

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON JUVENILE JUSTICE

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February 23, 2015
Start: 10:27 a.m.
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HELD AT: 250 Broadway - Committee Room,
14th Floor

B E F O R E: Fernando Cabrera
Chairperson

COUNCIL MEMBERS:

Maria Del Carmen Arroyo
James Vacca
Inez D. Barron
Rory I. Lancman
Ruben Wills

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

Alex Crohn

General Counsel to the Mayor's Office of
Criminal Justice

Michelle Sviridoff

Deputy Coordinator for Research and Policy at
the Mayor's Office of Criminal Justice

Migdalia Veloz

Chief Contracting Officer at Mayor's Office of
Criminal Justice

Gerald Foley

Assistant Director for Program Management at
Mayor's Office of Criminal Justice

Reverend Wendy Calderón-Payne

BronxConnect

Bob De Sena

Council for Unity

Michael Hines

Council for Unity

Lisa Freeman

Legal Aid Society

Hans Menos

Center for Community Alternatives

Sally Sanchez

Center for Court Innovations

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

Rukia Lumumba

Center for Alternative Sentencing and Employment
Services

COMMITTEE ON JUVENILE JUSTICE

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COUNCIL MEMBER VACCA: Good morning, everyone. I am not Councilman Fernando Cabrera. I am Councilman James Vacca, a member of this committee, and I want to start the hearing on his behalf. I always try to start on time, and it's polite I think to do so for all of you, and I thank you for coming, and I want to be certainly considerate of your time. The Councilman is on his way. He's running a little late, but he will be here. So, I thank you for coming. Does he have an opening? Yes, okay. As all of us in this room know, young people often face many challenges when transitioning from residential detention back into their community, and our hearing today of the Committee on Juvenile Justice is going to focus as an Oversight Hearing on that issue. Research shows that court involved juveniles disproportionately come from communities with high levels of poverty and environments that lack the appropriate supportive services. Many of them return to homes where they might receive little supervision and some reconnect with peers who are a bad influence. In order to successfully reintegrate into their communities, young people need ongoing support and intervention.

These support services can often be often be found in Alternative to Detention Programs, or ATD's. ATD's service youth who have been arrested, but who have not yet received a sentencing disposition. ATD programs provide pre-adjudicated youth who are at risk and in need of services with an alternative to secure and nonsecure detention while awaiting trial or sentencing in Family Court. Without such programs, Family Court Judges have only two options, to detain a youth or to release him or her back into the community without program services or formal monitoring. We all understand the decision to lock up any youth pending trial can have serious negative consequences as can stigmatize youth and is a major disruption to an individual's life. It is my belief that we should find solutions to place youth in alternative programs that provide them with alternative services. It's a simple fact, keeping youth closer to their families and their communities while enrolled in alternative programming is more beneficial than detaining youth in facilities away from the community and support networks. During today's hearing I'll look forward to learning in detail about the city's various ATD programs, how the

community based services will address the individual needs of our youth and help combat recidivism. More specifically, the committee would like to examine how the city chooses the community based programs to operate ATD's and the criteria used to determine whether a contract is awarded to a provider. I thank the administration for being here today to present their testimony as well as to field questions from the committee members, and without further to do, I would introduce other members of the committee, but there are no other members to introduce. So, I introduce myself. I'm James Vacca, a member of that committee, and I read that statement on behalf of Councilman Cabrera who is the Chair. So, would the administration please provide the first set of witnesses? I would ask you to please turn off your cell phones or put them on vibrate during the hearing. Would the lead-off witness please introduce himself?

ALEX CROHN: Good morning, Council Member. My name is Alex Crohn and I'm the General Counsel of the Mayor's Office of Criminal Justice. I'm joined today by Michelle Sviridoff, our Deputy Coordinator for Research and Policy, Migdalia Veloz,

our Agency Chief Contracting Officer, and Gerry Foley, the Assistant Director for Program Management.

Thank you for providing us with the opportunity to testify today on the Family Court Alternative to Detention Programs. As you know, the Mayor's Office of Criminal Justice advises the Mayor on public safety strategy and develops and implements policies aimed at achieving three main goals, driving down citywide crime, reducing unnecessary incarceration and promoting fairness within the Criminal Justice System. We're very glad to have the opportunity to discuss the administration's' public safety agenda with you. Research has shown that young people who have been detained are more likely to experience educational drop out, unemployment and future involvement in the Criminal Justice System. We cannot accept these outcomes for our city's young people. We have a foundation, however, to build on. Since 2008, New York City has engaged in a comprehensive effort to reform the Juvenile Justice System. These reforms have substantially increased capacity and Alternative to Detention and Alternative to Placement Programs and sharply reduced the number of youth held in detention and placement facilities.

Between 2008 and 2014 we've seen the following trends, the number of delinquency arrest in New York City plummeted 53 percent. The number of delinquency cases filed in Family Court fell 53 percent. The average daily population in juvenile detention fell 54 percent. The percent of dispositions involving participation in Alternative to Placement programs doubled, and the number of youth held in placement facilities at year end fell 66 percent. All of this was achieved with no increase in the frequency of juvenile crime. Between fiscal year 2008 and fiscal year 2014, the number of juvenile arrests for major crimes like robbery and felony assault dropped 34 percent. The Mayor's Office of Criminal Justice work with a diverse body of Juvenile Justice stakeholders including Family Court judges, the New York City Department of Probation, the New York Police Department, Corporation Council, and the Administration for Children's Services to develop and manage these Alternative to Detention programs as part of a larger graduated continuum of citywide services targeting Family Court involved juveniles. Alternative to Detention Programs are designed primarily to prevent or reduce rearrests and flight

during case pendency. Concurrent with the development of the first ATD programs, the city created a Risk Assessment Instrument or RAI. The RAI is a validated, powerful predictive tool that helps maximize the benefits of ATD programs by assessing risk and identifying individuals who would benefit most from different and levels of supervision. Our first contracts with providers for ATD services were awarded partially in response to a crisis. In 2007, then Department of Probation Commissioner Marty Horn [sp?] closed the city's only Alternative to Detention Programs amidst concerns of poor programmatic operation, badly maintained facilities and departmental budget cuts. After the closure, however, the average daily population in detention grew by five percent between fiscal year 2006 and fiscal year 2007. Recognizing that ATD programs could reduce unnecessary detention providing community based supervision and services to mid risk youth without compromising public safety, the Mayor's Office of Criminal Justice and the Criminal Justice Coordinator released a solicitation and contracted for services to provide Alternative to Detention Programming all five boroughs. The first round of

ATD contracts became active in 2008 and lasted to the end of 2014. To avoid a lapse in the provision of ATD services the Mayor's Office of Criminal Justice issued a request for proposals for ATD programming in April 2014. The RFP was released through HHS Accelerator and the prequalification criteria and application process for the RFP were administered through accelerator, independent of MOCJ's input or involvement. Over a three month period, proposals were evaluated by committee consisting of city employees. Upon completion of the evaluation process, MOCJ and a number of additional agencies reviewed the entire solicitation and selection process. New contracts were awarded in October 2014 and these contracts are in the process of being finalized. The new ATD programs target mid-risk populations and offer two tiers of services. Tier one consists of community monitoring, and tier two consists of after school supervision. Tier one is the least intensive level of services available for court involved youth in New York City. Youth enrolled in community monitoring must comply with court ordered curfews and attend all school and court appearances. Tier two consists of more rigorous

programming that combines on site after school supervision with community monitoring. Youth involved in tier two programs participate in a mix of educational, extracurricular and enrichment activities such as tutoring, sports and behavioral workshops. All youth initially attend the program five days per week. Both components employ graduated sanctions and incentives in response to participant compliance and progress. These programs have yielded profound and substantial benefits for the Juvenile Justice Program population. We would like to share some of these programmatic achievements with you today. An ATD participant benefits not only from preventive programming, but also reduced exposure to the damaging effects of detention. Prior to the implementation of risk assessment and ATD programming, many low and mid risk individuals were being unnecessarily detained. However, in the first three years after ATD implementation, detention of low and mid risk juveniles declined by 63 percent and 15 percent respectively. The citywide detention, juvenile detention, decreased by 27 percent. Now, more low and mid risk juveniles are being returned home, supervised or offered a bevy of supportive

services than in the years before ATD implementation. These programs offer powerful preventive programming that keeps justice involved youth crime free. ATD's also deliver compelling messages of deterrents. We are now doing a better job than ever keeping our youth out of detention, both during and after case adjudication. Together, with risk assessment, ATD's have influenced the behavior of those under supervision or released to their families. Now, with the ATD's operational rates of case pendency rearrests have declined by nearly 20 percent for mid risk youth, benefitting from the programming and supervision available to them, mid risk youth are less inclined to commit offenses resulting in arrest. As of October 2014, these program have enrolled a total of 4,259 juveniles. Nearly four out of five participants have successfully completed their ATD program mandate. This is a remarkable achievement. To ensure continued successful functioning of our ATD programs, we have solicited the services of a technical consultant and a technical developer to improve our current Juvenile Justice database, a city owned relational database designed to collect, link and store information from the ATD programs in

multiple city agencies. These improvements will enable us to more comprehensively track both individual case and program outcomes and more rigorously evaluate the services provided. In conclusion, I want to reiterate the remarkable success of the Juvenile Justice Reform initiatives. Having now experienced unprecedented declines in rates of detention and rearrests for low and mid risk youth, we are positioned to make even greater gains towards reducing unnecessary detention. Our ATD programs which intervene at critical points in the life of affected youth and present them with the support they need to avoid future criminality will continue to be at the core of this effort. We are proud of their success and will continue our efforts to improve programmatic operations and capacity. We remain committed to these valuable programs that improve public safety, reduce unnecessary detention and set kids up for future success outside of the Juvenile Justice System. We'd be happy to answer any questions that you may have today.

CHAIRPERSON CABRERA: Well, thank you so much, and I apologize for my lateness, but got stuck in the West Side with two accidents and two cars that

were stuck out of all days, unbelievable. It's what I get for not checking the traffic report. Let me just thank Council Member Vacca who was here earlier to open for me, and we are joined by Council Member Wills. Can you give me a brief description, I don't know if you covered this, the process of selecting the programs involved in the ATD? And also if you can talk about has there been any changes in terms of that process from the previous administration?

ALEX CROHN: So I'm joined today by Migdalia Veloz who's our Agency Chief Contracting Officer, so she'll correct me if I get anything wrong.

CHAIRPERSON CABRERA: Thank you.

ALEX CROHN: So MOCJ, like every city agency, follows the citywide procurement rules that require that the procurements be process through whatever means that they need to be processed. In our instance, they need to be processed through HHS Accelerator. So what that means is whenever the city needs to procure any sort of services we first figure out what we need and then we develop the RFP. Now, the RFP has to be developed in line with the requirements of HHS Accelerator, and HHS Accelerator

1 is relatively new. It's a process that's being used
2 for all social services contracts, including
3 alternative detention services now, and it requires
4 relatively detailed evaluation criteria so that we
5 can properly evaluate the solicitations that come in.
6 Migdalia can get into a little bit more about sort of
7 the process, but that's basically the rough summary
8 of it.
9

10 CHAIRPERSON CABRERA: And how do you
11 determine which variables are involved in selecting
12 the groups.

13 ALEX CROHN: So--

14 CHAIRPERSON CABRERA: [interposing] And
15 who also, who makes that determination?

16 ALEX CROHN: So, part of that is the
17 agency and part of that is the standards of HHS
18 Accelerator. So Migdalia, you can get a little bit
19 more into sort of how we structure our ATD evaluation
20 criteria.

21 MIGDALIA VELOZ: Good morning. Is it on?

22 ALEX CROHN: Yeah, it is on.

23 MIGDALIA VELOZ: Good morning. The ATD
24 solicitation included seven criteria that were
25 embedded in the model RFP. That criteria is

something that was developed with multiple city agencies as well as the providers over two to three years, and there are seven criteria that are embedded. After solicitations are received, there's, as Alex said, a committee and panel to review the proposals.

CHAIRPERSON CABRERA: Can you share briefly what the seven criteria are? I'm curious because I don't know what they are.

ALEX CROHN: Yes, I can--

CHAIRPERSON CABRERA: [interposing] Thank you so much.

ALEX CROHN: Not a problem. I got it written down. So, they include experience, tier one, community monitoring which we mentioned before. Tier two, after school supervision, organizational structure, systems and reporting, staffing, stakeholder outreach and linkages, and budget management.

CHAIRPERSON CABRERA: And how do you determine how much percentage goes to one criteria versus another?

ALEX CROHN: So, as Migdalia mentioned, that's a collaborative effort with other city

agencies to determine sort of the needs of the city and which is the most important need at the time.

CHAIRPERSON CABRERA: You also mentioned that ATD groups, programs, have input into that. That was--

MIGDALIA VELOZ: [interposing] The entire--
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CHAIRPERSON CABRERA: kind of--

MIGDALIA VELOZ: [interposing] not for profit community was part of the planning process for Accelerator, and that process was undertaken over two to three years under the former administration.

