

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GENERAL
WELFARE

Jointly with the

COMMITTEE JUVENILE JUSTICE

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October 23, 2013
Start: 10:08 a.m.
Recess: 12:39 p.m.

HELD AT: Council Chambers
City Hall

B E F O R E: Annabel Palma
Chairperson

COUNCIL MEMBERS:

Maria del Carmen Arroyo
Gale A. Brewer
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A P P E A R A N C E S (CONTINUED)

Ronald Richter
Commissioner of ACS

Raye Barbieri
Deputy Commissioner of ACS

Jackie Deane
Legal Aid Society

Amy Breglio
Advocates for Children

Beth Powers
Children's Defense Fund of New York

Miles Jackson
Good Shepherd Services

Dina Carreras
Children's Village

CHAIRPERSON PALMA: Good morning everyone. I'm--my apologies for being late. I was stuck on the FDR which is never a fun thing to do. Good morning and welcome to today's hearing on ACS Implementation of Close to Home for the Non-Secured Placement. I'm Council Woman Annabel Palma, and I chair the General Welfare Committee here at City Hall. Unfortunately, Council Member Sarah Gonzales, Chair of the Juvenile Justice Committee will not be able to attend today's hearing, but we'll be joined by members of her committee to address this important Juvenile Justice issue. I would like to thank the ACS Commissioner, Commissioner Richter and Deputy Commissioner Barbieri for testifying today. And again, my apologies for having you wait for me to arrive. I would also like to thank the staff of both committees who prepared for today's hearing, for your due diligence on making sure we have the correct information and get this hearing on the calendar. In January 2011, the committees held a joint hearing regarding the Mayor's plan to overhaul the New York State Juvenile Justice

System with a goal to move our court involved youth closer to home. The plan aimed to improve public safety, reduce recidivism rates, save tax payers money and most importantly provide our--place youth closer to their families and supportive services. The Close to Home legislation was signed into law in March 2012 by Governor Cuomo with a goal of improving outcomes for court involved youth by placing them close to their communities, supporting their works and families. This legislation created a brand new locally operated system to provide young people with a continuum of residential and community based treatment and services, because of this legislation, if the Family Court orders a youth to be placed in either a non-secured place or a limited secured placement, the young person will be placed in the custody of ACS and assigned to a facility located in or near New York City. Non-secured placement facilities began operating on September 1st, 2012, and limited secure placement facilities will begin this fall. To implement the non-secured placement phase of

close to home, the City contractor with 11 non-profit providers to run 36 small group setting facilities. Most of these providers are utilizing evan (sp?) based treatment, models that have been proved to be successful in producing better outcomes for youth, including the Missouri and Boy's Town models. In addition to housing the young people, providers have the responsibility to provide food, clothing, transportation, recreation and court-related services, social work and case management services, social skills instruction, access to mental health and substance abuse treatment, coordination of education and healthcare, and public safety measures. The providers must also work with the community and meet with the local community boards and police precincts on an ongoing basis. Providers are also required to develop and operate community advisory boards. An important aspect of Close to Home is that youth receive education services through the Department of Education and earn credits. For the 2012/2013 school year, a total of 302 young people from non-

secured placement received DOE credits. Today, the committees are interested in hearing more about the ability of young people to attend classes while in non-secured placements. Unfortunately, in the first year of Close to Home, there have been some issues. Specifically, some providers have struggled with young people leaving the facilities without permission. In the first eight months of the program, 422 warrants were issued for more than 200 residents who had ran away. Eight of those young people were re-arrested for new crimes, including five robberies, and sadly, one murder. ACS has kept counsel staff informed of their efforts to assist providers with these issues, and have taken significant steps to rectify the problem. ACS has identified four providers struggling with issues and provided increased oversight and technical assistance. In addition, all providers are now required to lock their doors. Today, the committees are interested in hearing if ACS efforts have been successful at reducing the number of young people who are leaving

