York City declined from 55,804 to 41,404 from 1999 to 2007, a total decrease of 25.8 percent. Over the same period, juvenile arrests for major felonies decreased

### Total 2008 Budgeted Cost of Juvenile Justice System, By Function

Dollars in millions

Function	Program/Agency	Budgeted Cost	Share of Total
<b>Intake</b>			
	Intake (DOP)	\$4.8	1.9%
<b>Detention</b>			
	Secure Detention (DJJ)	60.4	24.0%
	Non-secure Detention (DJJ)	23.7	9.4%
	Alternatives to Detention (CJC)	2.4	1.0%
	Discharge Planning (DJJ)	4.2	1.7%
<b>Supervision</b>			
	Probation Supervision	9.9	3.9%
<b>Adjudication</b>			
	Law Department	13.0	5.2%
	Investigation (DOP)	2.8	1.1%
<b>Disposition</b>			
	OCFS Placement	108.7	43.3%
	Enhanced Supervision Program (DOP)	3.5	1.4%
	Esperanza (DOP)	5.7	2.3%
	Juvenile Justice Initiative (ACS)	11.0	4.4%
<b>TOTAL</b>		<b>\$251.3</b>	

SOURCES: IBO; Mayor's Office of Management and Budget.

NOTES: Due to rounding total does not equal sum of lines. All costs include allocated agency administrative costs and centrally budgeted fringe benefits. DJJ: Department of Juvenile Justice; CJC: Mayor's Office of the Criminal Justice Coordinator; OCFS: New York State Office of Children and Family Services; ACS: Administration for Children's Services; DOP: Department of Probation.

## Glossary

**Adjustment:** Youth who are arrested may have their cases adjusted or diverted from court by the Department of Probation. If a case is diverted from court a youth may be required to perform community service, provide restitution, and be supervised by the Department of Probation for 60 days, or more with court approval.

**Detention:** A youth may be placed in detention due to a police arrest or a court order. Detention is the temporary custody and care of alleged or adjudicated juvenile delinquents (JDs), or youth alleged or convicted as juvenile offenders (JOs). Alleged JDs are held in detention if there is a risk that the youth will not appear in court at his or her next court date and/or will commit a crime before his or her next court date.

**Fact-finding hearing:** During the fact-finding hearing an assistant corporation counsel from the city's Law Department presents the case against the alleged juvenile delinquent. Testimony from witnesses is heard, but unlike criminal court proceedings, there is no jury; cases are heard solely by a judge. At the end of the hearing the judge determines whether or not the juvenile committed the criminal acts of which he or she is accused. A separate disposition hearing is held for youth found to be juvenile delinquents, at which the appropriate course of action is decided.

**Family Court:** Hears matters involving children and families for a range of matters including: abused or neglected children, adoption, custody and visitation, domestic violence (family offense), foster care approval and review, guardianship, juvenile delinquency, paternity, and Persons in Need of Supervision, often referred to as PINS.

**Juvenile delinquent:** Youth between the ages of 7 through 15 who have committed an act that would be considered a crime if committed by an adult, and are found to be in need of supervision, treatment, or confinement. Cases involving accused juvenile delinquents are adjudicated in Family Court in a fact-finding hearing, with disposition options decided in a separate hearing.

**Juvenile offender:** Youth between the ages of 13 and 15 who are charged with one or more of 18 criminal acts that qualify them to be tried as an adult in Criminal Court. Unlike juvenile delinquents, juvenile offenders are not eligible for the alternative-to-detention program.

**Petition:** The Law Department prepares a petition for Family Court proceedings that outlines the criminal acts that the juvenile has allegedly committed. The juvenile petition is comparable to the adult criminal complaint.

**Placement:** Juvenile delinquents may be remanded to the custody and care of the state Office of Children and Family Services by a Family Court judge. Similar to incarceration in the adult Criminal Court system, youths are confined to facilities operated by OCFS or a contractor.

**Youthful offenders:** Adolescents between the ages of 16 and 18 who are prosecuted in Criminal Court and housed in Department of Correction facilities instead of DJJ facilities. They are not included in this report.

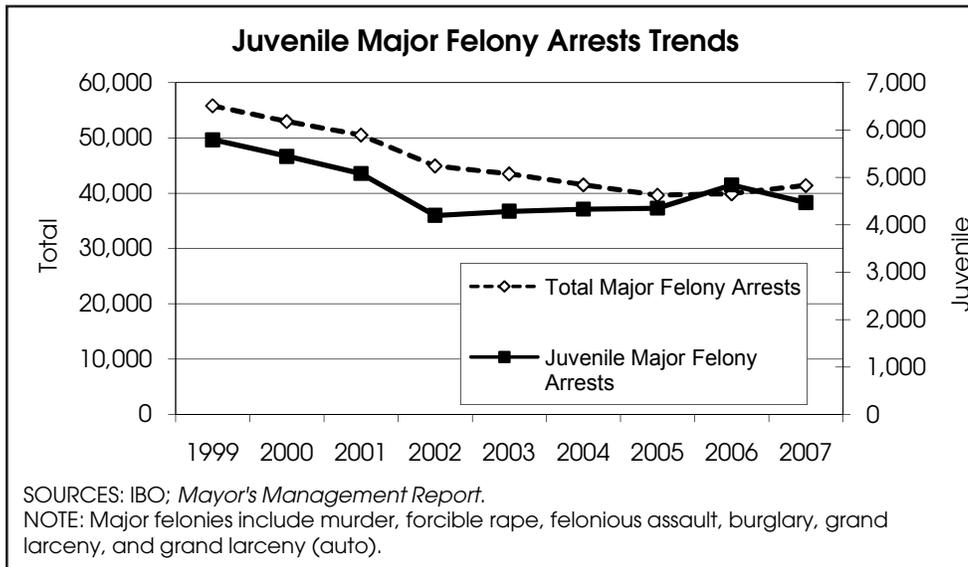
SOURCES: IBO; [Department of Juvenile Justice](#); Department of Probation.

from 5,796 to 4,469, or 22.9 percent, but actually increased from 2002 to 2006. (Unlike major felony arrests of juveniles, information on misdemeanor arrests of juveniles is not among the indicators tracked by the NYPD.) It is unclear whether this slight increase in juvenile major felony arrests reflected a change in NYPD policy, a change in the behavior of juveniles, or a combination of the two.

### ARREST AND INTAKE

Upon arrest there are four distinct paths a youth may follow. First, depending on the severity of the crime, youths may go directly to Criminal Court as juvenile offenders. Second, in the case of juvenile delinquents, he or she may be brought directly to Family Court by the police. Third, if Family Court is closed and police are unable to contact the parents or guardians, the alleged juvenile delinquent may be admitted by the police to Bridges Juvenile Center, a secure DJJ detention facility (this is known as a "police admit"). Finally, the youth may be released by the police and given a desk appearance ticket directing him or her to appear in court on a certain date.

For the vast majority of youths, probation intake is the next step after arrest. During intake, probation officers interview all concerned parties including the arresting officer, the youth, the complainant, family members, and others.



requires while awaiting trial. The Risk Assessment Instrument is a one-page questionnaire that is completed by the DOP intake officer. It collects information on the charge, a youth's history of involvement in the juvenile justice system, and school attendance. Based on this information the assessment tool allows a probation officer to calculate a youth's risk of failure to appear in court and risk of re-arrest as "low," "mid," or "high." While the score is not the sole factor in determining where the youth awaits his or her next court appearance, it does provide objective guidance to the judge. A youth who is classified as low

The purpose of these interviews is to determine whether the case should be referred for formal court proceedings or be diverted. A youth may bypass probation intake for a variety of reasons. Some youths are issued appearance tickets and go through intake at a later date and others will have their arrest voided.

risk is likely to be released to home. A youth who is mid-risk is eligible for the alternative-to-detention (ATD) programs that will be explained further on in the paper. High-risk youth are recommended to non-secure or secure detention. A youth may be detained while he or she awaits trial if there is a risk that the youth will flee or will commit another crime prior to his or her next court appearance.

If a case is diverted after intake, also referred to as adjusted, the juvenile is monitored for up to 60 days by the Department of Probation, and must meet certain requirements, such as community service and/or restitution. Probation monitoring may be extended for another 60 days with court approval. In recent years, the number of cases that are diverted has increased dramatically from 1,170 (14 percent of probation intakes) in 2003 to 2,797 (26 percent) in 2007. According to the *2007 Mayor's Management Report*: "This improvement resulted from the Department's continuing efforts to increase outreach to complainants, participation in a Law Department initiative that refers cases back to Probation, and an increase in the proportion of misdemeanor cases, which are more appropriate for diversion."

## DETENTION

Excluding policing costs, much of the direct cost of juvenile crime in New York City comes from detention in facilities run by the city's Department of Juvenile Justice. DJJ provides both secure and non-secure detention of alleged juvenile delinquents and secure detention for alleged juvenile offenders. The department provides many services while juveniles are in detention, including education, discharge planning, case management, and health and mental health services.

If a case is not diverted and the probation department decides to pursue it, it is brought to the Law Department. Unlike adult criminal cases, which a district attorney prosecutes, the city's Law Department is responsible for prosecuting alleged juvenile delinquents. The Law Department may refer a case back to DOP for adjustment, decline to prosecute a case, in which case the youth is released, or file a petition in Family Court, in other words, prosecute the case.

**Non-Secure Detention.** DJJ oversees a network of 18 non-secure detention group homes in each borough except Staten Island; 15 are under contract with private providers and three are directly operated by DJJ. Non-secure detention facilities have no "physically restrictive hardware, construction, or procedures and offer a supportive, family-like environment and close supervision during a juvenile's time in detention."<sup>2</sup> Under state law, each non-secure facility holds no more than 12 juveniles and always has at least two staff members on-site. The average length of stay in non-secure detention was 33 days in 2007.

The process from arrest to initial court appearance can take several days. Working with the Vera Institute of Justice, the probation department and DJJ have developed a tool for assisting in the decision of how much supervision a youth

**Secure Detention.** DJJ also operates three secure detention facilities: two in the Bronx, Bridges Juvenile Center and Horizon Juvenile Center; and Crossroads Juvenile Center in Brooklyn.

Horizon and Crossroads each contain 124 beds, while Bridges has a current capacity of 103 beds. Secure detention facilities have security hardware and procedures in place and maintain an 8-to-1 juvenile to staff ratio. Bridges serves as the intake/admissions center. All youths who are detained spend part of their detention at Bridges. At Bridges, medical, educational, and social service assessments are conducted on all incoming youth. Youths may be transferred to another secure or non-secure DJJ facility on their third day, after the department completes its comprehensive health and mental health assessments. Bridges also serves as a detention facility for youths who have been “sentenced” and are awaiting transfer to OCFS facilities. A youth’s time served at Bridges while awaiting transfer is counted toward his or her sentence.<sup>3</sup>

The average length of stay in secure detention varies widely: from one or two nights for the roughly half of police admits who are released after their first court appearance, to 13 days for a single juvenile delinquent case in Family Court, 54 days for multiple juvenile delinquent cases, and as long as 135 days for detainees with at least one juvenile offender charge. In 2007, the overall average length of stay in secure detention was 20 days.

On average about 43 percent of arrests are admitted to detention. Generally, as arrests have increased or decreased, admissions have as well. The admission of juveniles to DJJ detention facilities increased 15 percent from 2003 through 2007. Admissions to secure detention rose 13 percent over that time, while admissions to non-secure detention rose by 27 percent. A large portion of the increase in admissions to secure detention has come from direct police admits, which occur when Family Court is not open. Police admits have risen from 1,769 in 2003—or about 42 percent of total admissions of juvenile delinquents to secure detention—to 3,022 in 2007, or 64 percent of total admissions of juvenile delinquents to secure detention. DJJ has recently initiated a Release-to-Parent program aimed at diverting police admits from detention to their families with a desk

appearance ticket.

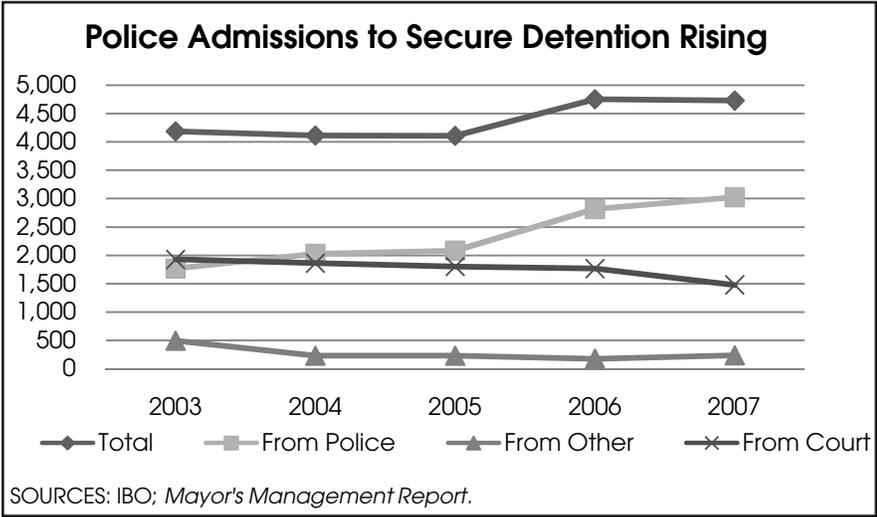
The increasing detention admissions, especially to the more costly non-secure detention, have combined with cost increases to raise total detention costs from \$59.1 million in 2003 to an estimated \$84.1 million in 2008—an increase of 42.3 percent. Another factor appears to be rising health care costs. The city bears roughly half the cost of detention, with the rest reimbursed primarily through state grants.

**Alternatives to Detention.** Detention is necessary only when there is a risk that a youth will fail to appear in court or will be re-arrested prior to his or her court appearance. Providing alternatives to detention allows the youth to remain in the community, with his or her family, and uses various forms of supervision to reduce risk of failure to appear in court and re-arrest. Recently, the city has introduced a new approach to ATD having learned from its own and other cities’ experiences.

In contrast to detention, for which the state reimburses the city 50 percent of costs, the city bears the cost of ATD programs. The Bloomberg Administration would like the state and city to

<b>Department of Juvenile Justice Detention Population And Cost Trends</b>						
	<b>Actual</b>					<b>Budgeted</b>
	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Admissions</b>	<b>5,138</b>	<b>5,046</b>	<b>5,252</b>	<b>5,973</b>	<b>5,884</b>	n.a.
- Secure Detention	4,579	4,490	4,496	5,220	5,172	n.a.
Juvenile Offenders	392	377	487	467	442	
Juvenile Delinquents	4,187	4,113	4,109	4,753	4,730	
From Family Court	1,927	1,859	1,799	1,765	1,477	
From Police	1,769	2,027	2,083	2,817	3,022	
From Other	491	227	227	171	231	
- Non-secure Detention	559	556	756	753	712	n.a.
<b>Average Daily Population in Detention</b>	<b>403</b>	<b>403</b>	<b>423</b>	<b>449</b>	<b>441</b>	n.a.
- Secure Detention	287	280	286	303	292	
- Non-secure Detention	117	123	139	146	155	
<b>Average Length of Stay (days)</b>	<b>28</b>	<b>30</b>	<b>29</b>	<b>27</b>	<b>27</b>	n.a.
- Secure Detention	24	23	23	21	20	
- Non-secure Detention	30	34	31	31	33	
<b>Total Annual Detention Cost in millions<sup>1</sup></b>	<b>\$59.1</b>	<b>\$61.5</b>	<b>\$67.8</b>	<b>\$73.5</b>	<b>\$79.6</b>	<b>\$84.1</b>
- Secure Detention	46.3	48.1	51.7	55.4	61.4	60.4
- Non-secure Detention	12.8	13.4	16.1	18.1	18.2	23.7
<b>Average Cost per Day<sup>2</sup></b>						
- Secure Detention	\$421	\$466	\$500	\$505	\$594	n.a.
- Non-secure Detention	\$763	\$709	\$687	\$775	\$775	n.a.

SOURCES: IBO; Mayor’s Management Report.  
 NOTES: <sup>1</sup>Detention costs include fringe benefits and pensions and DJJ administrative costs allocated based on annual admissions and average length of stay. Fiscal year 2008 estimated using 2007 fringe benefits rates. <sup>2</sup>Calculated as total cost divided by admissions, divided by average length of stay (equals days in detention).



**New Pilot Programs.** The Department of Probation, Mayor's Office of the Criminal Justice Coordinator, and the Vera Institute have developed and are currently rolling out a new version of the ATD program, based on nationally recognized models. Pilot programs are currently in operation in Queens and Brooklyn. In late 2007 and early 2008, services will begin to be offered in the Bronx and Manhattan. Services will be introduced to Staten Island in early 2008. Unlike the previous program, the new ATD program focuses on keeping students in their local schools and services are mainly provided by nonprofit, community-based organizations.

share the costs of the ATD continuum, noting that alternatives are less costly than detention and that any savings from reduced detention spending benefit both the city and state.

**Previous Program.** The previous ATD program was funded and administered by the Department of Probation. It served alleged juvenile delinquents between the age of 11 and 16 while their court cases were pending. The program provided schooling, counseling, and supervision to juveniles awaiting disposition in Family Court. Juveniles reported to the ATD center each school day from 8:00 a.m. to 4:00 p.m. In addition, an Expanded ATD program focused on cognitive skills training and aggression management, with an extended day ending at 8:00 p.m. The ATD centers were staffed by probation officers, social workers, and teachers from the Department of Education. Participants received group and individual counseling and had the opportunity to participate in a variety of educational and recreational programs. ATD participation was court-ordered, but parental or guardian consent was needed before a juvenile was allowed to participate in the program. Enrollment in the ATD program had steadily increased. In 1999, 1,080 juveniles were enrolled. In 2005 (its last full fiscal year of operation) 1,436 youths participated in the ATD programs, at a cost of \$3.6 million.

In January 2006, DOP Commissioner Martin Horn announced the decision to discontinue the program because of health and safety concerns at the ATD sites and an educational experience that, in his words, did not "meet the test of excellence." When Commissioner Horn announced his decision to close the ATD program, there was no replacement and for several months ATD was not an option for youths with cases pending. The department has since worked with the Mayor's Office of the Criminal Justice Coordinator and the Vera Institute of Justice to design and implement a new program.

The new program will serve up to 1,800 juveniles annually, and provide a continuum of three levels of supervision: community monitoring, after-school supervision, and intensive community monitoring. In 2008 \$2.4 million is budgeted for ATD programs: \$1.3 million in city funding and \$1.1 million in federal funding. Participants may move from level to level based on performance and may be referred back to Family Court for reconsideration of detention for several reasons, including: failure to appear in court for scheduled hearings; re-arrest; a serious violation of the program's code-of-conduct; or failure to attend the program regularly or repeated non-compliance with program requirements.

Community monitoring and after-school supervision will each enroll approximately 600 juveniles per year. Services will be provided by non-profit agencies. There will be four large sites, each funded at \$600,000, in Manhattan, Queens, Brooklyn, and the Bronx, with additional smaller programs in Brooklyn and Staten Island. Community monitoring includes monitoring of school attendance, curfew monitoring, home visits, and efforts to ensure attendance at court. After-school supervision combines community monitoring with educational and counseling services for up to five days a week, which includes group and individual counseling, educational assistance, anger management, conflict resolution, and recreational activities.

The Department of Probation is responsible for the highest level of supervision, intensive community monitoring. It is estimated that roughly 600 youths will enroll (150 per borough, excluding Staten Island). The intensive community monitoring will be funded in the DOP budget using existing resources and probation officers previously assigned to the former ATD program will be reassigned to the new program. The intensive monitoring will target juveniles who are considered moderate risk, have been released from detention, or have been

## Risk Assessment Instrument

A key component of several alternative programs, including New York City's newly designed alternative-to-detention program, is a new risk assessment instrument. In using this tool, officials can estimate the risk of an offender reoffending or failing to appear before the court and then place that youth in the most appropriate program. In the past, judges made decisions based on input from probation officers and others, including parents and teachers, but without a standardized, formal instrument to help guide decision-making.

New York City's new program uses a risk assessment instrument to decide which of the juveniles with petitioned cases in Family Court to accept into a continuum of ATD programs. It will determine whether a juvenile's risk is "low," "medium," or "high" based on two categories of risk: the *risk of failure to appear*, and the *risk of re-arrest*. ATD will focus on 1,800 medium-risk juveniles, as lower-risk juveniles are released to parents and higher-risk juveniles are most likely to be sent to non-secure or secure detention.

This risk assessment tool will measure the **risk of failure to appear** based on several factors, including:

- Whether a parent/responsible adult is willing to supervise the youth;
- Whether the youth has an open juvenile delinquent warrant;
- Whether the current top charge is a theft/larceny;
- Whether the youth has prior Persons in Need of Supervision petition.

To measure the **risk of being re-arrested**, the risk assessment tool assesses the youth based on:

- Whether the current charge involves a victim who lives in the household;
- Whether the youth has prior unsealed arrests or prior unsealed felony arrests;
- Whether the youth has prior juvenile delinquent adjudications;
- Whether the youth is currently on juvenile delinquent probation;
- Whether school attendance is more than 90 percent.

The city is in the process of revising the Risk Assessment Instrument based on experience over the last year.

unresponsive to less intensive programs. The program will include frequent school and home visits, parental conferences, telephone check-ins, curfew monitoring, counseling, and referrals for court-ordered services. Intensive community monitoring is distinguished from after-school supervision by the fact that the probation department is directly involved in the monitoring of the youths.