CHAIRPERSON CABRERA: So, I had asked earlier, had there been any changes? What changes have there been this year as compared to the previous administration?

MIGDALIA VELOZ: This year, Accelerator has been in effect probably for about 14 months.

CHAIRPERSON CABRERA: Okay.

MIGDALIA VELOZ: ATD was one of the first RFP's that we issued through that new system.

CHAIRPERSON CABRERA: So let me be a little bit more specific. For example, in the Bronx we had a group called Bronx--we have a group there, a

program called BronxConnect, and they didn't get the renewal of the contract this year, and there was--I was told there was changes as to the percentage that was given for experience. Can you explain to me why that was so, something that is in my estimation so important, especially with a six million dollar RFP?

ALEX CROHN: So as we mentioned before HHS Accelerator is a relatively new system that requires finer delineations between evaluation criteria. So, previously you may have been able to put forward three evaluation criteria, say 30 percent, 30 percent, 40 percent, but under HHS Accelerator that wasn't allowed anymore, and that was a citywide effort that was put into place. So, MOCJ, among other agencies, was forced to more finely delineate the evaluation criteria, which is why we ended up with seven criteria.

CHAIRPERSON CABRERA: I have to tell you that I'm a little, not a little, I am concerned that you had a group that had the most experience who had the best record, who didn't--if I was in the business world, I would love to have and I would shoot to have, shoot is not a good word, my goal would be to have the group that has the most experience and who

has the best record. Why, if we have a process that is supposed to be better, why that was not the outcome this time around?

ALEX CROHN: So, we think that was the outcome. The process is the process. Vendors are free to submit whatever information they decide to submit. So they can choose to submit their experience in the community. They can submit failure to appear percentage rates, and sometimes they do and sometimes they don't. Then the independent [sic] committee evaluates that. So, they choose the one that they think satisfies the criteria in the best way, and this instance, BronxConnect was not the winner of the RFP.

CHAIRPERSON CABRERA: So, what you're telling me that there is a subjective aspect to this.

ALEX CROHN: I'd say that one of the chief aims of HHS Accelerator was to remove that subjectivity, which is why there's finer delineation allowing seven criteria as opposed to three.

CHAIRPERSON CABRERA: But if you have a group that has the best track record and they have the most experience, that's an objective variable. Explain to me, and I know there's other variables at

work here, but explain to me if those are the objective criteria and they are, have shown to be better--you know where I'm going. Explain to me. I'm a little baffled here.

ALEX CROHN: So, I think there's a lot of different ways by which you can measure experience and performance, and the evaluation committee looks at the way that the vendors have presented that information and their track record. So, I think to say that this group over that group has the best experience, you know, I can't get into the ratings because of sort of confidentiality rules--

CHAIRPERSON CABRERA: [interposing] Sure.

ALEX CROHN: associated with the procurement process, but the evaluators are the ones who determine experience, and they may or may not have determined that in the experience category one vendor was better than the other.

CHAIRPERSON CABRERA: So, I have to say, again, so that if you're telling me that the vendors determine what experience is, that's a subjective matter. If you tell me that experience is based on how long they have been there, how long they have worked in the Bronx, how long they have worked in

1 this field, that's an objective criteria. You know,
2 look, my previous life I was a college professor. I
3 did a lot of research. This doesn't sound to me as
4 an objective. That part is not objective. That will
5 not pass a dissertation, at the very least. I am
6 concerned that what I'm hearing is you have an
7 objective criteria, but at the end, it is up to the
8 evaluators to determine what is considered
9 experience. I think that the process should
10 delineate very specifically what is experience and
11 what kind of experience we're looking for.

12
13 ALEX CROHN: So, the RFP itself does go
14 into great detail as to what sort of ingredients go
15 into experience, and then it's up to the vendors to
16 reply to that RFP. So, they need to satisfy the
17 request of the RFP and the specific things that make
18 up experience, and that's what happened in this
19 procurement like any other procurement.

20 CHAIRPERSON CABRERA: So, do you think
21 experience in the Bronx would have been an important
22 variable?

23 ALEX CROHN: It is one factor of
24 experience, yes.
25

CHAIRPERSON CABRERA: Okay. Do you think that somebody who has never worked in the Bronx versus somebody who's worked in the Bronx, that that should be something that is of concerning to the evaluators?

ALEX CROHN: So, I can't get into too much of the specifics of the proposal, because like I said the contracts still haven't been finalized. However, vendors are allowed to satisfy borough based experience in a multitude of different ways. In this instance, the winning vendor has proposed a partner with a local organization that's based in the Bronx, and that for the evaluation committee was enough to satisfy those criteria.

CHAIRPERSON CABRERA: But that's irrational to me. It's irrational to me that you have somebody who's not from the Bronx. We have very few organizations that are from the Bronx. Then you get somebody from outside the Bronx to find a group who's from the Bronx, and I know who that group is, who they're very good organization of what they do. I support them. I give them discretionary funding, and I believe in that organization, but this is not what they specialize in. So, it's kind of--it's

ALEX CROHN: So, you know, I think more than anything that we're here to do is talk about the process, and for us, the process was done the correct way. It was done the way every other RFP in the city is done, that the panel was chosen from a multitude of different agencies. Panel numbers were required to disclose any conflicts of interest and attest to that. They required to follow the standards of HHS Accelerator, and all those things happened in this procurement. So that's the--that's how we can answer your question which is the process is the process and it was followed to a T this time.

CHAIRPERSON CABRERA: Look, I'm not questioning intentionality [sic], what I am questioning is exactly that process that I think there's something wrong with the process, and ironically, out of all the boroughs and the only borough that we end up having this phenomena end up being the Bronx. And

you know, as it is, in the Bronx we are--you know, we're trying to raise some good groups. We're trying to raise some in house groups, and when we have a five star stellar group, it concerns me. It's disconcerting to me that that group was not selected, and I have to say that it's the process. I agree with you, we're here to talk about the process, and that's the very process that I'm concerned about, because you know what's going to happen? It's going to happen again, and it's going to happen in another borough, and you're going to have all the Council Members complaining about the same process because you have somebody who's been affected, you have somebody who has experience in that particular who will have judges who are extremely ecstatic about those groups, but that particular group, and at the end of the day to be honest with you was shocking to us. It was shocking to the Council Members, to the whole Bronx delegation, Congressman Serrano who has been in these meetings. He was concerned as I am regarding this, and what I'm calling is for you to go back to look at the process again, because at the end of the day, the process will determine the product, and we want the best possible product. And so, you

1 know, our kids are hurting enough, and I'm happy
2 about what I have seen so far. This is why you see
3 me ball [sic] in firm of what I'm talking about
4 because I think that the right decisions were made
5 before and to create this shift. So that leads me to
6 the second question. Does the group that was
7 selected, their numbers are actually getting worse,
8 right? And let's suppose, let's suppose next years'
9 numbers are not as to what we had experienced with
10 the present group that is right now. Explain to me
11 what is from here on, what is the process? Do you
12 have a check and balance? Do you have in your
13 contract a year from now, two years from now,
14 contracts pull out sometimes? Is there a history of
15 contracts being pulled out before? You know where
16 I'm going. Thank you.

18 ALEX CROHN: So I think above all us, and
19 I think you've touched on it, Council Member, which
20 is our number one priority in all of this, is the
21 kids that we're talking about here and keeping them
22 out of detention, keeping them away from rearrests.
23 So, we have a rigorous standard by which we hold our
24 vendors accountable, and I'll let Migdalia talk a
25 little bit about sort of the contractual remedies

that are available to us, as well as I touched on it a little bit, a new procurement we put out for just this in order to monitor our contractors.

MICHELLE SVIRIDOFF: So, you spoke about the numbers. One of the things that we mentioned in our testimony--

CHAIRPERSON CABRERA: [interposing] I'm sorry, can you introduce yourself again?

MICHELLE SVIRIDOFF: I'm Michelle Sviridoff. I'm Deputy Coordinator for Research and Policy, Deputy Criminal Justice Coordinator for Research and Policy.

CHAIRPERSON CABRERA: Thank you so much.

MICHELLE SVIRIDOFF: So I'm here to speak about the numbers, because there are many ways to measure those numbers, and over the years, since we developed the Alternative to Detention Programs and the risk assessment instrument, we have partnered with the Vera Institute of Justice to build something called the Juvenile Justice Database. We found one of the pieces of evaluation had to do with ability to track and maintain data, and we found that there was substantial variation among providers in this component. And so some of the numbers you've seen

and been looking at come from self-report. They do not come from the Juvenile Justice Database. In the first iteration of the contract, we weren't able to correctly match all of the data from providers to independent data on failure to appear and independent data on recidivism even though we've invested a lot of time and energy in building that capacity. We are this time bringing in someone to improve that capacity. But so when you talk about one program doing better than others, it may be based on data that hasn't been fully vetted or fully evaluated, and I don't think we'll be well prepared to talk about differences in outcome until we fix some of our data analytics. But to the extent that we can look at performance of contractors by the criteria used by our contracts shop, I don't think there are any clear differences. So I want to turn that part to Migdalia.

MIGDALIA VELOZ: So, as far as our contracting performance, we monitor performance very closely. Our contractors all provide monthly and quarterly reports. Michelle's team also meets with the providers, and we have rigorous reporting and performance metrics. In addition, we work very

1
2 closely with our providers. Our procurement shop is
3 set up so that our contract staff and our program
4 staff is the same staff. So, we have a very good
5 understanding of individual programs and have worked
6 with all the current and future providers very
7 closely and facilitate any performance issues moving
8 forward. We also have as Michelle said, looked for
9 ways to improve the existing database and have
10 recently issued a solicitation which will help us in
11 that endeavor.

12 CHAIRPERSON CABRERA: Okay. First of all,
13 I want to commend you for that self-analysis where
14 you saw a gap in your cycle [sic] metrics and that
15 you want to do a more thorough--that is the tone that
16 I always love. The fact that you're saying it is a
17 different tone that I got used to the first four
18 years that I was here in the previous administration.
19 So let me--I commend and I really when it's due. So,
20 but help me understand here, you're--what I heard you
21 say, Migdalia, is that right now the self-report,
22 this is part of the self-reporting that you're
23 talking about, the rigorous reporting?

24

25

MICHELLE SVIRIDOFF: So, I think there's three ways in which we look at data. We've been holding--

CHAIRPERSON CABRERA: [interposing] I don't think the mic is on.

ALEX CROHN: It is.

MICHELLE SVIRIDOFF: It is.

CHAIRPERSON CABRERA: Oh, it is, okay.

MICHELLE SVIRIDOFF: Let me try that.

CHAIRPERSON CABRERA: Okay, there you go.

MICHELLE SVIRIDOFF: We've been holding for years a monthly meeting with the providers and we ask them to send data shortly before that meeting on what's happening now, how many kids are enrolled in the program, and some quick and dirty analytics, and they look at failure to appear and rearrests, but they don't have perfect access to that information. We also therefore built this Juvenile Justice Database to improve the quality of those analyses and that's a work in progress, but in addition, the contract shop gets quarterly reports from the providers and those are used to evaluate performance. SO, it's those metrics that provide sort of the most consistent comparison to date of performance. We use

the sort of programmatic reports to highlight emerging problems and difficulties as over the years as we developed and shaped these programs in a collaborative process.

CHAIRPERSON CABRERA: So, if I understand, I just want to get it right because I know we'll be back here a year from now, what you're saying is that you're getting valuable data right now. You're putting forth an RFP out so you can have an outside evaluator, did I understand?

MICHELLE SVIRIDOFF: No, it's less that than to make sure that the programs that get provided by the data can be matched to objective information about recidivism and flight, and then that we can control for the characteristics of participants and then see whose actually got better or worse rates. But--

CHAIRPERSON CABRERA: [interposing] So you're saying that you'll be a--

MICHELLE SVIRIDOFF:[interposing] In a consistent format.

CHAIRPERSON CABRERA: So you'll--oh, okay. So you'll have--I mean, is this like a software that you're going to have a software where people are

going to be able to put all the input together and then you're going to be able to analyze, compare program to program and compare the program within the program, is that what we're talking about? And if not, I highly recommend it.

MICHELLE SVIRIDOFF: That's exactly where we hope to be going. I think it starts now with the new providers, because previously our ability to match to these objective data was hindered by their use of previous software, and we're changing the software.

CHAIRPERSON CABRERA: Excellent. And when do you expect to have this software out?

MICHELLE SVIRIDOFF: So, you talked about see you in a year. Because we just issued this solicitation--

MIGDALIA VELOZ: [interposing] we just issued the solicitation, and we're in the final stages of negotiating the contracts with two new providers for the database.

CHAIRPERSON CABRERA: So explain to me, I'm sure you've got dates attached to that.

MIGDALIA VELOZ: We probably will have a finalized and registered contract with both providers in the next 45 days.

CHAIRPERSON CABRERA: So that means they'll have it up and going by when?

MICHELLE SVIRIDOFF: I would say three months, but then you have to give it enough time to track a full year's worth of program performance and then leave time to see who gets rearrested and who doesn't.

