

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON JUVENILE JUSTICE JOINTLY WITH THE COMMITTEE ON WOMEN'S ISSUES
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HELD AT: Committee Rm - City Hall

B E F O R E:

FERNANDO CABRERA
Chairperson

LAURIE A. CUMBO
Chairperson

COUNCIL MEMBERS:

INEZ D. BARRON
JAMES VACCA
MARIA DEL CARMEN ARROYO
RORY I. LANCMAN
BEN KALLOS
DARLENE MEALY
ELIZABETH S. CROWLEY
KAREN KOSLOWITZ

A P P E A R A N C E S (CONTINUED)

2 [gavel]

3 CHAIRPERSON CABRERA: Welcome everyone
4 and good afternoon to today's joint oversight
5 hearings of the Committees on Juvenile Justice and
6 Woman Issues. I am Council Member Fernando Cabrera,
7 Chair of the Juvenile Justice Committee. I want to
8 thank Council Member Cumbo, Chair of the Woman's
9 Issues Committee for holding today's hearing with
10 me on this very important topic. I also want to
11 acknowledge the members of the Juvenile Justice
12 Committee who will be coming here in a little bit.
13 Finally we, we'll... as... can imagines... Finally I want
14 to thank everyone who will be providing testimony.
15 The good news is that in the last three years the
16 number youth, youth admissions to detentions in New
17 York City has been steadily decreasing as has the
18 number of placed youth. The bad news is that, that
19 a nationwide trend which started in the 1990s has
20 come to New York, in New York City and the
21 proportion of girls in detentions and placement as
22 compared to boys is higher now than before the 90s.
23 Basically we need to understand why this is
24 happening so we can work collectively to decrease
25 the number of girls in our city that end up in the

2 juvenile justice system. One way we can do this is
3 to make sure that those who are in the systems will
4 not return to it. The best way to do that is to
5 provide educations and services to these girls...
6 breaking the cycle by addressing the underlying
7 causes of the behavior that brings girls into the
8 system. At today's hearings we will explore how
9 DYFJ provides gender specific services for young
10 women involve in the juvenile justice system that
11 has historically designed for boys. Particularly we
12 want to have a better understanding of how to... of
13 girls and young women are identified and how they
14 are being addressed within detention and placement
15 in facilities and our communities upon reentry. In
16 recognizing the special needs of young woman the
17 committees want to hear how the city has administer
18 a, a continuum or gender responsive programs and
19 services including community based programs that
20 address these needs, prevent out of home
21 placements, and provide ongoing support of services
22 to girls when they return to their families and
23 community. We have a lot of important issues to
24 discuss today so I'll keep my remarks brief before
25 I turn it over to my co-chair for her opening

2 remarks. I want to thank the representative of the
3 administration for being here today for the work
4 that they do and for their testimony they will
5 present commissioner having gotten to know you
6 these last couple of month I want to thank you for
7 the tremendous work that you're doing alongside
8 with the commissioner at ACS, fantastic work and my
9 compliments to your staff. With that I will now
10 turn the microphone over to Chair Cumbo.

11 CHAIRPERSON CUMBO: Thank you. Thank
12 you, good afternoon everyone I am Council Member
13 Laurie Cumbo and I am Chair of the Women's Issues
14 Committee which I proudly represent. And in this
15 committee this year in moving forward in the
16 administration we're going to have a specific
17 interest on the issues that are impacting girls.
18 And so this Committee is very important because
19 this is an opportunity to explore issues that are
20 impacted the most vulnerable of our population
21 which are our young girls in the juvenile detention
22 system. I want to thank my co-chair Cabrera for
23 working with me and my committee on this issue. I'd
24 like to thank you all for coming today and thank
25 the staff of both the Women's Issues as well as the

2 Juvenile Justice Committees for their work on this
3 hearing. Today we are talking about girls, young
4 women in the juvenile justice system. As my
5 colleague Chair Cabrera mentioned the juvenile
6 justice system was historically designed for boys.
7 And while some changes have been made there's still
8 a very long way to go. While it is imperative to
9 provide the proper services and treatment for all
10 of our children it is important to note that young
11 women have unique needs and require specific
12 services. And that's why we are holding this
13 hearing today. Girls develop differently than boys
14 both physically and emotionally. Young women who
15 are involved in the juvenile justice system have
16 very often been victims of abuse, many in their own
17 homes, some have been sexually assaulted, some
18 physically, some had been neglected and abandoned
19 by all of the adults in their life. Too many of
20 these young women have started out their lives with
21 dysfunction and violence. Young women who have
22 faced these traumas often end up with post-
23 traumatic stress disorder and depression. Without a
24 supporting environment these behaviors can leave
25 young women to make life choices that do more harm

and send them further into distress. These young women often engage in sexually risky behaviors which can endanger their physical health as well. These young women need our support. They need adults that will recognize that they are struggling. They need services that address them as young women. They need social and emotional support. They need education and reproductive health services. And they need tools that will help them navigate life as young women. In other words the village that it takes to raise a child. As chair of the Women's Issues Committee I am very interested and committed to the notion of supporting young women and helping them to lead empowered and healthy lives. We need to give them a chance by providing them with services that target their very unique needs. And I am so proud to be hosting this particular hearing with my co-Chair Cabrera because this is an issue that we both feel very passionately about and during this very intense time during, in the budget cycle we wanted to bring this issue to the forefront. So we thank you all here today for coming. We thank all of

2 those that will testify and we look forward to
3 hearing from each and every one of you. Thank you.

4 CHAIRPERSON CABRERA: Thank you Co-Chair
5 and I want to thank you for being a ranger
6 [phonetic] and fighting for our young ladies who
7 are struggling. Deputy Commissioner it's all yours.
8 Looking forward to hearing your testimony.

9 COMMISSIONER DEFRANCO: Thank you. First
10 good, good afternoon Commissioner Cabrera,
11 Commissioner Cumbo and members of the Committee of
12 Juvenile Justice and Woman's Issues. Thank you for
13 framing my presentation so well. We couldn't agree
14 more in both opening statements. I'm Philip
15 Defranco Deputy Commissioner of the Division of
16 Youth and Family Justice, DYFJ at New York City
17 Administration for Children Services. This is my
18 first time before the council in this capacity and
19 I look forward for a productive partnership with
20 you all. With is me is Jenifer Romelien, Executive
21 Director of Detention Programs at my Division.
22 Thank you for the opportunity to share our work
23 related to the services provided to young women in
24 ACS' juvenile justice programs. The Administration
25 for Children's Services oversees a continuum of

2 services and programs for youth at every stage of
3 the juvenile justice process. Our Division of Youth
4 and Family Justice promotes public safety and
5 improves the lives of young, youth, families, and
6 communities by providing child-center family-focus
7 services, including therapeutic treatment, safe and
8 secure care, responsive health care, effective
9 reentry, and the promotion of educational
10 achievement. We, and our contracted partners,
11 provide these services to youth in the following:
12 secure non-secure detention facilities, non-secure
13 placement residence, and community-based
14 alternatives. Each year, the Division provides
15 secure and non-secure detention services for
16 juvenile delinquents and juvenile offenders whose,
17 whose cases are pending adjudication. While in
18 detention residents receive a number of services
19 such as education, recreation, case management. In
20 2013 DYFJ serve approximately 3,300 youth in 13
21 non-secure and two secure detention facilities. Of
22 those 767 were young women. ACS directly operates
23 two secure detention facilities; Horizon and
24 Crossroads, each with, each one is co-ed. Youth
25 reside in individual rooms and are assigned to

2 "halls" based on gender and other needs. Unlike,
3 unlike the two secure detention facilities DYFJ
4 non-secure detention residents are gender-specific.
5 At this time, out of 13 on-secure detention
6 facilities operated or contracted by DYFJ three are
7 serving young women. In September 12 New York City
8 began Close to Home, a juvenile justice reform
9 initiative that allows New York City youth who are
10 found by the Family Court who have committed a
11 delinquent act to receive services in close to
12 home, in close to the communities where they live.
13 These young people are places in our custody and
14 receive services at small, resource-rich
15 residential facilities in or near the five
16 boroughs. ACS and the New York State Office of
17 Children and Family Services (OCFS), have
18 collaborated with nine local non-for-profit
19 agencies to implement Non-Secure Placement, Phase I
20 of Close to Home. Since the initiative began, ACS
21 has provided Non-Secure Placement services to more
22 than 800 youth. Of this total, 300 young of these
23 these 300 young people have successfully completed
24 their court orders which ACS divides into two
25 components: residential care and aftercare. In

2 2013, 392 youth were placed in Non-Secure Programs,
3 114 of whom were young women. Similar to our non-
4 secure detention facilities, non-secure placements
5 residences are also gender specific and based on
6 needs. Of the 31 Non-Secure Placement sites, 9
7 serve young women. While out of care placement is
8 critical and an important part of our system it
9 should be our last option. As part of the
10 continuum, ACS offers two community-based
11 alternative programs, which allow youth the
12 opportunity to receive services while remaining at
13 home with their families. First is the Juvenile
14 Justice Initiative (JJI) which link, links young
15 people and families with intense, evidence-based
16 therapeutic interventions aimed at diverting youth
17 from residential placement. JJI is currently
18 serving approximately 29 young women. In addition
19 to JJI we have a Family Assessment Program (FAP)
20 who serve families seeking to file PINS or Persons
21 In Need of Supervision petitions in the New York
22 City Family Court. PINS youth are those under the
23 age of 18 who are charged with offenses unique to
24 their status as juveniles, including truancy,
25 running away from home and this behavior. Through

2 FAP, ACS works closely with youth and their
3 families again by using evidence-based
4 interventions. In 2013, we serve about 6,700
5 families and are currently serving about, serving
6 456 girls through the five boroughs. Understanding
7 the needs of young women. Typically, young women
8 who enter the juvenile justice system in New York
9 City are between the ages of 14 and 16. As it is
10 both in the city and nationally, fewer females are
11 juvenile offenders, those who commit a serious
12 felony. In fact, in 2013 only 4 percent of females
13 in our care were juvenile³ offenders. Many of the
14 offenses that young women commit, such as assault,
15 appear to stem from anger, challenges within the
16 family relationships, with their peers, impulse
17 control, and trauma. While not all of these are
18 specific only to young women, we have notices that
19 young women in our care have challenges expressing
20 emotions constructively, lack positive adult role
21 models, have emotional problems, and have poor
22 relationships with their care, caregivers. Our
23 staff at the Division of Youth and Family Justice
24 reports that many young women in our care also
25 struggle with peer pressure, and many are also

2 involved as was mentioned by the councilwoman that,
3 are involved in abusive and unhealthy
4 relationships. Some may also be victims of sexual
5 exploitation. ACS recognizes that the vast
6 majority, as 90, as, as high as 90 percent of young
7 people, regardless of their gender, in the juvenile
8 justice system have experienced some sort of
9 trauma. To address this trauma, we strive to have a
10 system that is both informed and responsive. ACS is
11 proud of our partnership with Bellevue Hospital and
12 NYU Langone Medical Center to create and implement
13 trauma-informed screening and care in our secure
14 detention facilities. We are one of the first
15 secure detention systems in the country to
16 implement trauma-informed practices services. ACS,
17 along with our providers and partners, provide an
18 array of therapeutic services throughout our
19 continuum which work with young women and families
20 to address relationship issues and promote greater
21 cohesion. In addition, ACS programs build self-
22 esteem, positive self-expression and relationships,
23 and promote health education and life skills.

24 Within our detention facilities, we have found that
25 young people truly enjoy and thrive when expressing

themselves through the arts and humanities. We have partnered with numerous organizations such as Voices Unbroken, which provides writing-base creative workshops and build literacy skills. We also work with Healing Arts from Montefiore Medical Center to bring together artists and youth to design and paint murals and artwork. Through our partnership with High Five/Art Connection we bring young women to theater productions as well as museums and other art programs in New York City. And our collaboration with Carnegie Hall brings professional musicians to work with youth to compose, produce music, culminating in a concert. To build life skills and empower young women to reach their full potential, we partner with the Mayor's Office to Combat Domestic Violence, NYU, New York Cares, Day One. All... educate girls around intimate partner violence. We also work with the Girl Scout Council of Greater New York which provides financial literacy, leadership development, career exploration, and college preparation workshops for our girls in detention. The Columbia University Literacy Advocacy Program also provides tutoring and develops problem-solving

and critical reasoning skills to our girls.

Recreational activities are critical component of our programming for young women. In addition to a range of arts humanities programs, we offer weekly yoga sessions through Yoga for Yoga and the Lineage Project in our detention facilities and we work with Row New York, a unique summer program that introduces young women to rowing and provides academic success programming. Like our detention facilities, our non-secure placement residence also offer supportive services and programming. In 2013, ACS and OCFS convened a monthly group with all Non-Secure Placement providers who work with young women and improve our practice. The providers share concerns, challenges, and offers recommendations on new ways on how to work with these population.

Providers are encouraged to partner with organizations such as Exalt Youth which offers structured class, individualized support, and paid internships with placements, and supportive alumni networks to help further provide, prevent further juvenile justice involvement. Additionally, ACS is collaborating with Kings County Districts Attorney's Office of Gender-Responsive Re-entry

2 Assistant and Support Program (GRASP) and evidence-
3 informed, re-entry program that has been around for
4 a while that focus on transitioning young women for
5 residential placement back into the community.