### ADJUDICATION

**Prosecution by the Law Department.** The New York City Law Department's Family Court Division represents the city in juvenile delinquency prosecutions brought in Family Court. This is the second largest division in the Law Department, employing about 80 attorneys and 55 other personnel, and handling around 15,000 cases annually. While the majority of these resources are assigned to the Juvenile Crimes Unit, the division also handles child support petitions and seeks to enforce existing child support orders. The Juvenile Crimes Unit is responsible for prosecuting youths under 16 years of age in courts throughout the city.

Since 2003, spending by the Law Department's Juvenile Crimes Unit has increased from \$8.4 million to a projected \$13.0 million in 2008—an increase of more than 50 percent. From 2003 through 2007 the number of cases referred for petition (prosecution) to the Law Department by DOP increased 19 percent. Caseload data back to 2003 was not available, but from 2005 to 2007 the number of petitions actually filed increased by only 2 percent. Thus, it appears that the increase in costs is only partially explained by the increase in the number of cases. Another explanation may be a rise in probation violations.

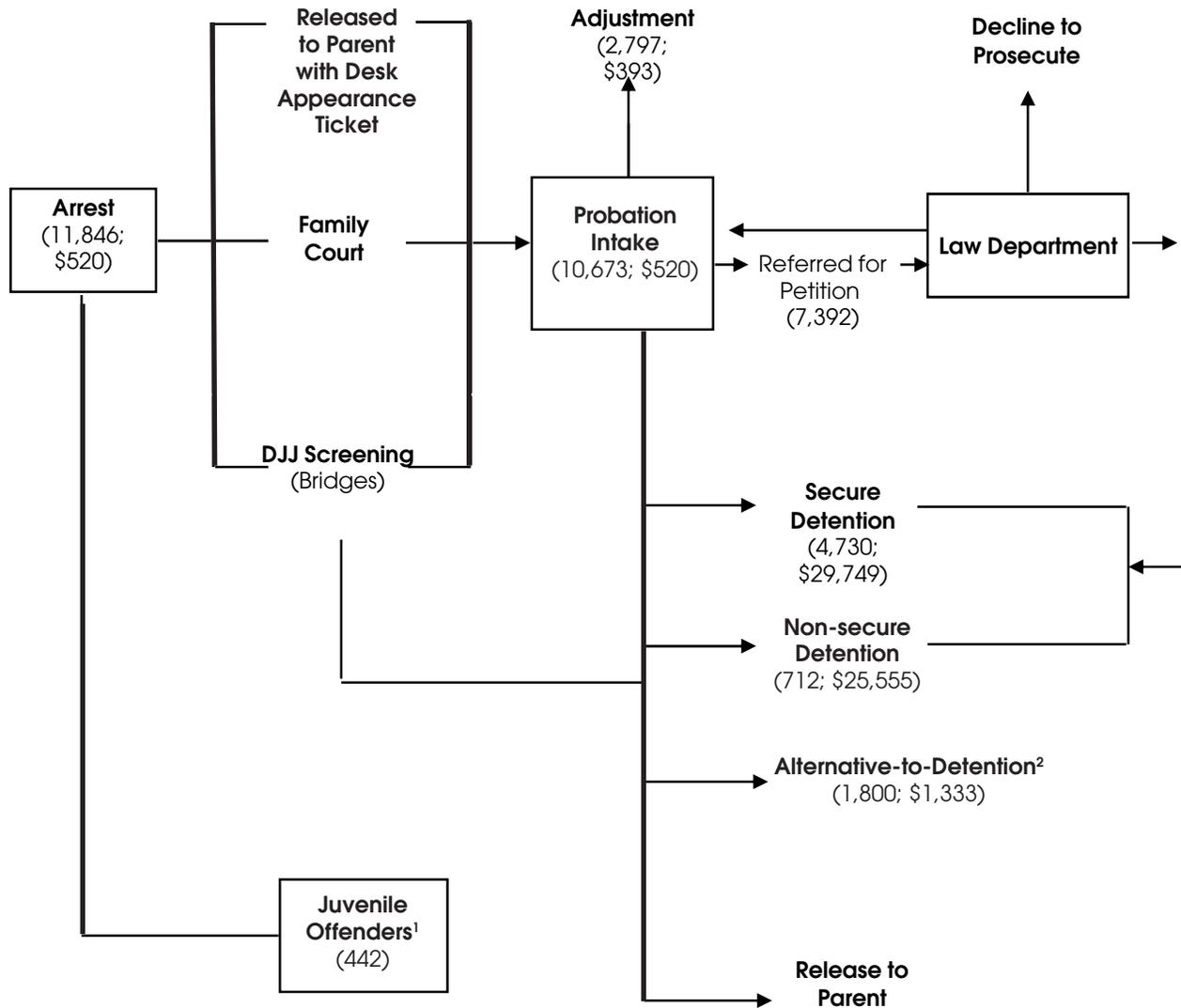
The Law Department is involved in three phases of the juvenile justice process:

**Initial Court Appearance.** After a youth has been arrested, gone through DOP intake, and had his or her case referred for petition to the Law Department, the Law Department determines whether or not to file a petition in Family Court. The case may also be referred back to probation for adjustment or be dismissed. If the Law Department decides to pursue the case

# Overview of Juvenile Delinquent Processing

Figures in parentheses represent number of juveniles at each phase in 2007 and estimated cost per juvenile, where available.

## Arrest to Initial Court Appearance



SOURCES: IBO; based on Correctional Association of New York City: "Rethinking Juvenile Justice in New York City: A Report by the Juvenile Justice Project of the Correctional Association of New York City" (March 2002); data sources as cited in text.

NOTES: Individual figures may not add to totals due to differences in sources, timing of reporting and processing, and other issues.

<sup>1</sup>Juvenile offenders are always held in secure detention, arraigned in Criminal Court, and tried in Supreme Court (Youth Part).

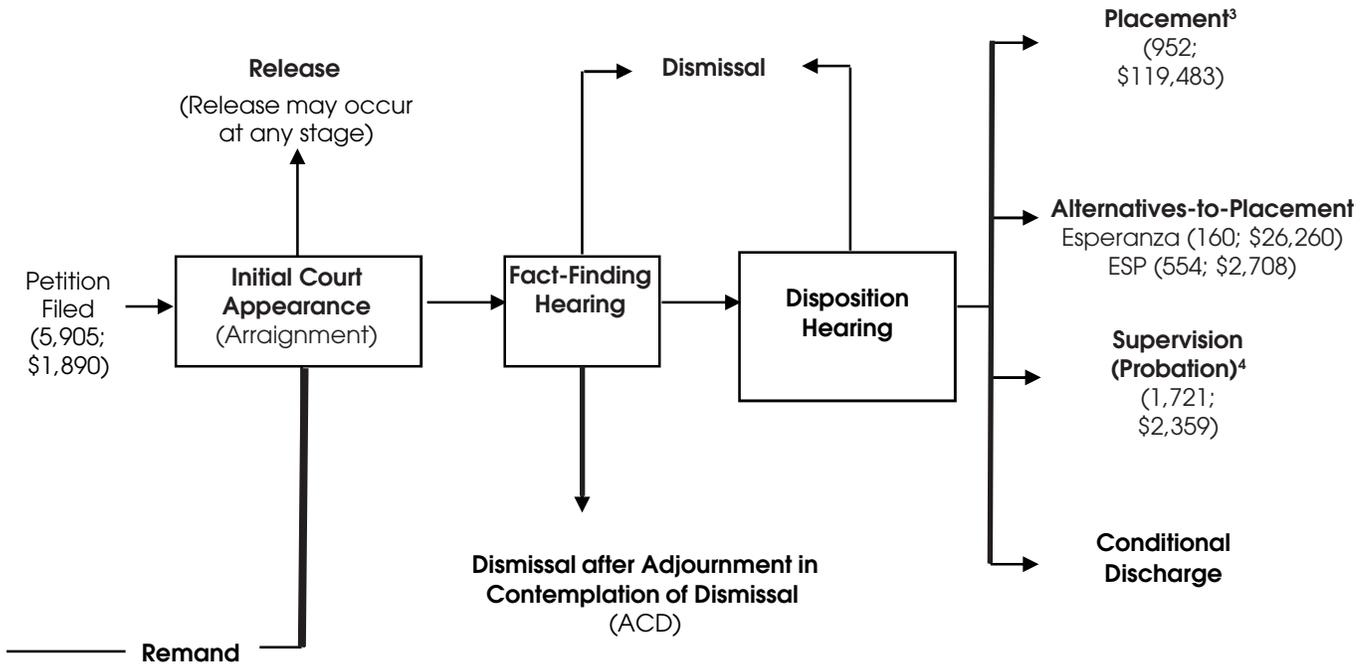
<sup>2</sup>ATD program was not in operation in 2007, numbers are based on 2008 CJC estimates.

<sup>3</sup>Placement figures are fiscal year estimates based on actuals through May 2007.

<sup>4</sup>Cost assumes one year of supervision.

**Trials and Hearings**

**Disposition/Sentencing**



Graduated Supervision Options for Court-Involved Juveniles in New York City						
	Release to Home	Alternatives to Detention			Detention	
Option	Appearance Notification and Family Outreach	Community Monitoring	After-School Supervision	Intensive Community Monitoring	Non-Secure	Secure
Description	Court appearance notification and initial outreach meeting with parent/guardian to explain court process and importance of attendance at all court dates	School attendance monitoring; curfew checks; home check-ins	Community-based after-school programs; on-site educational and counseling services; service referrals available	Participant authorized by Court attend school and court-ordered programs; frequent curfew checks, home visits, and phone check-ins; "contract" agreement with parent/guardian	Less restrictive alternative to secure detention, NSD provides structured residential care	Facilities serve both alleged J.D.s and J.O.s and provide level of security that ensures juvenile's appearance in court and protects community
Target Population	Low risk	Moderate risk (low- to mid-range)	Moderate risk (mid- to high-range)	Moderate risk (high range)	High risk (low range)	High risk (high range)
Volume		600	600	600		
<p style="text-align: center;"><i>Juveniles can move up or down the continuum based on performance</i></p>						
SOURCES: IBO; Mayor's Office of the Criminal Justice Coordinator.						

one of its assistant corporation counsels will present the case at the initial court appearance—similar to arraignment in Criminal Court. The assistant corporation counsel prepares a petition that describes the acts that the juvenile is accused of committing. In 2007, of the roughly 7,400 cases referred for petition, the Law Department's Juvenile Crimes Unit filed petitions in just over 5,900 cases. At the initial court appearance the juvenile also denies or admits guilt under oath before the judge.

*Adjudication.* Following the filing of the petition, a fact finding hearing is held. This is similar to an adult criminal trial, except that instead of a jury, the judge decides whether the juvenile committed the acts described in the petition. At the fact finding hearing, the Law Department attempts to prove its case through witnesses and other evidence. If it is successful in doing so beyond a reasonable doubt, the judge makes a finding, schedules a dispositional hearing, and orders DOP to investigate the youth's home and school behavior. If it is not successful, the judge dismisses the petition and the juvenile is released. Petitions may also be dismissed if the court has ordered an adjournment in contemplation of dismissal. An adjournment in contemplation of dismissal occurs when the case is on hold for up to six months to decide whether it should be dismissed. If the case is dismissed in this way, the court may require the juvenile to enter programs as it deems fit. Judges dismissed slightly less than 30 percent of adjudicated petitions in 2007, up from 27 percent in 2003. Over the past several years, it has taken between 40 and 55 days, on average, for a youth to go through the adjudication process.

*Disposition.* At the disposition hearing, the judge decides whether the juvenile delinquent is in need of supervision, treatment, or confinement. The decision is made after hearing testimony from the probation officer about the respondent's previous behavior in school and at home and any other previous court cases involving the respondent. The respondent's parents or guardians and others with relevant information may also testify.

The probation officer may recommend several options, including:

- *Placement (Confinement):* that the court place the respondent in a facility away from home such as a group home or a secure facility that is either operated directly by or under contract with the state Office of Children and Family Services.
- *Alternative to Placement:* that the respondent be supervised by DOP while living at home and, if deemed appropriate, participating in intensive services, such as the ACS Juvenile Justice Initiative, Esperanza, or the Enhanced Supervision Program.
- *Conditional Discharge:* that the respondent be permitted to live at home, but with certain conditions set by the court. The youth is not required to report to the probation officer. However, if the youth is re-arrested the judge may impose stricter restrictions or increase the degree of supervision.
- *Supervision (Probation):* that the respondent be subject

to supervision by the probation department while living at home. DOP monitors the juvenile's adjustment at home, school, and in the community, mostly through home visits.

Another outcome at the dispositional hearing is that the judge may find that, even though the respondent was found in the fact-finding hearing to have committed the alleged acts, the respondent is not in need of supervision, treatment, or confinement. In this case, the petition is also dismissed.

It has taken, on average, nine days from the fact-finding hearing for a juvenile to complete the disposition process over the past several years.

## PLACEMENT AND ALTERNATIVES TO PLACEMENT

Placement facilities are located upstate and are operated by New York State's OCFS or by private organizations under contracts with OCFS. The decision on which type of facility is most appropriate is made by the judge at the dispositional hearing. The private facilities are generally for juveniles who can be in a non-secure setting, in contrast to OCFS facilities which are fully secure and intended for high-risk youth (those with weapons or assault charges for example).

The city bears much of the cost of placing a youth in these facilities. Generally, if a juvenile is placed in an OCFS-operated facility, the city is responsible for paying OCFS half of the cost of placement (paid from the budget of the Department of Juvenile Justice). In contrast, the cost of juveniles sent to private facilities is covered completely by the city. The Administration for Children's Services pays providers directly from its budget, which is partially funded by state and federal aid.

Overall the number of dispositions resulting in placement has declined considerably over the last five years, from more than 1,300 in 2003 to 952 in 2007. One might expect that it was only the most difficult cases that resulted in placements and therefore that the decline in overall placements would be led by a decline in placements in private residential facilities. In

fact, however, private placements have not declined as steeply as OCFS placements, perhaps because law guardians (appointed counsel for juveniles) have urged private placements, which are typically closer to New York City and the juveniles' families than OCFS facilities. Moreover, the average length of stay for a private placement is longer—12 to 14 months—than the average of six to eight months for OCFS placements. As a result, placement costs have not come down as much as the decline in total placements might lead one to expect.<sup>4</sup>

**Alternatives to Placement.** Currently there are several alternative-to-placement programs. Esperanza, a project of Vera Institute in conjunction with the probation department, provides staff to work with youth and their families in their homes in lieu of placement or having youth report to an office. Working with parents, Esperanza staff creates a series of graduated sanctions for youth in an effort to discourage truancy, missing curfew, and noncompliance with other requirements of the program. Caseloads for program staff are kept low at six juveniles per field officer. In 2007, \$4.2 million was spent on Esperanza for 160 juveniles at a cost of roughly \$26,250 per youth.

The probation department runs the Enhanced Supervision Program for juveniles at a cost of \$1.5 million in 2007 (for 554 juveniles) and a projected \$3.5 million in 2008. The program provides community-based, family-centered supervision as an alternative to out-of-home placements. In addition, youth are required to perform 60 hours of community service. The caseload of a probation officer is capped at 25 juveniles.<sup>5</sup>

In 2007, ACS began a Juvenile Justice Initiative (JJI), which is budgeted at roughly \$11 million annually. The program will include alternative-to-placement services and aftercare. It will have the capacity to serve 550 juveniles per year, which includes 380 alternative-to-placement slots and 150 aftercare slots for juveniles returning from OCFS placements. ACS has initiated a pilot aftercare project in the Bronx and hopes to work with OCFS and private residential placement facilities to reduce the average length of stay in those facilities. In contrast to alternatives to detention, the city shares the costs of JJI with the state. The Bloomberg Administration is seeking similar cost-sharing for other ATP programs.

## OTHER INITIATIVES

**Discharge Planning Programs.** DJJ also provides discharge planning and aftercare programs targeted in particular at youth with special needs. One component of this

Law Department Juvenile Crimes Unit Spending and Caseloads						
	2003	2004	2005	2006	2007	2008 (Budget)
Spending ( <i>in millions</i> )	\$8.4	\$8.7	\$9.1	\$10.3	\$11.2	\$13.0
Cases Referred for Petition (MMR)	6,205	6,497	7,045	8,179	7,392	NA
Petitions Filed (CJC)	NA	NA	5,817	6,091	5,905	NA
Juvenile Conviction Rate (MMR)	76%	77%	76%	73%	70%	NA

SOURCES: IBO; Mayor's Office of the Criminal Justice Coordinator; *Mayor's Management Report*.

## Annual Placements in Office of Children and Family Services And Private Facilities

	2003	2004	2005	2006	2007
Placements <sup>1</sup>	1,319	1,257	1,191	1,111	952
City Payments for Placements <sup>2</sup>	\$110.1	\$100.2	\$108.1	\$94.2	\$113.7

SOURCES: IBO; Mayor's Office of the Criminal Justice Coordinator; Mayor's Office of Management and Budget; Administration for Children's Services.

NOTES: <sup>1</sup>2007 placement figures are fiscal year estimates based on actual placements through May 2007. <sup>2</sup>The city bears 50 percent of the cost of placements in OCFS facilities, and 100 percent of the costs of placements in private facilities.

is a newly instituted discharge planning program called the Collaborative Family Initiative, which is focused on juveniles with mental health needs. The goal of the initiative is to ensure that juveniles with mental health needs who are released from DJJ facilities are enrolled in psychiatric services before they are released. DJJ is working with John Jay College to evaluate the impact of the Collaborative Family Initiative, which is budgeted at \$1.3 million in 2008.

**Adolescent Portable Therapy.** Starting in 2005, DJJ contracted with the Vera Institute for a program called Adolescent Portable Therapy. This program is designed to create continuous treatment for substance abuse as a youth moves through the different systems. In Adolescent Portable Therapy treatment begins as juveniles enter detention, continues throughout the juvenile justice process and the return to the community. The therapy program's goals are to "reduce substance abuse and recidivism, and improve the physical, mental, social, and educational well-being of the youth and families" it serves.<sup>6</sup> In 2007, roughly \$890,000 was dedicated to the program.

### THE BUDGETARY COSTS OF JUVENILE JUSTICE

**Cost by Population.** Depending on the case and decisions made at various points, an arrested juvenile delinquent may cost taxpayers a relatively small sum of money, or a great deal. The process flow chart (pages 8-9) shows the various "paths" an arrested juvenile could take through the juvenile justice system, along with total numbers at each stage in 2007 and estimated cost per juvenile.

For example:

- In 2007, each of the 10,673 juveniles that went through DOP intake cost on average \$1,040 (\$520 per arrest, and \$520 per intake).
- The 2,797 juveniles whose cases were "adjusted" cost another \$393 each on average, assuming probation supervision for two months, for a total of \$1,433 from

arrest through adjustment.

- Due to the wide range in lengths of stay, the cost of detention varies greatly. However, the typical cost of non-secure detention for a juvenile with only one case while in detention was \$25,555. Excluding police admits, who often have very short stays in secure detention, the typical cost of detention for an alleged juvenile delinquent with one case was \$29,749 based on an estimated 50-day stay.
- The Law Department filed petitions in 5,905 cases, at an average cost per case (irrespective of ultimate disposition) of \$1,890 per juvenile. A juvenile prosecuted on a single charge and held in secure detention would thus have cost on average about \$10,652 from arrest to just before disposition (assuming a stay of 13 days); a juvenile with multiple charges would have cost as much as \$35,006 (assuming a stay of 54 days).
- In 2007, approximately 952 juveniles were placed in OCFS or private facilities at a total cost to the city of more than \$113 million, or \$119,483 on average per juvenile. Thus, a youth found to be a juvenile delinquent on multiple counts and placed in a contract facility could cost as much as \$154,489 to the juvenile justice system by the time he or she is released.
- In contrast, a youth assigned to an alternative-to-detention program, prosecuted on a single charge, and then placed in Enhanced Supervision, would have cost approximately \$6,971.

### CONCLUSION

Recent efforts have increased the options for youth at various stages in the juvenile justice system. Nonetheless, detention and placement upon disposition still consume 75 percent of the resources the City spends on arrested juveniles. Nearly half of arrested juveniles will spend at least some time in detention, while roughly 8 percent will end up confined in a state facility. Over half of arrested youth will have charges brought.

Many policymakers and advocates feel that detention and placement are often counterproductive to the goals of addressing the needs of youth caught up in the juvenile justice system and preventing future recidivism. In 2007, DJJ's re-admission rate was 46 percent. The city's efforts to ensure that youth are getting the most appropriate treatment have included revamping the alternatives-to-detention program and developing protocols for assessing youth risks and needs.

One of the more notable trends is the increase in police admits to detention facilities. The cause of the recent rise in police admits should be examined to determine to what extent juveniles arrested after Family Court is closed are being unnecessarily detained. Roughly a quarter of juvenile delinquents with petitioned cases have stays of three days or less, suggesting that detention is not necessary. Many of these short stays are police admits. Recently, DJJ has begun an initiative to determine which youth charged with nonviolent offenses may be released with a Family Court appearance ticket.<sup>7</sup> DJJ has the option to release any juvenile brought to them by the police to their parents or guardians, but in the past have often chosen not to. If the new Release-to-Parent initiative succeeds in diverting more youths from detention, detention costs would be reduced.