CHAIRPERSON CABRERA: And so when would that, the full maturity of this program? I'm very concrete, maybe I'm old fashioned, but it's the only way I can measure things.

MICHELLE SVIRIDOFF: Yeah, I think within a year we--I would say two years. I think within a year we'd have our first set of data, then we need some time to watch outcomes and then time to do the analysis.

CHAIRPERSON CABRERA: So, in light of that, Michelle, so two years. Okay. So in light of that how do we measure in between time to make sure--what are you--and I'm not going to pick any program. Any program, any of those that you have, how do we

1 know a year from now we should continue working with
2 this program or pull the plug or give them extra
3 assistance?
4

5 GERRY FOLEY: Good morning. I'm Gerry
6 Foley. I'm the--Good morning. I'm Gerry Foley, and
7 I'm the Assistant Director of Program Management and
8 Development at the Mayor's Office of Criminal
9 Justice.

10 CHAIRPERSON CABRERA: Welcome.

11 GERRY FOLEY: Thank you. So, there are a
12 couple of standards by which we evaluate provider
13 performance on an ongoing basis. There was a
14 reference to the quarterly reports. They are self-
15 reported, but nonetheless, we do require the
16 providers to list for us every individual that they
17 had enrolled in their program at some option during
18 that quarterly period and of those who incurred a
19 rearrests or who was FTA warranted. So on an ongoing
20 basis, we're able to measure at least based on self-
21 report what the providers are doing with respect to
22 those contractual metrics. What we also do as been
23 mentioned here, we do convene the providers and other
24 critical justice system stakeholders on a monthly
25 basis. The providers, all of whom are represented in

1 this room, know how closely this office works with
2 them to provide technical assistance and support, and
3 so before we get to the point of terminating
4 contracts and whatnot, there is a lot of work that's
5 done to help providers come up to standard, and it is
6 a joint and collaborative effort. And we also use
7 our monthly provider meetings as an information
8 forum. So the providers actually learn from the
9 experience of when another and challenges that
10 they've confronted and strategies that they've
11 deployed to address those challenges. So it's not
12 just a matter of staying on the margins or at the
13 periphery and waiting for somebody to experience
14 difficulty. We are engaged with our providers on an
15 ongoing basis. As you can see, we are deeply
16 committed to the work that they do, and we expend
17 every effort and resource at our disposal to help
18 them maximize their performance.

19
20 CHAIRPERSON CABRERA: Look, I'm happy
21 ecstatic actually that you--it's not like I got you
22 type of phenomena here, but what I'm trying to figure
23 out after you go through all of that, let's say in a
24 year, and you don't--you see the numbers, you know,

getting worse, what do you do at that point? What does the contract say?

GERRY FOLEY: We have--there are steps that are taken, and they would start with things like corrective action plans and whatnot. Again, it's not a matter of got you, it's a matter of trying to provide technical assistance that could help a provider address performance or other operational deficiencies. What happens is after a--and we also evaluate all of our programs on an annual basis. We evaluate them based against the contract metrics. We also conduct site visits to see how the programs operate. We also look at things like the fiscal plant and whatnot. So, again, there is a standardized procedure by which not only we monitor performance and provide technical assistance, but then there are a sequence of steps including things like corrective action plans and whatnot, and when they do not work we do have at our discretion and there are clauses in the contract that allow for termination.

CHAIRPERSON CABRERA: Have that ever happened that--

GERRY FOLEY: [interposing] In my experience, no.

CHAIRPERSON CABRERA: No, never?

GERRY FOLEY: No.

CHAIRPERSON CABRERA: Okay. And what would you accrue that to?

GERRY FOLEY: We accrue it to a few things. One, here in New York City we have an exceptional cadre of human service providers, particularly those who are about the business of providing alternative sanctions and resources. So, we find our providers by and large at the forefront, and every one of our providers, we'll use the ATD providers for example, each contribute something very distinct in their utilization of evidence based practice and whatnot. So, we find that our providers are diligent and motivated and they are very critical in helping us, a lot of times understand what is happening in the field in the system and on the ground. So, we probably have not had that much of a problem because we have providers who are conscientious, diligent, scrupulous in the discharge of their duties, and they work very closely with us because they know that we have their best interest at heart, and we all are dedicated to the same mission,

in this instance of helping our Juvenile Justice involved youth.

ALEX CROHN: I just want to emphasize that we're not hesitant to use the sticks [sic] that are available to use. It just as of thus far, sort of the more, carrot [sic] ways have worked for us, but we are not resistant to going the route of corrective action plans and a various other sanctions if our providers are not operating at the levels they're supposed to.

CHAIRPERSON CABRERA: So, let me just, one more follow up question and turn it over to Council Member Wills and I'll come back. How much of the reporting has influenced the contract selection?

ALEX CROHN: Their self-reporting you mean?

CHAIRPERSON CABRERA: Yes.

ALEX CROHN: So the information that our evaluators see is the information that is provided to them by the vendors themselves. So, if the vendors themselves provide metrics, the evaluation committee looks at those metrics and determines whether they're valid or how persuasive they are. So it is--this is

again, self-reported information that's in the proposals that are submitted to us.

GERRY FOLEY: Under the solicitation 15 percent of the weight of the contract was allocated to organizational structure, systems and reporting.

CHAIRPERSON CABRERA: I wish there was a--I wish there was a way where it goes beyond just self-reporting.

ALEX CROHN: So, I think that's really what we're trying to procure right now, is--

CHAIRPERSON CABRERA: Right.

ALEX CROHN: not the self-reporting system, is a--so we compare apples to apples, so that everybody's on the same page and that everybody can be evaluated in a neutral sort of uniform way so it's not just self-reporting.

CHAIRPERSON CABRERA: And I commend you for coming up with that concept. Council Member Wills?

COUNCIL MEMBER WILLS: Good morning. I thank you, Mr. Chair, I'm not part of this committee, for allowing me to come in and ask some questions. So I just have about six questions and I'll rattle

1 them off really quickly. But first, can you give me
2 some examples of the ATD's?

3 ALEX CROHN: You mean the organizations
4 themselves?

5 COUNCIL MEMBER WILLIS: No, the actual
6 examples of the ATD's.

7 ALEX CROHN: You mean the programs?

8 COUNCIL MEMBER WILLIS: Yes.

9 ALEX CROHN: Michelle, do you want to?
10 Or Gerry, you could probably speak best to this?

11 MICHELLE SVIRIDOFF: Can you clarify the
12 question?

13 GERRY FOLEY: Could you clarify the
14 question? Are you looking for the names of the
15 providers or are looking for--

16 COUNCIL MEMBER WILLIS: [interposing] No,
17 he just asked me that. The types. I'm not looking
18 for the providers, I'm looking for the types of
19 programs, ATD's themselves.

20 GERRY FOLEY: So, the ATD programs that
21 this office oversees are the tier one and the tier
22 two providers. So, these are engaging youth who have
23 been evaluated as either representing a low or a
24 moderate level of risk on the RAI. Beyond us, the
25

tier three level of supervision is administered by the Department of Probation. It's also ATD, but it's an--

COUNCIL MEMBER WILLIS: [interposing]
You're giving me tiers. You're not giving me the exact programs.

ALEX CROHN: So--

COUNCIL MEMBER WILLIS: [interposing] Is it a group home? What is an ATD?

MICHELLE SVIRIDOFF: No.

GERRY FOLEY: No, no, no. No, no.

COUNCIL MEMBER WILLIS: That's what I'm asking you. Give me exactly what an ATD is, a program is.

ALEX CROHN: So the tier one and the tier two are different methods of which the ATD's operate. So I think into exact details of what is, what happens under each of those tiers. So under tier one, the organization will regularly and randomly check curfews via telephone. If the youth misses a curfew check, they will contact parents and schedule a home visit. Other curfew violations could result in sanctions and removal from the program. Staff will monitor school attendance using data from the

1 Department of Education. The program staff will
2 immediately respond to attendance infractions by
3 contacting parents and scheduling a home visit. Staff
4 members will meet with youth and families to address
5 underlying issues and concerns, and the program
6 support liaison provides regular reports to the Youth
7 Court at the youth's court appearance. So that's a
8 tier one. That's the less rigorous level. At tier
9 two, it combines onsite after school supervision.
10 Youth may participate in a mix of education,
11 extracurricular and enrichment activities such as
12 tutoring, sports and behavioral workshops, and all
13 youth must initially attend the program five days a
14 week.
15

16 COUNCIL MEMBER WILLS: Okay. So in your
17 seven criteria you spoke a lot about finer
18 delineation, because of this seven steps of criteria
19 that you have. You went over experience, community
20 monitoring, but when you got into--I wanted to ask
21 you about the community monitoring part and the
22 stakeholder outreach. Any time the administration
23 speaks about outreach, it's always to me a bell that
24 goes off, because it usually means--it's really
25 nonsense. But I needed to know from you, what is

1
2 your stakeholder outreach? Because if Council Member
3 Cabrera is speaking of the entire Bronx delegation
4 being caught off guard and a congressional member,
5 then where was the outreach, and does outreach mean
6 we're just telling you something and there's no
7 input?

8 ALEX CROHN: So, stakeholder outreach in
9 the evaluation criteria is something that the vendors
10 come up with. It's their relationship with the court
11 system and other relevant parties within the area. As
12 far as our outreach is concerned, you know, I think
13 Migdalia touched on the fact that in developing the
14 RFP, in developing HHS Accelerator, the entire not
15 for profit community was consulted to make sure that
16 this was a system that worked for them, and really
17 that was the goal of HHS Accelerator, was--

18 COUNCIL MEMBER WILLS: [interposing] I'm
19 sorry, so the nonprofit community, when you say the
20 entire nonprofit community, you mean the universe of
21 which you participated, right?

22 ALEX CROHN: So HHS Accelerator was a
23 system wide. So it was an outreach to pretty much
24 the entire not for profit community in New York City.

COUNCIL MEMBER WILLS: And that non-- those not for profit participants are the ones who came up with or developed, you said the vendors developed what the outreach should be.

ALEX CROHN: No, so that Migdalia can get into it in a little bit more detail about sort of--

COUNCIL MEMBER WILLS: [interposing] One person is shaking yes.

ALEX CROHN: the process.

COUNCIL MEMBER WILLS: okay.

MIGDALIA VELOZ: So, I think there are two different kinds of outreach that we're talking about. The outreach that I initially spoke about was when HHS Accelerator was being developed. The not for profit community was consulted and there were many, many meetings. The, I think that's the outreach that I was referring to. The outreach that Alex was talking about was specific to the RFP that we issued back in April of last year, and that was developed by each proposer and submitted in their proposal.

COUNCIL MEMBER WILLS: Okay. So the vendor who actually applied for the RFP developed their own outreach strategy to stakeholders.

MIGDALIA VELOZ: Correct.

COUNCIL MEMBER WILLS: Correct?

ALEX CROHN: That's correct.

COUNCIL MEMBER WILLS: Okay, what is their definition of stakeholders, and did you have a beginning point of reference in which the minimum would be accepted to outreach for these stakeholders?

ALEX CROHN: So the required outreach in the RFP was out--letters of support from the court system, from probation and from the defense community [sic], which are the principal actors in this [off mic].

COUNCIL MEMBER WILLS: So the stakeholders are who?

ALEX CROHN: The court system, probation, as well as the independent [sic] defense providers in the affected boroughs.

COUNCIL MEMBER WILLS: So the stakeholders are not people who in these communities? The stakeholders are not the elected officials. The stakeholders are not the communities that face--none of those are regarded as stakeholders?

GERRY FOLEY: That would not be categorically correct. What's being conveyed here--
[off mic]

COUNCIL MEMBER WILLS: Your mic is not on, sir.

GERRY FOLEY: Oh, I'm sorry.

COUNCIL MEMBER WILLS: No problem.

GERRY FOLEY: No, that's not in fact correct. What's being represented here is that in their respective proposals, the applicants had to demonstrate that they had sufficient engagement with the courts, with court counsel, with the Department of Education, with other community based providers, all of whom would be at some point or another engaged in the youth who are justice, engage with the youth who are justice involved. So, the state--so what was sought in the application is for each respondent to present to the reviewers the networks that they had, both systemically, but also community based so that they could demonstrate sufficient capacity to address the needs of the youth and also to respond to systemic trends and challenges.

COUNCIL MEMBER WILLS: So, is anybody on this panel, are you able to answer any questions about non-secure detentions?

MICHELLE SVIRIDOFF: That should be left to the Administration for Children Services.

COUNCIL MEMBER WILLS: Alright, so we'll just wait for that panel. I just wanted to know if you had any input on the partnership or anything like that going forward, but I'll wait for them to come up. The--what happen? They're not here? Unbelievable. The next question is the community monitoring, that's one of the seven criteria. Can you explain that?

ALEX CROHN: Correct, that's the tier one that I was describing.

COUNCIL MEMBER WILLS: Okay.

ALEX CROHN: So each, they need to satisfy both tier one and tier two.

COUNCIL MEMBER WILLS: Can you explain community monitoring to me?

