

Staff:

Juvenile Justice Committee

Beth Golub, Counsel

William Hongach, Senior Policy Analyst

Committee on Cultural Affairs, Libraries,
and International Intergroup Relations

Aminta Kilawan, Legislative Analyst

Chloë Rivera, Policy Analyst



THE COUNCIL

Briefing Paper of the Governmental Affairs & Human Services Divisions

Matt Gewolb, Legislative Director

Rachel Cordero, Deputy Director, Governmental Affairs

Terzah N. Nasser, Deputy Director, Human Services

COMMITTEE ON JUVENILE JUSTICE

Hon. Fernando Cabrera, Chair

**COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND INTERNATIONAL
INTERGROUP RELATIONS**

Hon. James G. Van Bramer, Chair

January 29, 2016

OVERSIGHT:

Examining Cultural Non-Profits in the New York City Juvenile Justice System.

I. INTRODUCTION

On January 29, 2016, the Committee on Juvenile Justice, chaired by Council Member Fernando Cabrera, and the Committee on Cultural Affairs, Libraries and International Intergroup Relations, chaired by Council Member Jimmy Van Bramer, will conduct an oversight hearing examining cultural non-profits in the New York City Juvenile Justice System. Those invited to testify include representatives from the Administration for Children’s Services (“ACS”), various cultural non-profits, as well as advocates and other interested parties.

II. BACKGROUND

ACS’s Division of Youth and Family Justice

ACS’s Division of Youth and Family Justice (“DYFJ”) is New York City’s primary entity responsible for coordinating the City’s youth detention services and overseeing youth remanded to the City’s juvenile justice system. Juveniles aged 7 to 15 who are detained in DYFJ facilities include: (i) alleged juvenile delinquents, (ii) offenders whose cases are pending before the courts, and (iii) those whose cases have been adjudicated and are awaiting transfer to New York City or New York State placement facilities.¹ In Fiscal Year 2015 there were 2,755 admissions to New York City detention facilities, with an average daily population of 170.² The average length of stay in detention for juveniles was 23 days.³

¹ See N.Y. Exec. Law § 502(3).

² Mayor’s Management Report 2015 at <http://www1.nyc.gov/assets/operations/downloads/pdf/mmr2015/acs.pdf>
Last accessed - (Last accessed Jan. 14, 2016).

³ Mayor’s Management Report 2015 at <http://www1.nyc.gov/assets/operations/downloads/pdf/mmr2015/acs.pdf>
Last accessed - (Last accessed Jan. 14, 2016).

The DYFJ manages two full-service secure detention facilities: Horizon, located in Mott Haven in the Bronx, and Crossroads, located in Brownsville, Brooklyn.⁴ Secure detention facilities are characterized by locks on the doors and other restrictive hardware designed to limit the movement of the residents and to protect public safety.⁵ DYFJ oversees 15 non-secure detention (“NSD”) facilities⁶ located throughout the City. The NSD program offers an alternative to secure detention for some of the young people remanded to DYFJ’s custody. NSD provides less restrictive but structured residential care for alleged juvenile delinquents and offenders awaiting adjudication of their cases in court.⁷ NSD facilities are characterized by the absence of physically restrictive hardware, construction, and procedures.⁸ Pursuant to State rules, NSD facilities hold no more than 12 juveniles and must have at least two staff members on site.⁹ Each youth who is detained at a facility operated by ACS or a provider agency is assigned a case manager. The case manager provides individualized attention to the youth and ensures that each youth’s particular medical, mental health, educational and social services needs are addressed. In addition, the case manager is responsible for maintaining contact with the youth’s family.

Arts in DYFJ

Arts-based programs in the City’s juvenile justice system can be highly inspiring and life altering for the participants. These programs are intended to reduce risk factors that cause youth to be more susceptible to problem behaviors such as: (i) social alienation; (ii) school failure; (iii)

⁴ See NYC Administration for Children’s Services, *Division of Youth and Family Justice*, available at <http://www1.nyc.gov/site/acs/justice/secure-detention.page> (Last accessed Jan. 14, 2016).