Effective alternative to detention and placement programs are an important part of the juvenile justice process. These programs may bring both immediate and long-term cost savings if they are truly effective in reducing recidivism and improving outcomes for at-risk juveniles. Continued monitoring and evaluation is important in measuring to what extent savings can be incurred and outcomes for juveniles can be improved upon.

## ENDNOTES

<sup>1</sup>Based on average police officer pay (including benefits), 11,846 reported arrests of juveniles, and an average time between arrest and the officer's sworn complaint of 9.8 hours (*Mayor' Management Report Supplemental Indicators 2007*)—about \$520 per arrest. It should also be noted that in 2007 roughly 4,900 NYPD School Security Agents (SSA's) worked in the city's schools. Furthermore, about 225 NYPD uniformed personnel were assigned to the NYPD school safety division. While many of these SSA's and uniformed personnel work in high schools, where the majority of the students are 16 and older, SSA's also work in middle schools and elementary schools where children are below 16. In total, over \$274 million was spent by the NYPD on school safety.

<sup>2</sup>Department of Juvenile Justice Web site.

<sup>3</sup>Correspondence with DJJ staff.

<sup>4</sup>The cost of placement with OCFS is calculated based on actual audited costs from two years earlier. For payments from 2001 through 2006, however, the rate was based on 1999 costs because of a suspension of audits after the state agency merger that created OCFS. The 2007 budget reflects the five-year increase in costs that took effect after audits resumed.

<sup>5</sup>See IBO's *Alternatives to Jail Programs for Juveniles Reduce City Costs*.

<sup>6</sup>"Adolescent Portable Therapy," Vera Institute of Justice.

<sup>7</sup>DJJ Web site: "DJJ Launches Release To Parent Initiative."

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**New York State  
Department of Probation  
and Correctional Alternatives**

**Youth Assessment and Screening  
Instrument (YASI) Information**

# **Vera Institute of Justice**

**Widening the Lens**



# Widening the Lens: A Panoramic View of Juvenile Justice in New York State

## *System Indicators for State and Local Planning*

Reported for all 62 Counties  
2004 Data

New York State Task Force on  
Juvenile Justice Indicators  
February 2007

Albany  
Allegany  
Bronx  
Broome  
Cattaraugus  
Cayuga  
Chautauqua  
Chemung  
Chenango  
Clinton  
Columbia  
Cortland  
Delaware  
Dutchess  
Erie  
Essex  
Franklin  
Fulton  
Genesee  
Greene  
Hamilton  
Herkimer  
Jefferson  
Kings  
Lewis  
Livingston  
Madison  
Monroe  
Montgomery  
Nassau  
New York  
Niagara  
Oneida  
Onondaga  
Ontario  
Orange  
Orleans  
Oswego  
Otsego  
Putnam  
Queens  
Rensselaer  
Richmond  
Rockland  
St. Lawrence  
Saratoga  
Schenectady  
Schoharie  
Schuyler  
Seneca  
Steuben  
Suffolk  
Sullivan  
Tioga  
Tompkins  
Ulster  
Warren  
Washington  
Wayne  
Westchester  
Wyoming  
Yates

# ***New York State Task Force on Juvenile Justice Indicators***

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## Executive Summary

As in many other states, New York's juvenile justice system is fragmented across a number of agencies. Each of these agencies plays its respective role at the county level, collecting and reporting data to one or more state agencies in the process. Although a wealth of data is therefore available, until now it has not been reported back to the counties in a systematic way designed to inform local planning.

In April 2005, the New York State Office of Children and Family Services established the New York State Task Force on Juvenile Justice Indicators and asked it to examine the available data to develop a set of statewide indicators that could provide county and state officials with a comprehensive picture of the juvenile justice system. This report—the outcome of that process—presents the first multi-agency set of juvenile justice indicators for the state of New York.

The report identifies and calculates key data—indicators—in five central areas of the juvenile justice system: arrest, referral to court, detention, court processing, and disposition. These indicators provide insight into how state and local juvenile justice systems operate, from arrest through disposition, and how local systems compare across county lines. It is the hope of Task Force members that this information—and annual reports to follow—will empower stakeholders at every level to conduct collaborative systemwide analyses, identify areas ripe for reform, and design and implement appropriate responses.

Three sections are included in this report. Section I describes each of the five system areas, provides a synopsis of the indicators for each area, and highlights some initial observations revealed by 2004 data. These observations are provided as examples to stimulate stakeholders to examine the data themselves with an eye toward local needs and concerns. The sample observations include, but are not limited to, the following:

- The proportion of juvenile delinquency cases that are referred to court—whether immediately or after an attempt at diversion—varies dramatically statewide, from 19 to 91 percent.
- The highest rates of juvenile delinquency detention usage are clustered in, but not limited to, large counties that have a secure facility in their jurisdiction.
- The disproportionate representation of black youth increases as youth advance through the juvenile justice system.
- Median processing times (from petition to disposition) in juvenile delinquency original court petitions vary widely from county to county, from 22 to 120 days.
- In large counties, the proportion of juvenile delinquency placements (from original petitions) that involve a felony adjudication ranges from 36 to 73 percent.

Section II presents statewide aggregate juvenile justice indicators. Section III provides local-level data for each of the state's 62 counties.

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# A Systemwide Approach to Juvenile Justice Planning

In April 2005, the New York State Office of Children and Family Services (OCFS) established the New York State Task Force on Juvenile Justice Indicators and charged it with developing a set of indicators to support juvenile justice planning across the state.<sup>1</sup> The Task Force's membership is drawn from a variety of state and local stakeholder agencies. In addition to OCFS, these include the Division of Criminal Justice Services, the Division of Probation and Correctional Alternatives, the Office of Court Administration, the Juvenile Detention Association of New York State, the Council on Children and Families, local probation and social services agencies, mental health commissioners, family court judges, and the New York City Department of Juvenile Justice.

An indicator is a statistic that provides insight into an organization's work or the environment in which it operates. Effective indicators can be used in a variety of ways. Among other things, they can help oversight bodies monitor systems and, when necessary, correct system assumptions or standards; alert managers to demographic shifts or policy changes impacting a system; and provide benchmarks for stakeholders interested in improvement and reform. Although interest in system indicators has grown in every area of public administration in recent times, the juvenile justice field has yet to develop a strong tradition of using them.

This report presents the first-ever set of statewide juvenile justice system indicators for New York State. These indicators represent data collected from stakeholder agencies throughout the system, reflecting each of five points within juvenile justice operations: arrest, referral to court, detention, court processing, and disposition. Combined, these data present an unprecedented panoramic view of the state's juvenile justice system, which may be examined county by county or as state, New York City, and non-New York City totals. It is important to note, however, that while this consolidated information represents the first systemwide snapshot of juvenile justice in New York State, the information comes from a collection of state agencies that do not necessarily follow identical reporting protocols. In other words, the data is juxtaposed, not integrated.

This report is expected to be the first in an ongoing series. The Task Force plans to release an updated, Internet-accessible version each year, based on the most recent data available. The annual format will have the additional benefit of helping juvenile justice stakeholders draw conclusions about trends over time.

For ease of use, the report is organized into three sections and an appendix. Section I offers a synopsis of the indicators and highlights some key analytical observations. The highlighted observations are not comprehensive. Rather, they are provided to stimulate analysts' and policymakers' own use of the data presented in the subsequent sections. Section II presents the combined set of juvenile justice indicators for all 62 counties, using 2004 data, the most recent year comprehensive statistics were available at the time of the Task Force's launch. Section III provides standardized county-level synopses of the indicators. This provides local stakeholders with an opportunity to explore and analyze their system in more detail as well as compare their system to those of other counties. Finally, the appendix contains information regarding data sources, conceptual definitions, and important reporting limitations of the indicators.

One limitation to be noted early on is that 2004 arrest and detention data for New York City is not included in this report. A key organizing principle of the Task Force's work was that data should be comparable across different counties. For this reason, the Task Force selected indicators drawn from statewide data systems; this ensures that data for all counties conform to a tightly standardized structure. The New York City Police Department and the New York City Department of Juvenile Justice both collect extensive and high quality juvenile arrest and detention data. However, at the time this report was produced, neither agency was using data systems that matched the statewide reporting systems. Because of the structural difference, the New York City agencies' data are not included here.

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<sup>1</sup> Through a grant from OCFS, the Vera Institute of Justice (Vera) worked in collaboration with OCFS to convene the Task Force and then played an active role to support the deliberative process. Vera staff facilitated Task Force meetings and provided technical support in the development of statewide indicators by requesting and analyzing state data, compiling draft indicators for the first year of dissemination, and generally supporting the group in establishing the outlines of a strategy under which the state will analyze and disseminate the data going forward.

# Section I: Synopsis and Analysis of the Indicators: What Do They Show Us?

In order to develop indicators that describe the entire juvenile justice system in New York State, the Task Force identified five points in the system that it considers to be central to juvenile justice process and policymaking: arrest, referral to court, detention, court processing, and disposition. In New York, as in many states, the juvenile justice system is fragmented across a number of agencies. These include law enforcement, probation, detention, family court, and social services. As each of these agencies plays its respective role in responding to young people and their families, it is required to collect and report particular data elements. A wealth of data is therefore housed at numerous juvenile justice agencies in New York State. While local and state officials frequently identify a need for sharing data, it has historically occurred with little regularity. In fact, New York State's juvenile justice data has never before been compiled or disseminated to offer a cross-system overview.

In developing its systemwide set of indicators, the Task Force first assessed the types of juvenile justice data collected and maintained at the state level. Next, out of this available data the Task Force selected discrete indicators in each of the five system points that it deemed would be most helpful for local and state juvenile justice planners. The full list of indicators appears in Section II of this report. The discussion in Section I summarizes the set of indicators that will be available at each system point and highlights some sample analytical observations from the 2004 data.

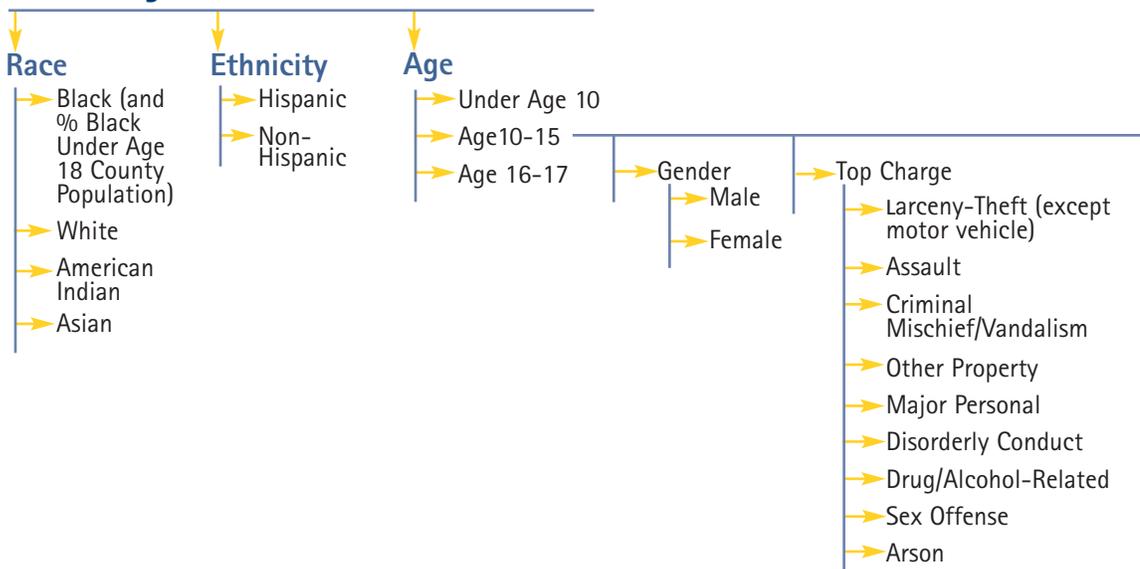
## Arrest (data source: DCJS)

Arrest is the gateway to the juvenile justice system. In New York State, the Division of Criminal Justice Services (DCJS), a multi-function criminal justice support agency, houses juvenile arrest statistics from across the state. Among its many responsibilities, DCJS advises the governor and the director of criminal justice on ways to improve the effectiveness of New York's justice system. It also analyzes statewide justice data, administers federal and state funds earmarked for justice purposes, conducts research on criminal justice issues, and provides training and legal guidance to the state's law enforcement and prosecution communities.

DCJS maintains arrest data in several forms. Its most comprehensive arrest data for juveniles is drawn from Uniform Crime Reports (UCR), a standardized national data collection program through which each state passes its aggregate arrest data (both adult and juvenile) to the Federal Bureau of Investigation. UCR data is aggregated by local law enforcement agencies and submitted monthly to DCJS. It includes 48 crime categories as well as demographic information.

As of the publication of this report, DCJS had UCR juvenile arrest data from all of the state's counties except the five boroughs of New York City. Working with this data, the Task Force recommended the following arrest data be selected as the most useful indicators for juvenile justice officials:

### → Under Age 18 Arrests

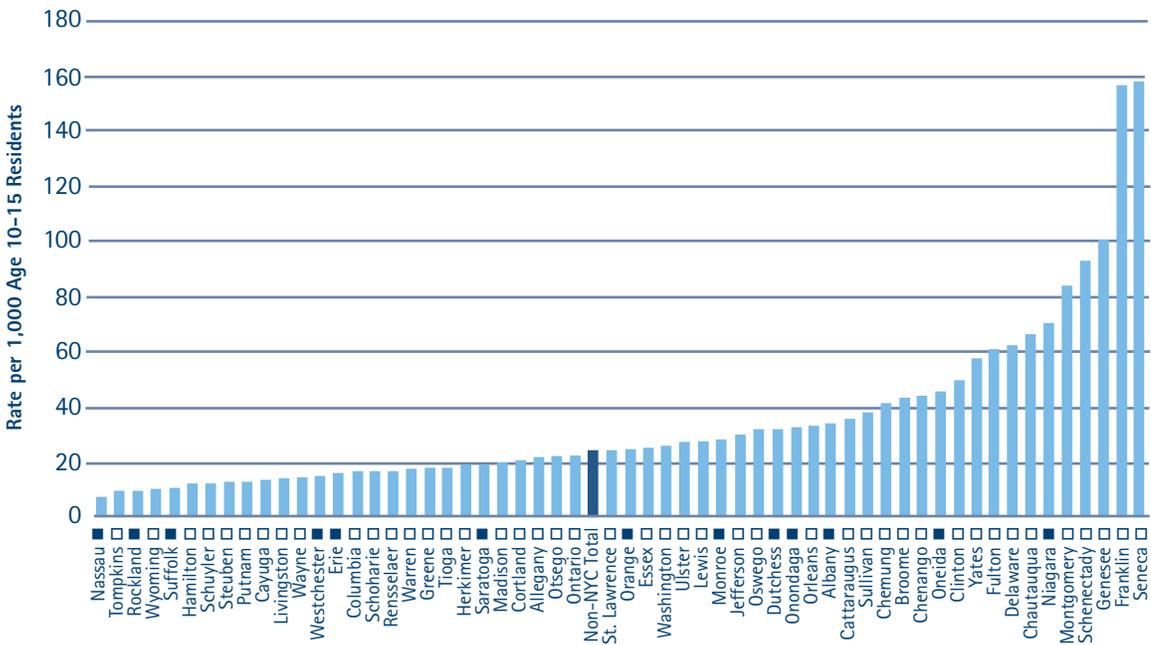


Our initial collection of these data suggests the following observations, which we provide as examples to stimulate local stakeholders to examine the data with an eye toward their own needs and concerns.

**1. Juvenile arrest rates vary widely across the state, with many low-population counties exhibiting comparatively higher rates.**

Juvenile delinquency jurisdiction in New York State ends at age 16.<sup>2</sup> In 2004, 22,539 youth between the ages of 10 and 15 were arrested in the state, excluding New York City.<sup>3</sup> Rather than compare raw numbers, the Task Force recommended that the indicators reflect arrest rates based on the number of 10- to 15-year-olds arrested per 1,000 county residents of the same age.<sup>4</sup> As illustrated in Figure 1, these arrest rates vary widely, from a low of 6.54 in Nassau County to a high of 157.22 in Seneca County.

**Figure 1: Juvenile arrest rates (excluding New York City)**



(For all graphs in this report, counties with populations less than 200,000 are marked with a hollow square; counties with populations equal to or greater than 200,000 are marked with a solid square.)

Counties at the extreme ends of this range have quite different populations. Nassau County has the lowest arrest rate and one of the largest populations in the state, with nearly 1.5 million residents and more than 100,000 youth between the ages of 10 and 15. Other counties with large populations, such as Suffolk and Erie, also have relatively low arrest rates.

In contrast, Seneca County, the jurisdiction with the highest arrest rate, is fairly small and rural, with approximately 35,000 county residents and fewer than 3,000 residents age 10 to 15. Except for Niagara County, every other county with a juvenile arrest rate in the top 10 has a population below 200,000 (Yates, Fulton, Delaware, Chautauqua, Montgomery, Schenectady, Genesee, and Franklin).

**2. Throughout the state, youth of color are disproportionately represented at the point of arrest (as compared to their representation in the general population).**

As figure 2 illustrates, black youth account for only 11 percent of the general population but nearly 29 percent of all arrests in 2004 (excluding New York City).<sup>5</sup> Their greater representation as arrestees,

<sup>2</sup> New York, Connecticut, and North Carolina are the only three states with this age jurisdiction. Connecticut and North Carolina are currently exploring legislation to raise the age of juvenile jurisdiction.

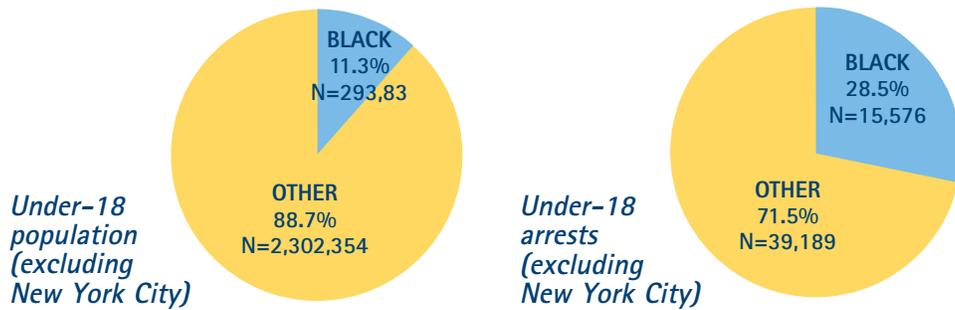
<sup>3</sup> Youth under the age of 10 accounted for an additional 926 arrests in 2004—4 percent of juvenile delinquents entering the system that year. Also, the age 10-15 arrests include youth who may be later convicted as Juvenile Offenders (see Penal Law Article § 10.18)—juveniles ages 13-15 who have committed a crime deemed serious enough to merit adult criminal court prosecution.

<sup>4</sup> The firm of Woods & Poole produces population estimates for periods between the decennial census years. This report uses 2004 county-level Woods & Poole data in order to calculate rates based on overall population or racial group.

<sup>5</sup> The sources cited in this report that include race data use various terminologies—black alone, African American or black, and African American alone. For consistency in the written text, we refer to this racial category as black.

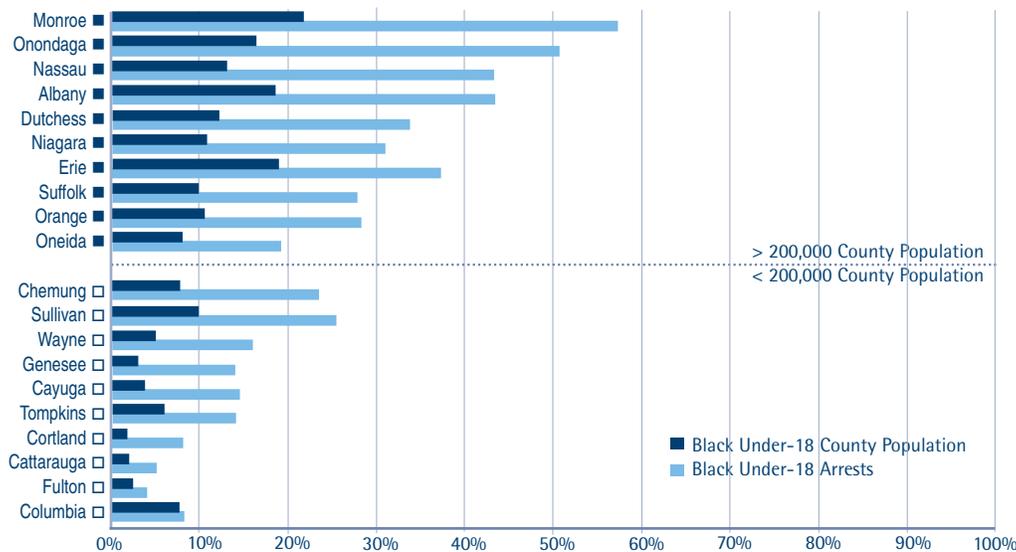
a phenomenon referred to as disproportionate minority contact (DMC),<sup>6</sup> is prevalent in the indicators statewide.<sup>7</sup>

Figure 2: Comparative racial breakdown (excluding New York City)



Overrepresentation at arrest cannot be attributed to urban jurisdictions or regions with high concentrations of minority residents. As figure 3 shows, disproportion at arrest is evident in all but one county in a selection of 10 counties with populations under 200,000 and 10 counties with populations greater than 200,000. In fact, only four of the state's 62 counties—Franklin, Hamilton, Lewis, and Putnam—do not exhibit minority overrepresentation at arrest.