ALEX CROHN: So that was the regular checks to make sure that they're attending school, to make sure that they're meeting their curfews, interaction with their parents and their teachers,

those sort of factors that the vendors would have to show that they could provide.

COUNCIL MEMBER WILLIS: How far are these young people allowed to go into school being that there's Department of Education engagement? Is the Department of Education engagement on the principal level or is it up in tweed [sic]? And I ask that because there are lot of times when we have things that we have a good intent to, but they actually have an adverse effect in the school community. So, having a student there, if it's a student that's just constantly disruptive and is in a tier one program, how far do we allow that student to go into negative behavior before corrective action is made, and is that corrective action made on the principal level?

MICHELLE SVIRIDOFF: This is not a school based program, so just go back a little bit. When we set up the Alternative to Detention Programs we spoke of three tiers of engagement with the expectation that the youth would be, should be in the least restrictive tier. Community monitoring is basically a light touch or they go into school, the courts want to know before saying this youth need not be detained if he goes into community monitoring, but I want to

ran something that dealt with IPA or something like that, those are the programs in your RFP's that would have a weighted favorable--

MICHELLE SVIRIDOFF: [interposing] All of these programs need to have roots in the Juvenile Justice System. Therefore, letters of support from courts, probation and the indigent defense bar are highly relevant to this because these are court monitored youth. They've had a case filed in Family Court, and they're being released from the possibility of detention through conditions imposed by the court. So, there are some very excellent service providers in the community who do not have those relationships with the court, so it's a hybrid of service, service provision capacity and court relationships that are required.

GERRY FOLEY: And our ATD providers, themselves, work very closely with the guidance counselors and the instructional staff at the respective schools to which their children are assigned. So, as part of the daily routine at the after school programming, there's time allocated for homework and tutoring, and so the ATD staff will engage the school staff, guidance counselors,

instructors. You can imagine for example kids would show up at the program saying that they don't have any homework.

COUNCIL MEMBER WILLS: Right.

GERRY FOLEY: And so there's a lot of that expected type of behavior. In response to which the providers would actually engage the instructional staff, the guidance counseling staff at the schools to first of all find out what their school related responsibilities are as well as how they are functioning in the school. SO that is the level of intervention that our providers engage in on behalf of their youth. To round out the remaining part of your question, the providers in turn have and they demonstrate in their respective proposals an expansive network of community based providers to which they will refer their young people for ongoing care. Keep in mind that their involvement in the ATD program is time limited. The average is around 120 days. The youth services required are going to survive beyond that period. So what our providers do essentially from the day that they first engage the young people is try and connect them with critical community based programs and resources that will

continue to assist them to maintain tenure in the community even when their engagement with the ATD program itself is over.

COUNCIL MEMBER WILLIS: And the providers are--that is the only personnel that is charged with the monitoring the curfews, home visits and the school attendance. Are there any other--is there any staff, any part of the Juvenile Justice System that are going along with these providers, or is it just limited to those providers and their finite amount of resources that they have?

MICHELLE SVIRIDOFF: It's limited to those providers.

ALEX CROHN: Though I will say things like data such as, you know, school attendance is verified by the DOE.

COUNCIL MEMBER WILLIS: Okay. And how many right now, how many people do we have with all the providers together that you would say are actually fully functioning or operating to make sure that these results are taken care of? Does each provider tell you we have 15 staff members that are dedicated to this? Do we have those numbers today or is that something you have to get back to us--

GERRY FOLEY: We don't have those numbers today. However, the providers themselves in their own respective testimonies may provide you with that level of detail. What the providers do as part of their application is detail what their staffing patterns would be and they provide staff descriptions, for example, how many court based staff they would have, how many educational assistance staff they would have and whatnot. So that's all part of the design of the respective programs.

ALEX CROHN: And of course, we're happy to provide you after the testimony with any information you might need.

COUNCIL MEMBER WILLS: Alright. Mr. Chair, I would suggest that that be something that's part of mandating reporting so that we can--excuse me, I have a cold. So that we would be able to better assist the administration and the providers when the budget time comes. Because if they are saying they have 15, they need 20, we need to know those numbers going in. Thank you for your time.

CHAIRPERSON CABRERA: Is this a bill that you are recommending for you to do?

COUNCIL MEMBER WILLS: I'm recommending the bill for you to do as the Chair.

[laughter]

COUNCIL MEMBER WILLS: Thank you for your time.

CHAIRPERSON CABRERA: Thank you, Council Member Wills. Let me follow up with question on program evaluation. How do--and I know that you're going to put new cycle metrics, you're going to put new software, so forth. How do we know that what is being said that is being done is actually being done? So, for example, how do we know that they are contacting the school counselors and so forth?

GERRY FOLEY: So one thing that the providers do is they maintain their own records on file. And so one of the activities that we undertake is actually an audit of program files. So, we can actually see documented evidence of the work that they're supposed to be doing under contract.

CHAIRPERSON CABRERA: So you're saying their document, basically case notes, is that what you're talking about?

GERRY FOLEY: So, yes. They will maintain their own program files including

1 information about the types of engagements they've
2 had with the young people and the services that
3 they're providing and whatnot. So, there are any
4 number of independent ways in which we can evaluate
5 whether or not somebody is performing to standard.
6 And keep in mind too there are also some other
7 indicators of the effectiveness of a program's
8 intervention. One thing, one hallmark of both our
9 alternative to detention and our alternative to
10 incarceration programs is that the judge is the only
11 way into the program and the judge is the only way
12 out of the program. No judge is going to allow a
13 young person to successfully complete the ATD program
14 if that child is not maintaining sound tenure in the
15 community. If that child is routinely being
16 rearrested, if that child has been warranted or
17 whatnot, and so programs success rates are going to
18 be indicators of their effectiveness in engaging the
19 young people. So there are some--there are multiple
20 ways to independently collaborate and there are
21 multiple indicators of program effectiveness.

22 MICHELLE SVIRIDOFF: Right. So the
23 successful completion rate which Gerry was referring
24 to is another measure of program success that we look
25

at regularly through the contract review and I think all of them have done quite well in terms of successful completion [sic].

CHAIRPERSON CABRERA: So, do you go in and review the case notes just random? And how often is that done?

GERRY FOLEY: Yes, that's part of site visits that we routinely do.

CHAIRPERSON CABRERA: And how--

GERRY FOLEY: [interposing] its part of our oversight.

CHAIRPERSON CABRERA: What's routine?

GERRY FOLEY: We, as I said before, we're required to actually evaluate all of our contractors on an annual basis.

CHAIRPERSON CABRERA: SO once a year. Is that usually what you're doing right now, once a year?

GERRY FOLEY: At minimum. Our contact with the providers is usually much more frequent than that, because as I indicated before, we work very closely with them, and we provide a lot of technical assistance.

CHAIRPERSON CABRERA: What would cost you to go there more than once?

GERRY FOLEY: Are you talking about raises for all of the MOCJ staff?

ALEX CROHN: As Counsel, I'll make sure I stop further testimony on that. You know, I think we have the resources we have, and we think we make excellent use of the resources, and I think technology plays a big role. You know, Michelle can speak to it more than anybody else, is using technology as a way of ensuring that the metrics are accurate is something that we're very much committed to.

MICHELLE SVIRIDOFF: And the monthly meeting which I think was unprecedented when we started it, and I think there have been other agencies which then took up that model so that we have very hands on contacts--

CHAIRPERSON CABRERA: [interposing] Very good.

MICHELLE SVIRIDOFF: with these providers.

CHAIRPERSON CABRERA: So, let me just change gears towards what's your carrying capacity for ATD placement?

MICHELLE SVIRIDOFF: Six hundred--[off mic] Just I want to mention that these programs are operating well below capacity, because as we--in our introductory testimony we spoke about the sharp drop in arrest volume and detention volume and placement volume, the number of cases filed. We're working with something we've been calling the incredible shrinking system, and yet, we think it's important to maintain the capacity we started with partly because the youth are being served more intensively, but also because there's a proposal under way that you might know about, "Raise the Age", which might bring an additional number of 16 and 17 year old youth into the justice system. So we do not want to shrink capacity at a time in which the demand for these programs may be growing.

ALEX CROHN: And I can actually go into the exact number of spots per borough. In Queens it's 240. In Brooklyn it's 300. In Manhattan it's 240. In Bronx its 300, and in Staten Island it's 90.

CHAIRPERSON CABRERA: Wow, the Bronx is 300.

ALEX CROHN: Yes.

CHAIRPERSON CABRERA: Wow.

ALEX CROHN: It's the highest.

CHAIRPERSON CABRERA: The highest.

MICHELLE SVIRIDOFF: We started out with more slots in Brooklyn because at the time there were more cases in Brooklyn, and gradually increased the Bronx and reduced Brooklyn in response to volume.

CHAIRPERSON CABRERA: Council Member Wills?

COUNCIL MEMBER WILLS: You said there's 240 in Queens?

ALEX CROHN: That's correct.

COUNCIL MEMBER WILLS: Can you tell us where?

ALEX CROHN: Well, no.

COUNCIL MEMBER WILLS: Neighborhoods, not addresses. I mean, you can tell me communities.

ALEX CROHN: It depends on the day. You know, there's a different--it's not 240 over a year. It's 240 at every given time. So it's a constantly changing population. As Gerry mentioned, it's an average of 120 days per spot.

COUNCIL MEMBER WILLS: Alright, but you can't tell me the communities?

MICHELLE SVIRIDOFF: The program is located in Jamaica--

COUNCIL MEMBER WILLS: [interposing] that's what I'm asking.

MICHELLE SVIRIDOFF: but it serves youth who are court involved from all over the borough, which would include youth from Far Rockaway, youth from Jamaica and South Jamaica, youth from Astoria and Corona, but we know where the arrests are concentrated, and--

COUNCIL MEMBER WILLS: [interposing] Jamaica, the pr--who's the provider?

MICHELLE SVIRIDOFF: Center for Court Innovation [sic].

COUNCIL MEMBER WILLS: Oh, great. Okay, no. They're really good. I just wanted to make sure it was them or--just wanted to make sure it was them or Misunderstood Youth. They're really, really good. So we got a good one in there.

CHAIRPERSON CABRERA: Okay. So, basically, juvenile delinquency has declined by 10 percent from what I understand from 2012/2013, and the testimony I was given, in March 21st of 2014 you said the MOC's will still maintain the level of

support for this critical program. So here's my question, has MOC seen any improvement in delivery or services given the decline in cases?

ALEX CROHN: I guess I just need a little more clarification as to what you're asking, Council Member. You're saying because--

CHAIRPERSON CABRERA: [interposing] Well, you have--

ALEX CROHN: there's less demand now, is there--

CHAIRPERSON CABRERA: [interposing] Yes, since you have less youth in the program, yet you're maintaining--you're still giving the same amount of support, should the reality should be that racial between case managers and youth are actually reduced therefore, the level of effectiveness should be higher.

ALEX CROHN: So, I think the important thing to keep in mind is that the number of spots that are open doesn't necessarily correlate with the sort of the total--this is going to come out wrong, but the total need. So there's always more opportunity to put more juveniles into these programs. Sometimes it's education with the court

1 system, education with defense attorneys as to who
2 needs to be placed and who isn't. So, you know, our
3 goal is to reach full capacity for all of these
4 programs at all times, because then we feel like, you
5 know, our projected service needs are being met. So,
6 the total number of spots has actually been
7 consistent, because we think there's sort of excess.
8 There is excess need out there and the juveniles just
9 aren't properly being funneled into the system.

11 CHAIRPERSON CABRERA: So, let me--let's
12 see if I understand. So the amount of spots has
13 remained the same, but the amount of students, the
14 youth, the amount of youth has been reduced, but the
15 spots are open. So, but you still going to end up
16 with having less youth per counselors and per
17 whatever other services that you have, and I think
18 that the logical conclusion would be that the
19 programs will do better. Has that been the
20 experience, and if not, why not? Or if we don't know,
21 how can we find out?

22 MICHELLE SVIRIDOFF: So, one thing to say,
23 it's hard to be an 80 percent--it's hard to beat an
24 80 percent successful completion rate. So, it's not
25 a trend that we've tracked, but we're perfectly

1 satisfied with seeing 80 percent of the youth
2 successfully complete. Over the years, the
3 population has fluctuated. There's summer dips and
4 spring increases. So we have to staff the program to
5 deal with seasonal fluctuation, and lately, annual
6 fluctuation. And if all goes well, we hope to see
7 continuing declines in the Juvenile Justice System.
8 I think we take some of those declines as a mark of
9 success. Fewer youth are getting arrested. Fewer
10 youth are getting involved in the court system. More
11 programming is available not just through our
12 alternative to detention programs, but through our
13 growing portfolio of Alternative to Placement
14 providers. So, I think the answer is on the streets.
15 We're arresting fewer and fewer youth, less and less
16 for serious major felony crime. So we're seeing
17 great results that way.