6 Through GRASP, social workers will work with a
7 young women in facilities to provide gender
8 responsive skill-building groups, individual team
9 and group mentoring. Support for special
10 populations. ACS support various special
11 populations, including pregnant and parenting young
12 woman; lesbian, gay, bisexual, transgender, and
13 questioning (LGBT) youth, and sexually exploited
14 youth. For pregnant and parenting each year ACS
15 serves a small amount of pregnant young woman
16 involved or at risk of being involved in the
17 juvenile justice system. ACS provides support
18 services to these women on a case by cases basis
19 also partnership with programs such as Nurse Family
20 Partnerships, which connects expecting mothers and
21 young mothers to public health nurses from
22 pregnancy until the baby turns two. LGBT youth. ACS
23 is committed to providing a safe, healthy,
24 inclusive, affirming discrimination-free
25 environment, regardless of sexual orientation,

2 gender identity, and gender expression. We make all
3 efforts to create a safe and supportive
4 environment—from housing to trans, to transgender-
5 affirmative healthcare. In addition to our
6 comprehensive LGBT policy all of the Division of
7 Youth and Family Justice staff are trained in best
8 practices. Beginning at intake all youth, all young
9 people are given informative palm card and asked
10 optional questions regarding their sexual
11 orientation, gender identity, and gender expression
12 as well as quality of life issues. This assists the
13 staff in developing affirming placements and
14 services plans. At the end of care case managers
15 are required by our policy. They must seek LGBT
16 supportive resources in the community as a
17 component of every re-entry planning. Sexually
18 exploited youth. New York State's Safe Harbor law
19 allows Family Court delinquency cases of youth
20 under age 17 who are arrested for prostitution to
21 instead be diverted to PINS, Person in Need of
22 Supervision. Conversation to a PINS petition
23 prevents the young victim of sexual exploitation
24 from being prosecuted for prostitution and allows
25 that the young person receive critical support and

services. In partnership with our providers and the Department of Youth and Community Development, ACS has developed a comprehensive set of services, which includes specialized juvenile justice placement, preventive services, and counseling, and outreach for sexually exploited youth. ACS contracted the Jewish Child Care Association whose Gateway program provides intensive trauma-informed services including assessment, therapy, counseling, and aftercare planning specifically designed for young women who are victim of sexual exploitation. For preventive services, ACS contracted with Mt. Sinai-St. Luke's Roosevelt's New Beginnings program, which work with young people at-risk or victim of sexual exploitation, and their families. Furthermore, the leading survivor-led Girls Education & Mentoring Services known as GEMS provides weekly outreach and counseling sessions at our detention facilities. We can do more to meet the needs of young women in the juvenile justice system, beginning with seeking expertise and partnerships with you, the community, organizations... and others. We welcome the opportunity to, to work with the Council to expand

2 our work and make a lasting impact in young women
3 in New York City. We have recently begun looking
4 for additional support. ACS recently, recently met,
5 I personally met with representatives from the
6 Office of Juvenile Justice and delinquency
7 Prevention National Training and technical
8 Assistance Center. They have actually just, just
9 open the Girls' Delinquency & Crime Initiative. And
10 we actually working with them in securing funding
11 and technical assistance to come to New York City
12 to help us improve in our programming. The Center
13 provides specialized training and technical
14 assistance and we anticipate that we'll be working
15 with... within the next few months. In closing thanks
16 for the opportunity to share with you the important
17 work we are doing to address the needs of young
18 people in juvenile justice programs. We are
19 grateful for the support of the council and we
20 continue to strive to improve services for the
21 city's most vulnerable youth. I am happy to take
22 any questions. We want to reassure our commitment
23 to do this work better.

24 CHAIRPERSON CABRERA: Thank you so much
25 Deputy Commissioner. Appreciate your extensive in

2 detail testimony. And we have been joined by
3 Council Member Ben Kallos. Thank you for joining us
4 today. I have a few questions before I turn it over
5 to my co-chair and to the rest of the members. And
6 we have just been joined as well with Council
7 Member Arroyo. Can, can you please specify what
8 kind of gender responsive training is require of
9 staff and detention and placement facilities?

10 COMMISSIONER DEFRANCO: So you know
11 we're... staff you know hired by ACS or Division of
12 Youth and Family Justice. We have... service... that
13 includes an extensive training on our LGBT policy
14 and best practices. We also have recently
15 integrated a national evidence based training
16 component around brain development... development
17 developed by the center for promotion of mental
18 health and juvenile justice. We also have in
19 partnership now with NYU comprehensive training in
20 Think Trauma... which actually provides the skills to
21 our front line staff in understanding trauma. Then
22 actually some of them also going through training
23 in how to run trauma responsive... within detention.

24 CHAIRPERSON CABRERA: Just so...
25 understand... You have, you say your staff to, for

example, to NYU or do you saying your instructors, they get trained... [crosstalk] ...and then they train your staff?

COMMISSIONER DEFRANCO: We have a police service academy at ACS. And anyone before they actually come work on the floor have to go through this training.

CHAIRPERSON CABRERA: Okay, very well. I, I wanted you know some of the nonprofit organizations and legal aid organization had, development just ain't even have it... the, we're very grateful for ACS providing data like never before. But is anyway possible to publish data by race, gender, and sexual orientation, and gender identity expression? Is, is anyway to get that done without having to legislate?

COMMISSIONER DEFRANCO: Can I look in, can I look into it?

CHAIRPERSON CABRERA: Okay.

COMMISSIONER DEFRANCO: I mean if I'm, I, I'm sure we have some of the data by, by gender and race, depends on one level... get to. But we can look into it.

2 CHAIRPERSON CABRERA: Beautiful. Love to
3 hear that Deputy Commissioner. Also you have a
4 experts, you know they're telling... this is the same
5 different between how girls cope with violence
6 and how boys tend to cope with similar histories.
7 And I mean it seems that the research base in what
8 I'm reading the girls tend to internalize violence
9 much more than boys and they tend to manifest in
10 self-harming behavior. Does, does your training
11 take data into account? And, and has that been the
12 experience in the working in centers, what, what
13 the research is shown out there?

14 COMMISSIONER DEFRANCO: Again we, we
15 have robust training academy for folks who are our...
16 staff in detention. We require training for our
17 providers. We are required more and more for our
18 providers throughout ACS to be trauma responsive. I
19 mean it's one of the commitments of the
20 Commissioner not just in juvenile justice but as of
21 child welfare. So we expect to actually have more
22 training... My experience is that training is just
23 one of the components. You need to have expertise
24 on the floor, in the facility, in the hall. So I
25 think we are investing in looking at more

2 partnerships or even the, the additional mental
3 health resources within the, the work that we do.

4 CHAIRPERSON CABRERA: I have, did you
5 want to say something?

6 JENIFER ROMELIEN: I just want to say
7 our collaboration with Belleview and NYU... do our
8 thing, trauma training that every staff member in
9 both facilities receive it does go into all of the
10 things that you mentioned.

11 CHAIRPERSON CABRERA: Okay, fantastic.
12 My last question before I turn it to my co-chair
13 and then to other council members who may have
14 question... can you tell us what kind of gender
15 specified programming is available in ACS run
16 detention facilities... thank you for that volume,
17 appreciate that... in non-secure detention facilities
18 run by providers and in non-secure placement
19 facilities?

20 COMMISSIONER DEFRANCO: Maybe, maybe we
21 begin with secure detention which we oversee
22 directly. We mentioned some of it in the testimony.
23 Give me a second. So I think we mentioned before
24 training at capacity... front line staff. I think at
25 the end of the day that is what is most important.

2 We want everyone to understand how to meet the
3 needs of kids, not just experts within our
4 facilities. I mentioned before we have cultural
5 programming that we believe is a good way of
6 helping young womans to express their feelings
7 through programs such as Carnegie Hall, Voices
8 Unbroken, Columbia University, NYU Cares... program,
9 the one I mentioned before about... We also provide
10 groups in detention. We also provide some of those
11 groups in the non-secure placement facilities. Our
12 girl specific programs in non-secure placement. I
13 mentioned before how actually being coming together
14 in the development of a work group to learn from
15 each other how to improve practices. What I know
16 having been in those meetings is that they're
17 learning the importance of using expressive arts
18 and art therapy as a way of really getting to, what
19 you mentioned before kind of the internalized
20 aggression that maybe some of our girls go through.

21 CHAIRPERSON CABRERA: So is this, is
22 this something that happens... help me understand it.
23 Is this something that happens like once a week
24 with the arts. Because I know they have the
25 schooling they have to do. How often do you have

2 the other components such as the arts. I would
3 imagine, I don't know, I didn't hear sports. But
4 the Carnegie Hall Program... is that seasonal? How
5 does they, if you could give me...

6 COMMISSIONER DEFRANCO: Sure...

7 [crosstalk]

8 CHAIRPERSON CABRERA: ...what it looks
9 like... [crosstalk]

10 COMMISSIONER EDEFranco: ...side Jen and I
11 can, can, you know we have regression on time
12 management of our facilities. We... in New York City.
13 In, in sincerity of the good will of many providers
14 who come to us and, and embrace our girls and our
15 kids in facility we don't have dedicated formula in
16 New York City as I'm learning to particular arts
17 programming within detention. So it's actually we
18 are open. We, we have a lot of programs like I
19 mentioned before that out of the good will and...
20 come to us there's not a dedicated recreation,
21 cultural art program in budget within the detention
22 sites. In non-secure placements all of them within
23 their contracts have stipulations for provided
24 recreation, arts, and cultural programming so we,
25 we monitor that.

2 CHAIRPERSON CABRERA: Have you... yes?

3 JENIFER ROMELIEN: So I just wanted to
4 add there is a recreation schedule in each facility
5 daily. There's programs that come in for the young
6 women and the young men to work with them, whether
7 that's going to be sports programming, or gyms, or,
8 or things of that nature. But they're, they have
9 recreation daily.

10 CHAIRPERSON CABRERA: If you could just
11 identify yourself for the record.

12 JENIFER ROMELIEN: Sorry. Jenifer
13 Romelien. I'm the Executive Director of Programs
14 Division.

15 CHAIRPERSON CABRERA: And, and I'll
16 close with this. I'm just going to close for the
17 last question that is, is totally related to this.
18 Have you ever done a self-study or have a study
19 done from a, a third party that assesses each
20 component of your program is effective, or what
21 level effectiveness is bringing in, in brining
22 transformation to our young ladies? You know what I
23 mean? Like, like I, I know a lot of times we say
24 counselling, we said the arts, we said this but how
25 do we know that is actually working or if it's, it

2 is working and if it is working what is it that is
3 working and what's the outcome.

4 COMMISSIONER DEFRANCO: New York City
5 actually I don't know of any of that sort
6 nationally and I know the work. We actually are
7 working with OJJDP, the Office of Juvenile Justice
8 Delinquency Prevention to come to New York City and
9 maybe, and to do a gap analysis to kind of look at
10 our full container of services and have... guide
11 where we need to invest more into. And actually
12 their job would be to kind of match our jobs with
13 what is actually proven to work nationally.

14 CHAIRPERSON CABRERA: Yeah I think it's,
15 it, I think that you know we're going, you're going
16 the right direction. I think we need to know what's
17 actually working. You know you could have different
18 times of art that are, be so more effective than
19 others, certain types of counsellings, programs
20 that actually some styles work with certain types
21 of students, some work with young ladies. So I
22 would like to see if we are, because there's
23 different ways to mention success as we all know.
24 So with that... and I'll have couple of more
25

2 questions for later but I'm going to turn it over
3 to my co-chair.

4 CHAIRPERSON CUMBO: I want to
5 acknowledge that we've been joined by Council
6 Members Crowley as well as Council Member
7 Koslowitz. And I am going to begin my questions.
8 Thank you very much for your testimony. And in
9 discussing that there were according to a testimony
10 767 girls, women that are in your 13 non-secure and
11 two secure detention centers is that correct? So
12 it's 737 total in the 13 non-secure and two secure
13 detention centers...

14 COMMISSIONER DEFRANCO: Yes.

15 CHAIRPERSON CUMBO: Right?

16 COMMISSIONER DEFRANCO: ...that means
17 there have been 767 throughout 2013.

18 CHAIRPERSON CUMBO: In 2013? My question
19 is has that number increased over the years or
20 decreased? I couldn't... I couldn't get clarity on
21 that from the testimony. Is that...

22 COMMISSIONER DEFRANCO: Decrease.

23 CHAIRPERSON CUMBO: It's increasing?

24 COMMISSIONER DEFRANCO: No, no.
25 Decreasing.

2 CHAIRPERSON CUMBO: Decreasing. And so
3 has it been decreasing exponentially throughout the
4 years or is it some years it's higher, some years
5 it's lower? What was it previously?

6 COMMISSIONER DEFRANCO: I know...
7 actually... [crosstalk]

8 CHAIRPERSON CUMBO: Because we've been
9 given... [crosstalk]

10 COMMISSIONER DEFRANCO: ...nationally and
11 locally...

12 CHAIRPERSON CUMBO: ...because we've been
13 given different figures in terms of there's a great
14 deal of discussion about the number of young women
15 in the centers actually decreasing while the number
16 of young men in the centers decreasing and the
17 number of women increasing.