1 facilities without permission. With the
2 implementation of the limited secure placement
3 phase of close to home, the committees are also
4 looking forward to hearing more about this
5 process and how it will differ from non-secure
6 placement, the types of services young people
7 will receive and how providers are working with
8 communities to make the implementation as
9 smooth as possible. I now would like to welcome
10 the administration's testimony, but before we
11 hear from Commissioner Richter, I want to
12 announce that we've been joined by Council
13 Member Ydanis Rodriguez from Queen--from
14 Manhattan, I'm sorry, and Council Member Danny
15 Dromm from Queens. Commissioner?

17 COMMISSIONER RICHTER: Is this on?

18 It's on. Yes, it's on, great. So good
19 morning, Chair Palma, Council Member Dromm and
20 Council Member Rodriguez. It's very nice to be
21 here, and Thank you very much to those working
22 on the Juvenile Justice and General Welfare
23 Committees for your work, and I also want to
24 acknowledge even though she's not here, Chair
25 Gonzales for all that's she's done to get us to

1 this point. I'm honored to be here and to
2 testify regarding New York City's
3 implementation of the first phase of Close to
4 Home as Chair Palma indicated, this
5 extraordinary Juvenile Justice Reform, unique
6 in the City and State's history. This morning
7 I am going to share with you our
8 accomplishments over the past year as well as
9 some of the lessons that we have learned during
10 the first year of implementation of close to
11 home. One of the goals of close to home is to
12 keep young people who are placed by the New
13 York City Family Court near their families and
14 home communities previously as Chair Palma
15 indicated. Young people who had been
16 adjudicated as juvenile delinquents were placed
17 in facilities hundreds of miles away, where it
18 was difficult for them to visit with their
19 families, remain connected to their communities
20 or earn school credits. New York City is
21 committed to providing these young people with
22 a comprehensive rehabilitative program while
23 remaining attentive and committed to
24 maintaining our public's safety. Under Close
25

to Home, young people are placed in or near the five boroughs and close to resources that can support their treatment and safe reintegration into their local communities. New York City is implementing Close to Home in two phases.

Phase one, ACS assumed responsibility for non-secure placement residences, and in phase two ACS will assume responsibility for limited

secure placement residences. The focus of today's testimony will be on phase one, but I will provide a brief overview of our progress related to limited secure placement as well.

For the past year, children's services has been collaborating with nine local non-profit

agencies, many of which are represented here

today to implement non-secure placement, and

since September of 2012, ACS and our partner

agencies have provided non-secure placement

services at 30 small residential sites to over

560 young people. Close to 200 youth have

successfully completed their dispositional

order, meaning that they have complied with the

Family Court Judge's requirements regarding

residential rehabilitation and after-care

services. Those remaining in the program are in residential care or are receiving after-care services and supervision. The vast majority of our Close to Home young people have met or exceeded program expectations, building insights, learning new skills, and striving towards individualized treatment goals. They've accomplished all of this while respecting the rules of their non-secure placement residences, participating in recreational, cultural and group activities, and attending school. We are proud to report the following educational achievements, 98 percent of eligible young people in non-secure placement are earning New York City DOE credits. Ninety-one percent of the young people who have completed Close to Home have transitioned to Department of Education schools, which they are attending more regularly now than they did prior to being placed by the family court, and half of our eligible Close to Home young people in high school earned at least one semester's worth of credits during the 2012/2013 school year. Given the multiple challenges that our

young people face, and I always like to point out that does not mean intellectually, but challenges that we all know about, we consider these educational achievements especially noteworthy. One of the cornerstones of this entire initiative is that each youth in placement is assigned to an ACS Permanency and Placement specialist who's job includes working with the youth throughout their time in residential placement to identify all of their needs or concerns, seamlessness, working closely with the family to ensure a smooth transition home and building a comprehensive aftercare plan. One of the unexpected benefits we have seen this past year is that agencies have been hiring staff members from local communities where the youth are from. Youth feel a connection to the staff and are able to open up and work with staff members. For young people who are placed in non-secure placement, planning for their return to their community begins shortly after they are placed with us. Integration planning into the community is overseen by an ACS Case Coordinator with

