

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON JUVENILE JUSTICE

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June 18, 2015
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Recess: 11:55 a.m.

HELD AT: 250 Broadway - Committee Room
16th Floor

B E F O R E:
FERNANDO CABRERA
Chairperson

COUNCIL MEMBERS:
Maria Del Carmen Arroyo
James Vacca
Inez D. Barron
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A P P E A R A N C E S (CONTINUED)

Sarah Hemmeter
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Reverend Wendy Calderon-Paine
Executive Director
Bronx Connect

[sound check, pause]

[gavel]

CHAIRPERSON CABRERA: Good morning

everyone. We're getting ready to start. We just shared that if anyone is interested in testifying, to please see the sergeant-of-arms, He will make sure that he gives you a slip so that you can fill out, and get an opportunity to testify. First, let me just say that we are--I just want to express I believe the sentiment that many people who are very sad on what happened in South Carolina last night. Being a pastor myself this--it hit home when--when we saw a pastor pass away and get killed in a very ruthless evil way. And he was a state senator also I understand, and also I could relate being an elected official, and also the families. I can only imagine what the families are going through going to church to pray and somebody who sits there for awhile just contemplating that they're going to do it. It's just--it's just a sad--sad day. So please keep them in prayer. Give it your best thoughts, and with that we are going to get started today, and welcome to today's oversight hearing examining the New York City's Crossover Youth Practice Model, the CYPM. I

I am Council Member Fernando Cabrera, Chair of the Juvenile Justice Committee. I would like to thank all of you for being here today to discuss this important topic, and soon we will have other council members, and they will be coming in and out. Today, as you know, we are doing discussion of the budget.

All of us in this room understand how critical it is to identify the needs of youth who are--who are exposed to both our Child--Child Welfare system as well as our Juvenile Justice system. More importantly is that we successfully provide the proper care for this vulnerable population. Research shows that 82% of youth involved in both the Child Welfare and Juvenile Justice systems has some level of involvement with the Child Welfare system at the time of arrest. In order to better address this issue, the City recognized that these known as Crossover Youth need specialized attention in such areas as early identification, comprehensive case coordination, developing specialized court processing procedures, and discharge planning.

In April 2014, the City implemented a CYPM pilot program in the Bronx, which target reducing the number of Child Welfare youth, who-who

Crossover into the Juvenile Justice system. The overarching goal of this program aims to improve the handling and the outcomes of Crossover Youth by reducing their further involvement in Juvenile Justice and/or Criminal Justice systems. During today's hearing, we look forward to testimony of CYPM services administered to all youth in ACS custody. Specifically, those youth who are in the Juvenile Justice system. Additionally, the committee wants to take a closer look at how CYPM has benefitted those individuals who have been identified by the department as Crossover Youth, and future plans to implement CYPM in the other boroughs. Specifically, how are individual's needs of Crossover Youth addressed while in the Juvenile Justice system, and how does this specialized attention help combat recidivism.

Additionally, we want to learn more about ongoing CYPM training, and how CYPM principles are benefitting NYC communities. I would like to thank representatives of the administration for being here today. I would also like to thank my staff that is here, the Juvenile Justice staff for their hard work and dedication to this committee, and I will now

1 COMMITTEE ON JUVENILE JUSTICE

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2 swear you in so you can begin your testimony. If you
3 could raise your right hand and repeat after me--do
4 not repeat it, but if you could affirm to this. Do
5 you affirm to tell the truth, the whole truth, and
6 nothing but the truth in your testimony before this
7 committee, and to respond honestly to council
8 members' questions?

9 ASSOCIATE COMMISSIONER HEMMETER: I do.

10 CHAIRPERSON CABRERA: Please state your
11 name for the record, and proceed with your testimony.

12 ASSOCIATE COMMISSIONER HEMMETER: Good
13 morning. I'm Sarah Hemmeter, Associate Commissioner
14 for Community Based Alternatives at ACS.

15 JULIE HALL: Julie Hall, Executive
16 Director of Youth Justice Programs at ACS.

17 DEPUTY COMMISSIONER HEMMETER: Jacqueline
18 Martin, Deputy Commissioner for the Division of
19 Preventive Services at ACS.

20 DEPUTY COMMISSIONER GRAY: Good morning.
21 Jeanine Gray, Deputy Commissioner of Juvenile
22 Operation at the Department of Probation.

23 Should we proceed?

24 CHAIRPERSON CABRERA: Yeah, you can
25 begin.

ASSOCIATE COMMISSIONER HEMMETER: Good morning, Chair Cabrera and members of the Committee on Juvenile Justice. As I mentioned, I am Sarah Hemmeter, Associate Commissioner for Community-Based Alternatives at ACS. With me from ACS is Jacqueline Martin, Deputy Commissioner for Preventive Services and Julie Hall, Executive Director of Youth Justice Programs as well as Jeanine Gray, Deputy Commissioner for Juvenile Operations at the New York City Department of Probation. Thank you for the opportunity to discuss the interventions that ACS and our partners offer to young people through the Crossover Youth Practice Model or the CYPM. Crossover Youth. The term Crossover Youth describes a young person who enters the justice system while involved in the Child Welfare system. These young people also referred to as duly involved youth essentially crossed over from the Child Welfare into the Juvenile Justice system. The Crossover Youth Practice Model is a multi-agency cross-systems approach that seeks to improve outcomes for young people who are involved in both systems. The model allows the numerous agencies working with the Crossover Youth to share information, collaborate on

solutions and involve the youth and her family in order to prevent further involvement in either system.

Earlier this month the Center for Innovation through data intelligence or CIDI in the Mayor's Office released a groundbreaking study of almost 30,000 adolescents discharged from New York City's Foster Care and Juvenile Justice systems and youth who are involved in both systems. The study followed adolescents after they left these systems for six years, and found that those who had been duly involved used a significant amount of resources associated with government services including reentry into foster care of the Justice system, homeless shelters, hospitals and the use of public benefits. Over 90% of the duly involved youth interacted with at least one system, and almost half of the duly involved youth interacted with three or more of these systems. Young people who are involved in both the Child Welfare and Juvenile Justice systems tend to have worse outcomes than youth who are involved in just one of these systems. The study underscores the urgent need for funding the most effective interventions, those, which can prevent young people

from becoming system-involved in the first place, and those that can get system involved youth the support they need in order to become self-sufficient young adults. In addition to expanding and strengthening alternatives for Justice-involved youth and continuing to reduce the number of young people entering foster care, ACS and other child serving agencies are committed to investing in work that focuses specifically on duly involved youth such as the Crossover Youth Practice Model.

When a young person is arrested before she turns 16 years old for an act that would be a crime if she were 16--older than 16, she enters the Juvenile Justice system. In a traditional Juvenile Justice the process is as follows: A young person is arrested. She goes to the Department of Probation where she is interviewed about the alleged crime, her school attendance and other topics. Probation determines whether the case should be referred for formal court proceedings or adjusted. If the case goes to Family Court, then the New York City Law Department collects and presents the evidence against the young person, and in most cases, the Legal Aid Society defends. Historically, the NYPD, the

Department of Education, Probation, the Law Department and the Legal--the Legal Aid Society and the courts all work separately on the young person's case and often in adversarial relationship to one another. Now, imagine the young person who is arrested is in foster care. In addition to an arresting NYPD officer, the probation intake officer, the Law Department lawyer and her defense attorney, she has an ACS caseworker and/or a Foster Care agency worker. Each of these agencies knows about different aspects of the youth's life. The law enforcement agencies are tasked with ensuring public safety, and the young person's accountability for their actions. While the defense attorney's goal is to safeguard her rights and legal interests. ACS and foster care caseworkers have context for her actions because they know about the struggles she has had since she was removed from her parents' custody.

Crossover Youth Practice Model Overview.

In New York City in 2013, approximately 5,391 youth between the ages of 7 and 15 were arrested. Of those 5,391 young people an astonishing 74% had current or past Child Welfare involvement. Crossover Youth Practice Model or CYPM was developed in order to

combat the poor outcomes that Crossover Youth experience such as higher rates of substance abuse and mental illness, recidivism, criminal involvement as adults and Child Welfare involvement as parents. Designed by Casey Family Programs and the Center for Juvenile Justice Reform at the Georgetown University Public Policy Institute, the model encourages different agencies to collaborate, streamline their work and develop a comprehensive plan to prevent further justice involvement. The model also seeks to reduce the number of youth who enter or re-enter foster care and the number of youth in foster care who move into residential placements in the Juvenile Justice system. It is founded on the principles of information exchange, coordination and collaboration between multiple agencies at each point in the Justice--the Juvenile Justice process from arrest through the end of the case.

Research consistently shows that victims of physical abuse and/or neglect are at an increased risk of engaging in delinquent behavior. Crossover cases tend to involve teens who are victims of persistent or adolescent onset maltreatment, have been in Child Welfare placement a long time, and/or

who have experienced multiple placements of varying types. There are young people who enter the Juvenile Justice system for mostly non-violent infractions that are still detained more frequently than non-duly involved youth. Crossover Youth tend to be disproportionately young women of color. Many have a history of poor school attendance and special education issues, and often times do not have a family resource or meaningful connections with supportive adults. Many duly involved youth come from families where both the parents and the youth have a history of mental illness, substance abuse, domestic violence and/or criminal behavior.

New York City began planning for the CYPM in 2012 at which time a group of citywide stakeholders including ACS, the Department of Probation, the Department of Education, the New York City Law Department, the Legal Aid Society, Bronx Defenders and the Judiciary came together to craft--craft a pilot of the Crossover Youth Practice Model for the city. New York City launched a pilot--a pilot CYM--CYPM program in the Bronx in April of 2014, and also developed a plan for successive expansion through the remaining boroughs. The CYPM

process targets youth ages 7 to 15 who have been arrested and fall into at least one of three Child Welfare categories. They are in foster care, their families are being investigated by ACS for possible maltreatment and the judge has ordered ACS to supervise them, or they are receiving preventive services. The target population for the Bronx CYPM pilot consisted of youth involved in any of these three Child Welfare services whose delinquency cases fall under the jurisdiction of the Bronx Family Court.

Since launch of the pilot last year, we have identified 168 Crossover cases in the Bronx; 29 recorder supervision cases, 33 foster care cases and 106 preventive service cases. In April 2015, we expanded the practice model to Brooklyn. Thus far, we have identified Crossover Youth, 10 of which are court ordered supervision cases, 8 are foster cases and 22 are preventive service cases. Additionally, the implementation process for Manhattan, Queens and Staten Island commenced in February 2015, and we expect to launch in those boroughs by early 2016.

The CYPM Process. When a youth is arrested, ACS determines whether the youth--whether

the young person or their family has Child Welfare involvement. Once Crossover Youth is identified, the newly assigned Juvenile Justice workers, the Child Welfare workers and probation staff are informed of the youth's Crossover status if legally permissible. The Child Welfare worker contacts the youth's parent or guardian and educates the family about the Crossover Youth Practice Model. The youth and the parents are provided consent forms regarding the sharing of information, and are given an opportunity to confer with counsel about those consents. In order to participate in the model, which involves collaborative conferencing, the youth and the parent or guardian must give their consent. In cases where the youth is eligible for adjustment and when the consents to share information are obtained, the Department of Probation invites the youth Child Welfare caseworkers to participate in the CYPM adjustment conference. At the conference with participation by the youth, the parent or guardian, the youth's attorney, social workers and other parties the family elects to include, the Department of Probation decides whether to adjust the case or to refer the case for possible prosecution. If the case

is adjusted, the Child Welfare and Juvenile Justice agencies communicate and work together to jointly plan services on an ongoing basis to address the needs of the youth and their family. If adjustment fails or the youth is not eligible for adjustment services and a delinquency case is ultimately filed, the Child Welfare worker schedules a conference with the family and the Juvenile Justice professionals to develop a service plan that provides coordinated services across both systems. Expediting the release of the youth from detention where safe, reaching appropriate resolution of the youth's case, and reducing the risk of further involvement in the Justice system.