18 COMMISSIONER DEFRANCO: Yeah I mean if
19 you look to year by year there have been a decrease
20 in the number of placements in detention in secure
21 and non-secure. If you look at it by the percentage
22 of population that is girls versus boys there has
23 been a small spike, I wouldn't say it's actually a
24 statistic just significant between 19 percent of
25 the population when we had 1,000 three four in '05

2 to 767 in '13. So there wasn't, there was an
3 increase I mean from the '05 of 19 percent to 23
4 percent in 2013. I don't know if that's actually a
5 statistic that's significant. But there have been a
6 minor increase.

7 CHAIRPERSON CUMBO: There hasn't been a
8 minor... I'm sorry can you say that... [crosstalk]

9 COMMISSIONER DEFRANCO: Increase.

10 CHAIRPERSON CUMBO: Uh-huh.

11 COMMISSIONER DEFRANCO: From 19 to 23
12 percent.

13 CHAIRPERSON CUMBO: Okay. Do you have an
14 understanding of what is the racial breakdown of
15 those women, of that 767 that are part of the
16 secure and non-secure.

17 COMMISSIONER DEFRANCO: I'm not sure if
18 I have it here. I know the numbers while having run
19 the system in the state... all minority kids. But...
20 can give you the exact percentage. Do we have it?
21 No. I mean I, you know it's... I mean nationally, or
22 particular New York State and New York City the
23 kids that we have in detention are Hispanic and
24 black kids.

25 CHAIRPERSON CUMBO: The vast majority?

2 COMMISSIONER DEFRANCO: The vast
3 majority. It's, it's a challenge. I mean we have in
4 a... is having to deal with this proportional
5 minority confinement in New York City.

6 CHAIRPERSON CUMBO: I would just because
7 I want to understand the issue further if you could
8 send in a further explanation an actual breakdown
9 of what that number is as well as by boroughs.

10 Would very much like to see the borough breakdown
11 as well in terms of understanding what communities
12 our young women are coming from. The reason why I
13 ask about the, the racial and the cultural dynamics
14 as well as the borough but, but less about the
15 borough because I believe that the arts are an
16 incredible part of that. But at the same time are
17 these young women getting any form of cultural
18 competency? Because if we're talking about the
19 majority of them being black and Latino as part of
20 their educational opportunities anything where
21 they're learning about their history, their own
22 specific history, their own culture. Do they come
23 out knowing who Silica Cruz [sp?] or who Mya Angelo
24 [sp?] or Ruby Dee [sp?]? Do they understand the
25 Transatlantic Slave Trade? Do they understand all

2 of these dynamics about their history and culture?
3 Do they know about the 1960s Civil Rights Era? And
4 do they know about you know the, the
5 accomplishments of those that have come before
6 them? Do they have any type of cultural competency
7 because I believe in our educational system it's
8 severely lacking? And wanting to know in, in this
9 place are they getting an opportunity to have a
10 greater understanding of who they are? Is there any
11 type of cultural educational competency that's
12 happening there?

13 COMMISSIONER DEFRANCO: I think Jen can
14 go into details. I mean having been in the position
15 for two months I've been impressed by the work in
16 our detention facilities but making sure that the
17 posters to advertisement, the lesson plans that
18 I've seen are really culturally sensitive to kind
19 of feel, to empower our boys and our girls. But I
20 know this, this intent and desired by our staff to
21 do that. And...

22 JENIFER ROMELIEN: As Deputy
23 Commissioner Defranco mentioned we are, at this
24 point we're relying on programs coming in at their
25 own will. So they're, they're volunteering their

2 services. A vast majority of the, of the programs
3 that do come in and work with the young ladies do
4 have some cultural competencies in their
5 curriculum...

6 CHAIRPERSON CUMBO: The reason why I ask
7 is because the title of these organizations didn't
8 seem to be that that was part of their focus. So
9 you know I, I'm not seeing the Afro Brazilian
10 Rights of Passage Group in there. Like I'm not
11 seeing those types of groups that you know whom are
12 doing those types of programs, particularly rites
13 of passage programs are so critical, or
14 organizations like in my borough Eathai tio
15 [phonetic] does incredible work with that. So
16 wanted to know if that was a part of...

17 JENIFER ROMELIEN: Well I think we can
18 do more with our young people to educate them on
19 the vast majority of cultural compasses throughout
20 New York City. We do programs within the facility
21 to encourage that, to educate young people during
22 various months and special programming.

23 CHAIRPERSON CUMBO: Mm-hmm. Can you talk
24 a bit about the, what does the education day look
25 like in both facilities. What is, what is the

2 school dynamic like? And I apologize as a new
3 member I'm not as familiar as my colleagues. But
4 would need to understand what does a school day
5 look like and what is the, the ultimate goal at the
6 end of the day for someone who's in one of your
7 facilities to complete once they've been there?

8 COMMISSIONER DEFRANCO: Our schools are
9 run by New York City Department of Education.
10 They're actually run under District 79, Passages
11 Academy. They actually run a full day of school
12 like any other school in New York City. They
13 actually being run by New York City Department of
14 Education. The kids actually get credits and access
15 to services as they will do in any community
16 school. The programs actually are rich and
17 comprehensive. They work, they, they work for the
18 regions, they work for the middle school programs.
19 We actually have an exciting graduation ceremony
20 next week on the 24th for all of our middle school
21 students. I think last count is about 29 of them.
22 So you're welcome to come.

23 CHAIRPERSON CUMBO: There'll be 29
24 graduates.

2 COMMISSIONER DEFRANCO: Mm-hmm, and
3 passing... 43 now? 43. Even better. So 43 young
4 people who are moving from middle school to high
5 school. And I know that we had a couple kids you
6 know working for the regions recently. And the
7 passing, passing rate was very good. I could get
8 you that information.

9 CHAIRPERSON CUMBO: So there'll be 43
10 graduating but... now let me ask you a question. What
11 is the average stay for a young person coming to
12 one of your facilities. Because then it becomes
13 difficult to understand what kind of educational
14 experience they can have if they're going to be
15 there for varying degrees of time.

16 COMMISSIONER DEFRANCO: Yeah and that's...
17 of pre adjudicated placement. So in detention you
18 have two big groups. You have about... and I can look
19 at the numbers, but it's about 49 percent of our
20 young people with us for less than five days.

21 CHAIRPERSON CUMBO: How much? Say that
22 again.

23 COMMISSIONER DEFRANCO: Let me get you
24 the exact numbers?

25 CHAIRPERSON CUMBO: Less than half?

2 COMMISSIONER DEFRANCO: Yeah for... these
3 are... numbers. I would get you percentages. Last
4 time I said it was 49 percent of kids were with us
5 for less than five days. So there's a lot of,
6 there's a lot of young people who come to
7 detention. They're with us for a very short amount
8 of time. This, 51 percent of them who are with us
9 for more time, usually about two months if... up to
10 nine months if they're a juvenile offender. So you
11 actually have kind of three different groups of
12 young people, some who are with us just for very
13 short amount of time, those who are with us for a
14 couple of months, and most of them move to
15 adjudication or placement with ACS now. Then you
16 have the juvenile offenders which are... criminal
17 court they tend to linger longer in detention
18 waiting for placement with OCFS.

19 CHAIRPERSON CUMBO: Free time, what does
20 free time look like? Are they able to watch
21 television and, are they able to watch whatever
22 they want to watch? Are they able to listen to
23 whatever they want to listen to?

24 JENIFER ROMELIEN: So free time in
25 detention. Young people are able to watch TV. We do

2 monitor what they watch obviously. They, once they
3 earn levels in the detention facilities they're
4 able to obtain headphones where they can listen to
5 the radio. We have a variety of programming in the
6 facility where they can play sports, play
7 basketball, volleyball, they can go outside and
8 play handball. There's programs that come in,
9 religious services that come in to offer services
10 for the young people. The young ladies enjoy doing
11 dance on the Wii and programs such as that.

12 CHAIRPERSON CUMBO: Okay. I wanted to
13 ask you before I turn it over to my colleagues is
14 well, in terms of like events, programs, art show
15 performances... do those types of things happen where
16 there are actual art exhibitions, there are actual
17 dance performances, there are actual plays that
18 happen?

19 JENIFER ROMELIEN: Absolutely. We just
20 had a fantastic concert with Carnegie Hall at our
21 Crossroads Facility a couple weeks ago where young
22 people worked with choir and they performed. We
23 have a drama club that works at both facilities.
24 And they just did, about two months ago, Romeo and
25 Juliet where the kids rewrote the play and they

2 performed it for their parents. We take that very
3 seriously, bringing in parents so they can see
4 their young people, their children perform. And
5 giving them you know a sense of self-esteem and
6 things of that nature.

7 CHAIRPERSON CUMBO: What is the, the
8 safety of, of the centers overall? Wanting to get
9 an understanding of how safe the centers are. In
10 many of our schools we're seeing a rise in young
11 women actually engaging in fights in school, after
12 school, a lot of the social media bullying that's
13 happening and all of those sorts of things. How
14 does that then transcend into your centers. Are you
15 seeing that type of activity transcending into the
16 centers?

17 JENIFER ROMELIEN: I would say at times.
18 I think our young girls are less likely to be as
19 violent and fighting. They're more, they're more
20 susceptible to peer, mediation services that we
21 provide them. I think the benefit with the young
22 ladies is we have steady staff that work with them.
23 So they get to know these young women. They know
24 their issues that are, that come from outside of
25 the detention facility, the issues that arise

2 inside the facility. So for the most part I think
3 our young ladies are less likely to fight or get
4 into, and once they do, if they do fight it's
5 usually very quickly resolved.

6 CHAIRPERSON CUMBO: Okay, I'm going to
7 turn it over to my colleagues for additional
8 questions. Council Member Ben Kallos had a series
9 of questions he wanted to ask.

10 COUNCIL MEMBER KALLOS: Thank you very
11 much. First I'd like to thank Chairs Cabrera and
12 the Chair of my committee, the Women's Issues
13 Committee, Chair Laurie Cumbo thank you for your
14 leadership. I would like to thank Deputy
15 Commissioner Defranco for your testimony here
16 today. I'd like to start this as I start most of
17 the hearings where we have ACS which is I'd like to
18 minimize if not zero out the juvenile justice
19 portion of the budget in favor of alternatives to
20 detention and anything we can to keep our kids out
21 of the system and, and the schools to prison
22 pipeline. Along those lines within the ACS program
23 area for juvenile justice including support, non-
24 secure detention residential placements. In secure
25 detentions we see a total cost of 203 million

dollars as of the preliminary budget. Your performance measures indicated admissions of 3,419 children with an average daily population of 266 children, an average cost of 777 dollars a day, and an average length of stay of 29 days or 22,533 dollars per child per stay. How can we minimize those costs in favor of that 1.8 million dollar alternatives to detention line that we saw in the preliminary budget. How can we bump that up? If we spent 200 million dollars on alternatives to detention would that mean we wouldn't have to spend it on the other side of it?

COMMISSIONER DEFRANCO: I think we mentioned before, and again that we have a couple of really large investments and alternative to placement, or community alternatives through JJI and FAP. But I don't have the quantification of those investments in front of me but I could get that to you. ...is important to keep in mind that we are just one part of the juvenile justice system. And actually a lot of the investment that actually has to do with... maintaining your people in the communities actually under our sister agency, the Department of Probation. We work closely with them.

2 We actually are meeting on a weekly basis looking
3 at how we realign our programmatic solutions to
4 keep young people in the community.

5 COUNCIL MEMBER KALLOS: Thank you very
6 much. And this committee and at least I am
7 extremely interested in working with you and
8 Commissioner Carrion to keep as many children out
9 of juvenile justice and out of the... prison as
10 possible. I'd like to follow-up on Chair Cabrera's
11 line of questioning. I think... should be data
12 driven. Currently the Administration for Child
13 Services provides data sets that are fairly limited
14 regarding community partners and plans to release
15 data by community districts for placements, abuse
16 and neglect, child welfare indicators, detention
17 and placement... graphics and these are all on a
18 monthly, quarterly, and yearly basis. I, I have a
19 team of data scientists at MIT Media Lab and at
20 similarly situated universities throughout the
21 country and throughout our city that would love to
22 work with you. But we need the data, we need
23 anonymized data that does protect the privacy of
24 the children but provides the time that things are
25 happening, the locations, and gives us some sort of

2 anonymous tracking number so that we can watch over
3 and look at the data and, and let people much
4 smarter than I am see the trends and the numbers so
5 that we can protect our children and keep them out
6 of the system and, and let the data speak for
7 itself so that we can do more. So the, the question
8 is can ACS please pledge to start making the
9 juvenile justice information and other information
10 available in a real time basis while protecting
11 privacy with as much specifics as possible.

12 COMMISSIONER DEFRANCO: I think we are
13 committed under Commissioner Carrion to use data to
14 make decision making. We are beginning to segment
15 data in different ways. We're particularly
16 interested in looking at neighborhood data. I mean
17 it's not every neighborhood that actually fits the
18 system. I don't know enough yet about our data
19 system to New York City... capacity to do it in real
20 time. But I would, I would look forward to working
21 with you.