⁵ See *id.*

⁶ The agency operates 2 NSD facilities directly and 13 through contracts with private social service organizations. See NYC Administration for Children’s Services, *Division of Youth and Family Justice*, available at <http://www1.nyc.gov/site/acs/justice/secure-detention.page> (Last accessed Jan. 14, 2016).

⁷ See *id.*

⁸ N.Y Fam. Ct. Act § 301.2(5).

⁹ 9 NYCRR 180.10(b).

impulsivity, and (iv) criminal behavior. Additionally, arts-based programs may enhance youth's ability to lead productive lives by potentially increasing communication skills and conflict management techniques. Where cultural programs lend themselves to an exhibition or performance aspect, families are provided with a supportive role in youth rehabilitation. Additionally, the creative arts teach valuable skills such as logic and organizational teamwork. Studies by the National Arts Education Research Center indicate that integrating the creative arts into all learning experiences enhances academic, social, and personal developmental outcomes.¹⁰

III. CULTURAL & ARTS PROGRAMS

Arts-based programs in detention facilities have been proven to be particularly effective in promoting positive youth development, and can play a significant role in the healing process. Cultural programs offer an outlet for self-expression and help detained and/or placed youth to improved self-image and increased self-esteem which can lead to positive outcomes. Several studies have shown that children and teenagers who participated in cultural and arts programs have more positive academic and social outcomes when compared to students who did not participate in such programs.¹¹ Socially and economically disadvantaged children and teenagers who have high levels of arts engagement or arts learning demonstrate greater positive outcomes in a variety of areas than their less-engaged peers, including school grades, test scores, honors society membership, high school graduation, college enrollment and achievement, volunteering, and engagement in school or local politics.¹²

¹⁰ Catterall, James, *The Arts and Achievement in At-Risk Youth*, p.9 at <https://www.arts.gov/sites/default/files/Arts-At-Risk-Youth.pdf> (Last accessed Jan. 14, 2016).

¹¹ "The Arts and Achievement in At-Risk Youth: Findings from Four Longitudinal Studies," *Art Works*, March 2012 available at <https://www.arts.gov/sites/default/files/Arts-At-Risk-Youth.pdf>, last accessed on 1/14/16.

¹² *Id.*

According to many arts education and youth advocates, arts-based programs can positively affect at-risk youth. Studies have shown that involvement in constructive activities, including arts programs, have been effective in deterring delinquent behavior among this population.¹³ These studies further suggest that arts participation helps improve self-esteem and self-efficacy, attitudes toward school as well as communication and other interpersonal skills.¹⁴ Participating in arts programs also reduced the number of court referrals in one study group, compared with non-participating peers.¹⁵

There are several organizations in New York City that provide arts programming to youth who are involved in the juvenile justice systems. Artistic Noise, an arts and entrepreneurship program for youth involved in the juvenile justice system, provides participants the opportunity to document their lives using the visual arts while learning valuable life and job skills.¹⁶ By working inside detention facilities as well as within the community, Artistic Noise provides continuity for youth who are experiencing trauma and upheaval in their lives.¹⁷ The organization offers job training to youth who often lack the skills, experience, and maturity necessary to succeed in standard employment training or job situations.¹⁸ The organization also showcases participants' artwork in public exhibitions, thereby creating a forum for youth to have their voices heard and develop their leadership capabilities. Artistic Noise currently offers programming in partnership with the Children's Aid Society, the Office of Children and Family Services ("OCFS") in the Bronx, Brooklyn, and Harlem, and various academic institutions.¹⁹ Weekly Studio Art Workshops, which bring innovative art activities into juvenile detention

¹³ See http://www.silbertconsulting.com/downloads/CBA_of_Art_Education.pdf. Last accessed on 1/14/16.

¹⁴ Id.

¹⁵ Id.

¹⁶ See <http://www.artisticnoise.org/about.php>. Last accessed on 1/15/16.

¹⁷ Id.

¹⁸ Id.