placement, the placement and permanency specialist who collaborates extensively with the provider, family members and community sports to develop a comprehensive integration plan for each young person. ACS Community support specialist who assume primary responsibility when young people return to their community start working with young people and their families approximately two months prior to discharge from residential care. ACS has contracted with five non-profit agencies to provide general and specialized after-care services in every borough for young people being discharged from non-secure placement. These agencies include Boy's Town, Jewish Board of Family and Children Services, the Children's Aid Society, New Alternatives for Children, and Children's Village. The after-care system has the capacity to serve 142 young people at any given time or 426 young people annually. The length of service in all programs is about three to five months. While the providers use individual approaches, all focus on family engagement and are home-based, meaning that a

majority of the services take place in the family's home. Case workers make frequent contacts with the families and carry small case loads of between four and 10 families per worker. ACS is taking our responsibility to promote public safety through ongoing monitoring of young people in the community very seriously. Youth who present higher risk of re-offending are most closely supervise--are more closely supervised than youth who present lower risks. Closer supervision means more frequent face to face check-ins and telephone contacts. Young people who consistently violate conditions of release risk having after-care status revoked and being returned to residential care. I'd like to update you on the ways that we are safeguarding the rights and monitoring the quality of life for young people in placement as we testified in January before Close to Home. ACS convened a residential--a resident advocacy program committee or RAPC [phonetic], which worked with ombuds people in our detention facilities as well as executive directors and ACS staff to

advocate for the rights of detained youth, enhance accountability and strengthen services. With the advent of Close to Home, ACS launched the Juvenile Justice Oversight Board or J Job to oversee both our juvenile detention and placement systems. The J Job is an independent board comprised of individuals from a range of backgrounds who are knowledgeable about juvenile justice and are committed to approved outcomes for young people, families and communities. After conducting broad outreach through our website and in other ways to recruit diverse and highly qualified individuals, 14 members have been appointed to the board. Board members are knowledgeable about young people in the juvenile justice system, residential care and the issues they face with individual expertise and education, mental health, and/or juvenile justice operations fields. Board representation includes an individual from the legal aid society, former Juvenile Justice involved young people. We have actually two young people who have experience in our juvenile justice system

and the parent of a child who has been in the juvenile justice system. Additionally, three of the current board members served on the RAPC. Board members will have access to our sites to assess the quality and adequacy of services, monitor operational issues of concern, receive analysis of system indicators and meet with agency officials to discuss findings, recommendations and resolutions. The J Job kick-off meeting was held on September 23rd. I thought that it was a success. We have a very diverse group of board members. They shared insightful thoughts and ideas. They met with our staff, had the opportunity to question our staff. It was, I thought, a very productive meeting and reflected to me that this will be a very very active board, and it is not a shy group of people at all. I think some of those members are here today. I think it will be a really productive--a very productive board for our kids and our families and our staff. A small set of Close to Home young people, as Chair Palma indicated, have had difficulty complying with our non-secure

placement program requirements and have left their residences without permission. ACS has been working closely with provider agencies. I want to say, when people ask me what did I do this summer, it was try to figure out how to address this very significant issue. ACS has been working closely with provider agencies, the office of court administration as well as our other city and state partners to really address this issue. Our doubled efforts, including establishing AWOL notification process which has led to significant progress in collaborating in a working group with the New York City Police Department to discuss additional efforts to locate young people who have left facilities. During the past six months, the number of young people leaving placement for more than 24 hours without permission has declined significantly. In May, the rate of young people leaving was 27 percent, and by September it had dropped to 9.8 percent, just under 10 percent representing a 57 percent decline in just three months. Even as New York City implements unprecedented