22 COUNCIL MEMBER KALLOS: Perfection. The,
23 the only thing I would be cautious about is it's
24 being organized by community districts and
25 community districts are large and consist of many

2 different neighborhoods. And it is much more
3 valuable to know that a bunch of incidents or
4 problems are occurring in a specific block, or in a
5 specific neighborhood versus an entire community
6 district where we're forced to generalize. So the
7 more specifics the better. Thank you very much for
8 your time and for your testimony today.

9 CHAIRPERSON CABRERA: Council Member
10 Arroyo.

11 COUNCIL MEMBER ARROYO: Thank you Mr.
12 Chair. Good afternoon Mr. Defranco. Welcome. Your
13 first time before the council. Is it because you're
14 new the administration or they just kind of put you
15 in because somebody else couldn't be here?

16 COMMISSIONER DEFRANCO: I'm, I'm new.
17 This is only my second month in, in the city.

18 COUNCIL MEMBER ARROYO: My condolences,
19 congratulations. They come hand in hand.

20 [laughter]

21 COMMISSIONER DEFRANCO: Thank you.

22 COUNCIL MEMBER ARROYO: The, the, the
23 subject of this hearing is, is a little bit narrow
24 but I think my question to you and hopefully you've
25 had enough time to figure out where the bathrooms

are... the gender, the approach to handling juveniles in detention. Do you have a different approach to how you handle young women versus young men?

COMMISSIONER DEFRANCO: I would say yes.

I mean we...

COUNCIL MEMBER ARROYO: And what are the differences?

COMMISSIONER DEFRANCO: Yeah I mean one, one thing that actually the city has done fairly well is invest in, in... of a continue of behavior management that is really individualized. It's all, it's called Safe Crisis Management. And it really understands two factors, that again discolation [phonetic] is important, you want to connect to someone, you want to figure out how to verbally and actually physic, I mean without using physical force you can have someone control their emotions and manage their behavior. But at the... about knowing our clients well enough to know what works with them. So a lot of the work that we have been doing at the city before my time and now is about understanding individual needs of our individual kids. I mean we have less kids than before but they're really needy. They have particular

2 histories and particular with the girls we really
3 need to understand what works with each one of
4 them, what works for one doesn't work for another.

5 COUNCIL MEMBER ARROYO: And, and you
6 find that the nuances are different between the
7 young men and the young women, the, the facing of
8 trauma and sexual abuse and violence and aggression
9 and all of those things. The, the young women show
10 up with less of that than the young men?

11 COMMISSIONER DEFRANCO: Again I think,
12 again if we take an individual approach we're going
13 to find young men that have been traumatized and
14 abused as much as any female. But historically yeah
15 I mean we say try to stay away from clustering
16 people together as was mentioned before. A lot of
17 our, the few girls who make it into the juvenile
18 justice system their histories is actually
19 permeated by trauma, abuse, and neglect. So give
20 that it's only four, like your numbers in 2013,
21 four percent of the females in, in the system are
22 individuals that the offences assault and, stem
23 from anger, challenges with family relationships,
24 etcetera. Four percent doesn't seem like a lot but
25 are you not paying as much attention to them, to

2 those four percent, or are you putting more
3 resources into that four percent?

4 COMMISSIONER DEFRANCO: Let me, let me
5 clarify numbers. I mean when we mentioned four
6 percent we were referring to the juvenile
7 offenders. Those are the key, those are the young
8 womans, committed the various serious offence, a
9 felony...

10 COUNCIL MEMBER ARROYO: Right, it's a
11 small percent... [crosstalk] that's what my question
12 is... [crosstalk] because the number's so low...

13 COMMISSIONER DEFRANCO: Yeah but I'm, I
14 want to clarify which I'm looking for you is that
15 the number of females in detention is more than
16 four percent.

17 COUNCIL MEMBER ARROYO: No, no I under...
18 [crosstalk] No I understand your testimony.

19 COMMISSIONER DEFRANCO: Okay.

20 COUNCIL MEMBER ARROYO: And my question
21 goes to given that the, only four percent fall into
22 that group is the system more, less focused on that
23 percent or are you spending more resources on the
24 four percent? I'm trying to understand since
25

2 there's such a low number are you using your energy
3 to focus on the 96 percent.

4 COMMISSIONER DEFRANCO: I, I think we
5 are... moment in the city where we finally have
6 reduced number of kids in detention, that I think
7 we can actually do what we need to do which is to
8 individualize and pay attention to all of them as
9 needed.

10 COUNCIL MEMBER ARROYO: So for the four
11 percent, the ones that, do you have numbers that
12 can help us understand whether that population,
13 going through detention... are they in the 49 percent
14 of the ones that spend less than five days? Where
15 do they fall... [crosstalk] within the larger
16 numbers?

17 COMMISSIONER DEFRANCO: ...within the long
18 stayers. [crosstalk]

19 COUNCIL MEMBER ARROYO: The long
20 stayers, how long?

21 COMMISSIONER DEFRANCO: I think their
22 average is nine months for a juvenile offender.

23 COUNCIL MEMBER ARROYO: Okay. And in
24 nine months you go on in your testimony to
25 articulate the different approaches, the services

2 and programs for young women in juvenile justice
3 facilities and it seems like there's a lot, on
4 paper it looks like a lot of services. Although I
5 understand and know different. How successful are
6 these programs and how many of that four percent
7 come back into detention?

8 COMMISSIONER DEFRANCO: I don't have...
9 number for the four percent of juvenile offenders
10 but I could get them.

11 COUNCIL MEMBER ARROYO: Could, Mr. Chair
12 if we can, you know because the, the numbers that
13 we get presented with here are meaningless to me if
14 we don't understand the larger picture. All of
15 these services as articulated here seem to be
16 pretty diverse and, and a full scope. And it goes
17 back to your question well how successful are these
18 services and if, if these are the ones that we have
19 deemed appropriate for this population how
20 successful are these services in keeping them in
21 the community safe at home.

22 COMMISSIONER DEFRANCO: Mm-hmm. We will,
23 we will find the numbers...

24 COUNCIL MEMBER ARROYO: And on the last
25 question. In your, in the last part of your

2 testimony titled Enhancing our Expertise and
3 Capacity to Meet the Needs of Young Women you, you
4 referenced that you're looking to, you had a
5 meeting with the Office of Juvenile Justice and
6 Delinquency Prevention for technical assistance.
7 What's the timeline for the work that you
8 anticipate working, doing with this entity. So I am
9 met with Director Lisbie [sp?], maybe my first week
10 on the job which I know him well before for OJJDP.
11 He actually just created a new center for the study
12 of girls in juvenile justice at the national level.
13 We actually are in the front of the line to get
14 clinical assistance as soon as it becomes
15 available.

16 COUNCIL MEMBER ARROYO: So maybe a
17 follow-up hearing Mr. Chairman on the work that... is
18 this a, a state or federal office?

19 COMMISSIONER DEFRANCO: It's the Office
20 of Juvenile Justice Delinquency Prevention... arm of
21 the Department of Justice... [crosstalk]

22 COUNCIL MEMBER ARROYO: ...it's a federal...

23 COMMISSIONER DEFRANCO: ...it's at federal
24 level sure.

2 COUNCIL MEMBER ARROYO: So maybe a
3 follow-up hearing is the, the outcome of whatever
4 work and discussions occur with the Office of
5 Juvenile Justice at the federal level and how you
6 anticipate implementing whatever recommendations
7 come out of that work.

8 COMMISSIONER DEFRANCO: Mm-hmm.

9 COUNCIL MEMBER ARROYO: Thank you Mr.
10 Chair.

11 CHAIRPERSON CABRERA: Thank you so much
12 Council Member Arroyo. And to... the suggestion is
13 very well taken. We need to know... you know if
14 something is working and why it's working. And so I
15 want to recognized Council Member Jimmy Vacca which
16 has been here for a while which failed to recognize
17 him. And we've been joined by Council Member,
18 Council Member Barron. And we are... let me turn it
19 over to Council Member Crowley.

20 COUNCIL MEMBER CROWLEY: Good afternoon.
21 Thank you to both of our chairs. I have a question
22 following up with Council Member Arroyo's question
23 about the recidivism rates, don't have it for the
24 four percent who commit felonies but what is it
25 overall out of the 100 percent of the population?

2 COMMISSIONER DEFRANCO: Give me a
3 second. I'm actually going to... I'm reading the, the
4 Q&A regarding... for Detention. So ACS does not
5 collect data, have access to other data sets. They
6 don't collect data regarding our resident
7 information. They don't collect data regarding an
8 analysis of girls in both and in juvenile justice
9 system. I... relative new area for them to look into.
10 I, I will say I, I will work on that. I mean we,
11 there's no reason for us at ACS not to be able to
12 track... division of detention. I've done it before.
13 We did it in New York State. I... talk to... and figure
14 out a way of doing it. So...

15 COUNCIL MEMBER CROWLEY: Absolutely we...
16 [crosstalk]

17 COMMISSIONER DEFRANCO: So I, I, in a
18 way I'm kind of surprised that we were not creating
19 infrastructure to do it... [crosstalk]

20 COUNCIL MEMBER CROWLEY: We need to know
21 the recidivism rates and we need to know how often
22 the revisit so... you know is it the third fourth,
23 fifth time... And do you know the percentage of the
24 population that is within the foster care system
25 that comes into detention?

2 COMMISSIONER DEFRANCO: ...is actually one
3 of those things that we're really focusing on. I'm
4 going to look back to... experts... do, do we know? So
5 we have four percent of the population who makes it
6 to the Division of Youth and Family Justice who are
7 also in foster care.

8 COUNCIL MEMBER CROWLEY: And is there a
9 percentage that's diagnosed with a mental illness?

10 COMMISSIONER DEFRANCO: Excuse me.

11 COUNCIL MEMBER CROWLEY: Do you have a
12 percentage that's diagnosed with mental illness.

13 COMMISSIONER DEFRANCO: At detention we
14 actually don't have a structured way of measuring
15 mental illness which again is something that we're
16 working on. That's one of the things that thanks to
17 the advocacy of the council we're going to have a
18 mental health assessment component of detention...
19 for the... of the summer. I know the numbers
20 nationally and statewide. I mean it's about 78
21 percent of kids in juvenile detention across the
22 nation have a mental... five diagnosis.

23 COUNCIL MEMBER CROWLEY: Yeah, so what
24 type of physical health care evaluation are they
25 given upon entrance.

2 COMMISSIONER DEFRANCO: We currently, we
3 do a set of screenings to make sure that you know
4 we can take care of any major issues or... and so
5 forth. We began about a year ago, spearheading the
6 work with, with, with NYU.

7 JENIFER ROMELIEN: Was your question
8 directed for medical or mental health, I'm sorry?

9 COUNCIL MEMBER CROWLEY: Both. It's... one
10 in itself.

11 JENIFER ROMELIEN: Oh. So when a child
12 enters detention they are screened by our medical
13 provider which is a contracted provider at the
14 floating hospital. In that initial assessment they
15 are screened for any communicable diseases. They
16 are, they have a PPD that's implanted. They're
17 discussing any medications that that child may have
18 been taking in the community. They are then given a
19 comprehensive medical examination by our provider.
20 I think that the medical services that are provided
21 to our young people are exceptional. We are
22 ensuring that they're receiving any specialty
23 clinic appointment. They are receiving optical
24 glasses and things of that nature. So we do give a
25 really outstanding medical... [crosstalk]

2 COMMISSIONER DEFRANCO: Dental...

3 JENIFER ROMELIEN: And dental. They
4 have, we have a contracted dentist that comes into
5 both facilities and meets with that young person
6 and provides with, them with any dental care if, on
7 site, if not we'll refer them out to any oral
8 surgery facilities.

9 COUNCIL MEMBER CROWLEY: But you're not
10 sure what type of mental health assessment is
11 given?

12 JENIFER ROMELIEN: Oh, absolutely.
13 Through our grant work with Belleview we have
14 implemented three screening tools that are given to
15 young people when they enter the facility which
16 screen them for depression, post-traumatic stress
17 disorder and problematic substance use. Once those
18 are completed they are meeting with a therapist to,
19 who does a comprehensive assessment for that young
20 person. If that young person was on any
21 psychotropic medications prior to coming into the
22 facility they are then, they then meet with a
23 psychiatrist for that evaluation. And that's done
24 when they first come into the facility.
25

2 COUNCIL MEMBER CROWLEY: Is there a
3 percentage that are on suicide watch?

4 JENIFER ROMELIEN: I wouldn't say that
5 there is a percentage. That's done by, on a case by
6 case basis. Generally we, generally we don't see
7 young people enter the facility then we're placing
8 them on a one to one watch is what we call our
9 watches in detention. Generally it's definitely a
10 case by case basis.

11 COUNCIL MEMBER CROWLEY: Do you have a
12 percentage that tried to hurt themselves?

13 JENIFER ROMELIEN: I don't have a
14 percentage of young people that are on special
15 watch or regular watch.

16 COMMISSIONER DEFRANCO: We keep, we keep
17 track of any that are regarding people who are in
18 the special medical unit.