Figure 3: Disproportionate arrests of black youth



3. Girls account for nearly 29 percent of age 10 to 15 arrests statewide, with a county range from zero to 42 percent.

Over the last several years, national data has called attention to a steady increase in the proportion of girls entering juvenile justice systems across the country.<sup>8</sup> In light of this trend, the Task Force

Disproportionate Minority Contact (DMC)

Jurisdictions across the country are paying more and more attention to the widespread overrepresentation of youth of color in the juvenile justice system, a phenomenon often mirrored in the criminal justice system. Federal attention to this issue began in 1988, when Congress amended the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974 to require states receiving Part B Formula Grant funding to address what was then defined as disproportionate minority confinement (as defined by state law). While no specific interventions were prescribed by the federal government, the amendment mandated that states include in their state plans a description of specific efforts to assess and respond to disproportionate confinement. More generally, the amendment cast a spotlight on an issue that had received little prior attention. In 1992, the Act was once again amended. For the first time, federal funding eligibility was tied to a state's compliance with the requirement. Ten years later, Congress extended the mandate, moving from a sole focus on disproportionate minority confinement to a more expansive focus on disproportionate minority contact at all points of the system, including arrest, court referral, detention, and disposition.

In New York State the DMC requirement of the JJDP Act applies to juveniles under 16 years of age in the jurisdiction of the Family Court. This report, however, provides DMC analyses which also include 16- to 17-year-olds who are prosecuted in the criminal court as adults.

The Division of Criminal Justice Services (DCJS) is the designated agency in New York responsible for developing the state's comprehensive plan for administering JJDP Formula Grant funds. New York State's current plan includes a strategy to reduce DMC through two primary components. First, DCJS has developed a DMC compliance management effort that includes strategic planning, outreach and training, technical assistance, and statistical monitoring. This effort is directed by a full-time state DMC coordinator. Second, Formula Grant funds are currently supporting four DMC arrest diversion programs in Albany, Syracuse, Rochester, and Niagara Falls. These programs are collaborations between local police and human service agencies to divert young offenders who are about to be arrested for a misdemeanor crime into a service program outside of the traditional juvenile justice system.

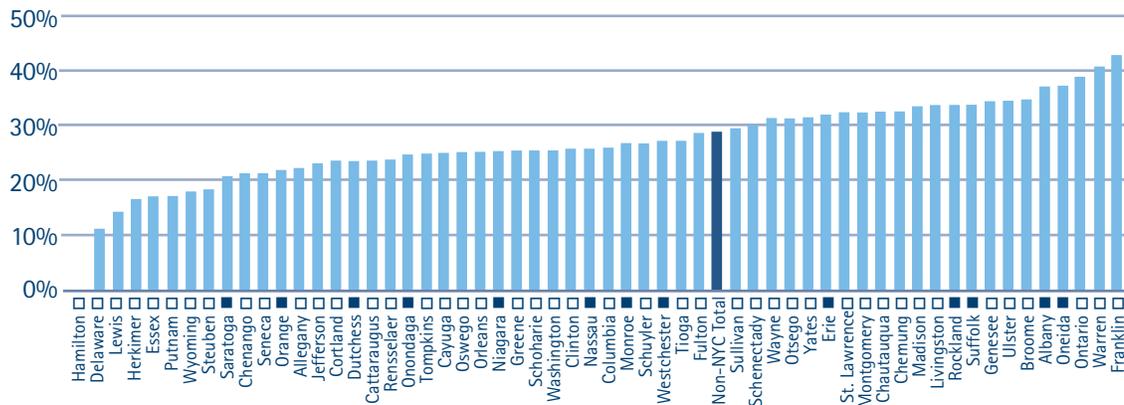
<sup>6</sup> Disproportionate minority contact additionally affects non-black minorities but in New York State tends to be most pronounced for black youth.

<sup>7</sup> Note that these statistics describe the juvenile justice population, as well as offenders ages 16 and 17 who are classified as adults under New York State's Penal Law. In order to comply with federal reporting requirements, New York State limits its official analysis on disproportionate minority contact to juveniles under 16 years of age in the jurisdiction of the Family Court. The reader is cautioned that the inclusion of adults (16- to 17-year-olds) in these present analyses may result in different findings and conclusions than would be obtained in juvenile-only analyses and, therefore, may want to use these data for exploratory purposes only. More rigorous analysis of the complexities of disproportionate minority contact would require further disaggregation by age, jurisdiction, offense type, and other factors.

<sup>8</sup> According to the most recent national data, the proportion of female juvenile arrests increased from 20 percent in 1980 to 29 percent in 2003. Snyder, H., & M. Sickmund. 2006. *Juvenile Offenders and Victims: 2006 National Report*. Washington, D.C: United States Department of Justice, Office of Justice, Office of Juvenile Justice and Delinquency Prevention.

felt it was imperative to analyze arrest data by gender in New York State. In 2004, girls accounted for a total of 6,418 (29 percent—mirroring the national percentage in 2003) age 10–15 arrests in the state. Figure 4 indicates that several counties, large and small, exceed that percentage.

**Figure 4: Percentage of Age 10–15 arrests that are female**



## Referral to Family Court (data source: DPCA)

The decision to recommend to the local presentment agency (prosecution) that a case be referred to court occurs at probation intake and represents the second critical decision point for arrested youth in the juvenile justice system. By and large, probation officers have discretion to refer alleged juvenile delinquents immediately for court petition or, alternatively, to divert them to services in the community. In making this decision, they often consider the severity of the case, the youth's prior legal history, and the arrestee's previous compliance with diversion services, among many other things. Cases that fall outside the discretion of the probation department and that are statutorily required to go directly to the presentment agency include: the most serious crimes, known as designated felonies; offenses in which the victim or arresting precinct demands court access; and crimes where the offender has previously received diversion services for the same category of offense.<sup>9</sup>

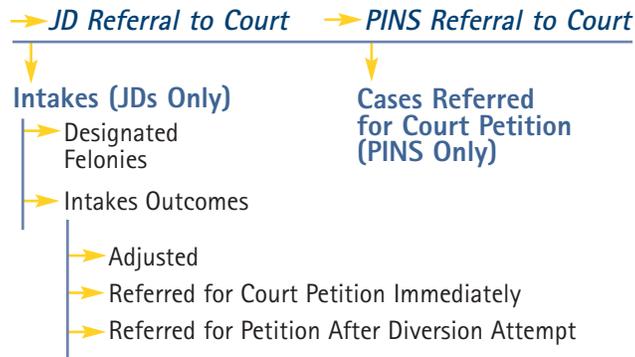
The Division of Probation and Correctional Alternatives (DPCA) supervises county probation department operations and the use of correctional alternative programs throughout the state. DPCA also maintains aggregate data on court referrals for juvenile delinquents.

DPCA's statewide juvenile justice data source is the DPCA-30, which is based on workload reports that local probation departments submit each month. The DPCA-30 summarizes aggregate information regarding probation intakes and court referrals for all 62 counties. DPCA-30 does not track demographic data, however. The Task Force was therefore unable to assess probation intake and court referral rates by demographics through this data source.<sup>10</sup>

<sup>9</sup> Designated felonies include the following acts committed by youth between the ages 13 and 15: murder 1 and 2, kidnapping 1 and 2, arson 1 and 2, assault 1 (and 2, only for youth between the ages 14 and 15 who have had a prior finding by a court of assault 2 or other designated felony), manslaughter 1, rape 1, criminal sexual act 1, sodomy 1, aggravated sexual abuse 1, robbery 1 and 2, and burglary 1 and 2. In addition, the following attempted acts are included as designated felonies for the 13 to 15 age group: murder 1 and 2, kidnapping 1, and burglary 1.

<sup>10</sup> In 2005, DPCA distributed an update of the Youth Assessment and Screening Instrument (YASI) software, a screening, assessment, and case planning protocol that is used in 49 of the state's 58 jurisdictions (excluding New York City and eight upstate counties). This software update added a quick report function, which enables counties to readily retrieve YASI information regarding race. DPCA is currently working to integrate the YASI software with Caseload Explorer, a web-based case management information system, which will increase county and state access to individual level PINS and JD demographic data as well as intervention services, and process and outcome information. This integration will also be an important milestone toward developing a real-time data system available for use in all jurisdictions.

Based on an assessment of the available data regarding juvenile probation intakes and court referrals, the Task Force selected the following indicators:

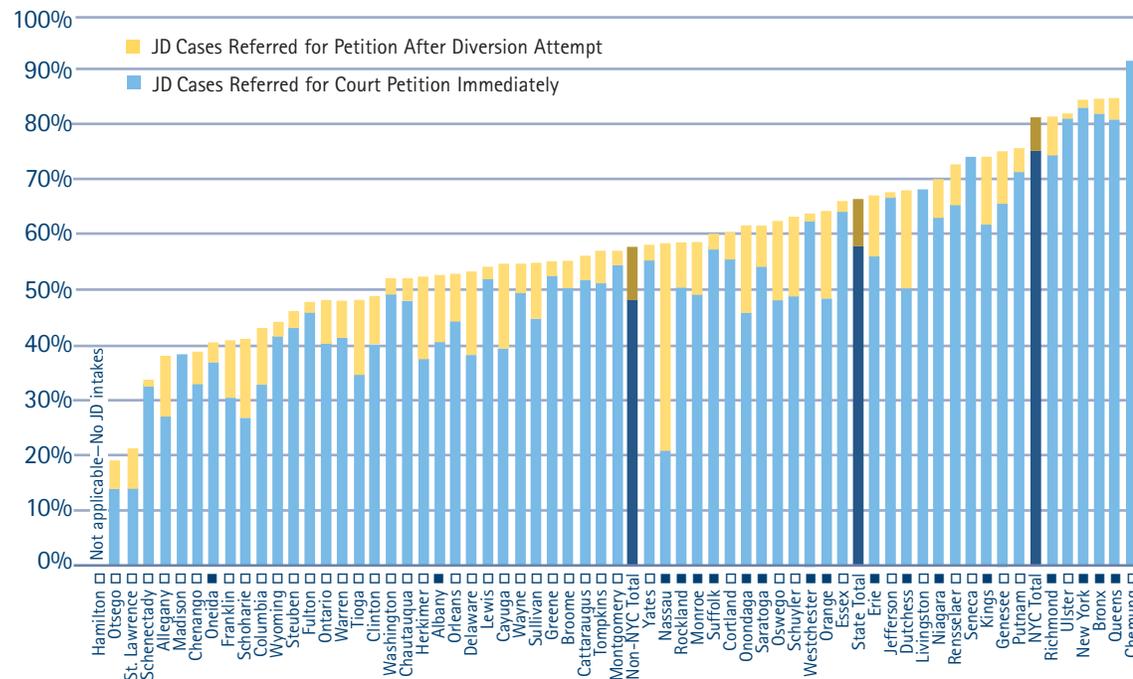


Our initial analysis of these indicators suggested the following observation.

**4. The proportion of juvenile delinquency cases that are referred to court—whether immediately or after an attempt at diversion—varies dramatically statewide, from 19 to 91 percent.**

New York State saw 16,137 juvenile delinquency cases referred to court in 2004, or 66 percent of all intakes. Figure 5 shows the percentage of JD probation intakes in each county that resulted in a court referral (with all other cases being adjusted, diverted from court, or closed with the matter not pursued).

**Figure 5: Percentage of JD intakes resulting in a court referral**



As with the juvenile arrest rates discussed earlier, rates of referrals to family court range widely, from a low of 19 percent of delinquency intakes referred to court in Otsego County to 91 percent referred to court in Chemung County. While some more populous counties (e.g., Erie, Onondaga, and Suffolk) exhibit relatively low arrest rates, their court referral rates tend to fall on the higher end of the range. Small counties with high relative arrest rates—Seneca County, for example—can also exhibit court referral rates on the high end of the spectrum. Yet Schenectady, another small county with a high arrest rate, refers a relatively low proportion of delinquency intakes to court (33 percent).

The indicators also reveal how cases are referred to court at different points in the intake process. In several counties, including Livingston, Jefferson, Ulster, Queens, Bronx, and New York (Manhattan), the overwhelming majority of referrals occur immediately at the point of intake. Some counties, such as Dutchess, Orange, and Cayuga, have a more significant minority of referrals occurring after a preliminary attempt at diversion. And in Nassau County, well over half of all court referrals occur after attempted diversion.

## Detention (data source: OCFS)

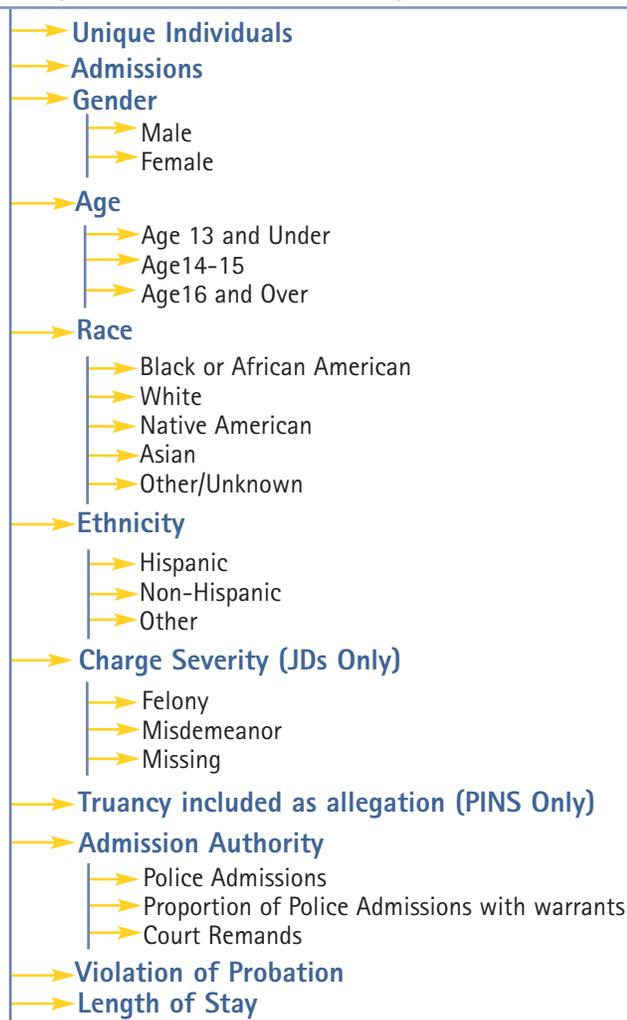
The decision to incarcerate an arrested youth prior to adjudication, whether in a secure or non-secure juvenile detention facility, is one of the most critical decisions in the juvenile justice system.<sup>11</sup> Pre-trial detention primarily occurs at one of two points: after court hours if the arresting officer recommends immediate detention and the detention facility authorizes the stay; or during court hours as a result of a judicial order.

Research findings indicate that a stay in a detention facility may increase the chances that a youth will further penetrate the juvenile justice system, even after controlling for other factors.<sup>12</sup>

The Office of Children and Family Services (OCFS) is the primary agency responsible for maintaining juvenile detention data in New York State. These data are housed in the agency's newly designed Juvenile Detention Automated System (JDAS). As of the writing of this report, all counties except the five New York City boroughs submit data to JDAS.

The Task Force identified the following juvenile detention indicators:

### → *JD Secure Detention / JD Non-Secure Detention / PINS Non-Secure Detention*



### → *JO Secure Admissions*

These indicators suggested the following sample observations concerning the detention phases of the juvenile justice system.

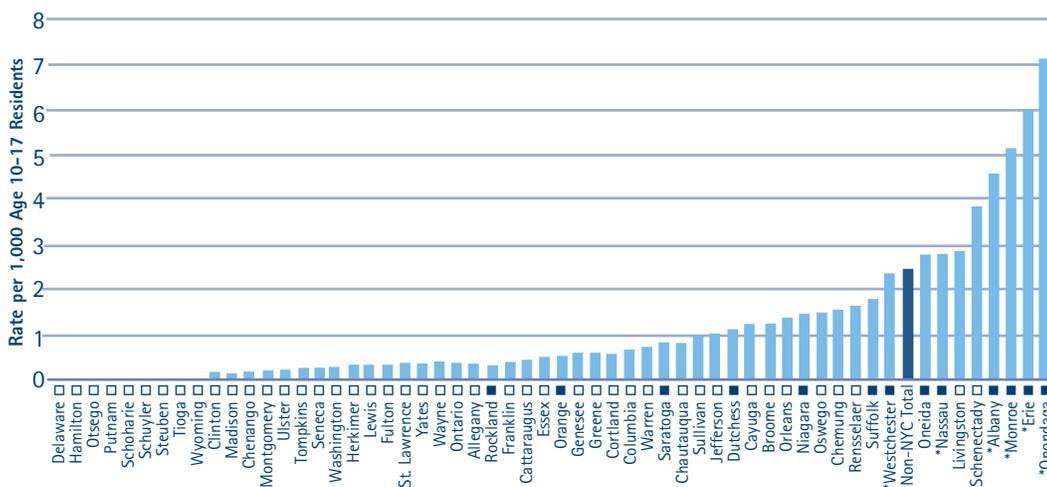
<sup>11</sup> There are nine secure juvenile detention facilities in New York state, located in seven jurisdictions: Albany, Erie, Monroe, Nassau, Onondaga, Westchester, and New York City. Counties that do not have their own secure option rely on out-of-county detention facilities. In addition, there are more than 40 non-secure detention facilities across the state. Most counties have one or two non-secure facilities, often group homes that provide beds solely to the county. These facilities are typically privately run and staffed.

<sup>12</sup> Holman, B., & J. Ziedenberg. 2006. *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities*. A Justice Policy Institute Report. Washington, DC: Justice Policy Institute.

**5. The highest rates of JD secure detention use are clustered in, but not limited to, large counties that have a secure facility in their jurisdiction.**

OCFS recorded a total of 2,985 JD admissions to secure detention in 2004 (excluding New York City). As figure 6 shows, counties that house secure facilities (marked with an asterisk) account for 74 percent of secure detention admissions statewide.<sup>13</sup> These same counties account for only 42 percent of the state's juvenile population.<sup>14</sup>

**Figure 6: JD secure detention admission rates**

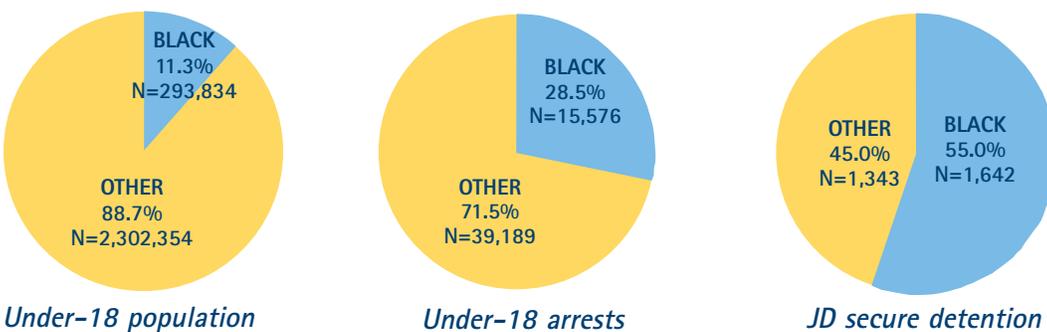


This suggests that the proximity of a detention facility may drive pretrial decisions. It is worth noting, however, that a handful of counties without a secure facility in their jurisdiction, including Schenectady, Livingston, and Oneida, also have relatively high usage of secure detention for their JD population, particularly as compared to counties of similar size.

**6. The disproportionate representation of black youth increases as youth advance through the juvenile justice system.**

The indicators reveal that from the point of arrest to the point of detention, the proportion of black youth in the system increases. As figure 7 shows, black youth accounted for 55 percent of all JD secure detention admissions in 2004, even though they represented 29 percent of juvenile arrests and only 11 percent of the state under-18 population. (All three of these figures exclude New York City.)