¹⁹ Id.

facilities and other residential settings, have been held at the Bronx Residential Center, which serves young men and the Brooklyn Residential Center, a secure facility for young women.²⁰ Additionally, Artistic Noise offers weekly Art Therapy workshops, in which an art therapist assists probation-involved youth in communicating their experiences through creation, in partnership with the New York City Department of Probation and the Silberman School of Social Work at Hunter College.²¹

The Children’s Aid Society, a non-profit dedicated to helping children in poverty succeed and thrive,²² coordinates several programs designed to cater to the emotional, educational, and physical needs of court-involved adolescents.²³ These programs include the LINC Youth Justice Program, which helps youth in the Bronx and Manhattan returning home from juvenile justice facilities register for school, gain employment, and find community service opportunities and WORKLINC, a four-month internship which emphasizes job readiness skills and is supervised by a Children’s Aid mentor.²⁴ Recently, the Children’s Aid Society has utilized Family Functional Therapy to facilitate the return of youth housed in non-secure placement facilities to their families in Brooklyn, Staten Island, and Queens.²⁵ Finally, Family Assessment Programs are designed to keep at-risk teenagers from entering the juvenile justice system.²⁶

Voices UnBroken is a Bronx-based, non-profit organization “dedicated to providing underheard members of the community, primarily youth ages 12-24, with the tools and opportunity for creative self-expression.”²⁷ The organization makes creative writing workshops

²⁰ Id.

²¹ Id.

²² See <http://www.childrengroups.org/about>. Last accessed on 1/15/16.

²³ See <http://www.childrengroups.org/juvenile-justice>. Last accessed on 1/15/16.

²⁴ Id.

²⁵ Id.

²⁶ Id.

²⁷ See <http://www.voicesunbroken.org/>. Last accessed on 1/15/16.

accessible to vulnerable youth and girls and young women who are in residential treatment centers, foster homes, jails, or juvenile detention centers, in particular.²⁸ Voices UnBroken's Voices Beyond Bars workshops take place on Rikers Island and in juvenile justice facilities, including secure and non-secure detention as well as non-secure placement facilities.²⁹ The 90-minute workshops generally take place twice a week for five weeks. Through these workshops, youth acquire tools for coping with stress, communicating their feelings, and moving past trauma.

Carnegie Hall has collaborated with the Administration for Children's Services ("ACS") for its Musical Connections program.³⁰ The program, which is ongoing, provided 12 sessions in 2014, over the course of two weeks, to youth in two secure detention facilities. The youth participated in a choir in which they learned to perform traditional repertoire and also how to write original songs and lyrics. In each facility, nearly one-third of the residents participated, with the majority continuing through to a final performance. Throughout the program, participants kept personal journals and engaged in discussion and reflection. Among the key findings of a 2014 study on the Musical Connections program was evidence of increased collaboration with peers and decreased disengagement or conflict behaviors.³¹

The Committees will be discussing these and other programs at the hearing.

IV. CONCLUSION

The Committees look forward to learning about arts-based programs run by nonprofits within juvenile detention and placement facilities and in the community. The Committees are

²⁸ See <http://www.nywf.org/grantee/voices-unbroken/>. Last accessed on 1/15/16.

²⁹ See <http://www.voicesunbroken.org/#!/workshops/c1bu5>. Last accessed on 1/15/16.

³⁰ "Our Voices Count: The Potential Impact of Strength-Based Music Programs in Juvenile Justice Settings." Carnegie Hall Weill Music Institute. 2014. http://www.carnegiehall.org/uploadedFiles/Resources_and_Components/PDF/WMI/NeA_report_Our_Voices_Count.pdf Last accessed on 1/15/16.

³¹ Id. pp. 23-24.

interested in learning how these programs aim to foster self-expression, creativity, and act as therapeutic outlet for detained/placed youth and what impact they might have on future behavior. The Committees also want to understand what new initiatives are being undertaken or are anticipated for the future in order to enhance ACS's capability to provide arts-based services for youth as well as their families who are involved in the juvenile justice system.