19 JENIFER ROMELIEN: Correct.

20 COMMISSIONER DEFRANCO: We, we can share
21 that quarterly with you guys.

22 COUNCIL MEMBER CROWLEY: And each young
23 person has a one to one staff person with them at
24 all times?

2 COMMISSIONER DEFRANCO: No, no that's
3 just only when, when we deem necessary because of
4 suicide watch.

5 COUNCIL MEMBER CROWLEY: Okay. And so
6 what percentage of the population is 15 versus 14,
7 13?

8 COMMISSIONER DEFRANCO: So actually the
9 most, the most common age is age 15 is actually 65
10 of them, about 23 percent of the population at any
11 one moment, 16 is actually 34 percent of the
12 population at any one moment of the males, 17 is 21
13 percent. When we talk about young female, woman we
14 get to 27 percent of them are 15, 35 percent of
15 them are 16, and 23 percent of them are 17.

16 COUNCIL MEMBER CROWLEY: Okay, I have no
17 further questions.

18 CHAIRPERSON CABRERA: Thank you so much.
19 And before I turn it over to Council Member Barron
20 I just want to make a statement regarding data. And
21 I'm sure you're going to be looking into gathering
22 data and getting more data. And, and one of the
23 faults that I see in having come from academia
24 where I, I could truly tell you this that often we
25 get data and say oh, we got the data but let's

2 gather data that we want to do something about it.
3 You know what I mean. So I, we, we get the data and
4 why are we asking for this data. And once we get
5 the data... So for example how many are, how many of
6 the young people have suicide... versus attempt and
7 so forth. That way we can strategically program
8 where, your strategy in terms of intervention with
9 these young ladies. And I think that the data will
10 help us make better decisions as to what
11 intervention approach we should be taking. And I
12 think it, I, as a result of that you will see even
13 better numbers in terms of being... worker when this,
14 with the young lady, ladies. Let me turn it over to
15 Council Member Barron.

16 COUNCIL MEMBER BARRON: Thank you Mr.
17 Chair and to the co-chairs that are hosting our
18 hearing today. Thank you for coming and presenting
19 your testimony. I'm particularly interested in the
20 JG, the JJI program. And you indicate that it's a
21 non-secure program. And it's by gender and that
22 your 29 young women. I believe one of the programs
23 is located in my district run by Catholic
24 charities. And I would just like to have you talk a
25 little bit more about that whole program.

2 COMMISSIONER DEFRANCO: Okay. I mean JJI
3 the Juvenile Justice Initiative that began in New
4 York City I, I can tell you is one actually of
5 those national standards in the use of evidence
6 based programming to keep kids out of placement
7 and, and detention. I don't know particularly the
8 one that catholic charities is doing. I know that
9 actually catholic churches used to be the main
10 provider of fortunate family therapy for kids
11 coming out of placement... so they actually use
12 fortunate family therapy as a way of improving no
13 aftercare services. And I know this because I used
14 to work... [crosstalk]

15 COUNCIL MEMBER BARRON: Okay, so the 29
16 young women that you reference in your testimony...

17 COMMISSIONER DEFRANCO: Mm-hmm.

18 COUNCIL MEMBER BARRON: Are they all at
19 one site?

20 COMMISSIONER DEFRANCO: They're not in a
21 site. I mean one of the, one of the unique and
22 strengths of JJI is that actually not site
23 specific. These are actually therapies that
24 actually go to the home and work with the youth and
25 the family to kind of develop a better sense of

2 hope, to develop skills, and actually connect them
3 to the social activities in the community. So it's
4 not site based.

5 COUNCIL MEMBER BARRON: So it's not site
6 based?

7 COMMISSIONER DEFRANCO: They go to them.
8 They don't have to go somewhere.

9 COUNCIL MEMBER BARRON: So why is it
10 limited to only 29? I thought perhaps it was
11 limited to 29 because it was site based because I
12 know at the alternative program in my district
13 there are about 12 young women that are there. So
14 if it's not site based and you're going to the
15 individual residence why is it limited to 29?
16 [crosstalk] How can we expand that program?

17 COMMISSIONER DEFRANCO: I don't think, I
18 don't think we are limited to 29... [crosstalk]

19 COUNCIL MEMBER BARRON: Well it says
20 you're servicing 29.

21 COMMISSIONER DEFRANCO: ...servicing 29
22 now.

23 COUNCIL MEMBER BARRON: Right. So my
24 question is why is it only 29?
25

2 COMMISSIONER DEFRANCO: So I mean it's...
3 Commissioner for, for that program... reminding me.
4 Again young people who get to JJI which is an
5 alternative to placement...

6 COUNCIL MEMBER BARRON: Right.

7 COMMISSIONER DEFRANCO: ...which is
8 instead of being placed actually they can take
9 advantage of these areas based programs is based on
10 the core determination that the young person to go
11 to JJI. It's up to the judge to determine that this
12 young person could take on matters of JJI instead
13 of maybe being placed.

14 COUNCIL MEMBER BARRON: Okay, so it's up
15 to the judge. What is your capacity then in terms of
16 the personnel that provide the services? What would
17 be your capacity if the judges were to have a body
18 of people come and they decided that the next 100
19 people that they saw would benefit from this could
20 you service them with the personnel that you have
21 providing those services in the individual
22 residences?

23 COMMISSIONER DEFRANCO: So we have a
24 capacity of 150 slots, that's a term we use. I mean
25 150 families can take advantage of it.

2 COUNCIL MEMBER BARRON: Okay.

3 COMMISSIONER DEFRANCO: I don't really
4 where... capacity as we speak...

5 COUNCIL MEMBER BARRON: Okay so...
6 [crosstalk] the capacity's 150?

7 COMMISSIONER DEFRANCO: Yeah, 150.

8 COUNCIL MEMBER BARRON: Okay.

9 COMMISSIONER DEFRANCO: So if judges
10 want to have more kids stay in the community and we
11 would love to do that.

12 COUNCIL MEMBER BARRON: Okay, thank you.

13 CHAIRPERSON CUMBO: Thank you. Just two
14 quick closing questions. Wanted to learn in terms
15 of the health screening that the young women
16 receive. Do they go through a full STD evaluation
17 when they first come and are given all of the
18 treatment that they would need?

19 JENIFER ROMELIEN: Absolutely.

20 CHAIRPERSON CUMBO: And are they also
21 HIV screened at that time as well?

22 JENIFER ROMELIEN: That's optional for
23 the young, young person. They can ask to, to
24 receive an HIV test and we will administer it. But
25

2 that's not something that we would give them
3 automatically when they come into the facility.

4 CHAIRPERSON CUMBO: Is it proposed to
5 them that it could happen?

6 JENIFER ROMELIEN: Absolutely.

7 CHAIRPERSON CUMBO: Okay. The other one
8 that I wanted to talk about is job training or
9 skills training. Is there any opportunities for
10 those young women to have any type of job training
11 or skills training particularly for those that are
12 going to be there for a longer period of time?

13 COMMISSIONER DEFRANCO: No.

14 CHAIRPERSON CUMBO: Not... [crosstalk]

15 COMMISSIONER DEFRANCO: ...No, no... right
16 now. It's one of the things that we're working on.

17 CHAIRPERSON CUMBO: And then finally
18 with that the, the providers again going, and you
19 can go back to that. The providers going with the,
20 my same goal of wanting there to be more cultural
21 competency or more cultural programming that's
22 relevant to the specific black and Latino cultures
23 that are there. How are the providers that you
24 select for these various types of programs
25 selected? Who selects who gets to come in to do

2 those types of programs with the young women at
3 your center?

4 COMMISSIONER DEFRANCO: Let me, let me
5 clarify about employment. We, we have a very
6 successful relationship with DYCD around summer
7 youth employment. And actually we have a
8 significant number of young people working in our
9 facilities and in our placement programs. When I
10 said no is one of the things... maybe have reacting
11 to since I came onboard is that we don't have a
12 comprehensive... training... technical education
13 program in... our facilities. So it's something that
14 we're working on developing fairly quickly. Your
15 other question was regarding...

16 CHAIRPERSON CUMBO: How do we make sure...
17 I'd like to make sure because I believe it's very
18 important that when young people have a stronger
19 sense of identity of who they are that they will
20 perform better, they will be more confident... How do
21 we in the council and how do you make sure that
22 those organizations that are providing these
23 resources whether it's a dance program, and it's a
24 school, it's a class, it's a performance, it's
25 whatever. Also you mentioned that there are also

2 religious organizations that come to your facility
3 to do services. How do we, how is that process done
4 currently?

5 JENIFER ROMELIEN: So currently all of
6 the programs that come in and work with our young
7 people are programs that volunteer their, on their
8 time to come in. We don't have a budget at this
9 point to provide many of the programs that we would
10 love to have come into the New York, in, into our
11 facilities. We don't have the funding to support
12 them.

13 CHAIRPERSON CUMBO: So all of the
14 organizations that provide any level of arch
15 training or program these are all volunteer
16 organizations that are providing their time?

17 JENIFER ROMELIEN: Absolutely.

18 CHAIRPERSON CUMBO: So, so you have 13,
19 14, 15, 15 facilities total right? Secure and non-
20 secure right? How do you ensure that, I mean is
21 there a one center that's like the flagship star
22 program that everyone's like, well if you got to go
23 this is the best one to be in. Or some... because if
24 a group is giving up their time and services from
25 hearing your testimony I'm thinking all of them are

getting this. But all of them can't be getting that particularly if people are volunteering.

JENIFER ROMELIEN: So for instance Voices Unbroken they go to both secure sites.

CHAIRPERSON CUMBO: Uh-huh.

JENIFER ROMELIEN: And we have a variety of different programming that go into our non-secure detention facilities as well as some of our programs that work with the young people at the school sites. So it depends on which program and where they're offered.

COMMISSIONER DEFRANCO: In non-secure detention we have been particular proactive recently that taking about this as non-secure detention. So instead of having to wait for people to come to us we can actually take advantage of the richness of New York City. So it's more common to see non-secure detention group of young woman and man going out and taking advantage of theatre... recently in the Bronx...

JENIFER ROMELIEN: They just went to Alvin Aily [phonetic]...

CHAIRPERSON CUMBO: Okay.

2 JENIFER ROMELIEN: ...things of that
3 nature.

4 CHAIRPERSON CUMBO: Alright. And finally
5 I just wanted turn it over to Council Member Arroyo
6 to talk about pregnancy. So that is a very delicate
7 issue but a very important issue. How is it dealt
8 with in your facility? And in addition to that is
9 sex education a part of any type of educational
10 understanding that the young women are receiving
11 there?

12 JENIFER ROMELIEN: So each female when
13 they come into the facility they're, were actually
14 given a pregnancy test.

15 CHAIRPERSON CUMBO: Uh-huh.

16 JENIFER ROMELIEN: Some young people
17 come in and they know that they are expecting. And
18 some women find out when they come in that they're
19 expecting. They then can consult with the physician
20 to decide what they want, wish to do with that
21 pregnancy.

22 CHAIRPERSON CUMBO: Okay.

23 JENIFER ROMELIEN: We refer them to an
24 OBGYN clinic. It, either site where they can go and
25 meet with an OBGYN to discuss their options for

2 that pregnancy. And they go on regular OBGYN visits
3 with that.

4 CHAIRPERSON CUMBO: If they have a baby
5 at the facility the baby stays with the mom there?

6 JENIFER ROMELIEN: No. The baby does not
7 stay with the, the young mom. The, the child will
8 go to the hospital and deliver the baby and
9 provisions are made for that young baby to go home
10 with either a parent or a caregiver. We do provide
11 the young lady if they're still with us once they
12 deliver that, the baby we provide them with
13 opportunities to pump and store their milk and have
14 their caregiver come and pick up the milk if they
15 wish to breast feed their child.

16 CHAIRPERSON CUMBO: There are adult
17 facilities correct? That do allow for their to be a
18 nursery on, on...

19 JENIFER ROMELIEN: I believe Riker's
20 Island does not and any of the juvenile facilities
21 that we, well detention facilities... [crosstalk]

22 COMMISSIONER DEFRANCO: ...we don't have
23 the capacity for young people that actually go
24 through pre-education who could be in detention,
25 could be placed with ACS now because close to home.

2 And we actually have had, I believe about 15 young
3 expecting mothers since Close to Home began in New
4 York City. Their place in mother child residences,
5 like any other child welfare placement.

6 CHAIRPERSON CUMBO: Thank you. Council
7 Member Arroyo and then Council Member Barron.

8 COUNCIL MEMBER ARROYO: I'm looking for
9 Jenifer's name. Okay. You indicate that you don't
10 have a budget to bring in services. No. The
11 question that Council Member Cumbo asked is how do
12 we ensure that the providers that are coming in to
13 provide services in both of secure and in non-
14 secure facility are culturally competent to provide
15 the services and provide the best service. And you
16 said you don't have a budget for that right?

17 JENIFER ROMELIEN: I said that all the
18 programs that come in and work with our young
19 people volunteer their services.

20 COUNCIL MEMBER ARROYO: Volunteer?

21 JENIFER ROMELIEN: Mm-hmm.

22 COUNCIL MEMBER ARROYO: So all of the,
23 the organizations listed in the Deputy
24 Commissioner's testimony are not receiving any
25

2 payment for the work that they're doing with the
3 Department of Juvenile Justice.

4 COMMISSIONER DEFRANCO: They don't get,
5 they don't get any funding from the Division of
6 Youth and Family Justice at ACS.