**Figure 7: Comparative racial breakdown (excluding New York City)**



**New York State Juvenile Detention Technical Assistance**

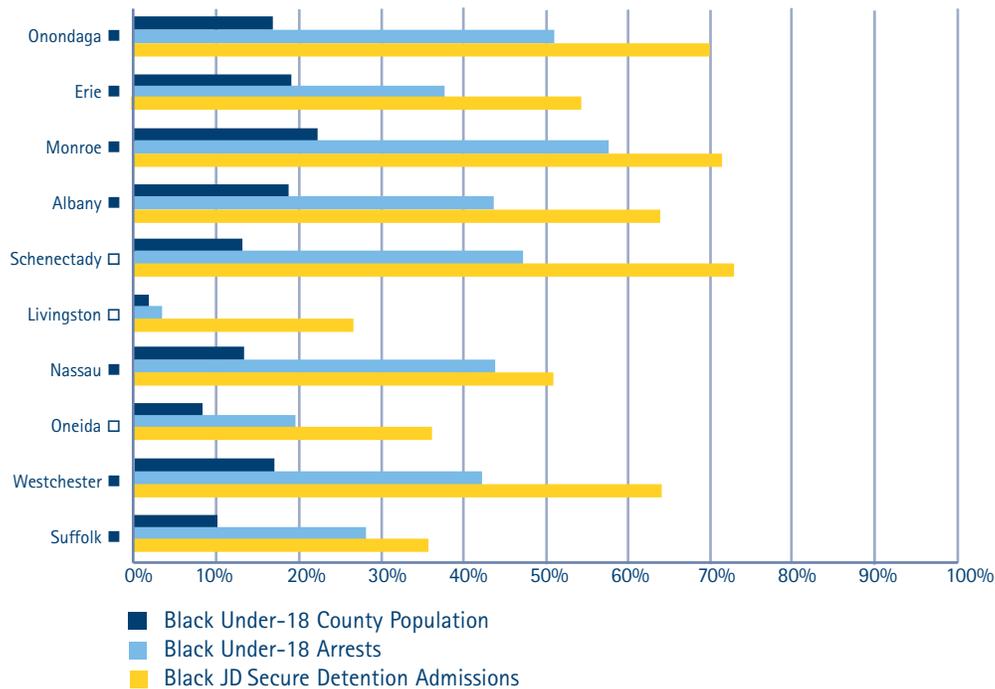
Beginning in early 2005, OCFS funded the Vera Institute of Justice to help designated counties across the state of New York reform their juvenile detention policies. With this funding, local officials in four jurisdictions with high rates of secure detention—Albany, Erie, New York City, and Onondaga—have begun to reexamine their juvenile detention policies and practices with the goal of identifying viable alternatives for young people who may not need to remain in custody. Each of the four jurisdictions is developing its own objective risk assessment instrument to guide local detention decisions and is implementing an array of community-based alternatives to detention.

<sup>13</sup> The JD secure detention rate is calculated based on the number of admissions of JD youth residents in that county to a secure detention facility (which may be elsewhere) per 1,000 county residents (between the ages of 10 and 17).

<sup>14</sup> Juvenile population is defined here as youth between the ages of 10 and 17.

In the 10 counties with the highest secure detention rates for juvenile delinquents, overrepresentation steadily increases from arrest to detention, as illustrated by figure 8. These New York State DMC data mirror national statistics.<sup>15</sup>

**Figure 8: Disproportionate minority contact (DMC), arrest to JD secure detention**



## Court Processing (data source: OCA)

Family court cases go through a series of court processes, including arraignment, fact-finding, adjudication, and disposition. Some cases take longer to move through this process than others. The span of time that elapses from the start of the court process to the end can have a significant effect on both the youth and the outcome of the case.

The Office of Court Administration (OCA) is the administrative arm of the court system and tracks and houses data relating to all juvenile justice court cases in New York State. It was established by and functions under the auspices of the chief administrative judge, who is responsible for supervising the administration and operation of the trial courts. The Universal Case Management System (UCMS) is OCA's comprehensive, centralized database. UCMS collects information about all docketed cases, including records of court events, their purpose (e.g., first appearance, trial, and disposition), and their outcomes. Race, ethnicity, and gender data are not available in UCMS.

All 62 New York Counties enter data directly into UCMS. Based on the available data, the Task Force selected the following court processing indicators:

## Persons in Need of Supervision (PINS)

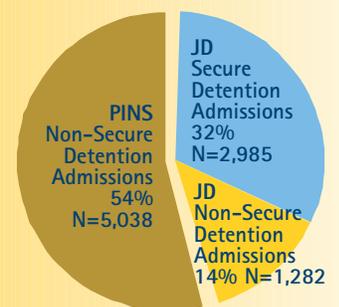
Persons in Need of Supervision (PINS)—status offenders, or youth who enter the juvenile justice system for non-criminal behavior such as truancy, "incorrigibility," or running away—are an important factor in the juvenile justice system in New York State.

Effective April 1, 2005, New York State's Family Court Act was amended to enhance diversion requirements for PINS cases, discourage the filing of PINS petitions, and narrow the circumstances under which PINS youth may be detained. On the heels of these legislative changes, local officials across the state are exploring strategies for responding to PINS cases outside the courtroom and in community-based alternatives.

The 2004 juvenile justice indicators included in Section II of this report offer counties a snapshot of how local PINS systems were operating prior to the legislative reforms. In future versions of this report, stakeholders will be able to consider the extent to which change is occurring and identify further areas for analysis.

*In many counties, PINS non-secure detention rates tend to be significantly higher than the combined secure and non-secure detention rates for Juvenile Delinquents*

New York State statute limits the detention of PINS to non-secure facilities.<sup>16</sup> In 2004, a total of 5,038 PINS non-secure detention admissions were recorded across the state (excluding New York City). As illustrated below, this figure exceeded the number of JD secure and non-secure detention admissions combined.



<sup>15</sup> Recent research shows that youth of color account for approximately two-thirds of juveniles in public detention facilities across the nation, twice their national proportion. Cose, E. (September 2005). "Race and Redemption." *The American Prospect*.

<sup>16</sup> New York City does not use non-secure detention facilities for PINS cases; rather, the city's Administration for Children's Services is responsible for PINS cases that are remanded prior to adjudication.

→ JD Court Processing / PINS Court Processing

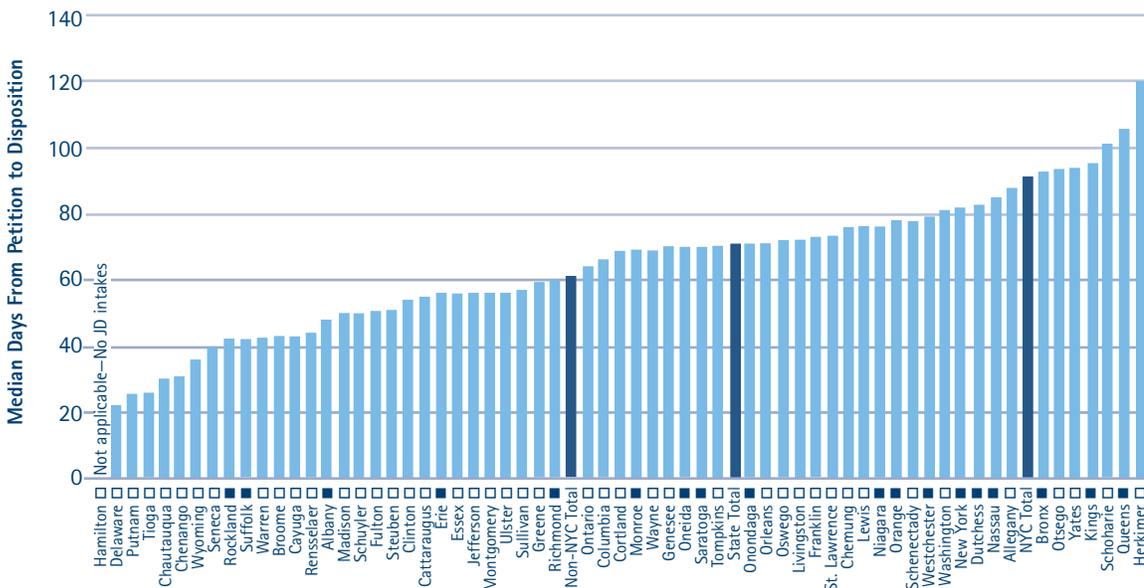
- Original Petitions
  - E Petitions (JDs Only)
  - Age at Petition
  - Cases Disposed at Initial Appearance
  - Days from Petition to Disposition (For All Original)
  - Days from Petition to Disposition (For Cases NOT Withdrawn/Dismissed) (PINS Only)
  - Days from Petition to Disposition (For Cases Withdrawn/Dismissed) (PINS Only)
  - Days from Petition to Fact Finding (For All Original) (JDs Only)
  - Days from Fact Finding to Disposition (For All Original) (JDs Only)
  - Cases Involving Detention
  - Days from Petition to Disposition (For Cases Involving Detention)
  - Adjournments
- Violation Petitions
  - Days from Petition to Disposition (For Violations)

From these data, we were able to draw the following observations:

**7: Median case processing times (from petition to disposition) in juvenile delinquency original court petitions vary widely from county to county, from 22 to 120 days.**

In analyzing the median days between petition and disposition across the state, both large and small counties fall on various points of the spectrum, as figure 10 shows.

**Figure 10: Median days from petition to disposition in JD original court petitions**



Many of the counties with shorter court processing times, such as Delaware, Tioga, Putnam, Chautauqua,

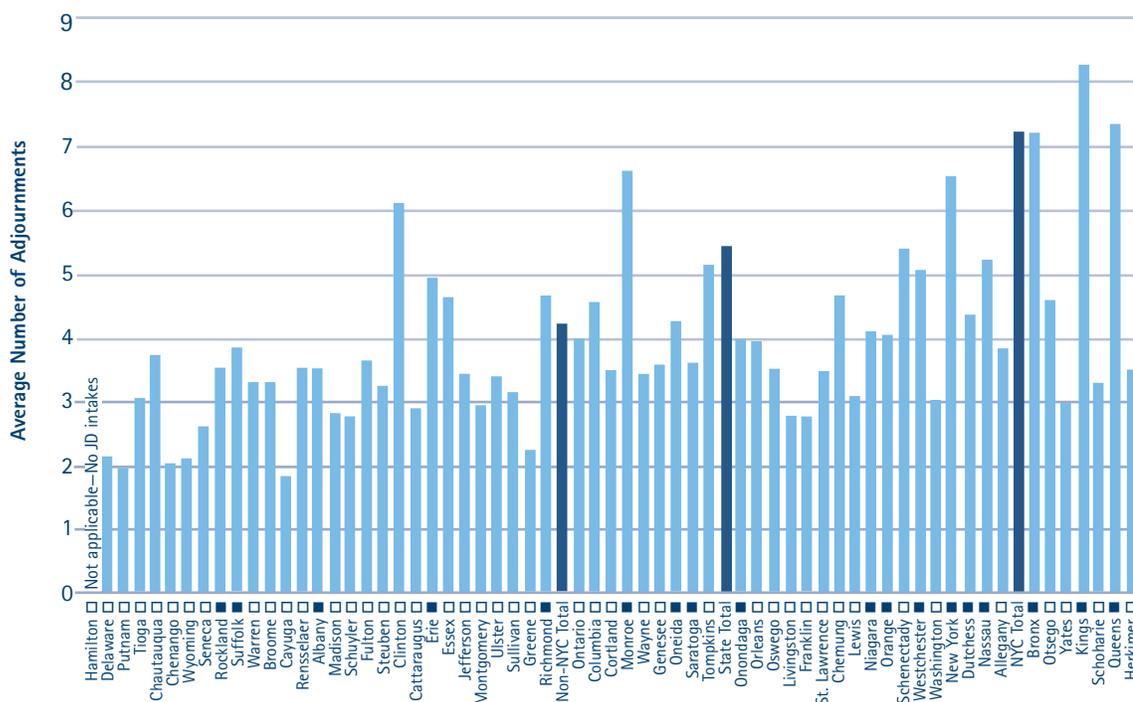
Chenango, Wyoming, and Seneca, dispose of a significant proportion of cases (between 30 and 47 percent) immediately at the initial court appearance.

The full set of indicators (see Section II) allows counties to differentiate between the median court processing time from petition to fact-finding (adjudication) and from fact-finding to disposition. This more detailed data lets officials better understand where the bulk of their court processing time is occurring. For most counties, it is in the period between fact-finding and disposition.

### 8. The number of JD adjournments may drive court processing time.

Figure 11 provides an analysis of the average number of court adjournments for all 62 counties, according to their court processing time.

**Figure 11: Average number of JD adjournments (with counties arranged from shortest to longest court processing time)**



No definitive pattern is exhibited. However, it appears that many counties with longer court processing times, such as Queens, Brooklyn, the Bronx, and Nassau, show a higher average number of court adjournments. This suggests that in some jurisdictions adjournment frequency may drive court processing times.<sup>17</sup>

## Disposition (data sources: OCA and OCFS)

Judges may dispose of a case in a number of ways. The case may result in a withdrawal or dismissal, a discharge on a conditional basis (JDs only), an adjournment in contemplation of dismissal, a period of probation supervision, or an out-of-home placement to the custody of either OCFS or a local social services department.

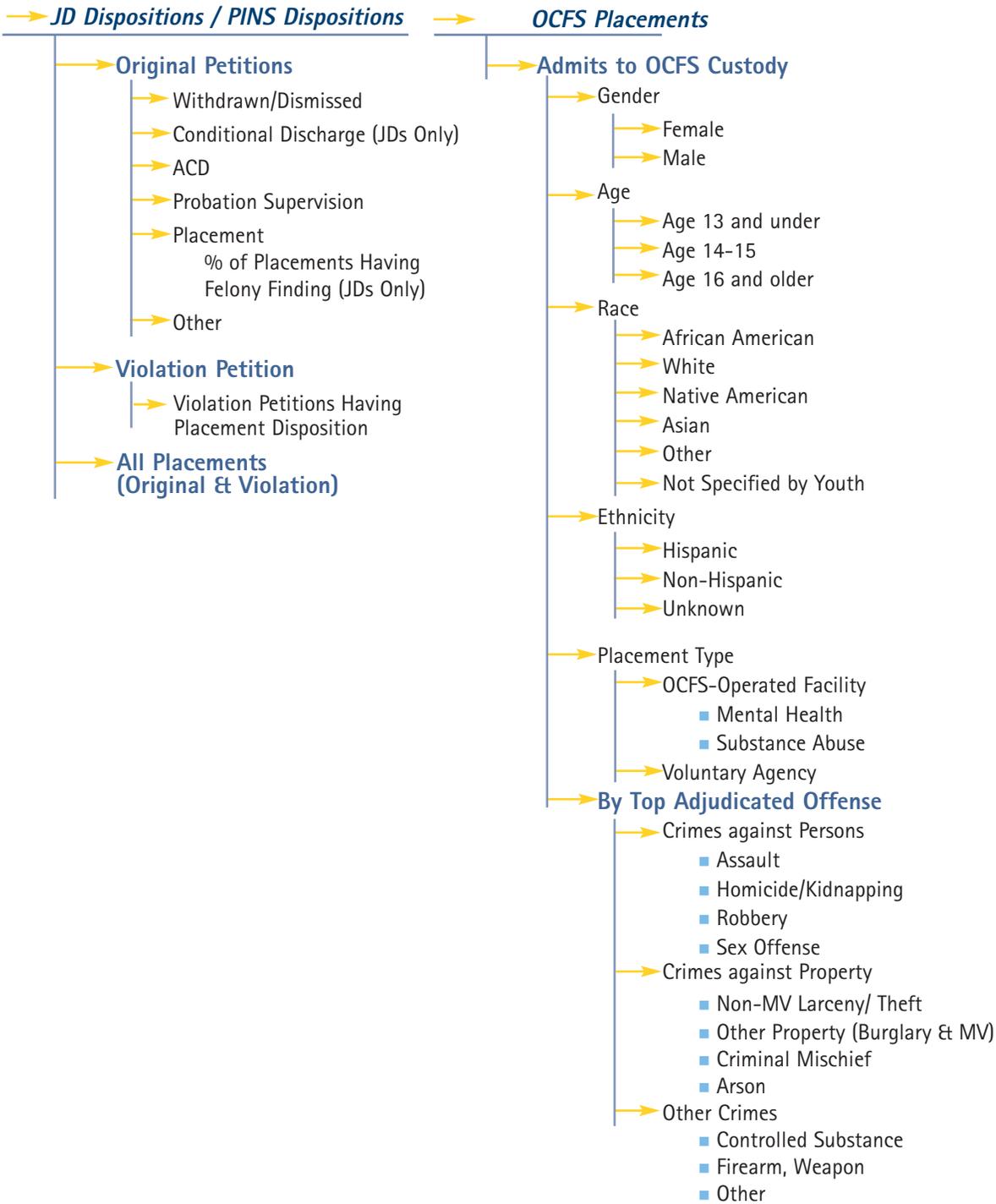
The Office of Court Administration (OCA) and the Office of Children and Family Services (OCFS) both maintain data relating to these outcomes. OCA's Universal Case Management System (UCMS) tracks juvenile justice case dispositions across the state. It does not, however, include data on gender, race, or ethnicity. On the other hand, OCFS's periodic STATSPOP file<sup>18</sup> documents JDs and juvenile offender/youthful offenders placed in OCFS

<sup>17</sup> Adjournments can be requested by a number of constituencies involved in the case, including social services, defense, prosecutors, judges, and probation.

<sup>18</sup> STATSPOP is extracted from the KIDS database maintained by OCFS.

custody only (as opposed to those held in local custody) and includes demographic information.<sup>19</sup>

Based on available data from these two sources, the Task Force established the following disposition indicators:



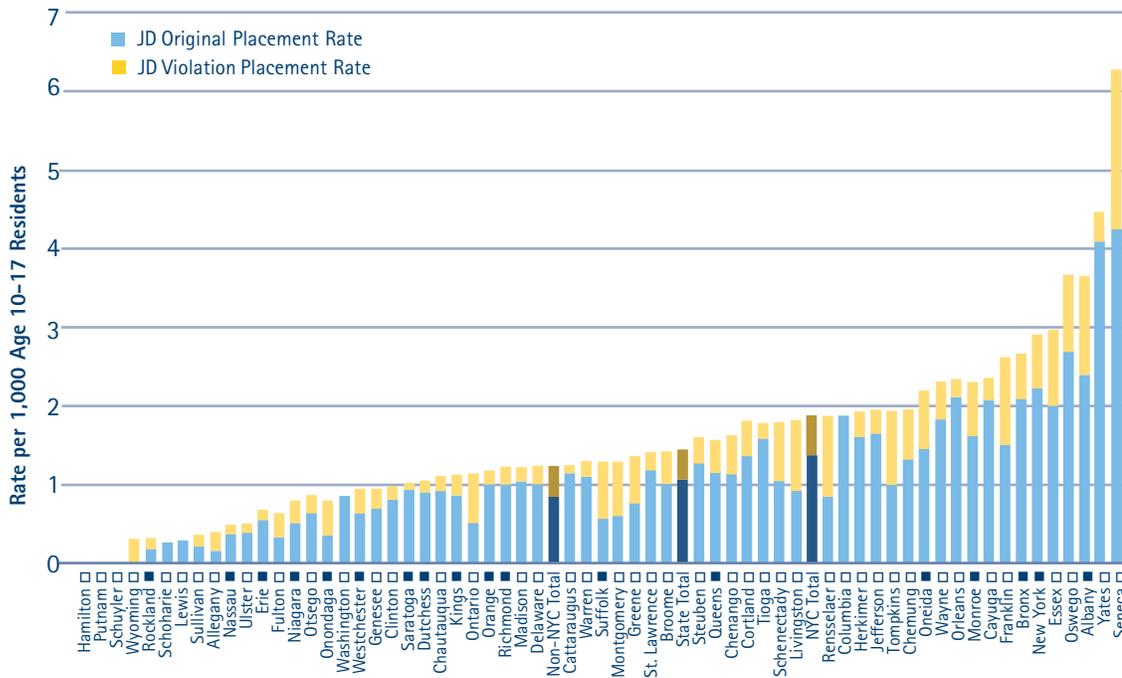
The disposition indicators lead to the following initial observations:

**9. JD placement rates range widely across the state with no obvious pattern exhibited based on county size.**

<sup>19</sup> PINS cases statutorily cannot be placed in OCFS custody.

With original and violation petitions combined, a total of 3,059 JD petitions resulted in out-of-home placement in 2004. Figure 12 presents the county-specific rates.<sup>20</sup>

**Figure 12: JD placement rates**

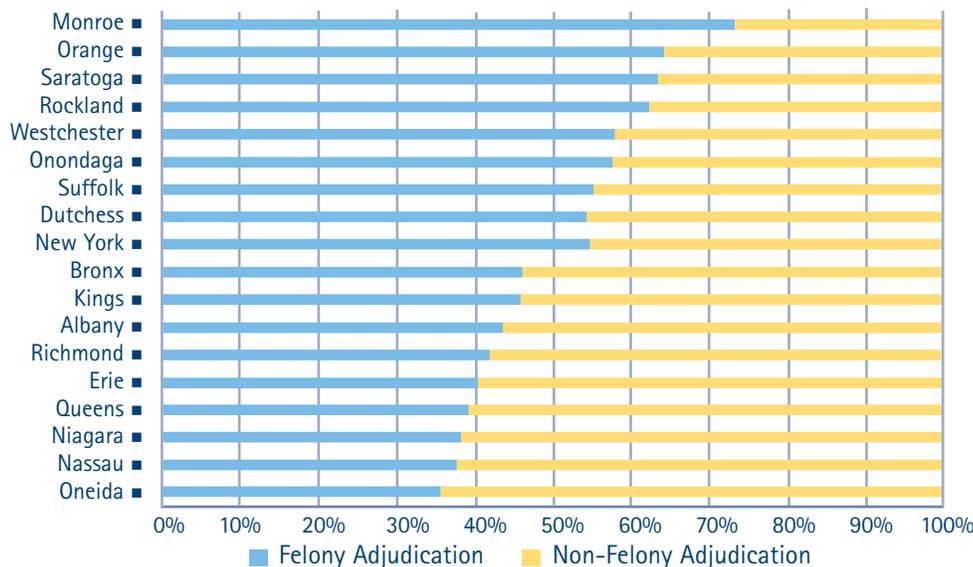


The 10 counties with the highest JD placement rates are fairly evenly split between large counties and small counties. Counties falling on the low end of the spectrum show similar diversity in population size.