juvenile justice reforms, arrests of young people continue to decline in the first six months of 2013, the number of juvenile arrests in the City dropped 30 percent compared with the same period in 2012. Between 2006 and 2012, juvenile arrests for major felonies decreased by 27 percent, showing a significant downward trend over an extended period of time. Planning for limited secure placement, phase two of Close to Home, is very much under way. Key aspects of limited secure placement include providing youth a full range of supports to include education, health and mental health services. Most services, including school, will be provided on site and all limited secure providers will also be required to utilize structured evidence informed program models that promote therapeutic rehabilitation. Limited secure placement residences will have more restrictive features to ensure the safety of residents, program staff and local communities given the higher level of offenses committed by these young people. We anticipate that there will be up to nine limited secure

placement residential sites city-wide with each site serving 12 to 24 young people for a total projected census of about 140 kids. These residences will be operated by non-profit providers each of whom have prior juvenile justice experience. Children's services is leasing three sites from the State Office of Children and Family Services, one in the Bronx, one in Brooklyn, and one in Staten Island, and each of which were used by the State to provide juvenile placement services. The City expects to begin accepting youth into limited secure placement in early 2014. Throughout the implementation of non-secure placement, New York City Council Juvenile Justice Committee Chair Sarah Gonzales and General Welfare Chair Annabel Palma, as well as other council members have offered their support, guidance, and very constructive feedback. Both Chairs were recently able to tour an NSP site as have other council members in their home boroughs. We were very pleased to show you some of the really strong work that our agencies are doing. We are grateful for your leadership and commitment

and look forward to continuing to work closely with both committees and the Council to further advance our juvenile justice reform efforts. I do want to say that I think one of the--one of the strongest parts of Close to Home is that no matter what happens, and things do happen in Juvenile Justice, our city is taking responsibility for our young people, both the great strengths and diversity of our young people and also sometimes when things don't go right, which is going to happen in Juvenile Justice, but we are all taking responsibility for that. We're working hard. We know that 9.8 percent AWOL is not where it needs to be, but we have demonstrated a 57 percent decline in three months, and we and our providers are working to bring that number down, and we will continue to work to bring that number down for our public safety and for the good of our children. So I am very happy to be here and happy to take your questions.

CHAIRPERSON PALMA: Thank you Commissioner for your testimony. We've been joined by Council Member Fernando Cabrera from

the Bronx, and I also--I want to publicly acknowledge the great work that ACS has been doing around the many issues that the agency has to deal with, but in particular Close to Home, I was really impressed with the tour that we did last week and the way--the way you felt that it's really a community based effort to make sure that these, that the youth that are part of the NSP program are receiving the services that they need to be able to integrate themselves back into their families and into the communities. So you will continue to have a partner in myself and my colleagues in making sure that we can make the NSP stronger and give the youth the opportunity that they need. I want to start by asking in terms of the NSP facilities and how youth are placed, can you explain a little bit how that decision is made? Is there input from the families? Is there input from--I know it's--they're placed there after the judge makes the determination, but what other input is there, or given, right, or accepted when they need to finally be placed in a facility?

COMMISSIONER RICHTER: So I'm going to defer to Deputy Commissioner Barbieri for this.

RAY BARBIERI: Good morning. I'm Raye Barbieri, and I head up the Division of Youth and Family Justice at ACS. Happy to answer that question. Once we receive a placement order for a child to Close to Home and non-secure, we undertake a rigorous assessment and evaluation process for that child's situation. We are--we gather an extensive amount of information, court records, probation documents from the dispositional hearing, mental health exam and evaluation information from the dispositional hearing, and we also immediately reach out to family. Family is engaged in the process from the moment that we receive the dispositional order, and we're very eager and interested to learn the families perspective on the youth's behavior, the youth's needs, the youth's strengths, assets, all of those elements. So that process, we have about two weeks to complete that process and gather that