7 COUNCIL MEMBER ARROYO: How do they get
8 paid for the, how do they truly purely, purely
9 volunteer? I count... [crosstalk]

10 COMMISSIONER DEFRANCO: I cannot...

11 COUNCIL MEMBER ARROYO: ...that one, two...

12 COMMISSIONER DEFRANCO: I cannot speak
13 of...

14 COUNCIL MEMBER ARROYO: ...three, four,
15 five, six, seven, eight... at, at, at least 14 you
16 referenced in your testimony. I find it hard to
17 believe they're not being paid for the work that
18 they're doing.

19 COMMISSIONER DEFRANCO: Again I, I said
20 that they're not getting paid through ACS. I don't
21 know... I mean some of them are getting foundation
22 monies, some of them may get funding through DYCD...

23 COUNCIL MEMBER ARROYO: And you guys in
24 the audience. Carnegie Hall, Voices Unbroken... Yoga
25 for Yoga... Any of you guys here so you could tell us

2 how you get paid to do this work? No? I'm, I'm, I'm
3 having a hard time on, believing that they don't
4 get paid for the work that they're doing in the
5 system. I really don't believe that.

6 JENIFER ROMELIEN: I think the majority...
7 [crosstalk]

8 COUNCIL MEMBER ARROYO: Okay, if you're
9 going to testify come to the table, fill out a
10 slip, and state your name for the record. I'm sorry
11 I act like a... [crosstalk]

12 JENIFER ROMELIEN: Majority of the
13 programs that work with us are funded... private
14 donors, grants, things of that nature. We don't
15 directly fund any of those programs.

16 COUNCIL MEMBER ARROYO: The Sargent's
17 going to give you a slip of paper you're going to
18 fill out.

19 [background comments]

20 COUNCIL MEMBER ARROYO: Whichever order
21 you'd like to join, it doesn't matter.

22 LISA FREEMAN: I'm Lisa Freeman [sp?].
23 I'm from the Legal Aid Society and I know that the...
24
25

2 COUNCIL MEMBER ARROYO: So you're going
3 to sit with the administration and testify with
4 them?

5 LISA FREEMAN: I'm sorry I thought you
6 just asked the audience if anyone knew...

7 COUNCIL MEMBER ARROYO: No I, I wanted a
8 show of hands.

9 LISA FREEMAN: Oh, I'm sorry... No need to
10 testify...

11 COUNCIL MEMBER ARROYO: Okay.

12 LISA FREEMAN: ...submitted written...
13 [crosstalk]

14 COUNCIL MEMBER ARROYO: So are any of
15 the organizations that the Deputy Commissioner
16 referenced in his testimony in the audience? No,
17 the answer's no. That was my question. I find it
18 hard to believe that all of these organizations are
19 doing volunteer work in the system. I really am
20 having a hard time believing that.

21 CHAIRPERSON CABRERA: So Deputy
22 Commissioner just to be clear... I, I heard for
23 example Mont fury [sp?] So Mont fury, you know it's
24 a big establishment in the Bronx. They, I'm sure
25 what was happening is they're getting funded,

2 whoever they're sending but it's not coming
3 directly from ACS is, is that what I'm hearing?

4 COMMISSIONER DEFRANCO: ...point. I mean
5 the only thing I could talk about is what ACS
6 funds. And again I believe that some of them may be
7 actually be funded directly through the city
8 council, directly funded through the Department of
9 Cultural Affairs, they may be funded through, I
10 mean DYCD. I don't, I can only speak about what we,
11 ACS, fund.

12 COUNCIL MEMBER ARROYO: So could you,
13 could you then, because I know that over the last
14 couple of years there was this merging of juvenile
15 justice under ACS. And prior to that what contracts
16 were led out by the Department of Juvenile Justice.
17 How many contracts are still in effect that may
18 have been awarded through then the Department of
19 Juvenile Justice that is now a division under ACS?
20 You have to go back and get the information, I
21 appreciate that but I, I'm you know there, the
22 groups are being funded to provide services in the
23 system specifically to provide services in the
24 system so that they're volunteering is an incorrect
25

2 representation. I think, that's what I'm having a
3 hard time...

4 COMMISSIONER DEFRANCO: Okay.

5 COUNCIL MEMBER ARROYO: That's what I'm
6 challenging. So let's not debate okay? Let's figure
7 out the, the, and just be clear about this. No one
8 does anything for free in this city. Somebody's
9 getting paid through some source, probably some
10 government grant to provide the services in the
11 system. I do not believe that all of these groups
12 are doing volunteer work in the juvenile justice
13 system in our city. I'm done.

14 CHAIRPERSON CABRERA: Thank you Ma'am.
15 Thank you Council Member Arroyo, maybe the best way
16 to put it, to frame is that we have our site
17 organizations that are coming and contributing and
18 providing services to the young ladies. Council
19 Member Barron and then we're going to move onto the
20 other groups.

21 COUNCIL MEMBER BARRON: Thank you. I
22 wanted to follow-up on Council Member Cumbo's
23 questions. So if a young lady comes in and she's
24 pregnant... as she's going through the decision if
25 she's in early term, early stages of pregnancy is

2 her family in any way involved in helping her to
3 make a decision as to what she wants to do?

4 JENIFER ROMELIEN: That's solely based
5 on the young person. If the young woman wishes to
6 have her family consult with, to make that decision
7 that's, that's her choice. That's not something
8 that we put on that young woman.

9 COUNCIL MEMBER BARRON: So if a young
10 girl comes in let's say age 15 you don't ask her
11 family if they'd be willing to perhaps support her
12 or provide her if she decides to keep her child
13 that might...

14 JENIFER ROMELIEN: Okay, so maybe I'm
15 not understanding your question...

16 COUNCIL MEMBER BARRON: Okay.

17 JENIFER ROMELIEN: ...you want, are you
18 asking if the young person comes in and she is
19 expecting...

20 COUNCIL MEMBER BARRON: Yes.

21 JENIFER ROMELIEN: ...and she choose... what
22 is her choice for that pregnancy or you asking for
23 the planning of that, if she chooses to keep the
24 baby and she wants to plan for them that's...

2 COUNCIL MEMBER BARRON: I'm asking is
3 her family involved in making, helping her make
4 that decision.

5 JENIFER ROMELIEN: So for, like, like I
6 said that decision is up to the young person. If
7 she wants us to have conversations with her family
8 regarding that pregnancy be, we don't, we're not
9 going to... engage the family without the consent of
10 that young person. The vast majority of young women
11 that choose to...

12 COUNCIL MEMBER BARRON: Regardless of
13 her age? If she were 14 you would still not...

14 JENIFER ROMELIEN: Because she is
15 expecting we're not allowed to share information
16 once that young person is expecting without her
17 consent.

18 COUNCIL MEMBER BARRON: Okay, and once
19 she's had the baby how much time does she get to,
20 where is she after she delivers the child? So
21 previsions are made for her to be with the child?

22 JENIFER ROMELIEN: If the child is in
23 detention?

24 COUNCIL MEMBER BARRON: Yes.
25

2 JENIFER ROMELIEN: She, we make
3 provisions for them to visit with that young person
4 and her baby and the caregiver they can come in and
5 bring that child in. There's four opportunities a
6 week for visiting normally. However we would make
7 provisions for more visitation with that you know
8 young mom and her baby.

9 COUNCIL MEMBER BARRON: So it might not
10 be every day that she might get to see her child?
11 Might be...

12 JENIFER ROMELIEN: It depends on the
13 caregiver, if they're able to bring that young baby
14 daily we would make provisions for them to come in
15 and meet with the mom.

16 COUNCIL MEMBER BARRON: And for how long
17 does that arrangement last?

18 JENIFER ROMELIEN: It's, it's a case by
19 case basis. It could be an hour visit, normally our
20 visits are an hour but if needed to be longer it
21 could be... it's, it's... [crosstalk]

22 COUNCIL MEMBER BARRON: No, but what
23 period of time do you arrange for that to happen?
24 How many weeks, months, a year...

2 COMMISSIONER DEFRANCO: I think it's
3 also important to keep in mind Jen is referring to
4 pre adjudication...

5 JENIFER ROMELIEN: Right.

6 COMMISSIONER DEFRANCO: ...which is
7 detention...

8 COUNCIL MEMBER BARRON: Mm-hmm.

9 COMMISSIONER DEFRANCO: ...that tends to
10 be a short amount of time in most case... [crosstalk]

11 COUNCIL MEMBER BARRON: But what's the
12 longest set a young lady might be in detention.

13 COMMISSIONER DEFRANCO: Well actually we
14 did refer to this actually some exceptions or
15 outliers like the juvenile offenders...

16 COUNCIL MEMBER BARRON: But she'd be
17 allowed to interact with her child for the entire
18 period of time that she's in detention?

19 COMMISSIONER DEFRANCO: Sure.

20 JENIFER ROMELIEN: Absolutely.

21 COUNCIL MEMBER BARRON: Okay. Thank you.

22 CHAIRPERSON CABRERA: Thank you so much.

23 I know we weren't here and I want to thank them,
24 tell those that are here to testify and for
25 waiting. But Deputy Commissioner thank you so much

2 for the information, looking forward to follow-up
3 and especially when it comes to getting data, more
4 data that non-profits can use and other
5 organizations that want to be helpful. And now
6 we're ready for the next panel. Thank you so much.
7 Have a wonderful day. I'm going to call upon
8 Lindsey Rosenthal, Rukia Lolumba [phonetic],
9 Lorumba [phonetic], love that name, Stephanie
10 Candell [phonetic].

11 [pause]

12 CHAIRPERSON CABRERA: Is anybody, just
13 curious, anybody from the administration saying
14 here representing the administration? Okay, just
15 thank you. You can begin.

16 RUKIA LORUMBA: Good afternoon. My name
17 is Rukia Lorumba and I am Director of Youth
18 Programs at Cases. Thank you for having this
19 hearing on this very important issue of young women
20 in the juvenile justice system. Often times young
21 women are forgotten. As we are eagerly moving
22 towards reforming our justice system and developing
23 programs for the majority of young people that are
24 in them we find that the majority are for, the
25 majority of programs that are created have been

2 focusing on young men. And so it is really great to
3 see that this city council is really considering
4 the needs of our young women. Though they are few,
5 they are support and services are extremely
6 important and I applaud you for hosting this
7 hearing.

8 CHAIRPERSON CUMBO: I apologize for
9 interrupting what's going to be an extraordinary
10 testimony I'm sure. In the interest of time and
11 because this room is going to be used we're going
12 to limit every testimony to three minutes and I
13 just wanted to give you...

14 RUKIA LORUMBA: Thank you.

15 CHAIRPERSON CUMBO: ...an advanced warning
16 of that. And you can continue where you are with
17 the additional three minutes.

18 RUKIA LORUMBA: So I'm going to make my
19 testimony as short as possible. So Cases is a
20 partner of the ATI Re-entry Coalition in New York
21 city. And New York City of course right now stands
22 out as a national model for the quality and array
23 of its alternative and incarceration and detention
24 services. The city council has played a paramount
25 role in this achievement. And I thank you for your

ongoing support of cases in the reentry coalition. Your support and council budget initiatives provides important resources to our programs and we are asking that you would continue that support this year. Your support has allowed us to leverage support many times over, all of which allow the eight organizations that comprised ATI reentry coalition to serve tens of thousands of women, men, and children. As prison populations appear to be stabilized in nationally, and New York is reducing its prison and detention populations it is instructed to explore how these changes are impacting young women. From 2000 to 2009 the number of young women incarcerated in state or federal prisons rose by 21.6 percent compared to a 15.6 increase for men. By 2008 the number of girls referred to juvenile court had increased by 48 percent to 450 thousand. Almost 30 percent of the total delinquency court referrals with regard to race black women are incarcerated at a rate nearly three times that of white women. Additionally justice involved young women and girls have limited access to services that meet their... and complex needs. A review of Cases' Court Employment Program

2 for fiscal year 13 found that prior to intake 48
3 percent of young women were not enrolled in school
4 or were enrolled but not attending. The average
5 reading level at intake was 6th grade. 48 percent
6 of young women had mental health needs and 50
7 percent had substance abuse needs. Recognizing
8 these challenges members of the ATI coalition have
9 developed programs that address young women's
10 individual needs and empower them to deal with
11 their personal challenges. Collectively our
12 programs have resulted in decreased recidivism and
13 long lasting positive outcomes. That... Cases
14 alternative to incarceration girls rising program
15 showed that 60 percent of young women successfully
16 completed the program. 65 percent of young people
17 successfully completed the program and all of our
18 programs combined. A total after two years post
19 program exit showed that 80 percent of the young
20 people we saw were not rearrested. Other important
21 outcomes include, are school related. For example
22 68 percent of the young people that participated in
23 our CEP program, specifically 68 percent of the
24 young girls that completed our CEP program at the
25 time of their exit 68 percent were enrolled and

2 attending school or had a high school diploma, was
3 enrolled in a high school diploma earning program.
4 Additionally each and every one of them received
5 support of case management and reduced their, their
6 chances of recidivism. So I just want to thank you
7 for the time. Thank you for the continued support
8 and I actually continue to support ATI reentry
9 coalition and our members. It is imperative, it is
10 important, and we show results so let's do what
11 works. Thank you.