**10. In large counties, the proportion of JD placements (from original court petitions) that involve a felony adjudication ranges from 36 to 73 percent.**

Counties with more than 200,000 people tend to have the highest number of JD placements, if not the highest rates. Figure 13, which focuses on the 18 largest counties (by population), provides an overview of the percent of JD placements (from original court petitions only) that included a felony adjudication.

**Figure 13: Percentage of JD original petition placements with a felony adjudication**



<sup>20</sup> The JD placement rate is calculated based on the number of placement dispositions of JD original or violation petitions per 1,000 county residents between the ages of 10 and 17.

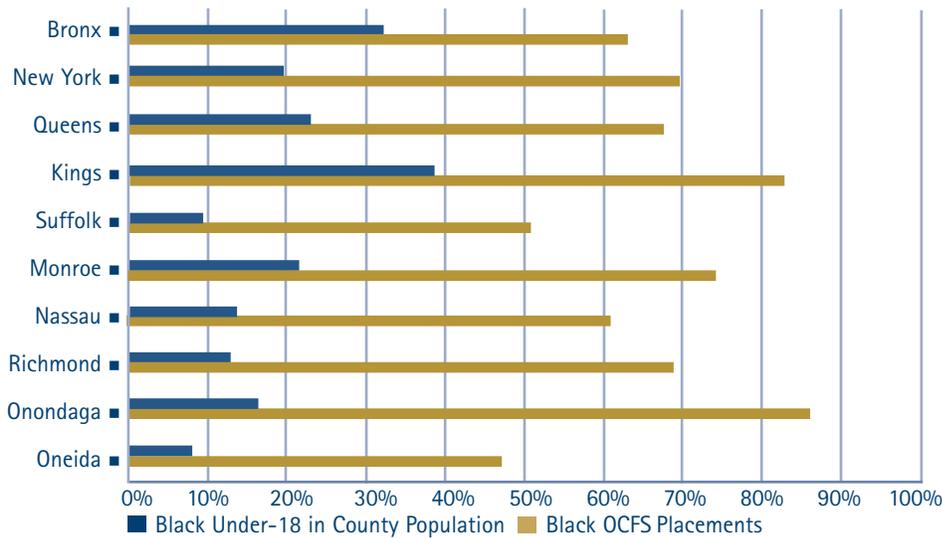
The rate of original petition placements resulting from a felony adjudication varies widely. In nine of the 18 counties—Oneida, Nassau, Niagara, Queens, Erie, Richmond, Albany, Kings (Brooklyn), and the Bronx—less than half of all JD original petition placements include a felony adjudication.

**11. Counties with the highest number of OCFS placements show significant disproportionate minority contact.**

OCFS data offers a view of placements that fall under state custody (as opposed to local custody). In 2004, a total of 2,104 OCFS custody placements were recorded across the state. Large counties exhibit the highest numbers.

Figure 14, which displays the 10 counties with the highest OCFS placement rates, compares the percentage of placements who are black to the percentage of black youth in the same age range (10 to 17) in the general population.

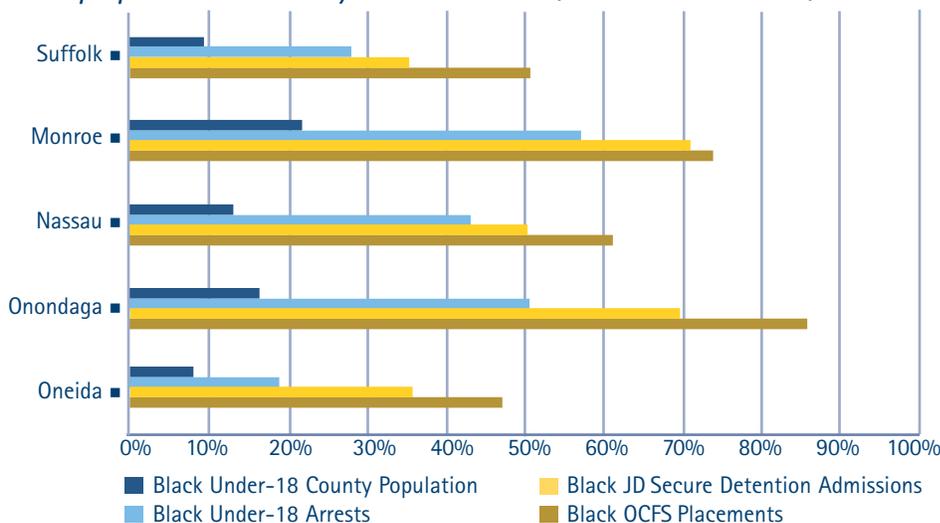
**Figure 14: Disproportionate minority contact in OCFS placements**



Wide overrepresentation of black youth is exhibited in each of the 10 counties.

Although comparable racial data for arrests and detentions are not available for the New York City jurisdictions, a systemwide perspective is available for the remaining five counties—Suffolk, Monroe, Nassau, Onondaga, and Oneida. Figure 15 focuses on these five counties and demonstrates black youths' growing profile as a percentage of the population in each successive stage of the juvenile justice system, from arrest, to JD secure detention, to OCFS placement.

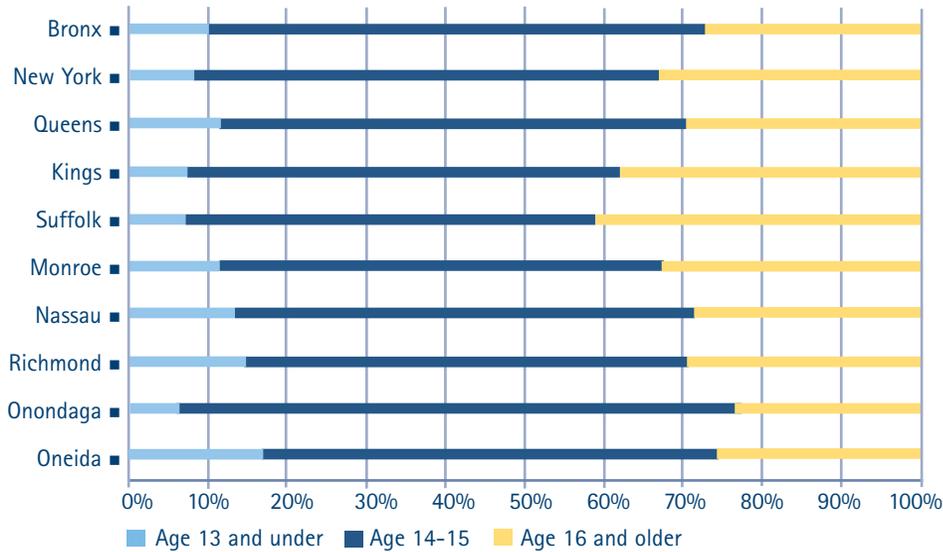
**Figure 15: Disproportionate minority contact in arrest, JD secure detention, and OCFS custody**



**12. Youth between the ages of 14 and 15 account for the majority of OCFS placements; however, a significant proportion of placements occur for youth age 13 and under and 16 and over.**

Youth ages 14 to 15 comprised 59 percent of the statewide OCFS placements in 2004. Youth ages 13 and under accounted for 9 percent, and youth ages 16 and over represented the remaining 32 percent. Figure 16 presents the age breakdown for the 10 counties with the highest numbers of OCFS placements.

**Figure 16: OCFS placements by age**



## Conclusion

This section has provided the rationale for creating the juvenile justice indicators, our process for doing so along with references to original data sources, and some initial conclusions that may be drawn from the indicators. This inaugural publication of Widening the Lens represents the first time local and state officials have had access to a comprehensive set of indicators for the New York State juvenile justice system. Given their needs, creativity, and problem-solving instincts, we are confident that officials who read this report will discover additional patterns of interest as they delve into Section II of this report, the full set of indicators. We also look forward to future editions of this report, which will not only keep officials up to date, but also allow them to track changes over time.

New York State Division of Probation  
and Correctional Alternatives  
Youth Assessment and Screening Instrument  
**YASI**



In New York State, approximately 40,000 new juvenile cases are handled annually by local probation departments. A comprehensive assessment protocol is an essential first step toward achieving the goals of public safety, youth accountability, and competency development. Systematic assessment increases the outcome predictability while supporting professional judgment, and assists in pinpointing "targets" for service, thereby augmenting the effectiveness of case management.

The Youth Assessment and Screening Instrument (YASI) Project\* brings together good probation practice with developments in research regarding assessment, case planning, and effective intervention. The YASI tool was initially developed, field-tested, and validated in Washington State based upon empirical research, and has been customized and enhanced to meet the needs of New York State, including the addition of case planning tools to guide the user in the development of case plans that target the identified criminogenic need areas. As of August 2007, YASI is being implemented in 54 of the 58 jurisdictions in New York State. By the end of 2007, it is expected that a Long Term Validation Study of YASI will be completed by Orbis Partners with the assistance of DCJS.

**Screening, Assessment, and Case Planning:** the YASI tool has two assessment components: a pre-screen to identify risk, and a full assessment to identify risk, criminogenic need areas and protective factors. Each item on the tool offers several response options, allowing for narrative description of risk, need, and protective factors being assessed, and more detailed and insightful case profiling of the results of the assessment. Training for YASI users includes interview material to guide the screening, assessment, case planning, and reassessment functionalities. The YASI provides a common language for discussing cases and communicating with other service agencies, and offers objective criteria for assigning appropriate services.

Software features include the YASI Pre Screen to assess risk levels and triage cases, and the Full Assessment, which offers an opportunity to readily gather and synthesize multiple pieces of assessment information through a "roll-up" function, providing a profile of the youth that can be easily understood and shared. The YASI software also includes an automated case planning protocol, a reassessment function, and a number of quick report options to aggregate local data. The case planning software provide tools to assist probation officers to connect-the-dots from assessment to case planning, and to record specific service interventions and case outcomes, assisting probation with information management, program evaluation, and identification of service gaps.

**Investigations and Report Preparation:** the Pre-dispositional Investigation and Reports function component of the software was made available in November 2004. It allows probation officers to transfer the risk, need, and protective factor assessment information into a draft narrative report. Probation officers then customize and individualize the report to meet the needs of the court. This feature provides for many new efficiencies in paperwork, standardizes the format and comprehensiveness of reports, and ensures that content is consistent with the research in terms of risk and protective factors.

**Detention:** A new detention screen is available under a pilot project and has been offered to all probation and detention administrators.

**Training:** Initial (assessment) and Follow-up (case planning) Training is required for all YASI users, and specialized training is provided to supervisors. Additional training opportunities have been provided in Advanced Case Planning and Training for Trainers, as well as periodic Director Data Workshops.

**Software Development:** current work in the area of software includes development of a YASI web-based version and integration of the web-based version with the web-based Caseload Explorer case management system for probation. The new web-based version will include a reworked mental health section that separates out mental health concerns from items related to violence and aggression, and a new domain focused specifically on violence and aggression.

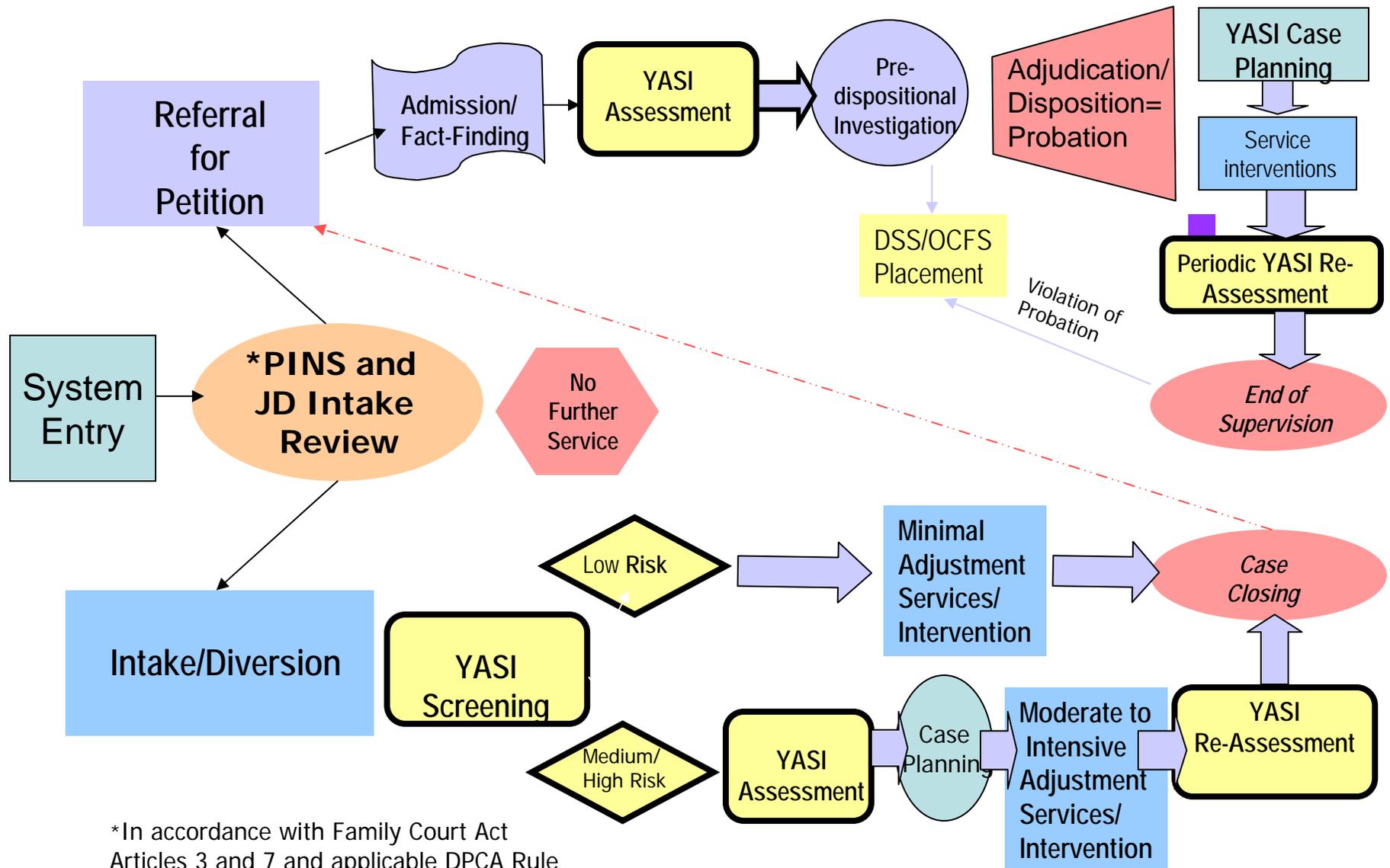
For further information, contact:

Patti Donohue, Community Corrections Representative II at 518-485-5158 or [Patricia.Donohue@DPCA.state.ny.us](mailto:Patricia.Donohue@DPCA.state.ny.us) or  
Norma Tyler, Community Corrections Representative III at 518-485-5153 or [Norma.Tyler@DPCA.state.ny.us](mailto:Norma.Tyler@DPCA.state.ny.us).

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\* The Youth Assessment and Screening Instrument Project is conducted by The New York State Division of Probation and Correctional Alternatives, in consultation with Orbis Partners, Ottawa, Canada. It is federally funded through a grant from the New York State Division of Criminal Justice Services.

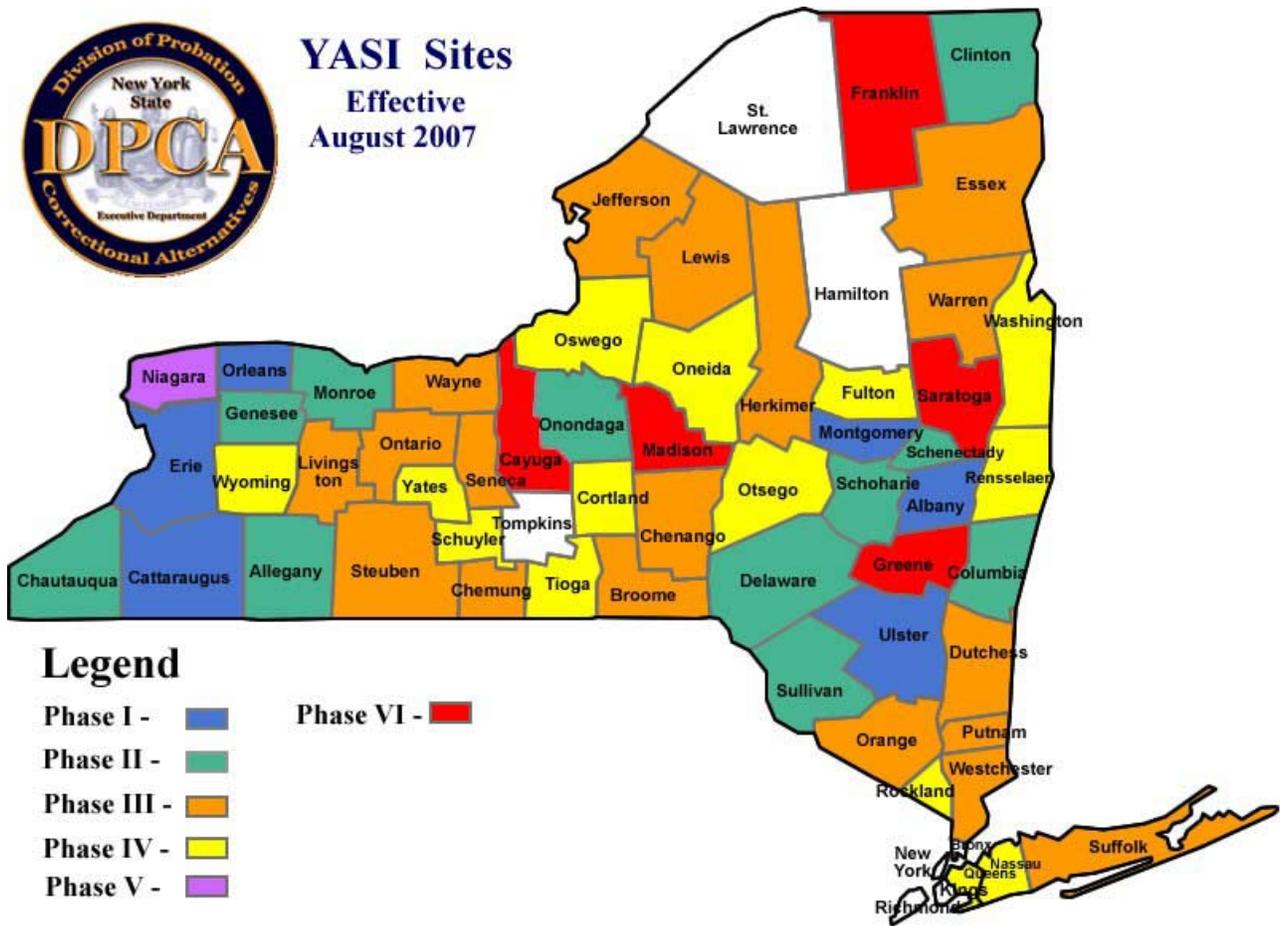
# Recommended YASI Protocols



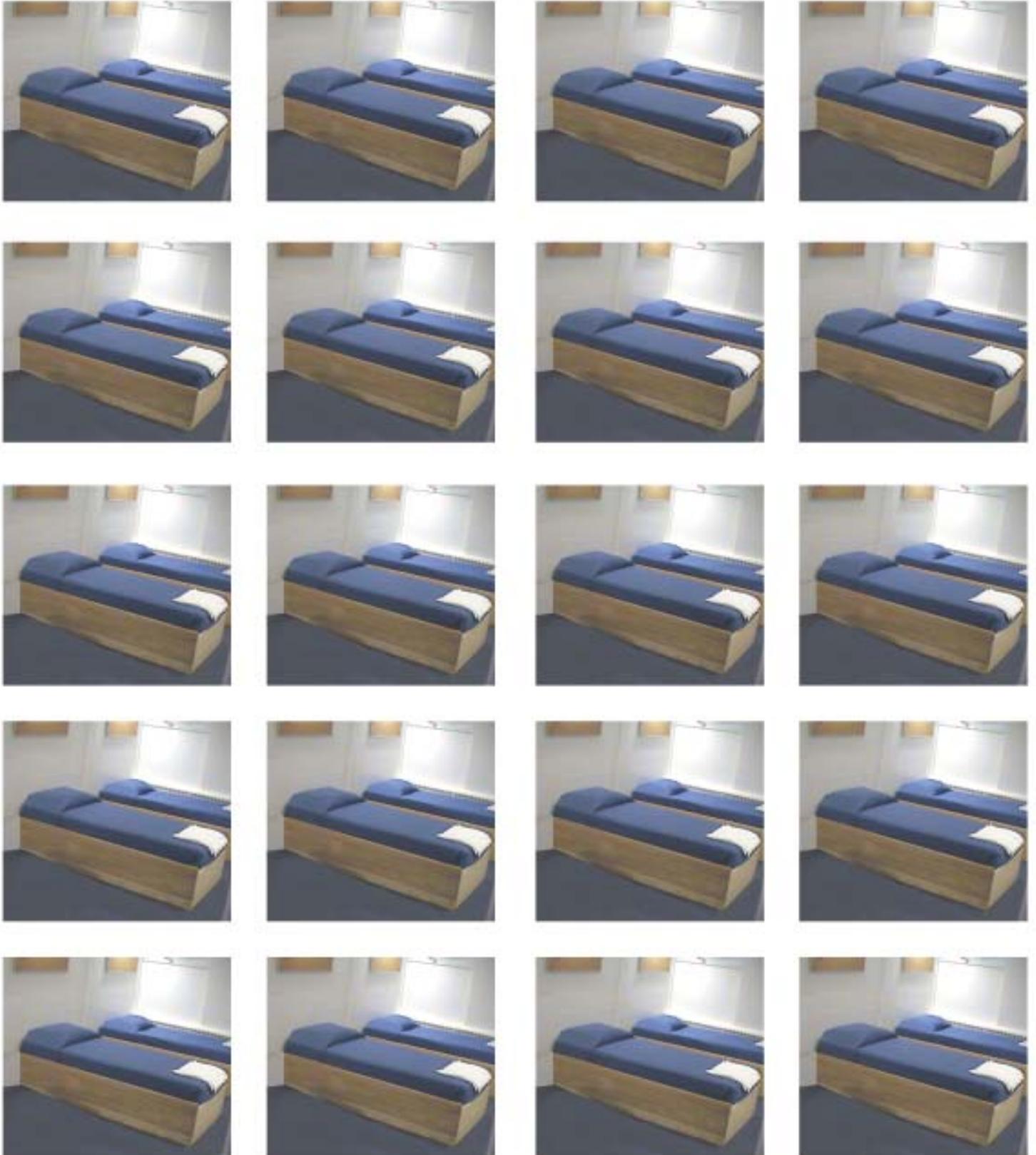
\*In accordance with Family Court Act Articles 3 and 7 and applicable DPCA Rule