19 CHAIRPERSON CABRERA: You know, I'm beyond
20 ecstatic that we're literally seeing less youth in
21 the system. You remember the dates when it was just
22 outrageous, the numbers were outrageous, and my
23 compliments to everyone including you, all the
24 service providers. But you mentioned something
25 really interesting. You said it's hard to do better

than 80 percent. There are programs who are doing 90 percent, right?

MICHELLE SVIRIDOFF: Uhm--

CHAIRPERSON CABRERA: That's true. If I recall, there's one in the Bronx that was doing 90.

MICHELLE SVIRIDOFF: Completion rate? I think not, not on the successful completion rate. They're all in the 80's.

CHAIRPERSON CABRERA: Eighty-four. Okay, so what you're saying is that we kind of, there is a ceiling to this, is that what you're telling me? That--and if there is a ceiling, are you saying then that's there's--if there is a ceiling, there is a level of productivity that basically it doesn't matter how much money or how many more counselors were put in that you're not going to get a better output, or?

ALEX CROHN: I think we're always committed to sort of rigorously examining everything. So it's completion rate is a key part of that, but there's a million other metrics that we can look at to ensure that our providers are providing the services that we need, and I think that is a huge

part of what our current solicitation is aimed at doing, is gathering just that kind of data.

CHAIRPERSON CABRERA: I think I'm done with questions. Council Member Wills stepped out. I want to thank you. I'm looking forward to seeing this procurement come to, which sounds like is coming soon to fruition, to being in place. I love comparing apples with apples. I do agree there is a danger in self-reporting, especially if funding is on the line. We don't want to put programs in a position that, you know--you know where that goes. But I have to say that I'm asking you to really look at the process. You heard me in the beginning. You heard my heart. I would hate for another program that is doing effective work that is indigenous to the demographics of a particular borough to have to go through this again. And so, it's my hope that you will take that into very strong consideration and look at the variables and see how you could work with those variable to assure that groups like that, that there's something about being a part of that borough and being effective, that we want to reward that. We want to reward programs that are being effective and part of that group. Looking forward to hear now, to

hearing the programs. Thank you so much. Looking forward to continuing this conversation. Now, let's call upon Reverend Wendy Calderón-Payne from BronxConnect, Bob De Sena and Michael Hines from Council for Unity, and Lisa Freeman from Legal Aid Society. And as soon as you're ready you may begin your testimony. And normally we do two minutes, but I'm going to give you three minutes, three minutes each, and don't worry, I'll have questions for all of you. I have great respect for all the programs coming up.

[off mic]

CHAIRPERSON CABRERA: If for those who are presenting, if you prefer to give me your written testimony, and if you want to just share based on what you have heard, or if you'd like to read that's fine, whichever. Just let me know, Sergeant of Arms, whenever we're ready with the clock. Okay.

REVEREND CALDERÓN-PAYNE: Okay. Chairman Cabrera and members of the Council, thank you for extending an invitation to address the council on the important subject of supervision of ATD programming. I'm Reverend Wendy Calderón-Payne. I'm the Executive Director of the famous BronxConnect, which is the

only Bronx based Juvenile Justice organization serving Bronx court involved youth for over a decade, 15 years to be exact. We began in the Bronx when those certain report were located in Manhattan and Queens and youth had to make long distances.

CHAIRPERSON CABRERA: I don't believe your microphone is on?

REVEREND CALDERÓN-PAYNE: Am I not loud enough?

CHAIRPERSON CABRERA: NO, no, it's just you're being televised.

REVEREND CALDERÓN-PAYNE: I'm being televised.

CHAIRPERSON CABRERA: Live, yes.

REVEREND CALDERÓN-PAYNE: Oh, thank you for telling me that.

CHAIRPERSON CABRERA: GO ahead. Go ahead.

REVEREND CALDERÓN-PAYNE: Do you want me to start from the beginning?

CHAIRPERSON CABRERA: No. Yes.

REVEREND CALDERÓN-PAYNE: Yes? And can I get my three minutes back?

CHAIRPERSON CABRERA: Yes, you'll get your 30 seconds back, don't worry. Okay.

REVEREND CALDERÓN-PAYNE: Okay, Chairman, Chairperson Cabrera and Members of the Council, I'd like to thank you for extending an invitation to address the Council on the important subject of supervisor of ATD programming. I am Reverend Wendy Calderón-Payne. I'm the Executive Director over BronxConnect, which is the only Bronx based Juvenile Justice organization serving Bronx court involved youth for over a decade, 15 years to be exact from our inception. Our program has addressed the epidemic of juvenile incarceration among poor black and Hispanic youth. On behalf of our organization, Council Member Cabrera, on behalf of our parents and our youth, I'd like to thank the Bronx Council delegation and all the Bronx politicians, everybody who came to BronxConnect's support over the last few years. It was noted and dually appreciated. WE have never been so proud to be part of our borough. So many esteemed youth advocates are going to come here and discuss the positiveness of ATD's, and I'm going to tell you that we stand with them. From 2007 to 2014 we served as the Bronx provider, serving approximately 1,000 youth with the lowest rearrests rate of seven percent and the lowest failure to

1 achieve rate of four percent, the city's only
2 contractual milestones of all the five vendors. We
3 were three times better than the lowest producing
4 vendor of the four. There were four vendors. In
5 terms of successful completion, I think we average 84
6 percent right now, and we and CCA were always
7 competing for second place, right, behind CCI, but
8 CCI was from Queens, so we kind of felt like they had
9 easier [sic] youth, right Brooklyn? But we were
10 there. SO we were in the top three. Our Supreme
11 Court ATI program has also maintained an 83 percent
12 success rate for the past 14 years and is currently
13 one of the few ATI's that are at contract rate for
14 enrollments because the judges love us. In addition
15 to saving the city millions of dollars in
16 incarceration, I'd like to note that community based
17 organizations employ straight from the community.
18 So, your tax dollars get multiplied over and over,
19 when you--not, and I'm going to say this, I was very
20 excited to see the evaluation of the young man's
21 initiative, and in the evaluation they went out of
22 their way to say that they were employing mentors
23 form the community. I don't want just mentors from
24 the community. I want my directors form the
25

1 community. I want my case managers form the
2 community. I want my MSW's from the community. I was
3 very excited that my Cure Violence manager was a case
4 manager of mine and he lives in the Bronx. So that
5 means his tax dollars stay in the Bronx. We speak
6 the language of our youth. We come from our youth
7 and in truth, my staff grew up where our youth's grew
8 up. Their parents feel like they're being spoken to,
9 not at, and that's one of the reasons I feel like we
10 have this overwhelming success, seven percent. We are
11 the only ATD provider that actually beat both of the
12 contractual milestones. Nobody surpassed both of
13 them but us. We have learned a lot of--oh, I'm gone.
14 Okay. Ask me some questions.

16 CHAIRPERSON CABRERA: I'll be back with
17 some questions, yes. Go ahead, Bob.

18 BOB DE SENA: Well, I want to thank you
19 Fernando for inviting us here. Our primary reason
20 for being here is to help. The Council for Unity was
21 born out of gang violence and the population that you
22 are looking to target, and out of that various
23 dubious beginning, a new culture that met the same
24 needs in kids that gangs did was formed, and it was
25 based around the child's need for family, for safety

1 through unity, through self-esteem, and empowerment
2 where they would work with adults and in schools and
3 in communities to reverse some of these trends. We
4 are vetted in all of New York City schools,
5 elementary, middle and senior high school. We work
6 in communities. The Board of Ed recognized our
7 success and has been funding us in schools since
8 1987, but I think the key thing is meeting the needs
9 of these kids and how you do it, and you can't defeat
10 a culture of despair unless you have a culture of
11 hope, and that's been our track record for 40 years.
12 We have relationships with the Center for Court
13 Innovation, but we also use prisons, especially Sing-
14 Sing, an illustrate [sic] program where the Council
15 of Unity and prison is addressing the population of
16 talking to, and more than anybody else, giving them
17 the message and the consequences if they get back
18 into the system. And I'd like to, you know, defer
19 the rest of my time to Michael Hines who is a
20 messenger, who has done phenomenal work in the anti-
21 gun violence program and he can speak to what he's
22 been doing.

23
24 MICHAEL HINES: I know we don't have much
25 time. Detentions, whether it's in school, whether

it's incarceration, who are they, where are they from?

CHAIRPERSON CABRERA: I'm sorry, if you can speak into the mic. Thank you.

MICHAEL HINES: Who are they? Where are they from, and what are they doing there? I have a Masters in Professional Studies, but when I give presentations, whether it's in Crossroads, whether it's in high schools, the first thing I ask, "What is my profession?" Oh, you're a lawyer. You're a doctor. When I tell them that I did 17 and a half years in prison, their jaws drop. A lot of times, it's not the message, it's the messenger. For the most part, with the anti-gun initiative, they put, attach, and Bob could attest, to go to each borough, Bronx, Brooklyn, all five boroughs, but the idea was to go into the worst neighborhoods, the ones with the most gun violence. And it's ironic that even in Crossroads, the director, she said, "Can you address them? Will you come in?" She said, "The last two organizations who came in here were run out of here." Well, my thing is, again, it's not the message, it's the messenger. And with the anti-gun initiative it was kind of difficult to get the kids that we wanted,

so we had to come up with an incentive. What would make a kid like myself turn his life around? What would make a kid--because you could have talked all you wanted to talk? What would make me change my life around? So, as an adult, I was in the position to get them all together, "What you like? What you like? What you like?" And one of the main things they were coming up with was music, was hip-hop. So my thing was the kids that we couldn't reach inside of the classroom, I started a youth counseling/mini movie program where we actually go through a comprehensive curriculum that deals with peer pressure, that deals with positive relationship between young men and young women, positive relationships that teaches the students. And we get the build, we get to talk. I get to understand them. They get to understand me. Kid asked me the other day, "Who you think is better in rap, Meek Mill [sic] or Wop [sic]?" Come on, Meek Mill is like--so, it's the relationship. It's the--and a lot of the kids who are in criminal justice system will be locked out, will be locked out. When they become adults and they have a criminal history, how can you tell a person not to do something if you locking them out to

1 provide for his family? So we have to think about
2 the causes. We have to think about the incentive,
3 and the bottom line is we are doing an ex--I enjoy
4 what I do. We work with some of the worst kids in
5 the entire world, and I'm going to leave you with
6 just a situation. One of the toughest kids--we do a
7 program in MS 166 in East New York on Vancyclir
8 [sic], and the Principal said--look, when I came into
9 the office there was a fight. A guy knocked a little
10 kid out in the classroom, and when he came into the
11 Principal's office he said, "Look, I'm going to put
12 you in Mr. Hines' program." And I'm looking at the
13 kind, I'm like, "He look like he got a gun on him. He
14 look like he can beat me." However, it wasn't until I
15 found out his interest that he would come in after
16 school to the program in which we can work with him.
17 So at the end of the day, a lot of times it's not the
18 message, it's the messenger, which goes along with
19 the message.

21 CHAIRPERSON CABRERA: Thank you so much.

22 Ms. Freeman?

23 LISA FREEMAN: Thank you. Hi, I'm Lisa
24 Freeman. I'm from the Legal Aid Society's Juvenile
25 Rights practice. I'm really here just to endorse the

1 use of ATD's. We firmly believe that the detention is
2 not the right solution in general and that people, in
3 fact, are harmed more by detention than they are by
4 remaining in the community with the support of
5 appropriate programs. So, we have the same
6 philosophy about alternatives to placement as well,
7 and we encourage enhanced funding of these programs
8 and enhanced use of these program. We commend the
9 city for the reduction in arrest rate and for the
10 reduction in the detention rate, but we continue to
11 believe that that--that there's room for growth.

12 CHAIRPERSON CABRERA: Let me ask a
13 question. What is--why are kids, why are youth that
14 are incarcerated, even if it's for one month, why
15 compare to those who go through your programs, right,
16 why do they end up having a worse track record and
17 pattern after the get out? What is going on? What
18 is the changing agent that is taking place within
19 that period of time?

20 REVEREND CALDERÓN-PAYNE: I would just
21 say one thing--

22 CHAIRPERSON CABRERA: During
23 incarceration.
24
25

REVEREND CALDERÓN-PAYNE: I would just say that I went to actually a fascinating presentation on adolescent brain development recently, and one of the things they highlight is how the adolescent brain is so elastic at that time. So they're so influenced by peers. So when you remove-- I mean, so now this is just my own--

CHAIRPERSON CABRERA: [interposing] Right.

REVEREND CALDERÓN-PAYNE: science--

CHAIRPERSON CABRERA: [interposing]
Interpretation of it, yes.

REVEREND CALDERÓN-PAYNE: When you remove children from their communities and place them with other at risk youth, what you're doing is I think essentially reinforcing problematic behaviors by their peer group, and that that perhaps make the situation worse, but that's my non-scientific interpretation.

BOB DE SENA: I go to prison every Friday. I deal with the kids--

CHAIRPERSON CABRERA: [interposing] Where do you go by? Which one?

BOB DE SENA: Well, we have two prisons, but I go to the Suffolk County Jail, which also has New York City residents.

CHAIRPERSON CABRERA: Right.