12 CHAIRPERSON CUMBO: Thank you.

13 LINDSEY ROSENTHAL: Good morning. My
14 name is Lindsey Rosenthal. Thank you for inviting
15 us here today to discuss the needs of girls and
16 young women in New York City's juvenile justice
17 system. I'm here today on behalf of the Men's
18 foundation for women because we're concerned about
19 the availability of gender responsive services is
20 just as involved girls. The men's foundation for
21 women has, was founded 40 years ago by Gloria
22 Steinem [sp?] and others. The foundation has a long
23 history of helping women secure the health, safety,
24 and equality we all deserve. We prioritize the
25 concerns of low income women, women of color, and

2 LGBTQ women as these women face the greatest
3 adversity. They're among the most vulnerable to
4 many of society's ills including the subject of
5 today's hearing, juvenile arrest and incarceration.
6 As leading policy experts on the health, safety,
7 and economic security of women and girls throughout
8 the United States the men's foundation understands
9 the problem of girls delinquency for what it truly
10 is, a problem rooted in our failure to protect the
11 safety, well-being, and opportunity of girls in
12 their homes and communities. Most young women
13 involved in the juvenile justice system share the
14 disturbing commonality that they are each, they
15 each become victims of crime in the form of
16 physical and sexual abuse well before they're ever
17 prosecuted for breaking the law themselves. In fact
18 physical, emotional, and sexual abuse is one of the
19 primary predictors of girls detention. Public
20 health experts describe girls in the juvenile
21 justice system as among the sickest and most
22 medically underserved adolescents in the country.
23 Many of the physical and mental health conditions
24 of girls in the juvenile justice system emerged
25 from their exposure to violence and abuse.

Fortunately however the long term harms of trauma can be mitigated through treatment and support. Reachers, research has shown that connecting girls in the juvenile justice system with healthcare can be highly, highly effective in preventing repeat involvement with the juvenile justice system. One study found that girls receiving access to physical healthcare were 72 percent less likely to reoffend and girls receiving mental health care were less likely to reoffend. Because girls typically comprise no more than 20 percent of the juvenile justice system both in New York City and nationwide juvenile justice systems often fail to provide gender responsive programing that adequately serves the needs of all justice involve girls. This is what some advocates have called the Tierney of numbers. Today the New York City system is still struggling to provide gender responsive services to all youth in its custody in its year one report on the close to home initiative released in March 2014 the city reported that programs were not prepared to meet the range of needs young women presented and that girls were not responding well to gender neutral services. The city has since engaged in

efforts to improve the capacity of programs serving young women by affirming a learning collaborative across programs and the misfoundation of plodzie's [phonetic] initial efforts to address the needs of young women. However we urge the city to take the following steps to increase transparency and accountability as it relates to gender equity in the juvenile justice system. Assess and report on gender responsive services for girls in the juvenile justice system... [bell rings] Oops. If I could just have one more minute I'd like to... I think you've touched on data transparency and accountability but the one thing that I think I'd like to add that's unique is the importance of implementing a standardized screening tool. Leslie... of the National Girls Health and Justice Institute developed the girls health, health screen which is the only validated health screening tool specifically for girls in the juvenile justice system. The screen has been successfully implemented in two California counties as well as in Philadelphia and it should be considered for use in New York City. Among other conditions the girls health screen identified that girls in those

2 jurisdictions, 23 percent reported a history of
3 self-harm, 40 percent said they were currently in
4 pain, 41 and 21, 41 and 24 percent respectively had
5 signs of vaginal tearing or rectal tearing possibly
6 due to sexual assault. These were things that, when
7 the screen was tested were not caught by a physical
8 exam by a nurse because girls often don't disclose.
9 So it's a really important tool and we hope that
10 you'll consider looking into it. With that thank
11 you so much for the time that you've taken today to
12 look into this important issue and we look forward
13 to continuing to work together.

14 CHAIRPERSON CUMBO: Thank you Mrs.
15 Rosenthal for your testimony.

16 STEPHANIE CANDELL: Good afternoon. My
17 name is Stephanie Candell. I'm the Associate
18 Executive Director for Policy and Government
19 Relations at Citizen's Committee for Children. I
20 want to thank you both for holding this really
21 important hearing today. In October 2006 Citizen's
22 Committee for Children released a report entitled
23 'Girls In The Juvenile Justice System,
24 Understanding Services Needs And Experiences'. 2006
25 we recommended that the city improved their data

collection coordination, that there be more resources for gender responsive programs and services across the juvenile justice continuum and expanded, and expanded opportunities for court involved girls to connect with positive peer and adult female models as well as ongoing staff training. We reiterate all of those recommendations again today eight years later. While there have been tremendous decline it overall, youth arrests and incarcerations both nationally and in New York the decline has not been as dramatic for girls. But the time of our 2006 report girls made up less than 20 percent of the system. Today according to state and city data it's about 25 to 30 percent of the system. National study is, because we don't have as good data from New York, but national studies have shown that girls often are in part of the system for less serious offences and they've suffered more trauma and abuse than boys in the system. And so as has been discussed we really think that we need more data and really a good comprehensive needs assessment to get a handle on what the girls in the system look like, to assess things like whether we do have lower risk girls in the system and whether

2 there are more alternative programs that we should
3 be providing. They are specifically targeted to
4 girls. When we look at data we want to just not
5 know who is in placement but also who's receiving
6 the alternative to detention and incarceration
7 programs as well as who's been arrested. We also as
8 others have discussed feel we need to invest in a
9 more gender responsive continuum of services and as
10 well as ongoing training for all of the
11 professionals involved in a system including the
12 judges, the attorneys, the agency personnel and
13 service providers, and really anyone who's coming
14 into contact with these young women. We were
15 concerned as we rolled out Close to Home to learn
16 how much trouble there had been in serving and
17 meeting the needs of girls and, so we think that's
18 bigger issue than really just Close to Home and as
19 we move forward in juvenile justice we really need
20 to make sure we're doing a better job to serve the
21 young women in our system. Thank you.

22 CHAIRPERSON CABRERA: Okay. Any
23 questions from the Council... I did have one
24 question. The, the data that you showed us was just
25

2 from... from Cases. And how many, what, how many
3 young ladies were involved?

4 RUKIA LORUMBA: So that was only 29
5 young ladies that we served that year, I'm sorry
6 41... [crosstalk] 41.

7 CHAIRPERSON CABRERA: 41. Do you think
8 that is, that really gives us, not shot...

9 RUKIA LORUMBA: Yeah.

10 CHAIRPERSON CABRERA: ...picture of really
11 what's going on that most of them don't come,
12 they're not going to school, lot of don't have
13 substance abuse problem...

14 RUKIA LORUMBA: Mm-hmm. I mean so for
15 example prior to even me began in my tenor at Cases
16 I worked for the Center for Community Alternative,
17 CCA and they had similar numbers. And they also had
18 a women's program called Crossroads for Women that
19 also had similar numbers. And so what we find is
20 that this is a trend throughout alternative to
21 incarceration programs, that the young women are
22 entering our programs on a 6th grade level, having
23 not attended school, you know truant, truancy
24 issues and having the need for some time, type of
25 reengagement with school. The other issue is of

2 course mental health. So a number of young women
3 enter having already experienced very traumatic
4 experiences in their lives. And what I'd like to
5 say is that every time you enter the court system
6 or have any involvement with the justice system
7 immediately that's another form of trauma. So
8 they're coming to us with additional trauma.
9 They're coming to us with trauma already have
10 happened in their lives and then they're engage,
11 they're experiencing more trauma. So it's, the
12 other thing that we find is that gender specific
13 programming is extremely important. So when they
14 enter these programs because 90 percent of our
15 programs throughout the city are predominantly
16 comprised of young men young women also feel
17 intimidated or not as comfortable. And so it's
18 really important to make sure that they have
19 classrooms and settings that they can have for
20 themselves. And you'll find that the young women
21 tend to own those experiences and those classrooms
22 and have better results than when you throw them
23 into a room with young men.

24 CHAIRPERSON CABRERA: And, and my last
25 question is in regards to Chair Cumbo and, and

2 Council Member Barron and... it's in regards to the
3 young ladies who come pregnant then they have a
4 child. What are your feelings? I mean I, as, as I
5 remember there's a state law regarding privacy
6 issues and so forth. But do you think maybe we have
7 gone too far you know, you have a 14 year old
8 making some lifelong, huge decision. Should parents
9 be given the right to be involved in that decision?
10 Especially during such a traumatic time in their
11 lives where they already have experienced multiple
12 traumas... I know I'm putting you on the spot...

13 UNKNOWN FEMALE: Yeah you're putting us
14 on the spot...

15 CHAIRPERSON CABRERA: ...but that's
16 alright...

17 LINDSEY ROSENTHAL: I can take a quick
18 stab at that. I used to supervise a program in
19 Florida for incarcerated pregnant and parenting
20 women and girls and I would just say that we really
21 do have to trust girls when it comes to those
22 personal decisions. These girls are coming from
23 families that experience a lot of dysfunction. And
24 so if she feels it's not safe to go to her parents
25 and disclose her pregnancy then she needs to have

2 alternatives. And she just needs... you know there
3 are appropriate development... appropriate tools that
4 medical providers can use to have those very
5 challenging conversations. But certainly no one in
6 a juvenile justice facility should be telling her
7 how to make that choice.

8 CHAIRPERSON CABRERA: Have studies been
9 done as to how many of these young ladies are
10 coming from dysfunctional families? Do we have, do
11 we have data showing what we suspect or are we
12 guess or do we really really... what, what, what do
13 we know.

14 STEPHANIE CANDELL: I mean I think what
15 we do know not necessarily about the pregnant and
16 parenting young people but we know from national
17 data that the, that the girls tend to have suffered
18 much more abuse, which isn't to say the boys
19 haven't been abused either... But that girl, the
20 girls in the system many of them have been. In
21 terms of pregnant and parenting youth what to me
22 was the bigger issue than the decision making of
23 their own choice, choosing is that if they choose
24 to have a child that there's no way for them to be
25 placed with their child in a detention facility

2 even though they haven't been found to abused, or
3 be abusive or neglectful, we don't really know why
4 they're there. And so from my perspective I would
5 love the system to be able to, there are few
6 facilities for kids who are placed to be able to be
7 with their children. It would be great if we could
8 do that for kids in detention to... [crosstalk]

9 RUKIA LORUMBA: ...there are existing
10 models for that now here in New York State. You
11 know Osborne associates and has various facilities,
12 sorry various programs where they have parenting
13 workshops and parenting programs inside of prisons.
14 And so you know it's, it's something to look at to
15 see how we can do that for young people in our
16 detention facilities.

17 CHAIRPERSON CABRERA: I have to tell you
18 that my big concern and, and mothers know way
19 better that I could ever even conceptualize this
20 but there is a bonding period that has been
21 confirmed through studies that I feel that a lot of
22 these young ladies are losing data opportunity. It
23 does have an effect on the child as development.
24 And I think that we need to stop cycles. I think
25 this could be the genesis of the next cycle when

2 people are not completing to developmental points
3 that I think that are so important. And I think we
4 all are smart enough to figure out how to do this.
5 And unfortunately it might be an issue of funding.
6 Let me turn it over to Council Member Arroyo
7 because I know we have a lot of people that want to
8 testify.

9 COUNCIL MEMBER ARROYO: My question, I,
10 I guess the administration... they, their response to
11 whether or not the family's involved if a young
12 woman is pregnant... And the response was they're not
13 allowed to provide information. Is that because
14 it's covered under the state law for reproductive
15 health services for... And I guess the lawyers in the
16 room would be able to speak to that. But is that
17 because... there's a law that prohibits providers
18 from disclosing information to families if it's
19 involving reproductive health issues. Is that why
20 family may or may not be involved if the young
21 woman doesn't want them?

22 UNKNOWN FEMALE 1: Yes.

23 COUNCIL MEMBER ARROYO: Or wants them?

24 UNKNOWN FEMALE 2: I think that's
25 correct.

2 UNKNOWN FEMALE 1: Yeah.

3 UNKNOWN FEMALE 2: Just not sure if it's
4 a state law... [crosstalk]

5 UNKNOWN FEMALE 1: Yeah, it might be a
6 federal law. I think it's a federal... [crosstalk]

7 COUNCIL MEMBER ARROYO: So for the
8 lawyers that are going to come up to testify maybe
9 you can clarify that, but I believe it's, it's
10 state law that does not allow the provider to
11 disclose information.

12 CHAIRPERSON CABRERA: Thank you so much
13 for providing that information. Very, I believe
14 it's going to be very useful. I'm going to call
15 upon now for the last panel Adrian Gusmar
16 [phonetic], Beth Powers [sp?], and Maxwell Phillip
17 or Phillips, Phillips. Welcome.