After the judge makes the decision about the facts of the case, Department of Probation staff and Child Welfare workers meet to discuss the possible options for disposition, dismissal, probation, conditional discharge an alternative to placement program or an out-of-home placement. After the judge enters a final order, collaboration continues. For youth who mandated at disposition to complete services or who are sent to out-of-home placement, the Child Welfare agency and the Juvenile

Justice provider continue to exchange information with a focus on achieving permanency and reaching educational goals.

Challenges to Implementation.

Implementation has not been without its challenges.

One of the more difficult aspects of instituting the Crossover Youth Practice Model in New York City has been changing the internal culture of the various Child Welfare and Juvenile Justice stakeholders in their work with duly involved youth. As touched upon earlier, the differing roles that various professionals play in the young person's case colors the way those staff view the youth, and naturally influences how they approach their work. The CYPM requires recognition that promoting the needs and interests of Crossover Youth is the responsibility of all stakeholders, and not just a few at select points during a young person's case. This shift in viewing young people from an institution specific lens to a more holistic trauma-informed treatment lens has begun to take hold, but it will take time to fully infuse into all levels of practice at the Child Welfare and Juvenile Justice agencies and organizations that work with duly involved youth.

Another major challenge we have faced as the city implements the CYPM has been building trust between agencies and across systems and fostering open communication. Before CYPM, information sharing regarding duly involved youth between the agencies and across systems did not happen. But under the collaborative approach of the model, combined with the ability to share information via parent and youth consent, stakeholders now have access to information to which they had little to no access before. This raised concerns for different stakeholders regarding how the shared information is ultimately used particularly in the context of adversarial court proceedings. As implementation of CYPM progresses, and stakeholder's familiarity and comfort with the model grows, we hope to allay any lingering concerns the city--as the city achieves better outcomes for Crossover Youth through a consistent and meaningful dialogue between professionals and agencies and systems. The Crossover Youth Practice Model has been adopted in 40 other jurisdictions including Los Angeles and Philadelphia, and yielded positive results where it has already been implemented. By adopting and implementing the CYPM in New York City,

ACS and our citywide partners hope to prevent youth from penetrating further into the Criminal Justice and Child Welfare systems by identifying youth at the very point they cross from one system into the next. This paves the way for workers to exchange information in a timely and more seamless manner, include families in all decision-making aspects of the case, guard against foster care bias at the point of detention or disposition, and maximize the services utilized by each system to coordinate service planning, and to prevent Crossover from occurring. Thank you for the opportunity to discuss the Crossover Youth Practice Model. As this multi-agency cross system model continues to expand throughout the five boroughs, we look forward to our continued partnership with our sister city agencies, provider agencies, the judiciary, the advocate community, and our other stakeholder partners to advance successful outcomes for young people who are duly involved in the Child Welfare and Juvenile Justice systems.

My colleague Jacqueline Martin who will now share with you a hypothetical example of how information and collaboration through the Crossover

Youth Practice Model has made a difference in the experience of some of our duly involved young people as they navigate through the systems. My ACS colleagues and I and our partners from the Department of Probation are happy to take your questions at the conclusion.

DEPUTY COMMISSIONER MARTIN: Thank you Sarah. Good morning again. So the preventive system, as you heard, actually carries most of the youth that we see now in our Crossover Youth Model. So imagine that we have a 15-year-old male living with his family in the Bronx, which is where we first rolled out this model. It's a youth whose family has been known to the Child Welfare system for many years. He lives with his mother, stepfather, older female siblings, and the family has approximately about \$950 a month that come in and are responsible for also paying almost \$400 towards their rent on a monthly basis. This family could also be on the waiting list for a NYCHA apartment, and as you know, the family who has a history of family members who have arrest histories, that could jeopardize their abilities to actually, you know, receive that apartment.

The family also has a history.

Approximately 20 year of this child's life, the family has also had a history of substance use, and the mother has been stable in her recovery for some time. But it's interesting that at 15 years old, it means that he has only been raised and only known a family who has been involved with substances. He himself at 15 years old he's also beginning to experiment with drugs, perhaps marijuana and other substances. But we know that it's also disruptive to his school performance. He's been left back a few times, and is feeling pretty much outside of the--his school and his peers in their advancement. So he's maybe in the 8th grade at this point time, and has an IEP that is pending. Maybe it's outdated because the parents have not been able to fully work with the Department of Education to get his education on track. So the family becomes known to us for an investigation, and perhaps it's neglect because he hasn't been going to school.

And so, the Department of Education has called and SCR report. And our department--our Division of Child Protection gets involved, investigates the family, and offers the Family

Preventive Services for which they accept. Although the mother is a little, you know, tentative about whether or not Preventive Services is going to be effective at this point in time, but she agrees to go through with it. She also may have approached Family Court to seek a PINS Petition for this child and may have been diverted to our Family Assessment Program, which works with parents and introduce them to our Family Assessment Program or what we call the FAP Model. Which is also evidence-based intervention services for the family. But it relies--those models rely very heavily on the youth being involved and attending the services also. So perhaps for a period of time, they tried and it didn't work. Or, maybe the intervention had some effect, but they didn't achieve all their goals.

The other option maybe that was presented to the family is to also participate in our general preventive programs. Maybe there is some assistance that can be given there after an evidence-based intervention, and maybe the family engaged in that also. But not tremendously successful since the youth behavior continues to sort of escalate. And I think that there is a concern at this point about

whether or not we're actually going to be to get him back on track. And maybe in the interim there's an arrest. And now, he is considered by us to be a Crossover Youth. So we begin now to look at this family through a fresh set of eyes because it requires us now to interact with the Department of Probation, which is now involved in the family's life. And we are now on the same page in terms of Preventive Services as well as, you know, the Department of Probation. If the family signs a release of information either presented to the by the Department of Probation or even presented by their Case Planner in Preventive Services, that allows us to have a conversation together to look at the history.

Perhaps the Department of Probation is not aware of the Child Welfare history for this year, but ACS has that history, and can come to the table to negotiate with the family. And the other systems, perhaps the Department of Education because we also know that he's also in trouble education wise, and we want to get him on track. And so that begins the process. When the youth is introduced to that probation officer, they will or have had a successful

adjustment conference. The family and the youth agree to engage in services to address the youth's substance use needs. Maybe he has a couple of options. Maybe it's outpatient drug treatment. Maybe it's inpatient drug treatment, but there are other services. Maybe they also engage him around engaging in mental health services because we need an evaluation to be done in order to really create a, you know, a robust service plan that will meet his needs. In the interim, it's not unusual for the preventive agency at this point, who has received notification of an arrest on one of our active cases, to also begin to have different conversation with the parents.

How can we work in a different way. And we might see this arrest as what we call an elevated risk circumstance in the family's life. And engage the family around engaging with us in an elevated risk conference. That's an opportunity for ACS to also bring all of the key stakeholders together who are touching this child's life. To come together with the family and to also work on a child welfare plan that would integrate the services that the Department of Probation has--has identified for him.

And so, together--working collaboratively together on all of those systems we can--ACS can through our education unit actually, you know, work with them to find a clear recommended educational plan for the youth. And then, begin to work with the Department of Education on implementing that plan. It maybe something as I would say aggressive as maybe changing his school. But more likely it will be about getting that IEP, his Independent Education Plan back on track, and then working with him to meet those needs.

Ultimately, we might also decide that this youth could benefit from one of our higher level intervention programs within ACS. That could be, for example, a multi-systemic with a substance abuse adaptation program for him because he is experiencing or experimented with substances at this point. And if we are--if we are ultimately successful with this youth, our hope is that he will not have another arrest. That he will not further penetrate the Juvenile Justice or the Criminal Justice system, because he is 15 years old at this point. And so at his 16th birthday, another arrest for him means that he's probably going to be facing a different system. And so, ultimately what we want to do, all of these

parties coming together is to work successfully with the family to avert any other arrests and to just really help to get this youth on the right track.

CHAIRPERSON CABRERA: Thank you so much.

Let me recognize that we were joined by Council Member Jimmy Vacca from the Bronx, and we were just joined by Council Member--the other Council Member Arroyo also from the Bronx. So the Bronx is truly in the house today. [laughter] So I have a few questions. First, thank you for your testimony. It was very insightful. When ACS first began implementing CYPM, was a Gap Analysis performed to assess how New York City was going to address the needs of the Crossover Youth before the model?

ASSOCIATE COMMISSIONER HEMMETER: Yes, we did conduct a Gap Analysis. That is part of the Georgetown process.

CHAIRPERSON CABRERA: Okay.

ASSOCIATE COMMISSIONER HEMMETER: But it wasn't just ACS who participated in the Gap Analysis. Probation also participated. The court participated. We got information from all the different stakeholders about how each piece of the system--the systems are working with Crossover Youth.

CHAIRPERSON CABRERA: So what was the--
what do you identify as the biggest gaps?

ASSOCIATE COMMISSIONER HEMMETER: Yeah,
there--there are a lot. At the beginning I think the
biggest-- You know, the--the Gap Analysis actually
turned out to be a very lengthy documents with lots
of different--with lots of different information in
it. Some of the gaps--I mean obviously the systems
are very siloed and so the two--the Child Welfare and
the Juvenile Justice system do not talk to each
other. And so it's confusing for the parents and the
young people who are involved in both the systems as
recommendations are being made from both the systems.
And if there isn't that coordinated case planning, or
work with the other system, it can be confusing. And
confusing for the parent and the young person, and
they can be running around through a bunch of
different services. So the siloing of the systems
was obviously the biggest gap I think. There's--we
also recognized that there is a need for cross-
systems training so that the Child Welfare system
understand the Juvenile Justice system and the
Juvenile Justice understands Child Welfare. The
language is completely different in each of the

systems. For example, Child Welfare speaks of safety and they're thinking about safety to use in the family. When the Juvenile Justice system talks about safety. they're thinking about safety of the community. So when they're talking to each other, they don't understand what that means. They don't understand what each side is doing.

CHAIRPERSON CABRERA: So how do you reconcile those two?

ASSOCIATE COMMISSIONER HEMMETER: Yeah.

CHAIRPERSON CABRERA: It's very interesting. How--how do you connect that bridge where you have a win-win situation?

ASSOCIATE COMMISSIONER HEMMETER: Lots of training. [laughs]

CHAIRPERSON CABRERA: Okay. But what does that training? I'm just curious.

ASSOCIATE COMMISSIONER HEMMETER: Yeah, so we--the--during the Crossover Youth Practice Model implementation the two years while we were working in the Bronx, all of the stakeholders came together and we wrote protocols. So all of the stakeholders that I mention, Probation, ACS, Legal Aid, the Law Department were all involved in writing these

protocols so that there was a clear understanding of what--what would happen once the Crossover Youth was identified. And from those protocols, we created a curriculum. The James Cider White Academy at ACS created a curriculum for each of the child welfare populations. So foster care, court ordered supervision and Division of Child Protection and really training them on what the Juvenile Justice is and how they need to look at these cases in a different way.

CHAIRPERSON CABRERA: So that curriculum being validated, I mean is--is it possible that there are things that were instituted into the program that are actually making it work versus the curriculum. How do we know it's the curriculum that is really making it happen?

ASSOCIATE COMMISSIONER HEMMETER: It has not been validated.

CHAIRPERSON CABRERA: Okay.

ASSOCIATE COMMISSIONER HEMMETER: You know, we just started training in April? April of last year.

DEPUTY COMMISSIONER MARTIN: Last year.

ASSOCIATE COMMISSIONER HEMMETER: So, you know, part of this is trying to look at the cases and measure the outcomes and see what is making a difference for these people.