**YASI Sites**  
Effective  
August 2007



# EMPTY BEDS WASTED DOLLARS



**Transforming Juvenile Justice**

cover photo:

*Empty beds at the Auburn Residential Center, a non-secure facility for girls aged 13-17 years old. It has 24 beds, but only two children. The cost to New York State taxpayers to maintain each of these empty beds is \$100,000 to \$200,000 annually.*

#### INSTEAD OF EMPTY BEDS,

TAXPAYERS' \$200,000 COULD PROVIDE NEW YORK'S CHILDREN WITH:

- 10,000 copies of Harry Potter and the Deathly Hallows by J.K. Rowling
- 12,277½ copies of Merriam-Webster's Collegiate Dictionary, 11<sup>th</sup> edition (hardcover)
- Six first-year New York schoolteachers
- Six caseworkers
- Four undergraduate degrees at the State University of New York

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# EMPTY BEDS, WASTED DOLLARS

## NEW YORK OFFICE OF CHILDREN & FAMILY SERVICES ACCELERATING TRANSFORMATION OF STATE JUVENILE JUSTICE SYSTEM

### *Agency Closing, Reducing, or Merging Underutilized Residential Facilities to Improve Services to Children and Help Prevent Youth Crime*

New York State Office of Children & Family Services Commissioner Gladys Carrión in January announced the closing of six underutilized residential facilities as part of an ongoing restructuring to significantly improve services to troubled children.

The agency is closing the Adirondack Wilderness Challenge in Clinton County, Auburn Residential Center in Cayuga County, Brace Residential Center in Delaware County, Gloversville Group Home in Fulton County, Great Valley Residential Center in Cattaraugus County, and the Pyramid Reception Center in The Bronx.

OCFS also is reducing by half the number of beds at the Lansing Residential Center in Tompkins County. The program at the Adirondack Wilderness will be merged into the Adirondack Residential Center, and the intake functions at Pyramid will be relocated to the Ella McQueen Residential Center in Brooklyn.

These changes take effect on Jan. 11, 2009, consistent with a state law that requires a 12-month notification process prior to the closure of residential facilities in the OCFS system.

There are approximately 2,000 children in New York State's juvenile justice system, and most of them are between 12 and 18 years old. A few are as young as 10. They were all under the age of 16 when they committed an act that would have been a crime if committed by an adult.

These closings, reductions, and mergers are at non-secure and limited-secure facilities housing children adjudicated as juvenile delinquents by the family courts. The vast majority of the children in these facilities were placed in the system for committing misdemeanors. No youth will be released prematurely as a result of the restructuring.

Secure facilities housing juvenile offenders, those children sentenced for committing felonies, will not be directly impacted by these facility changes.

This ongoing restructuring is driven by a widely shared recognition among children's advocates and legal experts

that the needs of New York's children, families, and communities are not adequately addressed by the juvenile justice system. Since 2002, OCFS has reduced 379 beds in its residential facilities. With these closings, the total reduction of beds rises to 620.

Many of the children in these facilities have mental health issues, learning disabilities, and substance and alcohol abuse problems and come from some of the poorest communities in the state. Additionally, it has been estimated that 80 percent of these children who enter the juvenile justice system return or go to prison within three years of their release.

"What these children need is intervention and support," said Commissioner Carrión. "This includes an education, job training, and mental health and substance abuse services to support their rehabilitation and return to the community. It is our responsibility to prepare them for a successful transition to adulthood."

In addition to the system's failure to address these children's needs, it is also wasteful. Nearly a dozen of the state's youth facilities are operating under 40 percent of capacity. At some facilities, a quarter of the beds are filled.

"Instead of continuing to pour money into this broken system and confining these children to facilities hundreds of miles from their homes, OCFS has aggressively been moving toward more community-based alternatives to incarceration where these children can maintain and strengthen connections with their families and the significant adults in their lives," the Commissioner said.

Community-based programs, such as those in Missouri, have proven to better prevent youth crime and to drop recidivism rates to as low as 30 percent – at a fraction of the cost New York State is currently paying to maintain empty beds.

This new paradigm includes placing an emphasis on working with families from the first day a child enters the state juvenile justice system. Just last year, the agency enhanced staffing by 218 new positions, including 36

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## EMPTY BEDS, WASTED DOLLARS

mental health professionals, to better meet these children's needs.

These closings, reductions, and mergers will result in \$16 million in annual savings.

The OCFS Office of Human Resources, the state Department of Civil Service, and the state Department of Labor have organized teams to assist the employees at these impacted facilities to identify and secure positions at other facilities or other state agencies.

Department of Civil Service Commissioner Nancy G. Groenewegen said, "Our goal at Civil Service is to find an alternative State employment opportunity for every one of the affected workers. We have experience at this and will work closely with OCFS, other State agencies, and employees themselves to make this transition as smooth as possible."

*The Office of Children and Family Services mission is to promote the well-being, safety, and permanency of New York's children and families by setting and enforcing policies, building partnerships, and funding and providing high-quality services. The agency is responsible for foster care; adoption; adoption assistance; child protective services, including operating the Statewide Central Register of Child Abuse and Maltreatment; preventive services for children and families; services for pregnant adolescents; child care licensing and funding; and operating the state juvenile justice programs. The agency also is responsible for protective programs for vulnerable adults, including adult protective services and the Commission for the Blind and Visually Handicapped.*



**New York State  
Office of  
Children & Family  
Services**

[www.ocfs.state.ny.us](http://www.ocfs.state.ny.us)

**Eliot Spitzer**  
*Governor*

**Gladys Carrión, Esq.**  
*Commissioner*

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52 Washington Street  
Rensselaer, NY 12144



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## EMPTY BEDS, WASTED DOLLARS

January 8, 2008

The time has come to fix New York State's juvenile justice system. Not tomorrow, not next year, but today.

Child advocates have pleaded for changes to the system for a long time. When Governor Eliot Spitzer named me commissioner of the state's Office of Children and Family Services last January, together we agreed that assessing the system's weaknesses and strengths would be a top priority.

I spent the last year visiting facilities across New York, meeting with young adults, families, judges, and the experts. What I found were troubled children – overwhelmingly poor, mostly African-Americans and Latinos housed hundreds of miles from their families and neighborhoods, and far from hope.

We are charged with insuring the safety of our communities and some of these 2,000 children did commit serious offenses. But the majority of them are not hardened criminals. They were all under the age of 16 when they committed an act that would have been a crime if committed by an adult. Most of them are between 12 and 18 years old. A few are as young as 10.

Our approach to addressing the needs of these children must draw on the current research on adolescent brain development and the undeniable fact that young people have the ability to change their behavior.

What these young people need is intervention and support. This includes an education, job training, and mental health and substance abuse services to support their rehabilitation and return them to the community. It is, after all, our responsibility to prepare them for a successful transition to adulthood.

But that's not what the state's being doing. Instead, it is spending hundreds of millions of dollars annually on a system that does not work. A system that was founded on the idea that if the state took these children away from their families and the neighborhoods where they got into trouble, then something magical would happen to turn their lives around.

Well, it didn't happen that way.

In state residential facilities, the focus has been on safety and control and not on providing the developmentally appropriate services young people need to address their trauma, addictions, or deficits or education and self-esteem.

That said, there have been some successes.

Nearly half the children who enter state facilities are assessed below grade level on reading and math tests; by the time they are released, nearly half are testing at the next grade level. Those children who enroll in GED programs while in custody are earning degrees at a 75 percent rate, compared to 53 percent in NY's general population. And just last month, in one of our newest programs, 13 children who took a three credit psychology class offered by Columbia-Greene Community College earned 12 A's and one B.

Sadly, these successes are the exception and not the rule.

As many as 80 percent of the children who enter the system come back to us or go to prison within three years. That's grossly unacceptable in any system, especially compared to alternative community-based programs in states like Missouri that have a 30 percent recidivism rate.

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Even more astonishing, as the number of children in custody has dropped – largely due to the efforts of local counties — we continue to pay for empty beds at annual costs from \$140,000 to \$200,000 each. Nearly a dozen of the state’s youth facilities are operating under 40 percent of capacity. At some facilities, as few as a quarter of the beds are filled.

Instead of continuing to pour money into this system, we are going to invest our tax dollars in programs that have proven empirically to better prevent youth crime, including identifying and helping these children before they come into the system – at a fraction of the current cost.

This includes supporting a community-based system where these children can maintain and strengthen connections with their families and the significant adults in their lives. At the New York State Office of Children and Family Services, we are already placing emphasis on working with families from the first day a child enters the system. Just last year, we hired 218 new staff, including 36 mental health professionals, to better meet these children’s needs.

Once these children have completed residential treatment, we then need to transition them into aftercare and re-entry programs that support them and their families, train them for real jobs, and provide continued access to education in their local high schools, community colleges, or universities. Meanwhile, children with special needs must be provided immediate access to mental health and substance abuse services.

What’s more, the issue of race in the current system cannot be ignored. Only 44 percent of the children in New York State are African-American or Latino, yet they represent 86 percent of the youth in state custody. In the city, children of color make up less than two-thirds of the population, yet constitute 95 percent of the children entering the state juvenile justice system. In a democratic society this is unacceptable.

This transformation of New York’s juvenile justice system has been a long time coming. For it to be successful, we will be partnering with local counties and state agencies responsible for probation and mental health, among others, to retrain and redeploy our staff. At stake is nothing less than the health and future of some of our most troubled youngsters and their families. The time for change clearly is now.

Gladys Carrion, Esq.

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# EMPTY BEDS, WASTED DOLLARS

## FACT SHEET

### The Problem

New York State's juvenile justice system needs to be fixed.

The system is predominantly populated by troubled children – mostly African-American and Latino - from the poorest communities in the state. Many of them have mental health issues, learning disabilities, or substance and alcohol abuse problems.

The system was designed around the idea that if the state took these children away from their families and the neighborhoods where they got into difficulty they could be rehabilitated.

It hasn't worked that way for a long time. Instead, it's been estimated, 80 percent of the children who enter New York State's juvenile justice system return or go to prison within three years of their release. The needs of these children, their families, and their communities are clearly not adequately addressed by the current model.

The system is also inefficient. Nearly a dozen of the state's youth facilities are operating under 40 percent of capacity. At some facilities, only a quarter of the beds are filled. Just this past Monday (Jan. 7), 86 percent of the beds in the non-secure facilities that are closing and 33 percent of the beds in limited secure facilities that are closing were empty. An analysis of historic trends and projections of future usage indicate these beds will not be filled in the near future. This is partially due to local municipalities stepping up and creating community-based programs as alternatives to incarceration to keep these children closer to home.

### The Children

There are 2,000 children in New York State's juvenile justice system. They were all under the age of 16 when they committed an act that would have been a crime if committed by an adult. Most of them are between 12 and 18-years-old. A few are as young as ten.

Eighty-six (86) percent of the youth in state custody are African-American or Latino. Ninety-five (95) percent of the youth in state custody who are from New York City are African-American or Latino.

Most of these children have mental health problems, learning disabilities, or substance and alcohol addictions.

The vast majority of children in non-secure and limited secure residential facilities were judged by the family courts to be juvenile delinquents for committing misdemeanors.

No child currently in the impacted facilities is a resident of the county in which the facility is located. Over 70 percent of them are from New York City.

### The Solution

Based on these facts, OCFS has determined that closing some facilities and placing these children in community-based alternative-to-incarceration programs closer to their homes and families will help them successfully return to their neighborhoods and result in lower recidivism rates.

### Closings, Reductions, Mergers, Relocations

Based on underutilization, OCFS has decided to close the following non-secure or limited-secure facilities:

- Auburn Residential Center in Auburn in Cayuga County
- Adirondack Wilderness Program in Schuyler Falls in Clinton County
- Brace Residential Center in Masonville in Delaware County
- Gloversville Group Home in Gloversville in Fulton County
- Great Valley Residential Center in Great Valley in Cattaraugus County
- Pyramid Reception Center in The Bronx

The agency also is reducing by half the number of beds at:

- Lansing Residential Center in Lansing in Tompkins County

There are presently 35 residential facilities in the system. With these closings there will be 28.

### Effect

These changes take effect 12 months from today's announcement, per state law.

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## EMPTY BEDS, WASTED DOLLARS

### Savings

These closings, reductions, and mergers will result in \$16 million in annual savings, making possible investments in community-based programs and services for vulnerable youth.

### Reductions

Since 2002, OCFS has reduced 379 beds in its residential facilities. With these closings, the total reduction of beds rises to 620.

### The Parents

OCFS staff will be calling all the parents of the remaining children in these underutilized facilities to inform them of the closings and following up by mail.

### Facility Details

Adirondack Residential is a non-secure and limited secure residential facility for boys. It has 24 beds. Adirondack Wilderness Challenge is a four-month residential and outdoor experiential education program for boys 13 to 17-years-old, which includes hiking and overnight camping trips. These programs have 25 full-time positions. This property belongs to the state Department of Environmental Conservation.

Auburn Residential Center is a non-secure facility for girls aged 13 to 17-years-old. It has 24 beds, but only three children. It has 25 full-time positions.

Brace is a limited secure facility for juvenile delinquents aged 12 to 17-years-old. It has 25 beds, but only six children. It has 25 full-time positions. This property belongs to the state Department of Environmental Conservation.

Cass Residential Center is currently used as a training facility. It has 25 full-time positions. It will be transferred to the state Department of Parks & Recreation, which will continue to use it as a training center for its own employees.

Gloversville Group Home has not been in use for over a year. It has seven full-time positions. Its lease, which runs out on June 2008, will be terminated.

Great Valley is a non-secure to limited secure facility for male juvenile delinquents 13 to 18-years-old. It has 25 beds, but only nine children. Great Valley has 25 full-time positions. This property belongs to the state Department of Environmental Conservation.

Lansing is a limited secure facility for female juvenile delinquents aged 12 to 18-years-old. It has 100 beds, but only 48 children. Its capacity will be reduced to 50 beds. Lansing staff will be by 32 full-time positions.

Pyramid is a 57-bed reception center on East 161<sup>st</sup> Street in The Bronx where male juvenile delinquents undertake psychological, educational, vocational, and intake assessment tests over a 14-day orientation to determine their most appropriate placement. It has 90 full-time positions. These reception and assessment functions will be transferred to the Ella McQueen Residential Center on Howard Avenue in Brooklyn.

### Criteria

A number of different criteria were considered in deciding which facilities to close. These include the condition of the physical plant and the cost involved in upgrading it. This was an important factor in the decision made around moving the intake function out of Pyramid and relocating it to Ella McQueen. Other criteria used were the location of the programs and their geographic proximity to other programs, as was the case with Lansing and Auburn and the Adirondack Wilderness Challenge and Group Home. The proximity of these programs to each other gave OCFS more options for staff reassignment. We also considered the demographic trends of the youth in the facilities and the distance from New York City.

### Legal Process

OCFS closings, service and staff reductions, and transfer of any operations must comply with state law. This includes formal announcements to employee labor organizations, individual staffers, local governments where the changes occur, community organizations, and consumer and advocacy groups at least twelve months before changes are scheduled to occur.

The law also requires that the agency coordinate with the state Department of Civil Service, the Office of Employee Relations, and any other state agency to develop strategies to minimize the impact on the state workforce, in cooperation with representatives of employee labor organizations and managerial and confidential employees.

In addition, OCFS must consult with the Department of Economic Development and other appropriate state agencies to minimize the impact on local and regional economies.

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## EMPTY BEDS, WASTED DOLLARS

### Disposition of Property

Per state law, OCFS will be consulting with the Office of General Services on the disposition of these individual properties.

### Staff

OCFS will be doing everything possible to minimize the impact these facility closures will have on employees and their families. After all, OCFS's principal mission is to support all children and families, including our own employees.

Building on the agency's successful management of the closure of Harlem Valley Secure Center several years ago, OCFS is working closely with the state Departments of Civil Service and Labor to assist the staff at these impacted facilities to identify and secure positions at other facilities or other state agencies.

### Commissioner

New York State Governor Eliot Spitzer named Gladys Carrión, Esq. commissioner of the New York State Office of Children and Family Services in January, 2007. Ms. Carrión previously served as Senior Vice President for Community Investment at United Way of New York City. Prior to that, she was Executive Director of Inwood House from 1999 to 2005. From 1995 to 1999, Ms. Carrión served as Executive Director of Family Dynamics, Inc and in 1994 she was a Program Officer at the Ford Foundation in the Community Development area. Ms. Carrión served as Commissioner of the New York City Community Development Agency from 1990 to 1993. From 1984 to 1988, she worked at the New York State Workers' Compensation Board in a variety of capacities including General Counsel, Supervising Law Judge and Senior Law Judge. Ms. Carrión also served as Acting Executive Director of ASPIRA from 1982 to 1983. She received her B.S. from Fordham University in 1973 and her J.D. from the New York University School of Law in 1976.

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# The New York Times

Wednesday, February 20, 2008 Last Update: 9:02 AM ET

## A Home Remedy for Juvenile Offenders



Jacob Rivera, 15, near his apartment in the Bronx, who was convicted of assault, receives intensive therapy as part of his new sentence.

By LESLIE KAUFMAN

Published: February 20, 2008

When Jacob Rivera, 15, was resentenced in May on an assault conviction, he felt he had received a “blessing.”

Only months earlier he had been sentenced to a year in state custody, and he had already spent weeks bouncing between a juvenile detention center in the Bronx and a residential treatment campus upstate. Two of his older siblings had spent time in those facilities and, he said, had “come out a mess.” He could see his future.

But the court gave him a second chance because his case had not been properly reviewed for inclusion in a new alternative sentencing program, which the city started in February 2007. The program, called the Juvenile Justice Initiative, sends medium-risk offenders back to their families and provides intensive therapy.

The city says that in just a year, it has seen significant success for the juveniles enrolled, as well as cost savings from the reduced use of residential treatment centers.

Under the program, Jacob went back home on probation, and he and his family were assigned a counselor, Eddy Lee, who visited the two-bedroom Bronx apartment that the teenager shares with his mother, Michelle Rivera, her husband, a younger brother and other relatives.

Within weeks, the situation improved as Mr. Lee provided intensive counseling to the family, with the aim of defusing what had become an increasingly angry relationship between Jacob and his mother. Instead of screaming at Jacob when he refused to comply with her curfew, Ms. Rivera called Mr. Lee. Over time, Mr. Lee persuaded her to agree to be less strict if her son would agree to be more forthcoming about his whereabouts, and more responsible.

Soon Jacob started meeting curfew and began passing his court-ordered drug tests and staying in school. If he continues on this course, he will end his probation in July, Mr. Lee said.

By the standards of juvenile justice, Jacob is a resounding success. And he is not alone. The city said that in the year since the program began, fewer than 35 percent of the 275 youths who have been through it have been rearrested or violated probation.

State studies found that more than 80 percent of male juvenile offenders who had served time in correctional facilities were rearrested within three years of their release, usually on more serious charges.

While in-home services mean that hundreds of teenagers with criminal records are returned to their communities, city officials say it is a trade they are willing to make. “It’s an uphill battle,” says Ronald E. Richter, the city’s family services coordinator. “These young people and their families present complex challenges.”

But whether the children go to residential correctional facilities or not, they come back to the community eventually anyway, Mr. Richter said, and the program “helps parents learn how to supervise and manage their adolescents so that they act responsibly instead of engaging in dangerous behaviors.”

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Every year, hundreds of children in the city under 16 are found guilty of crimes ranging from graffiti to assault. They are tried and sentenced in the family courts; more serious crimes like murder are usually sent to the criminal courts.