18 BETH POWERS: Thank you.

19 CHAIRPERSON CABRERA: All feel free to
20 begin.

21 ADRIAN GUSMON: Hi, my name is Adrian
22 Gusmon. I'm with the Center for HIV Law and Policy
23 where I coordinate our sexual health advocacy work
24 on behalf of youth in state custody. So here in New
25 York City youth, in one way, shape, or form

2 involved with ACS. My testimony this afternoon will
3 focus on our work with ACS and we hope that the New
4 York City Council will support our efforts to
5 ensure that ACS meets its obligation to provide for
6 sexual and reproductive health needs of the youth
7 and their... importantly including young women and
8 girls. So as many council members have mentioned
9 already youth of color, youth from low income
10 backgrounds, LGBTQ youth, youth survivors of sexual
11 violence, they're all significantly over
12 represented in the state custody setting. They
13 often present with histories of physical and sexual
14 abuse, neglect, family instability, and as we know
15 they experience higher rates of sexually
16 transmitted infections including HIV, unintended
17 pregnancy, and substance use. And for some youth
18 who identify or, or are perceived as LGBTQ they
19 often times this results in family rejection,
20 abuse, or neglect prompting the state to remove
21 them from their home. A recent Department of
22 Justice Study found that nearly 10 percent of youth
23 who are in placement reported experiencing one or
24 more incident of sexual victimization by another
25 youth or a staff member while in the facility in

the, in the past 12 months or since admission if less than 12 months. LGBTQ youth were nearly seven times as, as likely as, as heterosexual youth to report youth on youth victimization while, while in care. So our, our belief is, our approach is increasing young people's sexual health knowledge and ensuring access to crucial sexual health services are critical prevention strategies that could help stop sexual violence before it's perpetrated. So this is, this, this link between sexual health and safety is, is where, is where we work. So we've worked with ACS for a number of years now and last fall they invited our input on their sexual and reproductive healthcare for youth in foster care draft policy. So our comments which we submitted back in December focused on a lot of what has been discussed this afternoon. The content in timing of physical and mental health screenings, sexual history, documentation, STI counselling, HIV counselling, and risk assessment to determine whether someone is presenting with factors that would require an HIV test. Ongoing care, discharge planning, LGBT cultural competence and more, most importantly, or as importantly staff training,

foster parent training so that they are culturally competent on these issues while caring for a young person. So you know ACS has not made its review of our comments or, or the community input available to the public. ...offered to collaborate with ACS to, to sort of work with them on the next step of getting this policy out there and ensuring that these services are in place. But we were told the agency planned to finalize the policy on its own without additional community input. And no date was given for the release. So we're, we're here to see if the New York City Council can support our efforts to ensure that these issues have a public platform and can we make sure that ACS is developing the policy as we hope it is based on expert consensus on these issues and, and perhaps a resolution by the committees would be a really good vehicle to announce ACS's needs to ensure that these services are in place for young people in care. So thank you for, for allowing all the testimony from the different stakeholders today. Thank you.

BETH POWERS: Hello, my name is Beth Powers and I'm the Senior Juvenile Justice Policy

2 Associate at the Children's Defense Fund New York.

3 And I'm testifying today on behalf of the LGBTQ
4 work group of the Juvenile Justice Coalition. Thank
5 you for the opportunity to testify today and for
6 holding this hearing. The Juvenile Justice
7 Coalition is a network of child advocacy groups,
8 legal service providers, alternative sentencing
9 programs, and community based organizations working
10 to make the juvenile justice system in New York
11 State more fair and effective. And it's coordinated
12 by the correctional association of New York who was
13 not able to be here today. I'm going to jump
14 straight to our recommendations in the interest of
15 time. First I'm going to speak to the need to
16 expand data collection and transparency which has
17 been brought up several times today. So LGBTQ youth
18 are over represented in the justice system. And the
19 Correctional Association of New York, Chair of the
20 JJC recently gathered data suggesting a level of
21 disproportionality may exist in New York's juvenile
22 justice system. So OCFS granted the correctional
23 association access to visit OCFS facilities and to
24 speak directly to youth in care and facility staff
25 in order to evaluate the safety of LGBTQ youth in

custody, assess the effectiveness of the antidiscrimination policy and guidelines, and ensure meaningful implementation of the policy and guidelines. Known as the Safety Initiative this projects will, will culminate in the dissemination of a public report later this year highlighting key findings and recommendations based on the data and information collected from the visits. So the Safety Initiative visited 11 OCFS youth justice facilities from 2012 to 2013 and collected 196 surveys from youth. 27, I'm sorry, yeah 27 percent of all youth who participated in the evaluation identified as or identified being perceived as LGBTQ. 19 percent identified as LGBTQ and eight percent were perceived as LGBTQ. So that's the breakdown. And the Correctional Association collected 39 surveys from female facilities out of, and out of an average of 79 youth in female facilities at the time of the visits they found that 81 percent of the youth in female facilities identified or were perceived as LGBTQ and 19 percent identified as non LGBTQ.

CHAIRPERSON CUMBO: Can you read that sentence again.

2 BETH POWERS: Yes. I had to read it
3 again the first time I read it as well. So of the,
4 I'll go back to the 39 surveys... I'm sorry they
5 collected 39 surveys from female facilities. Out of
6 an average of 79... I'm sorry, an average of 79 youth
7 in female facilities at the time of the visit.
8 Okay, so there was an average of 79 youth. They
9 found that 81 percent of the youth in female
10 facilities identified or were perceived as LGBTQ
11 and 19 percent identified as non-LGBTQ. So the vast
12 majority of youth participants in the four female
13 facilities that they visited identified as LGBTQ.
14 So these results strongly suggest a
15 disproportionate number of youth in OCFS female
16 facilities who took the survey and points to the
17 need for more research about young women in the
18 youth justice system in New York City. Last year
19 members of our work group testified before you
20 before the city council in supporting the local law
21 to expand data collection requirements. And we're
22 very grateful that that was expanded to placement
23 facilities. And we just want to reiterate again at
24 this point that we believe that, so, sexual
25 orientation and gender identity and expression

2 should be included in this collection. We were also
3 pleased that the passage of the law, specifically
4 the inclusion of reporting on bias based incidents.

5 In the past year ACS has taken steps to start
6 collecting data on sexual orientation and gender
7 identity and expression in detention. So it's our
8 understanding they are collecting this data in
9 detention. And we applaud ACS in this and encourage
10 them to expand this to all juvenile placements. We
11 also obviously would like that to be publically
12 available with the other demographic data. Second
13 we recommend improving oversight of LGBT affirming
14 practices citywide. We recommend that the city
15 develop a plan to assess the capacity to serve
16 LGBTQ young people in, or when in particularly the
17 juvenile justice system. While we're supportive...

18 [crosstalk]

19 CHAIRPERSON CUMBO: We're going to have
20 to have you wrap it up.

21 BETH POWERS: Okay.

22 CHAIRPERSON CUMBO: But we do have the
23 testimony and it is...

24 BETH POWERS: Okay.

2 CHAIRPERSON CUMBO: ...very compelling. So
3 if you just make your final recommendation that'll
4 be great. Thank you.

5 BETH POWERS: Sure. Our final
6 recommendation was just around ensuring that staff
7 training is mandated and ongoing and that is
8 spelled out in my testimony.

9 CHAIRPERSON CUMBO: Thank you very much.

10 MAXWELL PHILP: Good afternoon. My name
11 is Maxwell Philp [sp?]. I'm a student at New York
12 University and a summer intern with Lambda Legal's
13 Youth in Out-of-Home Care Project and I am
14 testifying today on Lambda Legal's behalf. Lambda
15 Legal's Youth and Out-Of-Home Care Project raises
16 awareness and advances reform. On behalf of LGBTQ
17 youth in child welfare juvenile justice and
18 homeless systems of care I thank the Committee on
19 Women's Issues and the Committee on Juvenile
20 Justice for holding this hearing. This afternoon I
21 will be testifying about the issue of the
22 commercial exploitation of youth and in particular
23 how LGBT youth are, are at increased risk of being
24 commercially exploited and if entering the juvenile
25 justice system as a result of being victimized.

2 We're providing a more expansive written testimony
3 on this topic to the committee and I'll be giving a
4 more condensed version orally today. The problem of
5 commercial sexual exploitation of children is often
6 inaccurately depicted as impacting only
7 heterosexual... gender girls, these are girls who
8 identify with the sex assigned to them at birth, or
9 also known as gender conforming girls. This
10 incomplete understanding masks the reality of the
11 disproportionate number of lesbian, gay, bisexual,
12 and transgender, and gender non-conforming youth
13 who are victims of commercial sexual exploitation.
14 The rates of homelessness amongst LGBT youth are
15 due in part to their high rates of family
16 rejection, increasing their rates of homelessness,
17 entering to foster care, contact with the juvenile
18 justice system, and subsequent risk of commercial
19 sexual exploitation. Surface workers, surface
20 workers providing work with this population report
21 that 68 percent of their LGBT homeless clients have
22 faced family rejection and 54 percent have
23 experienced physical, sexual, and/or emotional
24 abuse in their family. Recent research demonstrates
25 that LGBT youth who end up in the juvenile justice

system are twice as likely to have experience... conflict abuse and homelessness as their peers. LGBT youth are also punished by a school and criminal authorities up to three times more often than heterosexual youth. This only exacerbates the feeding of this population deeper into the juvenile justice system and subsequently into commercial sexual exploitation. Despite a recent increase in shelter beds in the city there are far too few shelters that provide a safe space for this marginalized population as reported by the New York Times there are only 50 beds serving LGBT youth in the City of New York. Other New York City based organizations just lack the cultural competency to serve LGBT youth and the organizations that have the cultural competency lack funding. Let's see. As described earlier to me LGBT youth are kicked out, rejected, or abused by their families, and when they disclose their sexual orientation or gender identity or exhibit gender non-conforming behavior it just subsequently feeds them into the system even further. The majority of commercially sexually exploited youth are not arrested or if they are they're arrested for crimes other than

prostitution. This population therefore not only needs culturally competent, culturally competent services but easy access to them without a court mandate. And everyone who comes into contact with these youth should not only be trained to recognize LGBT and gender non-conforming youth but to support them and their particularized needs. The dominant narrative in training that these professionals learn is one of... gender heterosexual girls and other stories also need to be added to these trainings. And one more thought the significant numbers of transgender girls in particular who are regularly arrested on prostitution related charges makes the need for a court mandated diversion program capable of competently addressing their needs all the more important. Implementation and utilization of these programs should add to but not replace other opportunities for youth to avoid formal adjudications where appropriate.

CHAIRPERSON CABRERA: Thank you so much.

I have a question. If I understood right the, the LGBT community is much in terms of proportions is much larger with the young girls than, than the

2 young men. Why is, what, what do you see a
3 causation for that?

4 BETH POWERS: Why there tend to be more
5 LGBTQ identified young women in the system than
6 LGBTQ identified young men in the system?

7 CHAIRPERSON CABRERA: Yes.

8 BETH POWERS: I don't actually know a
9 cause for that...

10 MAXWELL PHILIP: I would, I, you know
11 you can't imply causation but there's a correlation
12 between family rejection and the school to prison
13 pipeline LGBT youth are, like, because like I said
14 three times more likely to be punished in school.
15 And this can just further the push of these youth
16 into the juvenile justice system. But you just
17 cannot imply causation.

18 ADRIAN GUSMON: And, and I would also
19 say that there is some... to, to kind of view through
20 a societal lens I think young men who may be
21 experiencing it's just related to their sexual
22 orientation, gender identity, or gender expression
23 may not be as comfortable at that point in their
24 life expressing that, self-reporting that. And I
25 think that that was evident in the safety

2 initiative study. It's also important that this is
3 one snapshot, it's one point in time in these young
4 peoples' lives when they report on a certain sexual
5 orientation or gender identity and, and as we know
6 that evolves for many young people. So you know it
7 would be interesting to follow for, for the
8 correctional association to follow these young
9 people to see where they stand in a year, two years
10 after that and how they're experience and...

11 BETH POWERS: I also... I'm sorry Adrian.
12 I also would add that the correctional association
13 is completing an entire report on this and on their
14 findings. And so I'll just, I'm happy to pass on to
15 our Chair of the Coalition that you'd be interested
16 in reading the full report when it's done and all
17 the analysis that goes along with the data.

18 CHAIRPERSON CABRERA: Great. Any
19 questions? Council Member Arroyo.

20 COUNCIL MEMBER ARROYO: Thank you Mr.
21 Chair. Beth if you could just define... it's the
22 first time I've read or heard 'were perceived as
23 LGBT...

24 BETH POWERS: Mm-hmm.
25

2 COUNCIL MEMBER ARROYO: ...Q' how does,
3 how does it come to that finite definition of
4 perceived?

5 BETH POWERS: Mm-hmm.

6 COUNCIL MEMBER ARROYO: How do you...

7 BETH POWERS: I believe that that comes
8 from the fact that some youth who perhaps do not
9 appear in a sort of, maybe a gender conforming way
10 or in a way that is expected of their peers and
11 perhaps maybe treated as if they were treated as if
12 they were LGBTQ, even if that youth doesn't
13 necessarily identify that way themselves.

14 COUNCIL MEMBER ARROYO: So this was
15 self-reported...

16 BETH POWERS: Correct.

17 COUNCIL MEMBER ARROYO: ...by the
18 individual, not someone set that guide... [crosstalk]

19 BETH POWERS: Exactly.

20 COUNCIL MEMBER ARROYO: Okay.

21 BETH POWERS: Exactly. Mm-hmm.

22 COUNCIL MEMBER ARROYO: Interesting.
23 That's the first time I heard that term. Thank you.

24 BETH POWERS: Mm-hmm.
25

1 COMMITTEE ON JUVENILE JUSTICE JOINTLY WITH THE COMMITTEE ON WOMEN'S ISSUES 110

2 CHAIRPERSON CABRERA: Alright, thank you
3 so much, want to thank everyone for making this
4 really a successful hearing today. And with that we
5 conclude. Have a wonderful day.

6 [gavel]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date June 26, 2014