JULIE HALL: I mean the curriculum is really and it's developed for the Child Welfare side. We're actually trying to get funding--I'm sorry. Julie Hall. We're actually trying to get funding now to have someone take that curriculum, turn it into train the trainer as well as develop it for the Juvenile Justice partners. So the training basically outlines the roles of the Child Welfare providers under the--citywide protocols that were developed moving forward what they need to do when they receive limited CYPM case that they had made with the youth was arrested. So and the--and it also describes--teaches the Child Welfare providers what the Juvenile Justice system is, how it works and the differences in the language and the differences in meetings. And we also talk a lot about trauma and what these youth have gone through, what trauma does to behavior. So that we are actually trying to look at the youth differently, and really focus on the behavioral issues of the youth through Child Welfare

and therapeutic interventions rather than relying on the Juvenile Justice system. And we hope that the Juvenile Justice training, we're working on getting funding for that, and making that curriculum duly opposite from Juvenile Justice providers. In addition, Vera has done some cross-training directly, and as it rolls out between ACS and the Department of Probation where they sit, and they actually talk about each other's roles, and how that--how they interact with the family, what safety means to each of them, what they think the other side does. So that has been I think pretty effective as well. I think another way that you can when you're really thinking of--for the family safety and the community safety, it's effective planning to ensure both. So that it's both sides of everyone's plan. I don't even mean both sides, but families and those sides that were involved with the family is making an effective plan that you both--you're looking at community safety and safety within the family at the same time. So you're looking to do both, a plan that works to do both together.

CHAIRPERSON CABRERA: So have you--has any other curriculum, the other 40 jurisdictions have

they validated? And also, did we attempt it? Is ours pretty much original, or did we kind of borrow from what everybody else is doing?

JULIE HALL: Our curriculum is original because our system is so different from other systems. So we could--like in California the laws allow where there is an arrest of a youth and he's involved in Child Welfare, the laws allow that information sharing to happen. In New York State it does not. And so, we had to look at our laws and our--the way that we practice and create a curriculum--protocols and curriculum based on our own practice. We did receive curriculums from other jurisdictions just to see how they have done it. Ours is by far [laughs] I'm going to be able, you know, to brag a little. It's very comprehensive and really it's--it's very long. I mean we can send it to you if you'd like to see it? It's--it's--

CHAIRPERSON CABRERA: [interposing] I would love to see it.

JULIE HALL: --you know, because it does do this, it works--it's training those three different populations of Child Welfare workers. And

the laws are different for each of those categories as well. So we had to create our own.

CHAIRPERSON CABRERA: Is this--is this CY--is--is this program basically like a glorified IEP? Could you describe it that way?

JULIE HALL: I--no, I think it's--

CHAIRPERSON CABRERA: As you know the IEP in the schools basically you're looking at all the aspects of what's going to help a--a student--

JULIE HALL: [interposing] Right

CHAIRPERSON CABRERA: --with special education. So is this kind of even a broader--

JULIE HALL: You know, I probably wouldn't compare it to that. I would call it a glorified case conferencing model--

CHAIRPERSON CABRERA: [interposing] Okay, got you.

JULIE HALL: --that brings all of the players that are--the systems that are touching the kids. I mean, we ideally would not just have Child Welfare and Juvenile Justice but education at the table. You know, we want to work with NYPD on this as well because the arrest, that's where it all starts. Bring all of these people to the table and

really look at what's going on with this young person and their family. So that we can create a comprehensive plan to prevent any further criminal activity by the young person.

CHAIRPERSON CABRERA: When you say--I've got so many questions. The--the--is--is the child allowed to go through it twice?

JULIE HALL: Yes. I mean there's no requirement that once you've done it--

CHAIRPERSON CABRERA: How many have gone through it twice? Do you have that data?

JULIE HALL: I don't know if we have any. I mean there's kids who have been re-arrested after they've been identified as part of the--as being Crossover. I don't have that data.

DEPUTY COMMISSIONER GRAY: Yeah, I don't have it either, but I just want to say that as far as--Jeanine Gray, Department of Probation. As far as our adjustment process, a child is allowed to have another addition adjustment case as well. So they do go through the process. But I wanted to say about the Crossover Youth Model, what it has done being in the Department of Probation for so many years, it not only has enhanced our collaboration and sharing of

information, but when these young people and their families come to our office, we speak with one voice. And that is so critical because that only enhances the trust that that family has in our agency and ACS. Because dealing with both sometimes we are speaking with one voice. So I embrace this model. It's a work in progress, but my main focus, and the Department of Probation's main focus, the Commissioner's main focus is make sure that we are actually improving outcomes for our families. And this is what we are doing. So, I'm--we're very passionate about that. So I just wanted to express that.

CHAIRPERSON CABRERA: You know, I--I have to tell you that when I was a caseworker many moons ago in 1989 working for the Catholic Guardian Society, I had a case that was very difficult case, and it brought all the--it was--we were stuck. But we brought everyone together. What was amazing to me was the duplication of services, and we were able to actually limit some of the services that were taxing organization and at the same time be able to target. And everyone began to speak with one voice, one strategy. And so, I'm happy to know that now after

these years [laughter] because it was in the literature, you know, the research was there that they actually were to see that it now is institutionalized. You mentioned something about L.A. that just caught my attention. Can you clarify in L.A. they allow for the Crossover of information? Would that be helpful if that was the case here?

JULIE HALL: From our perspective, yes it would be.

CHAIRPERSON CABRERA: Okay, is there anything stopping us from doing that other than legislation perhaps?

JULIE HALL: The legislation yes.

DEPUTY COMMISSIONER GRAY: Okay.

[laughter] I think I'm going to be introducing that one today. [laughter] Because I--it's common sense. I means is there--is there any negative to it.

JULIE HALL: I--I--go ahead. [laughter]

ASSOCIATE COMMISSIONER HEMMETER: I--I--I do think that advocates for parents and advocates for youth might be--

JULIE HALL: [interposing] Be a little wary.

JULIE HALL: --be a little wary of--of having open information sharing.

CHAIRPERSON CABRERA: I see. But the information in some ways already is being transferred.

JULIE HALL: Right, I think--

CHAIRPERSON CABRERA: [interposing] And in the form of kind of through the program anyway, right?

JULIE HALL: Right. I mean I think it's a question of how the information is going to be used, and--and I think there's a fear that the information is going to be used in a negative way because historically that has happened and--and does still continue to happen on some cases even after the launch of the CYPM so--.

CHAIRPERSON CABRERA: [interposing] Right.

JULIE HALL: --it's--but it's training people how to use this information and that you can't use an AWOL history or some other thing that's happened to this young person in the Child Welfare system to push them further in to Juvenile Justice

CHAIRPERSON CABRERA: Well, does--does they essentially have a problem? I mean, have they encountered problems, systemic problems?

ASSOCIATE COMMISSIONER HEMMETER: I don't know. We--we haven't had that conversation with them, but--

CHAIRPERSON CABRERA: Thank you.

ASSOCIATE COMMISSIONER HEMMETER: --and because the law has always been different there, it didn't change because of CYPM. The law has always been that once--once the two systems are involved, the confidence--there's not confidentiality between those two systems. So their system has always been that way.

CHAIRPERSON CABRERA: Let me ask you what happens if the young person wants to be involved with the parents not being willing to give consent? What do you do in that case? Does ACS have the power to override the parent.

ASSOCIATE COMMISSIONER HEMMETER: No, we cannot.

CHAIRPERSON CABRERA: No.

ASSOCIATE COMMISSIONER HEMMETER: I mean they would still go--

CHAIRPERSON CABRERA: [interposing] Even they thought--even if--I'm so sorry.

ASSOCIATE COMMISSIONER HEMMETER: That's all right.

CHAIRPERSON CABRERA: Even if ACS deems it as, you know, a healthy step forward and helpful--

ASSOCIATE COMMISSIONER HEMMETER: Right.

CHAIRPERSON CABRERA: is...?

ASSOCIATE COMMISSIONER HEMMETER: I mean, we can't override it because it's not our information. It's the parent's information. So theirs and the child's information, and so

CHAIRPERSON CABRERA: I was--I was kind of intrigued and actually surprised that most of the young people involved that are Crossover Youth are--were--were girls. Can you explain me that, or is it--

JULIE HALL: It's--it's not that they're--that most of them are girls. They're disproportionately high represented. So minorities are disproportionately higher--

CHAIRPERSON CABRERA: [interposing] Got it.

JULIE HALL: --represented and Crossover Youth and girls are as compared to the regular, either the youth involved in either system. But there are still greater numbers of boys involved in the Juvenile Justice system than there are girls, and that's the same as the Crossover Youth Practice Model.

CHAIRPERSON CABRERA: But what's the root of--

JULIE HALL: I...I believe--there's not a lot of good study that I know of, that I'm aware of. I believe some of the conjecture is that because, um, girls are involved in child welfare, and a lot of that is due to sexual abuse so that they become sexually exploited. And also, the court system looks at girls differently than boys traditionally or...or we all do as more protective. So, that we may be thinking that we need to lock up the girls for their protection, and when-- I think that explains it.

CHAIRPERSON CABRERA: Okay. Would that be something you're going to look at later on to see, you know, what's the root of this group?

ASSOCIATE COMMISSIONER HEMMETER: I--Yes, and I, you know, I'm sure Georgetown has also taken a

2 look at it and we can see, you know, if there are any
3 studies that they have on this as well.

4 CHAIRPERSON CABRERA: I wanted to ask you
5 for those young people that end up in in-patient
6 programs for substance abuse, Phoenix House I
7 understand their in-patients for juveniles, and they
8 have a school, an academy, is closing down or is
9 already closed down. And I know many of our youth
10 used to end up going there. Do you happen to know
11 where our young people end up at?

12 ASSOCIATE COMMISSIONER HEMMETER: No.
13 [laughs] I mean I think--

14 CHAIRPERSON CABRERA: Or maybe your
15 staff.

16 ASSOCIATE COMMISSIONER HEMMETER: --
17 we've--we've used other systems like Arms Acres also
18 has in-patient programs, but I'm not aware--

19 CHAIRPERSON CABRERA: And who pays for
20 that? I'm curious. I mean that's just more right
21 now. [sic] Okay.

22 ASSOCIATE COMMISSIONER HEMMETER: I think
23 we do, yeah.

24 CHAIRPERSON CABRERA: Okay. Great. I
25 wanted to ask you what--can you talk about the

outcomes that you have seen so far, and how you can make it better?

ASSOCIATE COMMISSIONER HEMMETER: So, we're collecting data right now because it is only a year. We don't have outcome data yet. We--you know, part of the Georgetown process, we collected data pre-CYPM launch, and post-CYPM launch. And there's going to be a comparison of those two groups to see what the outcomes are, and we don't have that yet. So I don't have an answer for that yet.

CHAIRPERSON CABRERA: You'll have that out by when?

ASSOCIATE COMMISSIONER HEMMETER: We have to check with Georgetown. [laughs]

CHAIRPERSON CABRERA: Okay.

ASSOCIATE COMMISSIONER HEMMETER: Yeah.

CHAIRPERSON CABRERA: So, you don't have like an estimated?

ASSOCIATE COMMISSIONER HEMMETER: No, not yeah.

CHAIRPERSON CABRERA: And who's funding them.

2 ASSOCIATE COMMISSIONER HEMMETER: I think
3 they get funding through other--you know, Hilton
4 funds. them.

5 CHAIRPERSON CABRERA: Nothing through the
6 city.

7 ASSOCIATE COMMISSIONER HEMMETER: No.

8 CHAIRPERSON CABRERA: Okay. Great what's
9 delaying that will allow the CYPM in Brooklyn, and
10 what's the future plan for the other boroughs?

11 ASSOCIATE COMMISSIONER HEMMETER: Right
12 so--

13 CHAIRPERSON CABRERA: [interposing] I
14 know you mentioned that lightly, but if you can
15 explain--

16 ASSOCIATE COMMISSIONER HEMMETER:
17 [interposing] Right.

18 CHAIRPERSON CABRERA: --that in more
19 detail.

20 ASSOCIATE COMMISSIONER HEMMETER: So
21 Brooklyn launched in April of 2015. It did take
22 awhile to launch in Brooklyn because we had just
23 started in the Bronx, and we had two years of
24 planning with all the stakeholders in the Bronx. So
25 everyone was kind of familiar with what the process

was. We had written the protocols and implemented them there. The court has a whole decision tree about how they're looking, identifying cases as well and moving them to specific judges who do Crossover Youth to Crossover Youth parts. Lots of training. And so when we went to Brooklyn, it just took a lot of time to get all the other stakeholders up to speed. And to figure out how we're going to do it in Brooklyn because each--each borough in the court at least does things a little differently.