Until the Juvenile Justice Initiative, family court judges had few options for dealing with youngsters convicted of less-serious crimes. They could place them on probation and hope for the best, or send them to upstate residential centers. The decision would typically depend as much on the gravity of the crime as on the stability of the child's family. Judges are more likely to send a child into state custody if the home situation is complicated or unsafe.

"We were locking up way too many children," said Leslie Abbey, who runs the program for the city's Administration for Children's Services. "It was relied on too heavily, and it wasn't working."

The problem with incarceration, as juvenile justice reformers saw it, was that it could make behavior worse by introducing teenagers to even more hardened youths.

Some states and other counties in New York, including Westchester, have been experimenting for years with intensive in-home and in-community therapy for children who have significant criminal records but are not psychopathic.

The basic idea is to reach and help borderline youths at a moment of crisis, and turn them away from a more serious criminal path. By treating them in the context of their families and environments rather than in isolation, officials found that recidivism was usually less than half that of residential correction programs. The city says that it hopes its program will be as successful, but that it will take many years before it can be sure.

Still, at roughly \$17,000 per child, such in-home therapy programs cost a fraction of the annual expense of keeping a child in secure detention, which can be \$140,000 to \$200,000.

In fact, the financial incentive is such that both the city and state are rapidly moving away from residential detention. Gladys Carrión, the commissioner of the state's Office of Children and Family Services, recently announced that she would close six nonsecure facilities, a cut that will save the state \$16 million a year.

The elimination of detention beds puts more pressure on the city to succeed.

It is a tough order, but Qadriyyah Razzaaq, for one, is a believer.

Ms. Razzaaq has been caring for John Whittington, 15, the son of a cousin, since he was 5. But last year, Ms. Razzaaq, a home health aide with her own children to care for and a job that often requires her to work 12 hours a day, was ready to give up on John, who was getting into ever more serious trouble.

First, on a dare, he set a fire in a school toilet, she said. Then he began running with gangs, and his graffiti appeared in hallways in his apartment building. Finally, she said, he robbed someone of an iPod.

When he was arrested for the iPod theft, she didn't even go to detention to get him. "I was so angry," she recalled. "I thought, 'I am going to leave him there and teach him a lesson.'"

When Ms. Razzaaq heard about the Juvenile Justice Initiative, she was not optimistic. "He had already been in counseling," she said, "I didn't believe it would help."

But to her amazement, the therapy at home made a difference. The counselors told her that John had been keeping secrets from her because he was afraid she would abandon him, the way his mother had. She spent more time with him alone, something he seemed to crave.

His behavior improved. John will still fail the seventh grade for a third time at the end of the school year, but so far he has not violated probation.

At home, Ms. Razzaaq has a new level of trust. "We have little problems, but we speak about it first," she said. "He doesn't wait to be caught."

"I know his future is so much better than it would have been if he had gone upstate."

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# CITY LIMITS.ORG

## FEWER LOCK-UPS, ENOUGH MONEY?

City Limits WEEKLY #628  
February 25, 2008

As the state plans to close six juvenile correctional facilities and embrace community-based juvenile justice, some wonder who'll pay for it. > *Matthew Schwarzfeld*

Child welfare advocates, public safety groups and budget watchdogs all seem to agree that the state Office of Children and Family Services (OCFS) plan to close six juvenile correctional facilities by the beginning of next year is a step in the right direction. They praise the efforts of Commissioner Gladys Carrión, herself the former head of a Bronx youth organization. Carrión's commitment to restructuring, especially in the face of opposition from unions representing the 254 state employees affected by the closure, has impressed many.

Under Carrión's leadership, OCFS has shifted its focus from incarcerating kids convicted of misdemeanor offenses to getting them help in their own communities instead. The agency will reserve incarceration for only the most serious juvenile offenders.

"We must focus on genuine rehabilitation and treatment," Carrión said. "We believe our funding is better spent on supporting a community-based system where these children can maintain and strengthen connections with their families and the significant adults in their lives." She describes the closures as the first step toward transforming the system.

Now that Carrión has put her agency on the path toward a community-based treatment model for lesser juvenile offenders, groups affected by the change are wondering if and how the state will help pay for it. Only \$863,000 of the \$14 million saved by closing the facilities will be reinvested directly into community programs. (The remainder will be used to hire staff for facility-based and aftercare programming.)

Some leaders in the field proffer suggestions for how OCFS can ensure that needed mental health, substance abuse, and education services are in place – while others worry that plans for building community capacity are inadequate or even nonexistent.

"Those programs and services that need to be in place are still few and far between and we've not begun at all to match the services with the level of need that exists," said Meredith Wiley, New York State Director for Fight Crime: Invest in Kids, a nonpartisan national anti-crime group.

There were 2,610 children, the vast majority boys, in state juvenile correctional institutions as of last spring (the most recent OCFS data available), many of whom were incarcerated for low-level offenses and who have complex health and educational needs. Six out of ten youngsters in state custody are from the five boroughs.

Changes in New York City's juvenile justice system have made it possible for Carrión to push for system transformation at the state level. That's because in recent years the Department of Juvenile Justice and other city agencies have funded a patchwork of alternative to placement (ATP) programs that help divert children from the state juvenile corrections system. As a result, Family Court judges in the city now send nearly 28 percent fewer children to upstate placement facilities—from 1,319 in 2003, to 952 in 2007.

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With fewer city kids sentenced to placement, many of the 241 beds in the six OCFS facilities slated for closure have been empty for some time. For example, Cayuga County's Auburn Residential Center, a non-secure facility for girls between the ages of 13 and 17 and one of the six facilities set to close in January 2009, only houses three children but has 21 empty spots (though it still employs 25 people). Since 2002, OCFS has reduced correctional capacity by 620 beds, including this round of closures. The agency points to underutilization as one of the primary reasons for closing the facilities.

Though New York City has several ATP programs already in place, they are paid for by local rather than state government. The city's Department of Probation (DOP) runs two major programs: Esperanza, a partnership between the Vera Institute, DOP and other city and state agencies, serves 160 participants, while a similar DOP effort called the Enhanced Supervision Program serves 554 juveniles. The Administration for Children's Services (ACS) recently launched the Juvenile Justice Initiative, which will offer 380 ATP slots plus 150 slots for youths returning from facilities. In contrast to DOP's programs, Juvenile Justice Initiative costs will be split between the city and state, with OCFS covering 65 percent and ACS 35 percent.

### **Paying for alternatives**

In its recent response to Gov. Spitzer's proposed budget, Mayor Bloomberg's administration called for the state to provide reimbursements for all of the city's ATP (and alternative to detention, or ATD) programs. The budget response stated that these programs "create cost savings for the State as fewer juveniles are detained in State facilities" – but meanwhile the city would be happy to use the estimated \$6 million that reimbursements from the state would provide.

The New York Juvenile Justice Coalition, an umbrella group of more than 40 juvenile justice advocates and practitioners in New York City, also calls for state reimbursements. The Coalition has drafted legislation called "Redirect New York" that would require the state to reimburse counties at 65 percent for ATP and ATD programs rather than the current 50 percent. According to Mishi Faruqee, director of the Juvenile Justice Project at the Correctional Association of New York, the idea is to use fiscal incentives to encourage counties to refer eligible juveniles to alternatives to placement and detention.

"Redirect New York really forces localities to look at their detention policies, and in some cases may accelerate use of alternatives [to incarceration] since there will be a disincentive to detain high numbers of young people," said Faruqee. "The tragedy is that these kids are [in facilities] because we couldn't get services for them in the community."

The legislation is based on the funding formula for ACS's Juvenile Justice Initiative, as well as similar fiscal incentive legislation for alternative to incarceration programs in other states. Still in draft form, members of the Coalition are looking for legislative sponsors. OCFS leadership agrees with the group that the bill is important.

"If I want someone to try something new, the fiscal incentive is the carrot people grab first," said OCFS Deputy Director Joyce Burrell. "It will be much more difficult without it, because people will see all the things they have to do with not enough resources... fiscal incentives often will make folks take that step out to try something different."

### **Cart before the horse?**

OCFS has expressed hopes that counties will explore other ways to develop ATPs—but some observers grumble that hope isn't enough.

First, the agency suggests that the facility closings will save counties money. By shutting facilities, OCFS will indirectly reduce the number of kids counties send to state facilities, thereby saving counties their half of the bill they are required to split with the state. Counties "will now have additional dollars to invest in alternatives to incarceration. We can't mandate it, but [reinvestment] is our hope and expectation," Carrión said.

OCFS also has proposed denying the 50 percent reimbursement to counties for the costs of detention. ("Detention" facilities are operated by municipal agencies – such as the NYC Department of Juvenile Justice

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– for children prior to adjudication, whereas "placement" facilities are operated by OCFS or its contractors and house children sentenced by a judge.) According to OCFS spokesman Eddie Borges, denying reimbursement for detention—a cut presented in the governor's budget for this fiscal year, which the legislature will vote on in upcoming weeks—will require counties to pay the full bill. This is not an insignificant cost: New York City projects spending more than \$60 million on its share of detention costs in 2008, according to the Independent Budget Office. OCFS hopes that pushing this expense to the counties will prompt local officials to develop alternatives to incarceration as a necessary cost-savings strategy. "The reality is that the budget has to be cut somewhere," Borges said.

Cutting reimbursements for detention has some juvenile justice advocates worried. "We are approving of the underlying philosophy of wanting to keep kids out of detention, but... for those kids who do need to be in detention, that 50/50 match should not be taken away," said Wiley, of Fight Crime: Invest in Kids. "We have an opportunity to really match services and build these programs ... But if we do this precipitously, if we put the cart before the horse and move kids out of detention before the services are in place, we could have a backlash that we could be suffering from 100 years from now."

### **Changing how business is done**

OCFS will close six non-secure and limited security correctional facilities that house children mostly between the ages of 12 and 18. The facilities are considered a boondoggle by many juvenile justice experts. OCFS reports that detaining one child for a year costs between \$120,000 and \$200,000. The Independent Budget Office says the city alone spent over \$100 million on placing kids in OCFS facilities in 2007. More than 75 percent of the city Department of Juvenile Justice's budget, around \$190 million, went to locking kids up both before and after adjudication.

ATP programs are far less expensive. Esperanza serves 160 children at a cost of \$4.2 million, or \$26,250 per child; the Enhanced Supervision Program, serves 554 juveniles for an estimated \$3.8 million in 2008, or \$6,859 per participant; the Juvenile Justice Initiative costs a total of \$11 million (including aftercare in addition to ATP slots).

Many experts agree that detaining juvenile delinquents who committed a misdemeanor is not an effective way to reduce crime. In a 1999 study, the most recent data available, OCFS found that 81 percent of boys and 45 percent of girls released from its custody were rearrested within 36 months.

"Like a lot of states, New York is in a situation where they've over-incarcerated lesser offenders. That is the legacy of 'get tough' policies: you end up widening the net," said Ned Loughran, Executive Director of the Council of Juvenile Correctional Administrators. "Sending a kid who has committed a low level offense upstate in a secure facility is not the answer when that kid has multiple problems."

Commissioner Carrión credits the work of local systems like New York City's for paving the way for OCFS to better serve misdemeanants, while reserving correctional facilities for more serious offenders. She believes she has a historic opportunity to transform juvenile justice in the state. Her agency can not afford not to act, she says.

"In state residential facilities, the focus has been on safety and control and not on providing the developmentally appropriate services young people need to address their trauma, addictions, or deficits or education and self-esteem," Carrión said.

"I don't say this proudly, but we preside over a pipeline to prison," said Carrion. "That is what has happened. And we can't tolerate that any longer. So we need to start. Do I have everything in place? No. But I think I have a lot of the things I need in place."

- Matt Schwarzfeld

**THE URBAN AGENDA**

By David R. Jones



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**From the New York Amsterdam News  
February 21 - 27, 2008**

## **FIXING THE JUVENILE JUSTICE SYSTEM**

New York State's juvenile justice system is supposed to rehabilitate children who commit serious offenses by removing them from the problems often inherent in their families and neighborhoods. But the system does not work. About 80 percent of those who enter the system return to it or go to prison within three years after their initial release. That's a recidivism rate worse than adult prisoners nationally.

When a government program is obviously not working, it ought to be corrected. But all too often, the threat of political fallout prevents public officials from making necessary changes. New York State's juvenile justice system has been broken for some time. Finally, something is being done to fix it.

### **New Programs**

Governor Spitzer recently announced that the system of juvenile detention will be overhauled. Several residential juvenile facilities – which are underutilized - will be closed. More importantly, programs will be initiated for those in detention that emphasize education, job training, and mental health services.

Currently, there are about 2,000 children in the system, all under age 16 when they entered. Eighty-six percent are Black or Latino youths; over 70 percent are from New York City. Since almost all the facilities are upstate, most of these children are housed hundreds of miles from their homes.

The New York State Office of Children & Family Services, which operates the system, reports that most of the children have mental health problems, learning disabilities, or substance or alcohol addictions. They should be getting support services from the state. Historically, however, they were simply warehoused until they could be released without correcting their problems or providing them with programs and services that could help them succeed in the larger society.

As it is currently operated, the juvenile justice system is expensive and inefficient. The state spends hundreds of millions of dollars annually to fund it and gets little for the money. Some of the residential facilities are more than half empty. Ironically, one bright spot in this situation is that several localities have created programs of their own as alternatives to the system. These alternative programs have produced a recidivism rate of only about 30 percent.

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Gladys Carrion, Commissioner of the Office of Children & Family Services, has announced the closing of six juvenile facilities, as well as the merging and downsizing of others. The state's plan is to place children in community-based alternatives to incarceration which will be closer to their homes and families. The changes in facilities and the new programs are designed to prepare these young people for a successful life after they leave the juvenile justice system.

Instituting programs in local communities that serve to prevent repeat offenses by youths have worked elsewhere. The state of Ohio began a program called RECLAIM Ohio in 1994. RECLAIM stands for Reasoned and Equitable Community and Local Alternatives to the Incarceration of Minors.

RECLAIM Ohio is a funding initiative which encourages juvenile courts to develop a range of community-based options to meet the needs of each juvenile offender. Thanks to RECLAIM Ohio, more youths are being helped locally where families can participate more fully in their treatment.

Institutions are less crowded, and the Ohio Department of Youth Services is focusing its treatment and rehabilitative efforts on the more serious, repetitive, felony-level youths.

### **Minimizing Job Losses**

There is another side to this story. Closing facilities means lost jobs. The state should be minimizing the economic impact of these facility closings on both their employees and the communities involved. The state is assisting staff in finding similar or alternative positions at other state agencies or facilities. It will also need to provide economic aid to communities that are losing jobs. Several are small upstate localities that are heavily dependent on jobs at the facilities scheduled to be closed. The Office of Children & Families plans to work with the state's Department of Economic Development to minimize the economic impact on these towns.

Governor Spitzer and Commissioner Carrion are to be congratulated for taking on a tough and politically sensitive task by reorganizing the state's juvenile justice system. The closing of facilities will save the state \$16 million annually.

But these changes will do much more than save the state money. An effective juvenile justice system will contribute to public safety, providing juvenile offenders with a real chance for success after they leave the system. It will help to prevent many of them from "graduating" to the state's prisons where – given the dismal history of adult incarceration in this country - they stand a good chance of becoming career criminals.

Since many of the children in the juvenile justice system are Black and Latino youths from New York City, a system that works will help the economic and social stability of the city's communities of color. It will also strengthen the fabric of families where young offenders have made the transition to life back in their communities.

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## The New York Times

Editorial

Jan. 5, 2008

“One way to lessen the chance that troubled young people grow up to be full-beged criminals is to send them to community-based counseling and probation programs instead of to detention centers where they are often traumatized and inducted into a life of crime. The community-based programs are less expensive than detention and more effective when it comes to cutting recidivism. But states and localities are often hampered by policies that provide perverse financial incentives for sending young people to the lockup.”

## The New York Times

Letter to the Editor

Jan. 12, 2008

### Policies on Juvenile Detention

“Doesn’t it make more sense to redirect these young people into appropriate school programs, employment and counseling in the community than to condemn them to the likelihood of recidivism, which has been the fate of most who do not receive the community-based supports that they need?”

*C. Warren Moses  
Chief Executive, The Children’s Aid Society  
New York, Jan. 5, 2008*



Editorial

Jan. 15, 2008

### A Step Forward for Troubled Kids

“Governor Eliot Spitzer, who also announced state prison closings, and OCFS Commissioner Gladys Carrión deserve credit for trying to move beyond the narrow ‘lock-them-up’ approach that continues to fail our communities.”



*“We are encouraged that the governor and commissioners reached out to us directly, unlike previous administrations. They have committed to maintaining the job security of our members.”*

Statement by PEF President Ken Brynien regarding proposals to close several state prisons and youth facilities

## PressRepublican

Plattsburgh, NY

*“State government cannot be exempt from taking this cost-saving action.”*

Assemblywoman Janet Duprey (R-Peru)

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## **Agency Mission**

The Office of Children and Family Services mission is to promote the well-being, safety, and permanency of New York's children and families by setting and enforcing policies, building partnerships, and funding and providing high-quality services. The agency is responsible for foster care; adoption; adoption assistance; child protective services, including operating the Statewide Central Register of Child Abuse and Maltreatment; preventive services for children and families; services for pregnant adolescents; child care licensing and funding; and operating the state juvenile justice programs. The agency also is responsible for protective programs for vulnerable adults, including adult protective services and the Commission for the Blind and Visually Handicapped.

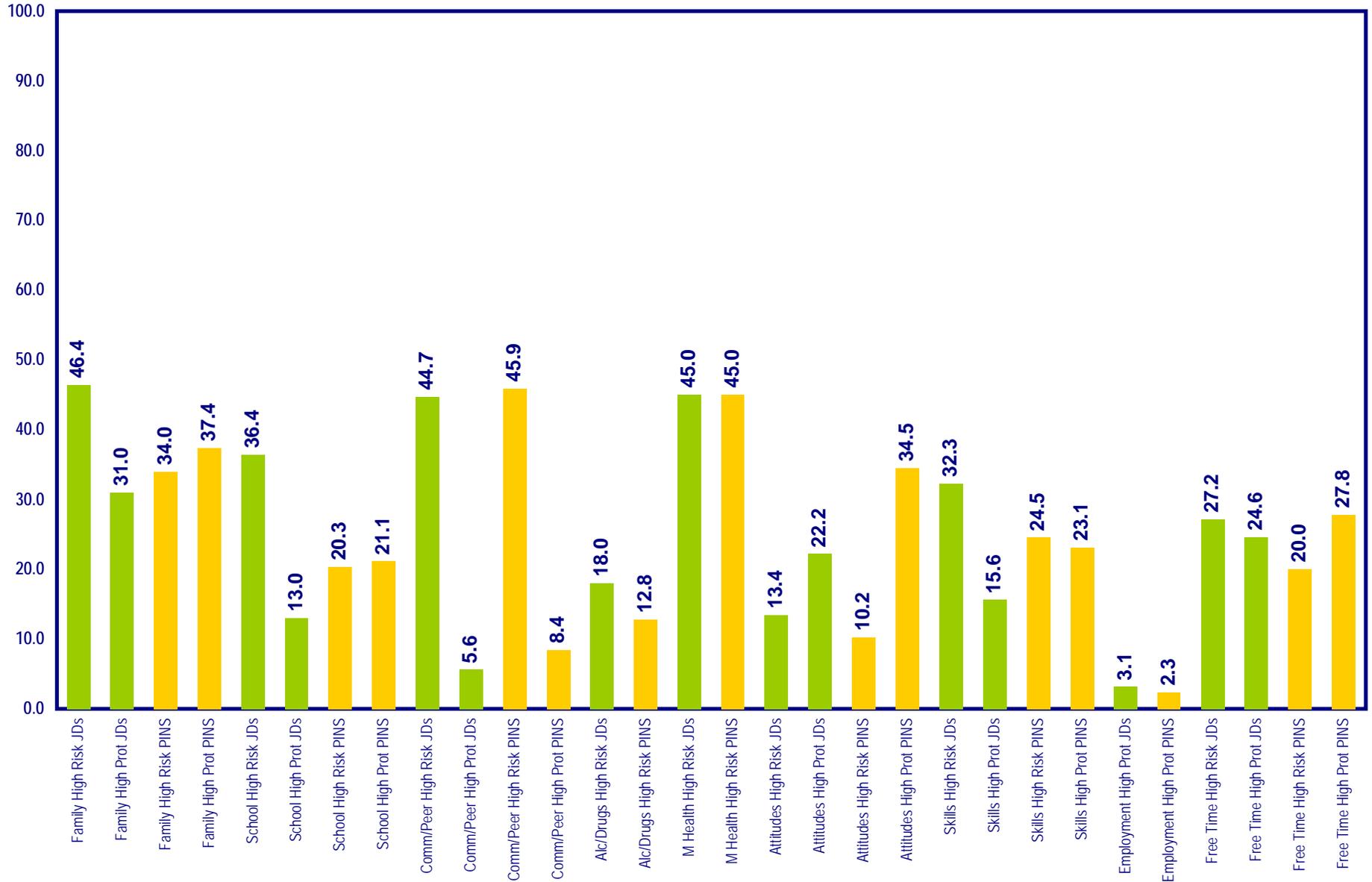


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### FA Domains for NY YASI Counties County: % High (n=58,294) (FA=26,639)



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