1 information, and then we also look at the
2 school, the educational records and information
3 for that child, and we evaluate any other
4 special needs that that child may have. As the
5 Commissioner mentioned and as you all are
6 aware, we have different levels of need,
7 different levels of care for different needs,
8 and some specialized programs for kids that
9 have significant special needs in different
10 areas. So we identify whether kids are in need
11 of those additional services, and then
12 ultimately make a placement match based on all
13 of those elements as well as where the family
14 lives and how easy or convenient it might be
15 for that family to visit with their youth. So
16 it's a multi-faceted process, but the family is
17 a large part of that decision making process.

18 CHAIRPERSON PALMA: This is a year
19 later, right? So we--it was a learning curve
20 in terms of what NSP was going to mean to the
21 City. Can you share some data in terms of any
22 youth that have come in, have they been--have
23 any of them already been able to go home or any
24 of the youth who came in had to--and I guess
25

the ones that went AWOL, had to go back before a judge, and what was the outcome of those youth that went through that process?

COMMISSIONER RICHTER: So, let me first--let me start by saying that we think we've learned a lot about how to manage a juvenile justice system over the course of the past 12 months, and to answer your question up front, yes, children have--when warrants are executed, children go back in front of a judge in some instances and we've had young people--it's called modified ups. So we have not have the limited secure system here in the City, so we have made motions to have young people moved from the non-secure system to the limited secure system, and in some cases those motions have been granted. We believe that approximately 20 or 25 young people have been the subject of those motions, and in some cases, you know, children are represented by a lawyer in those cases and there are hearings, and in some cases, the judge grants that application, and the young person is moved to OCFS limited secure, and in some cases the

judge denies it and the young person is then remains with us, sometimes in the same non-secure placement program or sometimes we move them to another placement where they may end up being successful. While that young person is the subject of that hearing, there's a decision made about whether they will be detained in secure detention or non-secure detention, and those cases are individually held, handled by the judge that the case is before. I think it's important to say that for the first six or seven months of non-secure placements, so September through February/March, approximately we had children who were coming from OCFS, non-secure. Young people coming from the voluntary agencies in Westchester and about, and then we also had young people being placed by the family court. And so our non-secure residences here in the City had a combination of kids with lots of different expectations, and that was a very challenging population for our providers to work with because it wasn't a group of kids that all came from the same place, and so kids from OCFS had been told certain things about

1 their length of stay, for example, and thought,
2 "Well I'm coming down to the City and I'm going
3 home in a month or two." And then our provider
4 felt like actually the kid needed more than a
5 month or two, and then there were kids coming
6 from the Family Court who knew, "I'm going to
7 be here for exactly five months." And then
8 there were kids coming from, you know, a
9 provider in Westchester who thought, "I'm
10 coming down and I'm going to be there for x
11 number of months." And so lots of kids coming
12 from different structures, structured settings
13 and so--

15 CHAIRPERSON PALMA: [interposing] I'm
16 sorry, Commissioner, and was that--was that
17 confusion within the youth mind on when I get
18 to go home given because of the initial
19 placement?

20 COMMISSIONER RICHTER: It was because
21 we were transitioning a system. It wasn't
22 anybody's fault. It was just because there
23 were kids coming from an OCFS non-secure
24 placement who had to be transferred to the City
25 because we were transitioning the system. Same

1 thing with the Westchester kids, and then we
2 started in September taking initial placements
3 from Family Court. And so we had, you know, we
4 had a system that was taking all of the kids on
5 September one. We will learn from that with
6 limited secure that we need to be much more
7 deliberate about how we place kids into
8 facilities so that there is more stability and
9 so stagger who goes where and be more
10 deliberate about the process. We didn't know
11 quite as much about that. We also learned
12 similar things in the school setting, which you
13 pointed out, in order to ensure school
14 stability.
15

16 CHAIRPERSON PALMA: And you
17 mentioned--and touching on the school setting,
18 you mentioned that some of the providers or the
19 youth are attending school at the sites in the
20 facilities?