CHAIRPERSON CABRERA: [interposing] Does that affect--? I'm sorry. Is that affect--because they do it--do it differently, does that affect your program, and also what advice or suggestions can you give so that the system works more adequately?

ASSOCIATE COMMISSIONER HEMMETER: Right. I mean it affects it only in that the courts are identifying cases differently and how they move through the court systems differently. What probation, and Janine can talk about this a little bit probably. What probation--how we identify them is the same and what probation is doing is the same. It's just once it gets to the court level might be a little different. And then it's just training all

the people who are involved. I mean in--in the Division of Child Protection in Brooklyn, we train 800 people or something like that. Lots of people in the Division of Child Protection just in Brooklyn. So that they are at least familiar with the process.

JULIE HALL: Also, we haven't completed the curriculum for all the child welfare, foster care and preventive agencies when we rolled out in the Bronx. So we were really sort of individually handholding those cases. And I think there was a strong feeling that child welfare works and the preventive case workers, and the online workers should be trained in this model. Understand the Juvenile Justice, understand child informed [sic], understand that we are looking to empower--looking at these youth in a different way prior to rolling out in the rest of the boroughs. And it's sort of a borough choice that, you know, we're having monthly implementation team meetings either on the phone. And we've had some site visits and I--those usually generate 40 or 50 people at these. We've already started implementation meetings, and rollout meetings for all the other boroughs. And they actually want to push their rollout earlier. They don't want to

2 wait until early 2016--2016. They want to do it in
3 the fall.

4 CHAIRPERSON CABRERA: Okay.

5 DEPUTY COMMISSIONER GRAY: I'll also just
6 say that rolling out one borough at a time just gives
7 you a pause just to see what's working and what's
8 not working. And so I think that's a good idea, and
9 that's what we did with the Bronx. Brooklyn is also
10 another big borough. So we rely on what's only in
11 the Bronx. So it's not working in the Bronx to
12 mirror what we're going to do in Brooklyn. So that
13 pause is so critical so that we can fix things, and
14 not just do things. But along the way fix it as
15 well. So I think it's a good process and it's
16 working.

17 CHAIRPERSON CABRERA: Do you have a
18 mentorship component to the program?

19 ASSOCIATE COMMISSIONER HEMMETER: So we
20 haven't. It's informal so that the folks in the
21 Division of Child Protection in the Bronx have been
22 mentoring the Division of Child Protection in
23 Brooklyn. So it's kind of in the--

24 CHAIRPERSON CABRERA: [interposing] I'm
25 talking about the children. Did they get a mentor?

ASSOCIATE COMMISSIONER HEMMETER: Oh, oh, oh, children. It depends on what the service plan is.

CHAIRPERSON CABRERA: Okay. And if you do, how is that fleshed out? Do they get an organization? How do you get the mentors?

ASSOCIATE COMMISSIONER HEMMETER: Yeah.

CHAIRPERSON CABRERA: I'll tell you why I'm asking that because I'm working with the Commissioner right now. In fact, we have a meeting this afternoon with some community leaders to have through intention Horizon and Crossover--Crossroads to have a mentorship program for every single kid from the point that they get in and when they get out. Because a lot of them are just--I mean it's just writing a report with missing fathers, mothers, role models in their lives. I would think that that would be something to entertain here to make it part of the program, to talk to the service providers to see what they think. But we know mentor programs work. I mean that to me--at this point the research is very, very clean. So I want to encourage you to-- to look at that, and see how we can make it part, really part of the plan and not, oh, you know, by the

2 way, you know. But maybe that's one of the questions
3 that could arise during the assessment process. You
4 know, any thoughts on that?

5 ASSOCIATE COMMISSIONER HEMMETER: I think
6 it's a great idea. [laughs]

7 CHAIRPERSON CABRERA: Okay. Great,
8 great. I love it when we all agree.

9 ASSOCIATE COMMISSIONER HEMMETER: Yeah,
10 whenever we--

11 CHAIRPERSON CABRERA: [interposing] Like
12 right now. [sic]

13 ASSOCIATE COMMISSIONER HEMMETER: Yeah.
14 Whenever we talk about community needs, however, the
15 reality is that we just don't have enough of those
16 programs--

17 JULIE HALL: [interposing] Right.

18 ASSOCIATE COMMISSIONER HEMMETER: --in
19 these communities to server our youth and children.
20 So we would be meeting to create many more
21 opportunities than what actually exit.

22 CHAIRPERSON CABRERA: Well, that's--it's
23 actually why we're meeting today, and we are--we--we--
24 --we're looking for funding--

2 ASSOCIATE COMMISSIONER HEMMETER:

3 [interposing] Yeah.

4 CHAIRPERSON CABRERA: --during this
5 budget, too, so we could--I think at the end of the
6 day it's about getting somebody to coordinate it. I
7 think there are more than plenty of people who want
8 to do the mentorship. But to be able to coordinate
9 in pairing them up with--

10 ASSOCIATE COMMISSIONER HEMMETER:

11 [interposing] RIGHT.

12 CHAIRPERSON CABRERA: --with someone who
13 lives in the neighborhood, is part of the
14 neighborhood, understands the culture, who
15 understands the pains and the hurt. You know, at the
16 same time be a success story that they could look up
17 to so.

18 DEPUTY COMMISSIONER GRAY: And just to
19 say I mean on the back end in the Department of
20 Probation we do have some mentor programs. We have
21 AIM, Advocate Intervening Mentorships. So we do have
22 that, but just what you're saying at the front end
23 it's also important, too. So what we do try to tap
24 is who is the significant other in your life. And
25 hopefully, if we can find if it's an uncle or coach

or the fathers who are not there, a brother. So that is so critical because that's someone they need to move on, and some type of sustainability. When they do leave out of the Justice system, they need somebody to carry them onto the next steps.

CHAIRPERSON CABRERA: Exactly.

DEPUTY COMMISSIONER GRAY: So absolutely correct.

CHAIRPERSON CABRERA: A lot of times there's mentors that bring them into another subculture that they're not used to where they could have success or they could fulfill their dreams and vision. And tap in to that, you know, gift that all these young people have inside, you know. They always laugh with me that, you know, that 13-year-olds looking up to a 20-year in the streets, you know, with gang-related activity because they're looking for that, you know, that role model. And I would love to see that implemented. But, I think it's a good way to take it to the next level. If I could be helpful with that, I could tap you in with organizations that are already set, ready to go to help you. And they will provide volunteers obviously for free. Free is always good. [laughter] I just

want to make sure we have covered--I think I have one more question, but it's escaping me right now initially in this case most likely. But I want to make sure. Okay. Well, I can't locate it, but I want to thank you for the great work. This is good news. You know, I--sometimes in hearings everyone is always looking for the bad, and I'm honestly I'm looking for the good. And I know you came probably scared and nervous. I saw you when you walked in, [laughter] but you did very well. You're doing great. Please keep up the good work because you are literally saving lives. This is--this not the future, they're the now. People judge our communities by young people, how well they do in school, whether they're involved in negative and passive activity. It's all about the young people. So thank you. What you do matters. I know sometimes we don't have enough people reminding us of that, but I want to let you know, I know I can speak on behalf of my colleagues that what you do matters and keep up the good work.

ASSOCIATE COMMISSIONER HEMMETER: Thank you.

CHAIRPERSON CABRERA: Thank you so much.

All right. Okay, next panel we have if you could all come and get ready to testify, Tamara Steckler, Mary Beth Sopher, and Reverend Wendy Calderon-Paine. And if anybody else wants to testify, please the sergeant-of-arms who's ready for you who's looking sharp today.

[background comments, pause]

CHAIRPERSON CABRERA: Okay, you may begin. Please make sure you identify yourself.

TAMMY STECKLER: Hi, I'm Tammy Steckler, and I am the Attorney-in-Charge of the Juvenile Rights Practice of the Legal Aid Society, and I have with me today Meredith Sopher who's our Director Training. And I'm here a little bit--I understand-- First of all, I want to thank the committee for holding this hearing. This is a very important issue and I really appreciate the opportunity to talk about it in a public forum because I talk about it a lot in other forums. So I'm going to rock the boat a little bit because from our perspective, this project or program while it has a lot of upsides and we support it, but in some points we don't support it currently in its current form. We want to explain why and what

we think is missing. I think I'm going to address something you asked earlier. You asked about the L.A. project, the Crossover project. So L.A. is pretty interesting and I think if you went there to visit what you would see is what we saw, which is there's not a lot of due process in L.A. So there's a lot done in their courthouses that is not done in our courthouses because we happen to have a great due process system where parents are getting due process and children are getting due process. And that I think is how any court system should look. So L.A. doesn't look like that. So the information sharing is different because there's not as much due process consideration for parents and children. I don't think we should go that way here. I also wanted to just talk to you also about--you talked about sort of opening up the information sharing, and that is-- causes us great concern. And I was happy to hear ACS talk a little bit. Some of those people up here were former--worked at JRP. So there are some issues with some--with the information sharing. And maybe in time more information sharing would be possible and work better, but we're going to talk a little bit to

you about what we see as the problems with the information sharing.

So just a little history. We represent almost all of the kids in New York City Family Courts that are the subject of the child abuse, neglect petitions and also the delinquency petitions. So have a very unique perspective. These are all clients. We take that seriously. I think you know at Legal Aid, right, we are serious attorneys doing serious work for our clients. So clearly, we want what's best for our clients. We want what works best for them. So when Crossover first sort of came into the picture, we were actually excited. I actually had spoke to Georgetown the year prior to it starting here to say want them to come into New York City and help us work out these issues. So we were very, very optimistic. But, as the program has rolled out, we've become less and less optimistic. We've been involved in every part of it. I have my senior staff sitting at every meeting. I'm talking my senior staff, the heads of my offices. So we are taking it very seriously. We want this to work. We think if it works as the model is supposed to work, it will benefit our clients and their families. Which

brings me to the second point I want to make is that the way the system, the model is supposed to work is that if the Juvenile Justice system could be avoided, it should be avoided at all costs. Right, these kids do not need criminal records.

They do not need to be in criminal court. They do not--in Family Court. They do not need to be detained and jailed and imprisoned. What we need is system that serves these children and families. In the Crossover Youth Practice Model the whole premise of it is that if the Child Welfare system can serve these families and children, that's where we should be serving them, not in the Juvenile Justice system. And no one in Legal Aid would ever argue with that premises. Right, that's what we'd like to see is all of our clients getting services in their communities that are effective and outside the Juvenile Justice systems. We want to stop criminalizing all the black and brown children in the poor neighborhoods in New York City. So we are in support of the premise of the theory of Crossover Youth just not quite yet in the implementation. I'm going to have Meredith talk to you a little bit about the Child Welfare system

and some of our issues with adolescents and how they're viewed in the Child Welfare system.

MEREDITH SOPHER: So, one problem is while the foster care system has worked hard in recent years in particular to improve the way that it handles its adolescents, and trying to keep them in family-based homes, with the advent of the Teen Specialist Unit at ACS there's still a lot of work that needs to be done. And really what's normal teen behavior in any other context is held against you in the foster care system. So, you know, you mentioned that 13-year-olds were looking for mentors, right? Every 13-year-old is looking for a role model. And when a 13-year-old is in a family, they have people to choose from. Now, whether or not they're good or bad role models, they have people, they have that sense of security. And so, when they invariably act out, and they all do, right? No one has--I don't know of anyone having an adolescent who hasn't acted out in some way. They have that sense of safety and security and attachment, and they sort of--they know where they belong and who they can look to. And not only do young people in the Foster Care system do not

have that, but then the behavior is held against them.