BOB DE SENA: It takes me a weekend to come down from witnessing the failures of our society to reach kids with tremendous potential. The one overriding factor for me was the absence of the father in the life of the kid. When it comes out through our unique dynamics that we use, their sense of self-worth, that's the--the sense of abandonment, the lack of fear, of consequences, the I don't care stems I think in large part from that. The gangs have replaced the father as the initiate of a young person into adult life. The rituals that they go through are the rituals that have meaning for them and the promise of a family and a group identity, they have no competition. So, to me, I guess you could say family life, but without that father figure, and I've looked at these kids, I mean, they are blank. They don't care. And if we don't provide--and the other thing, really, if you want to really look at this, we're in a society that is materialistic, impersonal, alienating, lacks

1 spiritual values, is cosmetic, and we want our
2 children to find meaning in that world. They got a
3 million holes in them, and when they're going to
4 school to pass tests, it's crystal clear that the
5 needs of children are not going to be met in our
6 institutions, and until we come up with programs that
7 provide to that, get used to what you're looking at
8 because it's going to continue. So, you have to
9 have--I mean, this is what we try to do. We're in
10 schools. We're in communities. We have
11 relationships with law enforcement, and most
12 importantly, we're in prisons, and then we hire
13 populations from Council for Unity of which he is
14 one, to go back and work with these kids with
15 incredible credibility. The other thing I would say
16 too when you do hire people who have been
17 incarcerated and they're working, they're atoning for
18 what they did which is huge, and the second thing is
19 that their experiences are not tragic because of the
20 time that they served. It gives them the credibility
21 to change these kids. So, I think we need a holistic
22 approach, and we really go to take a long hard look
23 at why these kids have holes in them, but this has
24 been my experience. The lack of fathers has more
25

than any other issue been identified by our kids in prisons as the reasons they just don't care.

CHAIRPERSON CABRERA: First, let me recognize that we've been joined by Council Member Arroyo and Council Member Barron, and if you have any questions, please let me know. I'm sure the panel's eager to hear them. I have to tell you, Bob, I've been shouting that message in this committee when I was a committee member and now as a Chair about fathers since even before that. The father figure, and this is why what you mentioned about the credible messengers, is change happens in relationships. That is the key. A curriculum is not going to do it. It's all about relationship, and there's something about how we were designed that they're looking for that bonding, that healthy bonding and modeling to take place, and so when they see somebody who says, "I understand you. I've been there, done that, but look, I changed the pattern of my life. I have a new pattern. And you could look at the model in my life, and I'm going a different destination. You could get there, too." That's where I think change happens. In regards to what you mentioned the other pieces that we have literally taken out of the

1 system, prison system, I just want to let you know
2 I'm in talks with the ACS Commissioner. We had a
3 great meeting last week. We are going to come up
4 with a par Exelon [sic] approach to that, because for
5 too long it has been ignored, and we want a holistic
6 approach. We know that in mental health. We know
7 that in just every other field, that you need a
8 holistic approach, even more with kids who are
9 experiencing so much trauma in their lives. Let me
10 ask you, do you have any comments regarding anything
11 that the administration said, anything that when you
12 were sitting there, you were listening to the
13 administration, you were thinking, "I really want to
14 say this."

15
16 BOB DE SENA: We're looking at, maybe
17 we're looking at two different worlds, and that's all
18 I'm going to say.

19 CHAIRPERSON CABRERA: Okay.

20 BOB DE SENA: Our experience has not been
21 what was reported here.

22 CHAIRPERSON CABRERA: Okay.

23 MICHAEL HINES: What I was thinking is I
24 was wondering whether the people who are actually
25 going to implement the programs are they--like what

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1 Brotherhood. You read that article, every single one
2 of those members dropped their flags to joined
3 Council for Unity. That's how powerful this model is.
4 Kids are tribal. The one thing we have to deal with
5 whether it's their brain chemistry--look, you and I
6 aren't going to join anything at this point because I
7 don't care. I don't need anybody's approval. Kids
8 need approval, and they are tribal, and if we don't
9 create entities that are healthy for them to join,
10 the gangs haven't got any competition. They'll take
11 them. So, I think that this is another thing we have
12 to be concerned about. How many positive peer groups
13 are recreating in our communities? We know we're not
14 an exclusive answer. We're an answer, but kids need
15 to join positive peer groups, and if there are adults
16 there who are role models and they can find--if they
17 can create the family they didn't get through a
18 curriculum that gives them a circle of support,
19 they're going to be okay. That's been our
20 experience.

21
22 CHAIRPERSON CABRERA: Council Member

23 Barron?

24 COUNCIL MEMBER BARRON: Thank you. I
25 didn't get to hear your testimony, but I will

certainly read it over and I'll watch it on video.
But in my community, I represent the East New York
section of Brooklyn, and you know, we have many
challenges in our community, but there is a group
which is run that's called Man Up. You may be
familiar with them.

BOB DE SENA: They're great.

COUNCIL MEMBER BARRON: Okay.

BOB DE SENA: They're absolutely great.
We love them.

COUNCIL MEMBER BARRON: Good. It's run by
a person who has much of the experience that we talk
about having gone through some of those kinds of
experiences and knows what it takes to be able to
intervene in a positive way, to read situations, to
anticipate what might happen, and to use their
experience and their credibility in the community.
Do you think that those kinds of groups should be
expanded? Because we're always talking about the
problem, but how can we address the problem before it
becomes a problem? How can we understand and respond
to that need for positive peer group interaction? And
what levels do you see that beginning on?

REVEREND CALDERÓN-PAYNE: Can I say something? Because we got inducted into the Cure Violence Community, and Man Up, GMAC, all those organizations are amazing, and they're very much--I have an affinity with them, because while we're a little bit larger, I've been through where they are, you know, and we started from the community saying--is this on?

CHAIRPERSON CABRERA: Yes.

REVEREND CALDERÓN-PAYNE: We started from the community saying there is a need for us to address our incarceration among black and Hispanics. So, yes, I do believe it needs to be expanded, but just to answer Councilman Cabrera's question, did I feel like I wanted to say something? I put it in writing, and I'm going to ask that you really review it. There has been a switch this year with the new Accelerator Program, where with the RFP for the ATD program, there was actually a retraction of the original negotiated acquisition, Council Member, and then it was reissued with some very distinct and intentional changes. One, they removed the requirement to have experience in the Family Court on the application. So that basically--and they said to

the Council Members in the Bronx delegation, "Well, we wanted to open up the window to anybody to apply." But they allowed then, and then they redefined experience. So if you didn't have to have specific experience, then small organizations like mine, a million dollars or Man Up, which is smaller, they might be able to say that they had excellent success for the last three years, but they can't say that they've had 30 years of success. I've can't say that I've served 30,000 youth. We suddenly get devalued in the evaluation process, right? And so even though we are the lowest performing in the rearrests and the failure to appear, structurally, and even worse, they removed 10 points from experience and put it to programmatic success. And to be honest, I don't really believe what they said, because all they had to do for the accelerator as opposed to giving something five points, three points. Three points, three points, three points, and keep experience at 45 percent. Do you understand? So, do I believe they should be expanded? Yes. Do I believe Cure Violence should be expanded? Yes, but I believe that the Council needs to make sure that these agencies that come up from the community aren't being given the

35,000 dollar contracts and the six million dollar contracts are being done by people from other boroughs.

BOB DE SENA: I want to add something to that, too.

COUNCIL MEMBER ARROYO: Mr. Chairman, I want to clarify something Reverend Wendy Calderón has just said.

CHAIRPERSON CABRERA: Go ahead.

COUNCIL MEMBER ARROYO: You're not the least performing. You have the lowest rate of incarceration.

REVEREND CALDERÓN-PAYNE: Correct, yes, I'm sorry.

COUNCIL MEMBER ARROYO: So please correct that.

REVEREND CALDERÓN-PAYNE: We have the lowest--

COUNCIL MEMBER ARROYO: Because the--

REVEREND CALDERÓN-PAYNE: For the record--

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COUNCIL MEMBER ARROYO: like what I know you do. Okay.

REVEREND CALDERÓN-PAYNE: Okay, yes, I know you. For the record, our rearrests rate was seven years, over seven years with seven percent and our failure to achieve rate was four percent over seven years. That was 30 percent higher than what our contract mandated for. And then let me explain something else about the evaluation process that you should know. On a federal level, you have to disclose what you have done in that funding stream, contract and performance. Then you have to say your contract manager's name so they can verify it. There was no disclosure of anyone's personal record. So again, if I have 30 years of experience, I'm going to shout about my best experience like a resume, but the evaluators have no way of knowing if a vendor was number four in the city or number five in the city. There was no forced disclosure, and I think that really harms organizations like Man Up, like BronxConnect, because all we have is our success in our specialty, but that should be more than enough, right?

BOB DE SENA: I just wanted to add one thing too I think that's a big failure in this system. All of us do a couple of things really well.

18 MICHAEL HINES: Just to touch base. From
19 the City Council meetings with the anti-gun
20 initiative, you know, I was telling, you know, the
21 group where all the programs was, and I met AT. And
22 he said, "Yo [sic], you in East New York?" He's like,
23 "How you in East New York and you don't come stop by
24 the office?" So the linkage, the bond--so, last year
25 we had it at PS 13. This year they had a new

1 principal so I was out in the community trying to
2 find other spots. So I knocked on the door, AT,
3 "Oh!" He took me into MS 166, introduced me to the
4 principal, and I say all that to say we do have
5 linkages, we just ain't got the money to work
6 together. However, with--to touch base with the
7 question you asked, there should be more programs
8 like Man Up, and I said that to say about two years
9 ago we were trying to do an alternative to
10 incarceration with the gang guys in Far Rockaway
11 where we were going to try do a youth employment
12 program. I was going door to door to establish
13 relationships. However, I went to what they call the
14 Big Homie in Far Rockaway. Let me talk to you for a
15 minute, I said, "If you had an opportunity to feed
16 your family without doing wrong, would you drop your
17 flag?" He said, "In a heartbeat." He said, "Not
18 only that, but I'd get him, him, him, and him to come
19 with me, and the rest of the ones that followers will
20 follow us." So I said that to say the answer is in
21 front of us, we just have to do some--

23 COUNCIL MEMBER BARRON: Thank you. And I
24 think you've summed very aptly. Not only do we need
25 to expand those successful programs and give them the

1 advantage of using their success, but it's about
2 jobs. When people have jobs they don't go to crime.
3 And I think that that's very aptly summed up. Thank
4 you very much.

5
6 CHAIRPERSON CABRERA: Thank you.

7 REVEREND CALDERÓN-PAYNE: Can I just one
8 more point, Councilman?

9 CHAIRPERSON CABRERA: Yes.

10 REVEREND CALDERÓN-PAYNE: We also need to
11 publish reports, because I would like to know if I'm
12 going to go after a contract, I want to know whether
13 a vendor's doing it well, because if they're doing it
14 well, I probably won't go after it, because I don't
15 want to disturb employment, but I'm looking for YMI
16 actual hard data. I can't find it, and it might be
17 out there, I just haven't found it. We need to
18 publish. We need to disclose so that community
19 agencies may know that they're losing to people who
20 are not doing well.

21 CHAIRPERSON CABRERA: Well, there might
22 be something we definitely could look at and pass on
23 legislation to make sure that we get that done. Let
24 me just address something here. Council Member
25 Jumaane Williams and myself we were the, still the

1 Co-Chairs of the Gun Violence Taskforce. The first
2 time around we were able to get under the recession,
3 the only initiative to get it through, five million
4 dollars, and now it's up to, what is it, 14.75 if I
5 recall right. I do believe the next step is what
6 Council Member Barron and yourselves are talking
7 about, the jobs situation. Just yesterday, Saturday
8 and yesterday I was with somebody who's from the life
9 and told me, "Listen, I'm done. I want to get out. I
10 need a job. I need to support my family. I don't do."
11 The person doesn't get high, but you know, ideally
12 [sic] and they just--they want a job, you know? And
13 so, you know, we're working on that to make that
14 happen hopefully by the end of this week, but that's
15 the next step. That's what I would love to see the
16 Council go next to be able to have specialized
17 program that would help people, young people to be
18 able to get jobs. Yes?

19
20 MICHAEL HINES: One more second.

21 Something like in Far Rockaway, after Sandy there
22 was-- New York was tore up. What one thing that I
23 was trying to do in Far Rockaway was you have people
24 that bid on these contracts. Fifty-five percent of
25 the contracts are supposed to go NYCHA, New York City

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CHAIRPERSON CABRERA: Well, I want to thank you. I want to commend you for the work that you do. Please continue. Stay the course. Keep up the good fight, because literally there's some jobs that people say, "I did my job," but you're literally changing lives, and that matters. You can go to sleep well knowing that. Thank you so much. At this moment, the last panel we have Hans Menos from CCA,

1 Sally Sanchez from Center for Court Innovation, and
2 Rukia Lumumba from CASES. This will be our last
3 panel unless somebody else would also like to
4 testify. You have to make sure you see the Sergeant
5 of Arms and we could add you right now. You may
6 begin, and again, you have three minutes. Thank you.