21 COMMISSIONER RICHTER: That--so in
22 non-secure placements, some of the providers
23 have DOE certified teachers teaching onsite.
24 Other providers are using two Passages Academy
25 Schools, one in the Bronx, which is Bronx Hope,

and one in Brooklyn, which is the Melrose, the Belmont Academy.

CHAIRPERSON PALMA: And those, the providers that use the Bronx Hope and the Belmont Academy, how are the youth being transported and monitored while--

COMMISSIONER RICHTER: [interposing]
So they go every day. They're transported by the provider. The providers have vans that they use to transport the young people. We require all of the providers to have staff with the children all day in school on site, and so the providers have actual staff members with the kids in school, and we also have staff on site at the school and DOE obviously is staffing a school. So they have Department of Education staff in addition to teachers on site. So it's a highly staffed school setting

CHAIRPERSON PALMA: With--

COMMISSIONER RICHTER: [interposing]
And I want to--and to be, you know, clear, we struggled with the school setting, and I think the reason we struggled and I've met with the Chancellor about this. We've had a lot of--

1 we've had a lot of meetings around getting the
2 school setting right. We struggled because as
3 you pointed out, our different providers use
4 different models of group therapy and group
5 therapeutic treatments for our kids, and so
6 when they got to the school, the kids were
7 together, and so figuring out how to make the
8 transition in the morning and the transition at
9 the end of the day back into their therapeutic
10 setting in a way that worked so that kids could
11 be together form different programs in the
12 school and not confuse their, you know, school
13 setting and not confuse their residential
14 setting, took some time.

16 CHAIRPERSON PALMA: Now, the--does
17 each provider get to choose which model they
18 rather use and if the--is the choice in having
19 the youth go to Bronx Hope or the Belmont
20 Academy based on any other particular models
21 that are being used to provide treatment?

22 COMMISSIONER RICHTER: So, the model
23 that providers are--the model that providers
24 are using to work with young people is the
25

model that we approved when they first were contracted with us, and so your--

CHAIRPERSON PALMA: [interposing] So I guess I want to understand, if a provider chooses to use the Missouri model, does that model come with in house schooling, or does it--

COMMISSIONER RICHTER: [interposing] Right. So that, so no. In other words, the school piece we were deliberate about making sure that all of our kids got Department of Education schooling because we wanted them to have Department of Education credit, which is different than what goes on in Missouri.

CHAIRPERSON PALMA: Right.

COMMISSIONER RICHTER: Missouri's school system is different than New York City's school system, and there is a divergence there. And so we have been working with DOE to make sure that our models can be aligned with DOE schools so that our kids get credits, and that's--

CHAIRPERSON PALMA: [interposing]

and then it's up to the provider to figure out
do I have the space--

RAYE BARBIERI: [interposing]

Correct.

CHAIRPERSON PALMA: to do it in
house or do I need to go outside of the
facility.

RAYE BARBIERI: Right. Some
providers already had existing schools that
were certified by DOE, so with the addition of
a non-secure placement program opted to, within
collaboration with ACS and with DOE, utilize
that school for those NSP children. Some
schools did not have the space for the, you
know, the capacity to house a school within
their site, and preferred to go to a community
based school. And others, you know, had other
arrangements where a teacher will come in and
they did have the space and the capacity to
manage an embedded teacher at an actual site.
So DOE and ACS work closely with each of the
providers to figure out what the best
arrangement was for the kids they were serving,

the location they were serving those kids in,
and what the program operation and model
supported and successfully.

CHAIRPERSON PALMA: Were all the
young people, are they all eligible to receive
credits or do you see that some of them are
need extra help to get down to a level where
then they can start earning credits? Do you--
do you anticipate any of them leaving the NSP
program and not being--not having earned enough
credits to go back into the regular DOE system
with credits?