So I have a 12-year-old daughter, and whenever I tell people that, people say like, Oh, God, we all know what you're in for. And we know no matter what I do, I'm in for eye rolling and sass and slamming doors, probably missing curfew, maybe cutting some classes or grades slipping, right. But in my house, I will set the rules and I will keep the communication lines open, and hopefully we'll come through it. And unfortunately for many adolescents in foster care, not only do they not have the role models they need, but when they start acting out in that way, many case planners and foster parents aren't looking at it in the same way we are. And so foster parents say I'm not keeping you in my house any more, and then that child is moved. Or, even well intentioned judges will think, you know, that placement is not working. And they begin to completely uproot that young person and that's exactly the opposite of what they need. So that before we even look at how we treat adolescents who are in both the Child Welfare and the Juvenile Justice systems, there's still so much work that

needs to be done to avoid further traumatizing the adolescents who are simply in foster care, and beginning to show these behaviors.

TAMMY STECKLER: And in the delinquency field, which again, we represent all the children in the delinquency field, the problem is even worse for us. First of all, I want to just make a statement that when Crossover work is done prior to a fact finding, prior to a trial, these children are still innocent. Right, they've not yet been proven to have committed whatever was alleged, and a lot of the Crossover work occurs before there's a fact finding, right. So I think that that fact is lost often. So when--when I'm listening to testimony that sort of says that the kids don't do what they've done again, a lot of those cases the kids haven't proven to have done. And I don't think I have to certainly tell you that a lot of people are arrested and prosecuted and they actually have not done what they're being arrested for. So, I just want to say that Crossover work is great. Sometimes you can over-systemize kids, over-serve families, over-serve kids. There's a net widening effect that we have to be careful for. Because sometimes a kid is just a kid. He just

needs, right, just needs to be left alone and he'll grow out of it, right? A lot of kids grow out of what's termed delinquent behavior. But our delinquency practice is the most troubling. Unfortunately, there's been a lot of reform around delinquency work in New York City and New York State, and a lot of that reform is amazing. And I give ACS a lot of credit for working with the reform. In the Department of Probation they've done a great job trying to reform the Juvenile Justice unit, the Juvenile Justice practice. So that it actually works more in favor of kids as opposed to against them. But the kids involved in this practice are often looked at incredibly negatively. So teens in foster care are already sort of looked at in a negative way when they act out fairly normally in our opinion. Kids in delinquency proceedings are really looked at in a negative way, right. They're not seen as kids who are making--like--and let's be honest. You know, most of the crimes there are clients who are charged with committing a low-level crime, they're not very serious crimes. And the truth is that when they're white counterparts commit these crimes when they shoplift or when they have a fight in school or when

they have marijuana, or drugs, we don't see them in Family Court. They're not there because we let their communities and families deal with that issue. It's only children of color that we deal with in the Family Court and the Juvenile Justice setting. And we have to keep that in mind with the Crossover, as well, right, because we are at some point stigmatizing the kid even by calling that kid a Crossover kid, right? Stigmatizing the family quite frankly. We have to be careful with that language. I do want to say that leaders at ACS and the Department of Probation have been working really on the Crossover Youth Practice Model. They--I would say at the highest levels I actually have no complaints, but the problem is that these cases often have to get to the highest levels. So what happens is something goes on in one my boroughs with one of my staff. They're not having success. It goes to my managers in the boroughs. They're not having success with this model being implemented correctly. It comes up to me, and I reach out to Commissioner Carrion or Commissioner Bermudez, and we--we fix it. Right, it's fixed. So at the top levels everyone understands what Crossover is, and everyone does what

they need to do to make it work. It should never after two years of planning and year of implementation in the Bronx, I shouldn't be hearing about Bronx cases any more. That should be working now, right. It's not. I'm still hearing about Bronx cases that aren't working. And that's because in my opinion, there hasn't been enough sufficient training. First of all, when I expressed this to the personnel at Georgetown that I felt like we were rolling it out too fast, quite frankly. I know you're interested in rolling it out even more quickly. But when I expressed that we were rolling it out too fast, the comment I got was, "We'll learn as we go." And that actually to me could be the single worst comment I could have heard, right? Because that means to me we're learning--we're learning as we go on the backs of--backs of young children and their families, right? We can't learn as we go when we're about the effect that these systems have on these families and children. We have to learn and then go. It would like me putting an attorney in court and saying, you know, I'm not going to train you. Can you just go represent this kid and I hope you do okay and we'll train you afterwards.

We'll make sure you do it okay as you go. Right, I mean you don't do that when you're working with families and children who are really--except for the fact that they have lawyers fairly unempowered right? So I think that one of our biggest issues is that we don't feel like the rollout is ready to go. We feel like the Bronx still has plenty of problems and plenty of issues that need to be addressed. And we do feel like ACS and the Department of Probation are very receptive to hearing what we have to say. But we don't feel like the model--the model personnel at Georgetown are that interested in hearing what we have to say. They see us unhelpful, as not collaborative, as not--you know, I feel like we're doing our job. And I think--I don't know if Parents Council is presenting today as well, but I think you will hear similar, a similar complaint. We're not complaining. We're just making sure that due process is followed, right. And making sure our clients aren't hurt worse, and I'm going to ask Meredith to talk a little bit about the training piece.

MEREDITH SOPHER: So the--the training, and we have some more detail about this in our written testimony. But I think the training as it

was finalize is as ACS said very comprehensive. What I have seen of it is very comprehensive and does focus a lot on the trauma piece. And I want to go into that a little bit because that's the piece of it that without that, none of it is going to make a difference. You know, really what this is, is a change in procedures. It's a change in idea about how you formulate a plan for these young people. It's not a set program that Crossover Youth are going to be entering into. It's just about how do we think about what services they need. But underlying all of that has to be the recognition of the trauma that these young people have gone through. And an understanding of why not only the Child Welfare system can address that trauma, but pushing them into the Juvenile Justice system will do nothing other than exacerbate that trauma. And so, if you don't have a change in the mindset, you know, traditionally when a young person--when we see in our practice that a young person who has a Child Welfare case gets arrested, the reaction of really all of the players traditionally was well that child failed in the Child Welfare system. And, therefore, the Child Welfare has to be out. It can't handle that kid. And now

the change that is trying to come about, and still has a ways to go is instead of saying that child failed saying you know what, that system has failed that child. And so, ACS is now taking a step back and saying what can we do differently? And they're working with Probation to say what can we do differently. The problem is that to change that mindset in the day-to-day caseworkers and you mentioned that you were a caseworker. So you know how hectic that is, right, and what it's like to have kids on your caseload. And when you have a kid on your caseload who's difficult and not receptive, how east it is to say well, I can get that kid off my caseload and into another system, right. And to really change that mindset, the training is a great start, but it takes more work than that. And it takes reinforcement, and it takes time. And, you know, it's--it's going to take more time in order for that to trickle down from the very stop echelons to down further.

CHAIRPERSON CABRERA: I want to recognize that we've been joined by Council Member Lancman. If you have any questions, feel free to let me know, and

I want to give an opportunity to Reverend Wendy to--
to give testimony as well--

TAMARA STECKLER: [interposing] And I
just want to just--because I know it's helpful
sometimes to give you one good case example that
happened last month just so you understand. It's a
case example that I think speaks really clearly to
what the issues still are after Reverend Wendy.

REVEREND WENDY: You can speak.

TAMARA STECKLER: Are you sure?

REVEREND WENDY: Tammy.

TAMARA STECKLER: So I'm going to do it
very quickly.

REVEREND WENDY: She's an expert. We
need to hear her.

TAMARA STECKLER: So there was a 10-year-
old child in the Bronx Family Court whose family was
brought in. The mother was charged with inadequate
supervision. She had left the children home alone.
She had been leaving the children home alone with the
10-year-old, younger children. The same day that
came in that 10-year-old was arrested, and he was
arrested because while in the home babysitting and
responsible for his two younger siblings, he placed

1 them on a radiator to punish them. Now, we all know
2 he didn't learn that himself. He wasn't born with
3 that knowledge. So that says something about the
4 environment he was living in of course. But he was
5 arrested and charged with assault, a 10-year-old,
6 which is absolutely insane. So in the Crossover
7 Youth Practice Model that case should have come into
8 Probation and Probation should have adjusted that
9 case meaning take that case set it aside for 90 days.
10 Make sure services are being provided by ACS, and ACS
11 was already involved in the case, right? That's a
12 typical Crossover case. And Probation did not
13 address the case. Instead of adjusting the case,
14 which is what they should have done, the sent the
15 case to corporation counsel for filing. Corporation
16 counsel wanted to file what's called a pre-petition,
17 and the pre-petition is filed so that you can have
18 the remand of a child. You can take a child out of a
19 home. The pre-petition was eventually dismissed.
20 That child, that 10-year-old went to his non-
21 responding father. His father was not part of the
22 case, not the parent of the other two children. So
23 he was not living with the children any longer.
24 Right, so you think, okay, ACS is involved. He's not

living with the children any longer. There's a neglect case, right. So we know there's some issue that happened with the parent. And again, I'm going to say again he's 10. Okay. Yet corporation counsel--so we went to Probation and we said to Probation, can you take the case back and adjust it? Do the adjustment process. And corporation counsel would not give the case back to Probation. So it stayed with corporation counsel, but this was in December of 2014. In the meantime, the kid is working with ACS. His family is working with ACS in April of 2015. So I mean the other thing that happened is what the courts do in these cases is they create judges that are particularly experts--they're experts in this area of Crossover so that they can do the right thing. They know about the information sharing, what's allowed and what's not. They understand the premise. They sent this case to a judge who was brand new and he had never done a delinquency case, and certainly not a Crossover judge. Fast forward to April. I get a call that the case has now been filed. So for some reason that behooves us, they filed the case against this 10-year-old. They still won't adjust. They filed the

case against the 10-year old. I make a--I make a phone call to get that case placed at least with the judge who knows what the Crossover Model is and understands the premise. Now, regardless to say, the Crossover Youth Practice Model failed in every spot there, and this was in the Bronx who have had two years of planning and year of actually doing, and this what happened. And it's what I said in the first place, the culture shift has not occurred on the front line. So when I call up, all the right things happened. The case went back. The judge sent it back to Probation. It was adjusted, right. But that all required a phone call, right from the Attorney-in-Charge of the Legal Aid Society. And we should never be doing that in the Juvenile Justice practice. We shouldn't be doing that right? The Crossover Model is that everyone is trained and understands. So, this--and that case is not an atypical case.

CHAIRPERSON CABRERA: So, let me ask you this question if you don't mind before I get to your testimony. I noticed you used the words "should have." So that means there are protocols in place? So, I--I'm ask--this is the question. Are there

protocols in place are is there lack of protocol or the lack of clarity of the protocols, or they need to be further defined or is there a gray area here?

TAMARA STECKLER: So, I'm--I see Meredith is chomping at the bit to answer this question. So I'm going to let her.

MEREDITH SOPHER: It's just--so the protocol calls for probation as opposed to consider whether the case is eligible for adjustment and for any case that--that isn't excluded by the nature of the crime, which this wasn't. But the--but the issue in this case was that the front line probation intake person have not yet been trained, right? So they saw that this was an allegedly serious charge that involved a burned, a potential assault in the second degree. And they automatically felt like this is not a case that can be adjusted, and there was no pause in the process, and so it just was processed as a regular case. The one other thing that I'd like to say, you know, the other part of this is that I think and what we see with corporation counsel often is there's this idea of well, we're just going to file the delinquency just in case. Or, we're just going to keep the delinquency just in case. There isn't a

trust that the Child Welfare system can adequately meet the child's needs. And the problem with that is that, you know, for those of us who are involved in the system, walking into the courthouse and standing in front of the judge, it's all work. It's not a big deal, and we go home and we deal with our private lives there. But for our clients and their families it's terrifying right? I mean there's so much. It's traumatic. It is.