8 HANS MENOS: Good morning. Chairman
9 Cabrera and Council Members, my name is Hans Menos as
10 mentioned, and I'm testifying today on behalf of
11 Center for Community Alternatives, also known as CCA.
12 With me, of course, is our Deputy Director, Josefina
13 Bastidas, and I'll go over what CCA is just for by
14 way of background. CCA is a nonprofit agency that
15 works in the field of Juvenile Justice and Criminal
16 Justice to promote safe, humane, purposeful, and
17 effective policies and practices that reduce the
18 reliance on incarceration. I'm Director of Youth
19 Services and I oversee the services that work with
20 the young people who are caught up in the Juvenile
21 Justice System. So, at first, I want to thank the
22 Council for its support of CCA programs. CCA has
23 numerous programs between our youth advocacy project,
24 which provides community supervision and support to
25 juvenile offenders, our Family Court CSB program that

provides supervision and support to adjudicated as juvenile delinquents, and our Crossroads for men and women who are substance abuse treatment program. In addition to supporting our work with the Family Court, the Council supports our work for Crossroads for adults and we are most grateful for that support. So, CCA was one of the first organizations to be engaged in New York City's Alternative to Detention Initiative as a pilot project that began with New York State Division of Criminal Justice funding in 2006. In 2007, CCA was awarded a contract to provide ATD services for youth in Brooklyn Family Court. Our ATD program is called Choices Unlimited. CCA has been the outset and fully committed to the purpose of this initiative. That is, of course, to safely reduce the use of detention for youth who would otherwise be detained. Specifically, to ensure that youth return to court and are not further rearrested during the pendency of their case. We're delighted to be part of this exciting initiative, first and foremost, because it has proven to be an effective way to reduce the use of detention. It has given us new tools to use and has brought us into effective partnerships with the Mayor's Office of Criminal

Justice, the Department of Probation, New York City's Family Courts and many other community based organizations. The ATD initiative represents a public/private partnership at is really best. It is data driven initiatives that benefits from the work of the Vera Institute of Justice. The Mayor's Office of Criminal Justice has helped us to carefully roll out the program under the leadership of the coordinator's office. To that end, we want to especially acknowledge the work of Michelle Sviridoff in this initiative. The Mayor's Office convenes regular meetings, as mentioned, where we can engage in peer learning, review data and discuss emerging trends. For me, at least, these have been very impactful and community building activities, and we appreciate the opportunity to have those meetings. As far as CCA, we brought more than 30 years of experience working with court involved youth. Our ability to do so--I guess I'll leave it there, but I'll say out ability to do so has been really helpful for us, and I'll go over all through our numbers, because I think you understand what our process is. CCA has been over the, since 2007, has enrolled 985

youth, and of those, 83 percent, 705, have successfully completed our program.

CHAIRPERSON CABRERA: Thank you.

SALLY SANCHEZ: Good morning, or rather, good afternoon, Councilman Cabrera. My name is Sally Sanchez, and I'm the Program Director for the Queens Youth Justice Center and that's a project for the Center for Court Innovation. I thank you for the opportunity to speak today. The center is a nonprofit that seeks to help create a more effective and humane justice system by creating and implementing programs, performing original research and providing performance with the tools they need to launch new strategies. I oversee Quest, which is the Alternative to Detention Program in Queens. We were one of the first people in Queens to get the ATD program, and since our inception in 2007 we've seen over 1,100 young people. Our success rate is 85 percent. I'm also here to talk about Project Ready, which is the Alternative to Detention Program in Staten Island as well, which is a project for the Center for Court Innovation, and they've seen over 330 young people since they've started in mid-2009. The ATD program seems really simple on its face, but

the fact of the matter is that it's much more complicated than that. The work that we do just goes much deeper. Our goal really is to empower our young people to recognize their strengths, develop the potential to improve themselves and their communities, strengthen families in supporting their children's success full transition to adulthood, and encourage the justice system to see young people as resources for their communities. The work that we do in Queens, we really do provide a rich array of programming not only in Queens but in Staten Island as well, and that could lead to anywhere from chess, journal writing, pregnancy prevention, recreational activities, sports, music, anything that's really going to help strengthen the bonds that we have with our kids, and just provide them really with the social, emotional--excuse me, social and emotional learning goals, and just really help build their engagement and their competency. In addition, we have a features [sic] program that provides in depth assessment, case management, service linkages, supportive counseling for young people with mental health problems, or home environments that prevent conflict and dysfunction. Since the ATD programs

were launched, the number of arrests really have gone down, delinquency filings, that was mentioned earlier. I'd like to think that not only we in Queens but the rest of the ATD programs in the city have really gone a long way to help lower that number. It's really--we've made an important contribution to these results. The ATD programs do provide judges with validated risk assessment to guide their decisions about preadjudication supervision have allowed youth to remain in the community while receiving services and supervision tailored to their risk and needs. I'd like to close by noting that Quest and Ready [sic] really do operate under the larger umbrellas of the Queens Youth Justice Center and the Staten Island Youth Justice Center where we run a variety of programs for justice involved young people, including youth courts alternative to placement, re-entry programs for juveniles, parent support programs, and adolescent diversion part services for 16 and 17 years in criminal court. We also provide job readiness programs. It's critical to the wellbeing of our young people and the safety of our communities that programs like these be sustained and expanded,

especially with the possibility with an increased need for services. Thank you.

RUKIA LUMUMBA: Good afternoon. My name is Rukia Lumumba, and I'm the Director of Youth Programs at CASES where I oversee the development of CASES's entire youth unit, which includes a number of programs. So I would like to thank the Council for having us here today. I would like to thank the Council for its ongoing and continued support of justice initiatives, and most importantly, hearing you speak today, I'd like to thank the Council for also taking a step in an action to ensure that the needs of its communities, it's respective communities, are represented accurately and are receiving the services and resources that it needs. So I'd like to start by that. I want to also ask that I get a couple of additional minutes to address some concerns that were mentioned earlier as it relates to CASES. And so may I get those additional minutes?

CHAIRPERSON CABRERA: You know, what? Go ahead and do your initial, and then I'll definitely ask you a question and you could have as long as you want.

RUKIA LUMUMBA: Okay, thank you. I'll take it, but I would never be too long, right? So, CASES operates the Choices ATD program, and we do so in partnership with an organization Bronx Works in the Bronx and an organization Union Settlement in Harlem. We provide those services with those organizations because we believe in the really important belief that one, you should have credible messengers. You should have services in the community, and three, that young people should have access to those services even after their participation with us. The organizations that we chose to partner with have a huge array and long-- huge array of services and a long history of service in the communities that we're serving. Additionally, CASES has over 50 years of experience in the four boroughs, including the Bronx. We have manned court offices in the Bronx for years. In Manhattan, we have been operating the Choices ATD program since 2007 and in January 2015 of this year we started the Bronx Program. In 1997 through 2005 in the Bronx we also operated an Alternative to Placement Program called the Mosaic Program, and that program we had a rearrests rate--sorry. We had only five percent of

1 program participants were removed from the program
2 because of rearrests. In our current, although our
3 current ATD programs expand across two boroughs,
4 Manhattan and the Bronx, they have similar
5 approaches. One, all of our programs include in home
6 services with an additional component of what we call
7 adolescent portable therapy, which is in home family
8 counseling. We also provide school liaison services,
9 family engagement and a peer parent support network,
10 where we hire parents from those communities that
11 have had young people that are justice involved to
12 work with additional families to assist them in
13 understanding the system, the justice system.

15 CHAIRPERSON CABRERA: So let me--I'm sure
16 you want to address some of the things that were
17 brought up, so can you go ahead and share from where
18 you're sitting from CASES your reaction to what we
19 brought up in the last two hours?

20 RUKIA LUMUMBA: Well, the couple of
21 things that I definitely want to bring up is data,
22 right? So we talked about self-reporting, and we
23 talked about success rates. So what I would like to
24 bring to the table because it wasn't mentioned,
25 right, is that 78 percent of CASES's participants

1 were successfully within the seven years, CASES had a
2 78 percent success rate of young people to complete
3 their program. Additionally, within 2014, CASES had
4 an 81 percent success rate of young people to
5 complete their program. We talked about rearrests.
6 We all acknowledged that rearrests are self-reported
7 by all the programs, right? We also have to talk
8 about the culture of those boroughs and of those
9 judges, because as we mentioned earlier, the ATD
10 initiative is heavily controlled by the
11 representation in the court room. It's heavily
12 controlled by what the judge decides. So, I'm going
13 to step back a little bit and I'm going to first talk
14 about the self-reporting. So when we talk about self-
15 reporting, we have to remember that our data systems
16 are extremely important and how we analyze that data
17 is important. At CASES we have a data unit that is
18 internal that is responsible for ensuring compliance
19 internally to make sure that we are not under
20 reporting and that we are accurately reporting as
21 much as we can, right? Now, although we have some
22 very strong opposition or disagreement with the city
23 around reports of rearrests, because we feel like
24 arrest itself does not mean that recidivism has
25

1 increased, but that there's other factors to
2 contribute to that including police practices,
3 including other factors around resources for those
4 young people in those communities. So we do have an
5 issue around that, but we also recognize that this is
6 what the contract says, and so we're going to report.
7 And if we over-report, we're going to over-report,
8 right? The other thing is that when we talk about
9 rearrests and when we talk about success, program
10 success. A judge is a real determinant of program
11 success, right? Because the judge determines whether
12 the young person is going to stay in the program or
13 if the young person is going to be remanded or
14 withdrawn from the program. And so that's what
15 really the determinant. And when we look at Queens,
16 and I'm not in Queens, but we do work in Queens in
17 our other programs, and when we look at Manhattan,
18 those are two more conservative parts, two more
19 conservative court parts. They're conservative in
20 how they handle our young people, and that means
21 they're conservative in how often they remand. They
22 remand more often than in Brooklyn and the Bronx, and
23 I've had the absolute pleasure of serving as a
24 director at CCA over their youth programs and their
25

1 ATD initiatives. So, I have a true understanding of
2 what happens in the Brooklyn Family Court. And so I
3 say that to say we have to take everything with a
4 grain of salt. I think that all of the ATD programs,
5 I have tremendous respect for Urban Youth Alliance,
6 BronxConnect. I have tremendous respect for the work
7 that they're doing in numerous places and numerous
8 ways, far beyond what they do for ATD, even though I
9 appreciate what they have done for ATD and really
10 respect that work. I also have extreme respect for
11 CCA, for CCI and the work that has been done. I have
12 extreme respect for those grassroots organizations
13 that don't have the funding that these organizations
14 that I just mentioned have, and I think that what my
15 proposal is and recommendation to the City Council
16 and to the city itself is to develop more initiatives
17 that really target funding grassroots organizations
18 to do this work as well as incorporate grassroots
19 organizations or require some grassroots
20 organizations to partner with larger organizations so
21 that they can have that fiscal support that they
22 need. Because what I often find is that when working
23 with the grassroots organizations and myself coming
24 from a grassroots background, what I find is that we
25

often times don't have the fiscal structure we need to continue, and that hinders our ability to also apply for these RFP's and things of that nature. The last thing I'll say because I don't want to take up too much time, the last thing I'll say is that one thing that since I've been at CASES we have been really strong in trying to do and I think even before me, right, I can't take all the credit, right? But one thing I'll say is that we are intentional about working with the organizations in our communities. So for example, we've been talking about Man Up a lot. We're in conversation with Man Up right now because we want to see them win. We want to see them continue the great work that they're doing and the many, and expand their services borough wide, right? So we're talking with them and I have been since I got to CASES to try to figure out how can we work together, because more people need to be brought into this mix so that they can then expand and become the next CASES or Urban Youth Alliance or CCA or CCI, right? And that's how you do it. Everybody needs a hand, so.

CHAIRPERSON CABRERA: Well, I have to first of all thank you for sharing. I have to tell

1 you though, that I do get concerned when huge
2 organizations, because we have seen it, Council
3 Member Arroyo just stepped out, and she's been here
4 the longest out of all of us, but the historical
5 background has been that the huge organizations come
6 in and they want to partner so they could gobble up,
7 and they start taking over the smaller ones. So,
8 even if we come up with small initiatives, then what
9 ends up happening is the same scenario that you just
10 presented, that okay, we'll work with you, and then
11 all of a sudden they get absorbed or there's a
12 dependency upon that huge organization, which was not
13 to be also to the original intent. But I was going
14 to ask you, I have some questions for your
15 organization, was you mentioned that you said
16 something that was so accurate, that we should have
17 credible messengers. But the organization that
18 you're going to be working with don't have credible
19 messengers right now.

21 RUKIA LUMUMBA: Bronx Works does not have
22 credible--

23 CHAIRPERSON CABRERA: [interposing] Bronx
24 Works was not in this line of work. So, basically
25 you're starting from scratch, correct?

RUKIA LUMUMBA: Not actually, no.

CHAIRPERSON CABRERA: Okay, so explain.