TAMARA STECKLER: [off mic] A kid enrolled [sic] [on mic] in Family Court is traumatizing. It's traumatizing. It's more than traumatizing. This kid will suffer the rest of his life for being in a situation that was clearly a neglect situation where he was given way too much responsibility, told how to obviously discipline his siblings and now he--he's spent months with this over his head. He didn't know if there was going to be a filing. Kids understand this. So again, it's--it's--it's that the front line--we talk about rollout. It shouldn't be rolled out until everyone is adequately trained. Until there's a culture shift that we can see and hear, and that has not happened yet.

2 CHAIRPERSON CABRERA: So out of 100 cases
3 that you're dealing with, how many of these cases
4 will be in this type of category?

5 TAMARA STECKLER: So we don't see all the
6 cases. Sometimes the cases are done at the
7 adjustment process, and we represent the kid in any
8 other forum.

9 CHAIRPERSON CABRERA: So, the cases--

10 TAMARA STECKLER: [interposing] So the
11 only times--

12 CHAIRPERSON CABRERA: --that you dealt
13 with and you say--I don't know how many cases you
14 estimate you have to deal with--

15 TAMARA STECKLER: There's not a lot of
16 Crossover. I mean, this--there's--truthfully, it's
17 not a high number, right. There's different ways to
18 crossover just to explain. You can be in a
19 preventive case with ACS. You don't have a filing
20 yet. So, you know, there's no lawyers involved and
21 they get arrested. That's one type. You could be in
22 a court ordered supervision setting with ACS and get
23 arrested. You could have a full-blown case with ACS
24 and Child Welfare and get arrested. All those
25 different, you know, different points could be

Crossover. It could be Crossover disposition.

Right, so I will say that in the cases that we're involved in, that we know about because we represent the kid, I would say in the last few months there were probably 10 or 15 cases easily that rose to this level that I had to end up calling--

CHAIRPERSON CABRERA: Out of how many?

TAMARA STECKLER: You know, it's hard to say because we don't represent everybody.

CHAIRPERSON CABRERA: Out of--out of--

TAMARA STECKLER: [interposing] Out of how many cases that we--

CHAIRPERSON CABRERA: --you workflow?

TAMARA STECKLER: I mean I think it's-- Honestly, we're not keeping track either. We're sort of responding to what's happening. There are cases that work out there, the easier cases.

CHAIRPERSON CABRERA: Is it about 100 maybe?

TAMARA STECKLER: No, that's not anywhere near 100.

CHAIRPERSON CABRERA: Fifty.

MEREDITH SOPHER: [off mic] Even 100--

TAMARA STECKLER: [interposing] A hundred Crossover cases?

CHAIRPERSON CABRERA: Yeah, that you specifically--

TAMARA STECKLER: [interposing] No. Nowhere near 100 cases.

MEREDITH SOPHER: The numbers--the numbers are--

TAMARA STECKLER: [interposing] The numbers are small. It's--it's--I mean nothing---did ACS give you numbers when they testified. Cause the numbers are pretty small. They're not--they're not huge numbers to start.

CHAIRPERSON CABRERA: 168.

TAMARA STECKLER: Right.

CHAIRPERSON CABRERA: So, but, I'm--

TAMARA STECKLER: [interposing] So a lot of those are--

CHAIRPERSON CABRERA: [interposing] This is what I'm trying to--to estimate here, and to calculate how prevalent this is. So if you tell me you have 50 kids in your caseload and 10 of them are in that situation, now we're dealing with 20% of the cases?

2 TAMARA STECKLER: Right. Which, I want
3 to say is a lot of cases.

4 CHAIRPERSON CABRERA: [interposing] So
5 what--what I really find out now is what--what
6 percentage? What are we dealing with here? Are we
7 dealing with something chronic? And then the
8 follow-up question with that was you said that they
9 were not trained. Do you know for a fact that they
10 were not trained or--

11 TAMARA STECKLER: [interposing] I know
12 that Probation was not yet trained.

13 CHAIRPERSON CABRERA: So they were not
14 trained at that point. Do you know now if they are
15 trained?

16 TAMARA STECKLER: I don't.

17 CHAIRPERSON CABRERA: Okay.

18 TAMARA STECKLER: I don't believe so, but
19 I don't have that information.

20 CHAIRPERSON CABRERA: Okay.

21 TAMARA STECKLER: But can I just say one
22 thing. The cases that are--the cases that are easy.
23 Let's say a kid comes in with a shoplift, and
24 Probation will adjust. They were going to adjust
25 anyway. All right, so the system to me should be

improving. To me, it's really working the same way, and the other thing I want to say that, you know, the cases that I'm telling you about or that you can read about or that we can give you more information about, are the cases that really require the Crossover Youth Practice Model right. So many other cases would have worked that way anyway. That's what would have happened. The shoplift case would have been that way anyway, right. That kid would have gotten adjusted. There would have been services to be provided. It's the difficult cases like this case I told you about in the Bronx and the others that you can read about that really require the model to work well, right. Because those are the cases where people knee-jerk to build the Juvenile Justice quickly.

CHAIRPERSON CABRERA: So if I--I'm just trying to figure out from your perspective where are the holes in the system. Where are we being deficient or ineffective. So you're saying that this is really where we're lacking is in the front end.

TAMARA STECKLER: I believe that the leaders absolutely understand the protocol and that's supposed to happen, yes.

CHAIRPERSON CABRERA: Okay.

TAMARA STECKLER: And it's in the front line. The front line professionals. It has to do with both culture shift that we don't think has occurred, and--and training.

CHAIRPERSON CABRERA: And what do you suggest that we should do for that culture to shift?

TAMARA STECKLER: What I personally think that--Look, I think two things have to happen. I think there needs to be a stat for a minute, and I think there needs to be a real unpacking of what's happened so far. And I think that unpacking has to go through every case that's come through Crossover. I think we have to be around the table because, you know, it's easy when you're agency. It's self-serving to say you're doing well, right, because you want to say you're doing well. We want to say we're doing well, too, right. So if you ask me how is Legal Aid representing kids, I'd say we're A okay. We're doing a great job, right. Because no one is going to really out themselves as not doing a job well. So it has to be that that--the way it's working we need to stop. We need to take a close look. There need to be people around the table who are not part of an agency of the city who have a

stake in this. We definitely need to be there because we sort of push a little about what's happening. But I think right now what needs to happen is we need to take a look very carefully at the--and not data, because data just gives you numbers and data could be skewed. It's got to be case by case sitting around a table with people who are not necessarily on that table usually. Or, not just the agencies themselves and saying why didn't this work? What happened here? So you take the case I just talked about and talk about where the failure occurred. Okay, it seemed like those front line Probation workers they need to be retrained or trained, right. Because clearly they should have adjusted this case. It is a case that they should have been looking at differently, and I feel like it has to be done before we go rolling out into Brooklyn. And Manhattan, Staten Island and Queens they're already starting to meet. So it's coming, and I really that we have to do some work for us to ensure that everyone from the front line up is on board.

CHAIRPERSON CABRERA: So when you said to me you feel like you're not in the table, is that what--

TAMARA STECKLER: [interposing] I feel that we are at the table, but quite frankly I feel like the personnel from Georgetown are not that interested in what we're seeing as issues. And we're seeing as obstacles--

CHAIRPERSON CABRERA: [interposing] And is that more philosophical differences here, world views or--

TAMARA STECKLER: [interposing] No, I feel like we-- Look, I'm a defense counsel so I'm always the obstacle. I always try to be the obstacle.

CHAIRPERSON CABRERA: Uh-uh.

TAMARA STECKLER: Right, but that's-- we've sat around that table and we're saying--we're giving them the same case examples we give--we've given you and more to say here's where the failures occurred. We need to sit down and figure out why they're happening. We need to stop this train from rolling until we figure out how to--how to train

2 everyone adequately. How to ensure that it's not a
3 lone equal [SIC] process. It can be.

4 CHAIRPERSON CABRERA: And those ten
5 cases. I'm just trying to say something here.

6 TAMARA STECKLER: Yes, uh-huh.

7 CHAIRPERSON CABRERA: Out of those ten
8 cases that you mentioned, 10 to 15, how many of those
9 were adjusted to your satisfaction?

10 TAMARA STECKLER: Adjusted initially? I
11 probably didn't hear about them if they were adjusted
12 initially.

13 CHAIRPERSON CABRERA: No, not initially,
14 if they were--

15 TAMARA STECKLER: [interposing] They go
16 back?

17 CHAIRPERSON CABRERA: Because you wanted
18 them adjusted, right?

19 TAMARA STECKLER: We wanted--right those
20 cases adjusted.

21 CHAIRPERSON CABRERA: So out of those 10
22 to 15 that you went back and you said, hey, you know,
23 this--this--

24 TAMARA STECKLER: [interposing] I don't
25 think almost any of them were sent back to

adjustment, and I think we worked within the context we were in to get appropriate service. You know, sometimes what we do or what we've tried to do is we just make a phone call and say we need to get everyone around the table to talk about it because it's not working. And we need our client not to--not be in this situation, and then those meetings occur. And times they occur at my level. Sometimes they occur at the borough level, but they start to occur. And I was with the manager of my Bronx office yesterday, and she said to me, which is what my feeling is, if the cases still need to come to your level to get resolved, we're not doing it well. I should never hear about those cases. They should be resolved in the boroughs, right. So if I'm hearing about 10 to 15, it means those are cases that they tried in the boroughs to resolve and they didn't resolve. They didn't follow the protocol.

CHAIRPERSON CABRERA: I'm just trying-- I'm trying to figure out where--if is the lack the lack of training, if it's the training, if it is the training, was it not executed or it--is there a judgment call? Obviously, there's judgment calls that take place here. Are there case samples where

we could say for example that case that you presented is--are those cases examples where you will say always we will consider, you know, this child not to have to go through the system?

TAMARA STECKLER: So, what I'm going to tell you is that they ultimately did, right. When I brought it to the attention to the Commissioner and the leaders, they--they--they said--they put the right judge on it, and they ended up sending it back to Probation. So that should happen first, not second. That kid shouldn't have to sit in that situation from December to April with my manager trying to figure out how to work that out in her borough before coming to me to say help me, right so--

CHAIRPERSON CABRERA: [interposing] Is par of the--is part of the program from your understanding that a--that a judge that has been trained in the--in the Crossover that--that's a requirement?

TAMARA STECKLER: It should be.

CHAIRPERSON CABRERA: Why isn't it a requirement?

TAMARA STECKLER: The courts have identified judges as Crossover judges, and these judges are supposed be in tune with the model. They sat around the meetings at the tables with us, right. So they, right, so they understand what we're talking about. So the judges in the Bronx that were supposed to be part of the Crossover Model were part of the process and planning.

CHAIRPERSON CABRERA: Are these young people--is there an identification process where the young people are tagged. I hate to use the word tagged, but for lack of a better terms that they are identified as being--that they have to go before a Crossover judge? Is that part of--is there like a computer system?

TAMARA STECKLER: No, so it's basically the Bronx had what's call a decision tree, and it basically that if the case had this, this and this it goes here to the Crossover judge. It goes to this particular--

CHAIRPERSON CABRERA: [interposing] So it had to have this, this and this--

TAMARA STECKLER: [interposing] Yeah that's a good--I was told that--

CHAIRPERSON CABRERA: --to end with this
and not that.

TAMARA STECKLER: Right. I was told my
manger that it was thrown out, the decision tree for
placement of kids was thrown out in the Bronx.
That's what she was told. So whether that's true or
not I didn't ask the supervising judge there. But
that case absolutely did not go to a judge who had
been sitting around the Crossover table working the
implementation [sic]. It was actually a brand new
judge who just was appointed. So, you know, what I'm
saying if we don't keep close watch, right, those
things will start to happen. They'll start chipping
away at the protocol. It's important that the
protocol works, which Georgetown says it does in many
other jurisdictions. It's got to be followed. It's
got to be followed from the bottom to the top, and
everybody has to buy in, right. I mean court
counsel, probation counsel, and onto the city. The
city is buying into the Crossover Youth Practice
Model. You don't keep a case open from December to
April because you don't really maybe trust that ACS
is going to do the job they need to do and you want

2 to hold it open. That's the Crossover Model. That's
3 not what it is.

4 CHAIRPERSON CABRERA: By the way, this
5 child was--during that time where was he?

6 TAMARA STECKLER: He was living with his
7 dad. He was doing fine. He was getting services. I
8 mean there's no reason to prosecute him. Not even--
9 nothing I could think of. He was getting all the
10 services. This is not a child who would have been
11 placed ultimately or taken away from his father. He
12 was where he was going to be, and he was getting the
13 services he would have gotten anyway.

14 CHAIRPERSON CABRERA: Okay. Thank you.
15 Reverend Wendy.

16 REVEREND WENDY: Thank you.

17 CHAIRPERSON CABRERA: Thank you. [laughs]

18 REVEREND WENDY: Okay. Hello. Thank you
19 for now. I finally meet you after 15 years.

20 TAMARA STECKLER: It's a lot of emailing.

21 REVEREND WENDY: A lot of emailing. Can
22 you hear me? So I have--you have my testimony ahead.
23 I'm going to just give a--I'm Wendy Calderon-Paine,
24 Reverend Wendy Calderon-Paine. I'm the education of
25 Bronx Connect. Bronx Connect has the joy of being I

would say really the leading Juvenile Justice Bronx based organization. We have been serving court involved youth since 2000. We are the only Bronx based agency that can say that we've served for 15 year, and that we've served 200--2,000 youth with excellence. We serve--we don't serve our youth adjusted at arrest. We serve mid and high risk youth. We serve felony young adults. And the unique thing about Bronx Connects is that it was really borne out of the indigenous faith based community's need to address high incarceration rates. So were really an indigenous organization. We came out of mother organization, Urban Youth Alliance, which began in the '70s with the Youth Movement. So you have my testimony, but I do want to say two things.

I am in grateful. In the 15 years I've been with Bronx--I've actually been with the organization for 25 years, but I've seen the city modify the way that it's created alternatives, and I'm grateful for that. I've seen the city fund alternatives. You know, we have a mentoring program. We're currently mentoring 120 youth with the faith-based model. Fifty of them are younger youth that we believe they're got super attendance suspension, high

truancy. We believe if we don't intervene, they will become justice involved, and then 70 of them are actually felony justice involved youth and young adults. So I'm grateful. I am grateful to Commissioner Gladys Carrion for everything and the changes. As a minister of the gospel, I truly believe that whatever we do for the least of these in our society we do for the Lord himself. So that is my incentive to do everything we do. But I am going to say this, Juvenile Justice Committee Council Member Cabrera, there are two areas that I'm petitioning a request for.

With all this funding that has come about for youth and mentoring and changes, we need a real--we need a greater transparency of the actual results of the agencies that are doing this work. It was very distressing to me as a small organization. We're a million dollars. We compete against \$28 million organizations. It was distressing to me to see the downfall of FECS, and to see that just a year previous to the downfall they had been taking over agencies like mine while they had been bleeding money. It was upsetting to me that the executive director was getting paid annually what I ran my

organization on for over--or what I ran Bronx Connect on for over ten years, you know, alone by ourself.

It was upsetting to me. So I'm going to say to you that we need to publishing what--how our agencies are doing, and we need to make it so that we can all see it not just I don't know who.

You know, the YMI came through, and I--I believe in YMI, but to be quite frank, I sit--I've sat in the juvenile task force meetings where YMI agencies have come in and presented. And I know from the numbers they're presenting that not all their slots were filled. And I know from the comments the judges made that there were reasons why not all their slots were filled. And I--and I've heard--I think it was a lawyer at this meeting ask, well, can I get your recidivism rates? Well, we don't have it yet. Well, how come two years in their contracts are renewed when I can't figure out they did. You know, under Bloomberg somebody evaluated that their recidivism went down. Well, recidivism can go one point down, and you can say recidivism went down. How well did you do? Did you fill it out? You know, I think that local agencies like mine should be able to see it, and you guys should, too. So one other

question. I'm going to say this. There's been a shift in the RFP process. I experienced it.

Another local Harlem agency experienced it. According to AROSE [sic] Alliance for New York, a lot of agencies have experienced where the RFP process is scoring higher for agencies that have experience. Thus, a million dollar organization like mine that is run by people of color [speaking for language] women, you know, people who come from the ex-offender. You know, they're right here from the community, we can't compete against \$30 million organizations. I will never have the same amount of youth to serve as the larger organizations. But I will be everybody in my Bronx court. That's just the truth, but if an RFP process just favors experience, then quite honestly somebody can come in from Alaska, right or L.A., and score out an agency that has been doing this work when nobody was paying money. So it's very important that we look at the RFP process and we seek to empower community agencies.

In addition to this and I'm going to say this to anybody, and I've said this to an entire Bronx delegation, the city is missing an economic tool. Because when you employ and you contract to

community entrenched agencies, you actually increase the employment rate in the urban communities. Because my staff live in the same communities that the kids do. And to be quite frank, you want to talk about inexperience. More than once, I've had mentors from these other programs come to me and seek employment because they're getting paid \$14 an hour and working. In their words they will not give me full-time employment. I know how big those contracts are, and in my head why does a \$600,000 only have \$14 for a mentor when that's the first line of defense? You know, even to the fact that the City Council is trying to get everyone paid at \$15 rate.

I think, you know, and I have to say this. I can't employ you when you're working 30 hours for somebody else. That's just not realistic. You're not going to do my job well. But it--it upsets me. It upsets me. So, I think that we should work. In fact, one of your Legal Aid lawyers works down the--lives down the block from me. She's--I love her. When she told me she lived in our neighborhood I loved her, because our community needs jobs for our MSWs for our PhDs, for our people. You know, I'm sorry. It bothers me--I said this at a

Close to Home meeting. I said, you know, I understand in the '70s certain people were left out, but you cannot say now that you don't have us to do this work. Thank you very much.

CHAIRPERSON CABRERA: Thank you so much, Reverend. I did have a couple of last questions. So he--you mentioned about, um, L.A. with the safe, secure sharing of information. Is there a way that you see feasible and effective way of doing that here in New York City?

TAMARA STECKLER: Well, it's interesting that you should ask that question, and I think that's --I'm going to be honest with you. It's a trust issue. Right now, a big part of the Crossover Youth Practice Model process and another that has evolved in this was creating sort of a chart to say what could be shared, you know, when. And there were two consent forms that were developed, and we helped with this. It was consent for our---our kids to sign and for parents to sign. We have advised our clients not to sign the consent because we don't trust yet that the information that will be shared will be used in a positive way. Because we are still experiencing the information shared from system to system is being

used to negatively implicate our clients. So what I'm going to say to you is it's less about the document because I would have clients sign that consent, which would open up the files either way. I'm sure that parents' counsel would feel that way as well. But there has to be--we don't trust yet that the information shared will be used in a positive way help our-- And I just want to say we did offer. We said to them, you know, we are happy to change the protocol so that we are sitting with our client in these meetings. We'll sit with them, and we will share information. We'll talk with our client and share information as we see fit, and it will be information--we share information anyway. Quite frankly, when it helps our clients, we're sharing. Of course we are, right?

CHAIRPERSON CABRERA: Right.

TAMARA STECKLER: So we said we'll sit around these table with these conferences, these-- these glorified case conferences, as they're referred to, and we'll share information with you. But we want to be able to consult with our client, and to watch their reactions to understand that this is being used to help our client, not harm him, and that

was denied. It was the--the--the personnel at Georgetown said we're not changing the protocol for you. So as much as it's modified from courthouse to courthouse or even jurisdiction, when it came to their attorneys actually being able to be around that table, that was denied. And--and that doesn't help me to trust any more, right? If you're doing an honest day's job, and you're actually using this information in a positive way, let me sit there with my client and help share the information that would help you plan.

CHAIRPERSON CABRERA: Is that--is that the only way that you see that it could work with--when the lawyer, the defense lawyer is pressing? Is there an--what I'm trying to figure out here--

TAMARA STECKLER: [interposing] Yes.

CHAIRPERSON CABRERA: --is there anyway to structure the system where the system itself will reward trust and penalize--

TAMARA STECKLER: [interposing] That's a really interesting--

CHAIRPERSON CABRERA: --your abuse of it.

TAMARA STECKLER: You know, one of the things I wrote about in my testimony is about real

accountability, right. When--when people doing this work really don't it the right way, or don't do it following the protocol, there has be accountability, right? Because if there's enough accountability for agencies, for people who are not doing the work correctly, right, they're going to stop doing it incorrectly. They're going to do it correctly. But we are seeing the same patterns. So I don't--I--honestly-- Meredith I see wants to say something so I'll give it to her.

MEREDITH SOPHER: Just--I--part of the reason we had suggested that with the conferences, and just to clarify, we can be at those conferences anyway, but the will only hold the conferences under the protocol if the consent is signed. And the consent allows, and the consent allows them to continue sharing information outside the conference. And that's the part that we have a problem with. So, you know, I think Tammy is absolutely right that there needs to be accountability in outcomes. But quite frankly, also if we get to the point where we're sitting in those conferences, and they're having the conversation, and it's the conversation the way we think it should be had about our client.

So talking about our clients as vulnerable, as traumatized, as kids who need additional services. As kids who are acting out in a normal adolescent way as opposed to a younger who is now a delinquent. You know, if we are sitting in those conferences and we see that, the trust is going to build. And when we see that they're doing the right thing with our involvement, then at that point we'll advise our clients to sign the consent and say go ahead.

CHAIRPERSON CABRERA: Is there [laughs] I'm trying to figure out how--is there way outside of--you know, it's very subjective what you're telling me. You know, if--if--if, but is there a way that you could get the information. Let me ask you in a different way. Has the information--has information been given out that has been used against those youth?

TAMARA STECKLER: In our experience?

CHAIRPERSON CABRERA: Yes.

TAMARA STECKLER: Absolutely.

CHAIRPERSON CABRERA: During this new program?

TAMARA STECKLER: Yeah, absolutely.

CHAIRPERSON CABRERA: Okay.

2 TAMARA STECKLER: Absolutely. It still
3 happens. I just read an investigation report on a--
4 on a child welfare case. The child also has a
5 delinquency case that ripped that kid apart. That
6 was written by--from the Child Welfare system and the
7 Child Welfare worker gave incredibly negative
8 information about this child that they went into
9 advocacy in both cases. And this is in a delinquency
10 that--the INR. So, if--and again.

11 CHAIRPERSON CABRERA: [interposing] So,
12 wait--wait. I need to understand this.

13 TAMARA STECKLER: So there was in a
14 delinquency case.

15 CHAIRPERSON CABRERA: No, no, no. Here's
16 the question, if I may. Once a kid is in the
17 program, it's my--my vision that the CL will
18 hopefully weigh in.[sic]

19 TAMARA STECKLER: Close.

20 CHAIRPERSON CABRERA: That we are here
21 working for the best interest of the child that we
22 don't want this child. You know, we want the intent
23 and purpose of the program to take place.

24 TAMARA STECKLER: Right.
25

CHAIRPERSON CABRERA: Where along the line of the process is--is--do you see a shift taking place?

TAMARA STECKLER: A shift for the positive or for the negative?

CHAIRPERSON CABRERA: Negative.

TAMARA STECKLER: Well, we see it from the beginning to the end. That's--we see it in many different instances. It--it--you know, one of the big issues, and this has improved. I will say this. A lot of the caseworkers are saying less negative things. They're coming in--so for instance, you have a kid in foster care. The kid has a caseworker. Sometimes that kid is in a foster home. What used to happen a lot, and it's happening less frequently as the caseworker would come into the court, or the foster parent. And they would literally be saying all the negative things in the delinquency case about that child that would get that child remanded. He was not coming home at curfew. You know, he's missing school. So it was almost like pitting this foster care system against that child, right? Now, I've seen that improved. So caseworkers are coming

in less, right, with negative information. We're still seeing it. I just told you about the INR.