RUKIA LUMUMBA: So, you know, CASES is an organization that has provided services in the Bronx for over 50 years. So we have staff that actually reside in the Bronx. Currently our ATD staff are 60 percent Bronx residents. We're also looking at an additional two staff who are looking to be specific Bronx residents. And 50 percent of our staff in the Bronx also are formerly incarcerated. We have a number of staff across our programs that are formerly incarcerated because we believe in that.

CHAIRPERSON CABRERA: [interposing] In your Manhattan program, what's--

RUKIA LUMUMBA: [interposing] Not just our Manhattan--

CHAIRPERSON CABRERA: No, but your Manhattan program, what's your percentage there of those who are from Manhattan?

RUKIA LUMUMBA: Fifty percent.

CHAIRPERSON CABRERA: Fifty percent?

RUKIA LUMUMBA: Yeah.

CHAIRPERSON CABRERA: So, you typically--
so you typically only have like half of the credible
messengers from the neighborhood?

RUKIA LUMUMBA: I would say on average,
yes. You're talking about a program with--that's
small. So for example, we have two case coordinators
in the Bronx. Those two case coordinators are from
the Bronx. We have an enrichment coordinator who
operates the entire after school programming. That
person is from the Bronx. We're going to have a
parent coordinator. That person is from the Bronx,
but when I say 60 percent I'm also thinking about
myself. I don't live in the Bronx. I'm thinking
about our Associate Director who also oversees that
program. Though he is formerly incarcerated, he too
does not live in the Bronx, but he has lived there
before.

CHAIRPERSON CABRERA: Okay. I tell you,
and regardless of which borough, I prefer that people
who work in the borough are from the borough, you
know, and that's the direction I would like to see it
because it's even more credible when you say, "I live
here. I know what goes on. I know the gunshots
[sic]." That everything I'm telling you happens in

1 my own neighborhood right across the street from
2 where I live. When you hear the gunshots. You know,
3 something happens when you're able to say I am from
4 here, and also they understand all the dynamics that
5 are taking place on the streets and the street gossip
6 that takes place.

8 RUKIA LUMUMBA: Absolutely.

9 CHAIRPERSON CABRERA: So, I, you know, I
10 would love to get together with you. I will tell you
11 just like any other group, I'm going to be watching
12 very closely this year--

13 RUKIA LUMUMBA: [interposing] We need you
14 to.

15 CHAIRPERSON CABRERA: for specifically
16 for the Bronx one, because now, you know, you're in
17 my borough, and this was a big shift to be honest
18 with you. We were not expecting. The only one of
19 all the boroughs, and we're going to be looking
20 closely, because I want results. At the end of the
21 day, what matters to me to be honest with you is that
22 the kids have not only an opportunity, but that they
23 go through transformation and change and they don't
24 ever go back through the system ever again. I meant
25 to--I wanted to ask a question to all of you, and

1 that is what do you think, and I heard the other
2 programs talk, what do you think is the key to change
3 when it comes to the young people, and how do we have
4 structure in what else we may not have in structure
5 in place that we need to have in consideration in
6 order to give the young people an advantage and to
7 come out as winners?
8

9 HANS MENOS: Certainly. So, think to
10 that question, because I think it's very thoughtful.
11 And you know, I have to mention that I'm a social
12 worker, so by trade I think of things in three kind
13 of different trends. So it's the bio, the psycho and
14 the social. So we mention brain development at some
15 point today, that's their biology. There is certain
16 psychological and emotional factors that affect young
17 people, and it is of course the social, I think Ms.
18 Lumumba mentioned, you know, police practices, the
19 way the judges react. So we think about those three
20 issues, I think we can begin to understand the
21 minefield that our young people are going through,
22 because it can be any of those the three overall
23 umbrella issues that can affect them. So there's no-
24 --I wish I could tell you, oh, all we have to do is
25 do this and we'll be in great shape, but I think the

1 idea is to be more thoughtful. So at CCA we do try
2 and focus on those issues, and we do try and look at
3 each individual, and we make plans specific to that
4 person. It's perhaps a little more--it takes a
5 little bit more time and a little bit more thought,
6 but I think that's essentially it. So, part of that
7 might be on just do with the social, educating our
8 patrolmen, educating our ACS workers to be more
9 social justice oriented, to have more of an
10 understanding of what trauma is and to have more of
11 an understanding of their impact on the community day
12 to day. If they frisk somebody for no reason on
13 Monday, can they expect their cooperation as a
14 witness on Thursday? So, that type of long level--
15 I'm sorry--longer thinking for our officers and for
16 our community is part of it. And certainly, you
17 know, I think there's no--no one would disagree when
18 we say we need more services for our young people,
19 and I think we mentioned today at some point the idea
20 that our programs can at times be very reactionary.
21 In other words, they're not proactive. So, I can
22 understand. I could see many of our young people
23 reacting to programs that existed in their community
24 that were more proactive, and did speak to their
25

needs more specifically. For instance, their need for a job or their need for education, their need to feel heard, their need to feel safe. So, and I don't want to spread the message around too much, but I don't want to move towards an area where we say there's one solution. I think it's to look at each individual and understand what's going on in that individual and develop as much as we can a plan to address that over those three tiers.

SALLY SANCHEZ: if I could just add to that, I agree with everything he just stated because those are very important points. I would also like to add engagement. I would also like to add making sure that our young people have a safe space to be. I would also add the messenger is really important. In Queens, our staff, most of them have lived in Queens or do live in Queens. I can speak for myself. I grew up in New York City housing, so I under--

CHAIRPERSON CABRERA: [interposing] What, I'm sorry, what percentage would you say in your program are from Queens there are?

SALLY SANCHEZ: I would say about 50 percent, yes.

CHAIRPERSON CABRERA: Okay.

SALLY SANCHEZ: So, there needs to be understanding not only of the community, but of our kids and of the situation that our kids are going through, making sure that when they come to us not only are we assessing their needs and what's going on, making sure that we're meeting them where they're at. Our young people spend a lot of time being spoken at, being spoken down to, never having a voice, and making sure that we're creating a space where they have a voice, and making sure that they have a say in the programming as well. It's not for us to really go in and say, "Here's what you need." No, tell us what you need, because they are the masters of determining what they need in their lives. More importantly, it's really just, again, giving them their safe space. I don't know how I could just keep reiterating that. Our kids, it's very hard for them these days. It's really hard being a young person in New York City these days, especially with things that are going on in school, bullying, gangs, drugs, domestic violence, sexual assaults, just a whole litany of things that they're facing that they don't really tell other people. So just providing them with that area to just unload that and making

sure that whatever they tell us, we make sure that we provide them with the skills to be successful.

RUKIA LUMUMBA: And the last things that I'll add is family support and community education and support. And so family support in the sense that we all have been teenagers, and our families, I don't know everybody in the room, but we all had some challenging times with our parents, right? And our parents needed someone else to support to help them before they choked us or killed us, right, for our behavior. And so I think that what's important is that making sure that there is family support for parents as well as for young people, because they're going back home to their families. I think the community support and education is also extremely important. Our communities, communities of color, regardless of what we say, we're often times very conservative too in our beliefs around punitive responses to crime, punitive responses to parenting and things of that nature, and so we also have to re-educate ourselves around the importance of alternative to detentions and the importance of the resources that they provide, and also provide our communities with trainings and support, right? So

1 for example, a couple of weeks ago I was in a room
2 with a number of elders, right, who were talking
3 about how young people are disrespectful, how they--
4 you know, they were all--you know, one person was
5 talking about how they were on an elevator and a
6 young person was talking loud and cursing, and the
7 adult turns around and says, "Can you, you know, turn
8 that down? You know, that's loud." And she didn't
9 say it in a way that I'm saying it. She said it a
10 little rough. And so when I asked her, I said, "Well,
11 did you feel as if you disrespected that young person
12 immediately when you responded in that way to their
13 loud music?" And she says, "Well, you know, what?"
14 After a conversation, she says, "I never thought
15 about it that way. I probably did." And she says,
16 "But the reality is, I don't know how to approach
17 them." And so we have to also reinvest and reinvest
18 how do we educate ourselves, how do we educate our
19 communities around how to respond to the difference
20 of youth now than, you know, say when--a long time
21 ago.
22

23 CHAIRPERSON CABRERA: I'm glad you didn't
24 put a year to that.

25 RUKIA LUMUMBA: I know, I was just--

CHAIRPERSON CABRERA: Council Member Barron?

COUNCIL MEMBER BARRON: Thank you. Glad the panel is here to share their insight. And I have a question for Ms. Lumumba. You talked about the success rate for students who, for participants who completed the program, but yet in still these subjectivity that occurs when they go before the judge. What does it mean when you say a child has successfully completed the program, and is there something that we need to do to make sure that that's the overriding factor in what the judge makes--we all know about judicial discretion and how powerful that is, but is there something that we can do or some template we can set out or some guidelines that would at least put the judge on notice that we're watching him because he's out of compliance with what it is that the--

RUKIA LUMUMBA: So, I think that that's a great idea, and I think that's the next step of the ATD initiative, right? Because right now, the one thing that means success is that the young person was not remanded, that they completed the time in the program, whether it be 120 days, that they completed

1 the time up to 120 days to the point of their
2 disposition or finding of guilt or innocence, that
3 they were actually in the program and they have not--
4 and their participation has not resulted in their
5 detention. So that's what success means for this
6 program. I think it is very smart and should
7 actually be the next step to also investigate well
8 what is success on a program level, right? What does
9 that really mean, and I think that that's--we're not
10 there yet on the ATD initiative and that's something
11 that I think as providers we should really bring to
12 the city's attention.

14 COUNCIL MEMBER BARRON: Thank you.

15 CHAIRPERSON CABRERA: So, you just said
16 something very significant. In your field you
17 haven't come up with a concept of what success means
18 yet? Is that what you're telling me? I mean, this--

19 RUKIA LUMUMBA: [interposing] I mean, I
20 think internally for each program we have our own
21 understanding of what success is.

22 CHAIRPERSON CABRERA: Yeah, but I'm
23 talking about for the field.

24 RUKIA LUMUMBA: For the fields, it's a
25 very concise model where success is was the young

1 person remanded prior to their disposition, so prior
2 to their finding of innocence or guilt. Have they
3 been placed in detention and withdrawn from that
4 program from the ATD program?

5
6 CHAIRPERSON CABRERA: But in the
7 literature in your field, have what--what are they
8 saying right now that this will qualify as success?

9 HANS MENOS: Well, I mean, I think that
10 first we need to unpack the term success, because it
11 is-- I mean, contractually there are successful
12 measures, correct, right?

13 CHAIRPERSON CABRERA: Right.

14 HANS MENOS: But if I have a young person
15 that comes into our program and they were smoking
16 marijuana seven days per week, maybe twice per day,
17 and we're able to help them to reduce that to one day
18 per week or twice per week, that would be a success
19 in my eyes. They're making improvements. And the
20 same goes for school. If you're chronically truant,
21 but now you're in school four days a week, that's a
22 success as well. If you're arrested for numerous
23 felonies, and it couldn't even be felonies, but
24 you're arrested for serious issues, and then over a
25 six month's period you're arrested for loitering or

1 turnstile jumping, you're still being rearrested, but
2 that's a success. So, its progress, I guess is what
3 I'm trying to say for want of a better phrase.

4 CHAIRPERSON CABRERA: So, maybe the
5 discussion should change not just from having an idea
6 of an end game, but to start talking about measures
7 of success, points of success and to start coming
8 with models that will represent that rather than an
9 either or. Now we can talk about, you know,
10 progression. Is that something that makes sense?

11 HANS MENOS: Certainly, certainly, and I
12 think what you're describing is that we're--it's a
13 very nuanced issue. We can't just say its black and
14 white success. This is the threshold. We've reached
15 it successfully. You don't reach it, it's not
16 successful, and certainly there are ideas about how
17 to measure that, but our young people are, you know,
18 thankfully not all the same, and we can say this is
19 what it means to be juvenile delinquent or to be a
20 court involved youth. There is a lot of different
21 factors that come to that, and as Rukia mentioned,
22 sometimes that's just a matter of what neighborhood
23 you live in. And in my personal opinion, it's often
24 mostly about the landscape of where you live and who
25

is the--who are the people who are adjudicating you
or arresting you.

CHAIRPERSON CABRERA: Well, I want to
thank your programs. I want to thank all of the
programs that came here, especially those of you who
stayed out all the way to the very end. I commend you
for the work you do. I don't think people realize out
there how difficult of work that you do. It's
challenging to say the least, but the numbers that I
have heard today from different programs, the
structures that are being put in place. I am happy
to hear from MOCS if they're going to put some form
of psychometrics [sic] that will be kind of a
standardized way of doing it. I would love to hear
from the ATD's your input into that, because to be
honest with you, you are the best judge of whether
these variable they're going to put into place are
actually what we should be measuring, and so we
looking forward to having another hearing in the
future and reviewing all the progress. Thank you so
much and have a wonderful day.

[gavel]

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COMMITTEE ON JUVENILE JUSTICE

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COMMITTEE ON JUVENILE JUSTICE

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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 February 26, 2015