We're still seeing it, but at every point in the process there's an opportunity for negative information to be shared and impact what happens to that child at every single point. So that's why the training is so critical. Because if everyone is trained and agrees with and buys into the outcome that's supposed to be CYPM, which is if the Child Welfare system can serve this child there's no need to have in the Juvenile Justice system, right. It's to take that away. If everyone buys into that, then we're all trying to look at that kid in a strained based. And Meredith said something important that bears repeating. You know, if, and this is--there's a Probation Department in Schenectady that does this incredibly well, and it's because of their commissioner right. If you look at the--if a child fails in any service whether it's through Child Welfare or Juvenile Justice, if you look at the system and the programming and say, okay, how did we fail that kid?

What didn't we provide to that child and their family? You're going to have a different

mindset, right? Your not mind--your mindset is not pointing a finger and say that kid is bad. That mother is terrible. You're going to say gee we must not have given that kid the right service or programming. We must not have given that family the proper-- How are we going to shore this family up, right? Now, CYPM is about that model. It's say, you know, we want to look at these families in Child Welfare context not in a Juvenile Justice context. We're going to look at normative adolescent behavior that's sometimes criminalized, and say how can we reach this kid? How can we reach this family. If negative information is flying, nobody doing that, right. All they're thinking about is how bad the kid is. And look, it's also what judges ask, right. So a judge could say how could we help this family, caseworker, right. What can we do because clearly this isn't working.

It's different than saying, oh, he's not going to school. He's not meeting curfew. This is bad. We need to remand him now, right. So it's what Meredith said if we see these children because let's be realistic. A lot of these children are in-- they're either in foster care or their families are

involved in child welfare. So that's trauma number one. They've been arrested and gone through the system. That's trauma number two. You're bringing them to court. That's trauma number three. Right, we have to understand how these kids are coming into the system. And if you really, really, really want to help these children, right, we want to make sure that they don't come back into the system, right. That's the goal, right. You don't want to see them in our system or the adult system. And the way to do that is by identifying in a trauma informed way with youth-friendly services that really understand.

When you stand in court sometimes, you would think that nobody had an adolescent, right. Really, you'd say, really? You don't think your kid did that? You don't think--adolescents behave badly. They're--they're yucky, right. Everyone thinks they're yucky. They're just yucky. It's a terrible time for a kid. But I want to say it's a terrible time for a kid, not just for the people that are supposed to be taking care of him. It's hard for them. And a system that recognizes that and says, you know, need to prosecute you. We don't need to put you through a detention system or remand you or

put you out of your home. We're going to find we have a system that can provide service to your family and that's where we're going. When everyone feels that way, then the Crossover Youth Practice Model will work, and we will actually take a big deep breath and relax.

CHAIRPERSON CABRERA: And here's my last question. Because I'm scratching my head a little bit. So a young person comes to CYPM.

TAMARA STECKLER: Uh-huh.

CHAIRPERSON CABRERA: There is an acceptance--they're accepted into the program.

TAMARA STECKLER: It's not really a program. It's a protocol.

CHAIRPERSON CABRERA: Protocol.

TAMARA STECKLER: Right. So maybe that's the problem.

CHAIRPERSON CABRERA: Maybe that is the problem.

TAMARA STECKLER: It's a protocol. It's a procedure. There's no--they don't go to a program. It's a protocol that everyone in--

CHAIRPERSON CABRERA: [interposing] Do you think it would it be helpful to have a program to

have even a third party that helps a child through the process? Here's what's going on in my head--

TAMARA STECKLER: [interposing] We're going to help the child through the process.

CHAIRPERSON CABRERA: Yeah, but--but this is what's going through my head. The intentionality piece.

TAMARA STECKLER: Uh-huh.

CHAIRPERSON CABRERA: I think that's what you're address if I'm--if I'm correct. That once they start--they go through this process or protocol or stats, then at one point everybody is committed and says well, this is the kind of child that we want to--that we feel should not go through the system. At one point where everybody's intentionality is--

TAMARA STECKLER: [interposing] Uh-huh.

CHAIRPERSON CABRERA: --this is the end game.

TAMARA STECKLER: Right.

CHAIRPERSON CABRERA: So maybe what's missing possibly here from what I'm seeing, outside of the fish bowl, is that there has to be like a gateway point where everybody says, okay, here's the--we want to make sure that this child ends up here.

And this is the only viable option--it's the only option for--to give child here.

TAMARA STECKLER: Right, uh-huh.

CHAIRPERSON CABRERA: And so, at that point all--everybody is speaking the same language. I heard the Administration talk about one voice. So it does become a real one voice.

TAMARA STECKLER: Right.

CHAIRPERSON CABRERA: So maybe that's what we need to look at.

TAMARA STECKLER: Maybe and to be honest with you, at the--at the level of people that were sitting at your table, there is one voice. And, you know, Commissioner Carrion is one voice. With Commissioner Bermudez there is one voice. Right, there is one voice with those people. The problem is taking that one voice and drilling it all the way down to the people that are making those first decisions Because it's the first decision that's the most important, right? If those people understand buy in, it's that first decision. Right. I would never hear about that case if that first decision was made in the--in the spirit of the Crossover Youth Practice Model.

CHAIRPERSON CABRERA: Council Member
Lancman.

COUNCIL MEMBER LANCMAN: Good morning.

TAMARA STECKLER: Hi.

COUNCIL MEMBER LANCMAN: I'm sorry I
wasn't here earlier. I was at another committee
meeting hearing going on at Consumer Affairs, which
I'm a member of. But I want to just--and I
understand the difference between a protocol and a--
and a program. Do you know what training, if any,
ACS has provided to the folks in the trenches as you
put it? It's a common problem in government that
all--we all suffer from where there's a new policy, a
new protocol. And the folks at the top are invested
in it, and are well intentioned, and at their level
are very willing to solve--implement the policy and
solve problems as they arise. But it kind of doesn't
filter down to, as you put it, the folks in the
trenches. Who are those folks and what ACS do? What
could the other participants in this project do, and
what could the Council do to get this protocol down
to--to their level?

TAMARA STECKLER: [off mic] Hone in on the agencies because you haven't really mentioned that piece of it.

MEREDITH SOPHER: [off mic] I need to mention that.

TAMARA STECKLER: Yes.

MEREDITH SOPHER: That's what I was going to do. Okay. [on mic] So ACS, as you may know, so there's two divisions that handle the Child Welfare cases that are coming through. So they have their Division of Child Protection, which is who they're training. That's their own staff with respect to families who are getting preventive serves. So they're not yet involved in foster care. So the foster care cases, ACS contracts with approximately 30 different agencies throughout the city. And those agencies are of different sizes, and have different numbers of workers.

COUNCIL MEMBER LANCMAN: By agency you mean non-profit organization?

MEREDITH SOPHER: That's right.

COUNCIL MEMBER LANCMAN: Not a government agency.

MEREDITH SOPHER: Yes, that's right, a non-governmental agency. So--so, you know, ACS has undertaken to have those agencies send those caseworkers in for training. In terms of numbers, I'm sure that Sarah Hemmeter has updated numbers. As of the end of February 2015, they reported at a meeting that they had trained only 92 of the hundreds of foster caseworkers who are dealing with these children on a daily basis. You know, I see ACS puts out a provider bulletin that goes out to the foster care agencies on a regular basis. I see that in every one of those bulletins they mention that they have scheduled training, and they're asking those agencies to send those planners. But again, you know, and I as the Director Training I know there are two components training, right. So they can sit through that really great intensive curricular at Satellite Academy. But when they go back to their jobs and their caseload, if their supervisor doesn't have this mindset, and their peers don't have this mindset, how much of it is--

COUNCIL MEMBER LANCMAN: [interposing]

So we're talking about the folks--

MEREDITH SOPHER: --going to stick?

COUNCIL MEMBER LANCMAN: --in the--n the trenches, we're talking about the folks at these agencies?

MEREDITH SOPHER: Yes.

TAMARA STECKLER: [off mic] And the DCP workers.

MEREDITH SOPHER: And the DCP workers who they're still--and there are I think thousands of DCP workers in all of the boroughs. All of the ones in the Bronx I know have been trained. I think they're getting through Brooklyn, and--or, and, you know, they're still working at it. [sic]

COUNCIL MEMBER LANCMAN: [interposing]
At these agencies would it be helpful to--to maybe require them to designate a liaison or a point person?

TAMARA STECKLER: [off mic] They might have done that. I mean that's something ACS has--
[on mic] I'm sure that's something they thought about. But I want to just say that it's the part that we find difficult that we find is problematic and maybe causing the problem. It's not the initial training. First of all, they're just training the Bronx people, and they're already Brooklyn people and

they're rolling out in Brooklyn, you know. So they're starting the process. To me that's the cart before--the cart before the horse again, but it's the aftermath, right? So even if you have a liaison, what does that liaison have to do? They should be, you know, there should be a sort of--a child stat on every case that's a Crossover. There has to be accountability that every single case if it's not being done correctly, the agency is looking at why it's not being done correctly. So--but it's the second piece that we're more concerned about. The training we're concerned about, but it's how is that training then being evaluated? How is the staff then being evaluated to see that they're doing their jobs right? That's not just ACS. That's also Probation, right, who also have to be part of this process, and--and understand it. So it's a little bit about what the second part. And I guess ACS and Probation would be the best people to sort of talk about how they're going to make sure agency workers and their own workers accountable at the end of the day for doing this work? How are they going to evaluate it and figure it out?

COUNCIL MEMBER LANCMAN: My other hat is I chair the Committee on Courts and Legal Services. Are there any issues with the courts that we should be aware of? In Family Court are folks informed of the protocols and cooperative and informed on any issues?

TAMARA STECKLER: I think so, but I also think that courts are autonomous and judges are autonomous and they're going to make decisions, you know, how they see fit. It's very hard to intervene in that decision making process. But they've been around the able. They definitely have been except for this incidence in the Bronx where that case did not go to a judge who really had any knowledge. You know, it seems as though the protocol is for those cases to go to judges who are specifically identified to work with these cases. So, you know, they're around the table. They're absolutely saying that they're on board with the protocol, but again they're autonomous and they have the different-- Look, we all have a different standard around the table, right. I mean we're not all looking at the best interest of the child. That's not the standard for everybody on the table. Success is different for all

2 of us, right. There's some commonality, but it's
3 different to all of us. So I think the judges are
4 under certain constraints by virtue of what their
5 jobs are.

6 COUNCIL MEMBER LANCMAN: Right, but
7 insofar as their--

8 TAMARA STECKLER: [interposing] They're
9 there.

10 COUNCIL MEMBER LANCMAN: --protocols to
11 follow, they're not disdainful of them--

12 TAMARA STECKLER: [interposing] No.

13 COUNCIL MEMBER LANCMAN: --and arguments
14 regarding them?

15 TAMARA STECKLER: [interposing] As far as
16 I can tell--

17 COUNCIL MEMBER LANCMAN: And as to
18 hearings with them. [sic]

19 TAMARA STECKLER: No.

20 COUNCIL MEMBER LANCMAN: Okay.

21 TAMARA STECKLER: There's only been, you
22 know, it's only been rolled out fully in the Bronx so
23 it's hard to say yet for all the boroughs.

24 COUNCIL MEMBER LANCMAN: Okay.

TAMARA STECKLER: But I think they've been around the table.

COUNCIL MEMBER LANCMAN: All right, thank you. I've got to run back to the other hearing. Thank you, Mr. Chair.

CHAIRPERSON CABRERA: Well, thank you so much.

TAMARA STECKLER: Thank you for having us.

CHAIRPERSON CABRERA: Very informative. Keep up the good work. What you do, also do matter.

TAMARA STECKLER: Thank you.

CHAIRPERSON CABRERA: We're talking about kids and you're right. It's scary for an adult to stand before a judge. Imagine a kid. It's--it's a lot to contend with. And so, thank you, and we're definitely going to be following up.

TAMARA STECKLER: Thank you.

CHAIRPERSON CABRERA: Thank you.

MEREDITH SOPHER: Thank very much for hearing us.

CHAIRPERSON CABRERA: Have a wonderful day.

[gavel]

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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 June 28, 2015