RAYE BARBIERI: I think we see a
wide range of need. We have a lot of middle
school kids, and that means that when they
arrive in placement they may be 15 years old,
but are still middle school kids because that's
the last grade that they've completed. We see
lots of kids with individualized education
plans and IEP's and have special ed needs. So
we have a wide range of issues that we're
confronting and with DOE, and we have an
existing working group that consists of the
Department of Ed, our staff as well as provider

1 staff and external partners to help us work
2 through on a system-wide basis what those
3 individual needs are and as well as on an
4 individual kid by kid basis. I think we've
5 seen some scenarios where kids, particularly
6 some of the early transfers from OCFS were, you
7 know, 17 or 18 years old, frankly, some older
8 kids that were outside the range, and so other
9 alternative arrangements, they were eligible
10 for GED, and so providers worked very hard to
11 put those place--those program pieces in place
12 for kids to continue academic progress. But by
13 in large, we're able to serve the majority of
14 kids through the school programming that's
15 available and through the individualized
16 approach to each of the, you know, the school
17 planning capacities to really meet the needs of
18 the kids. Some kids, you know, struggle
19 greatly, and although they may have completed a
20 particular grade don't have the literacy
21 necessary and need additional supports. So we
22 work with providers too both on site at the
23 school during the school day as well as after
24 school at the program backfill for additional
25

ancillary services to bring that kid up to the level that they need to be at.

CHAIRPERSON PALMA: And in regards to once the youth is ready to--

RAYE BARBIERI: [interposing] Yeah.

CHAIRPERSON PALMA: transfer out of the program and into the resident, right, and back into their homes, what's the level of communication with ACS, NSP, and DOE to make sure that that child--

RAYE BARBIERI: [interposing] Right.

CHAIRPERSON PALMA: that student youth, right, it's continuing to be in the school system and getting their needs met--

RAYE BARBIERI: Right.

CHAIRPERSON PALMA: And how, how long will ACS and the provider, right?

RAYE BARBIERI: Uh-hm.

CHAIRPERSON PALMA: Continue to follow the child to make sure that they stay on the right track?

RAYE BARBIERI: Right. So, just--

CHAIRPERSON PALMA: [interposing] or provide after care?

RAYE BARBIERI: Sure. Reintegration planning and planning for that child's transition back to their community begins really as part of the assessment process when we first get a dispositional order. We are already identifying needs. We're already looking at that kid's academic record in terms of school transition, where was that child last enrolled if he was enrolled? For some of the placement transfer kids from OCFS, this year they had not been in an DOE school in the City. They had been in an upstate location. So we needed to sort of start anew and figure out what the best setting was. Does the child need additional evaluation? Is there a set of circum--a set of issues that may not have been properly diagnosed or identified that we need to address. So that process begins, you know, in earnest when we first take that child into placement, and that's a collaborative process between DOE, ACS, and the provider. So that work continues, and again, that's part of the-- one of the strong hallmarks of the Close to Home program is that the kid never leaves the

New York City DOE public school system. If they're detained prior to being placed, they're in a Passages School in detention facilities in our system. So DOE has already identified that kid. If they were not enrolled in a community school prior, we're already working on that kid's educational plan while they're detained waiting for disposition in their case. If they move to placement, we can continue that work as they will be enrolled in a DOE school. So we're well aware of what the issues are and continue that work, you know, in earnest throughout the process. The goal is to identify a community school for that child as early in that process as possible, and that may mean for some kids we need to do much more evaluation work, much more individualized work. For some kids that means really looking at how many credits can be accrued while they're in care with us and moving that ball forward, but it's--the goal is to identify that school early, and then work with DOE. They have a single point person to help us do enrollment

for Close to Home kids, so that that process doesn't get bogged down.

CHAIRPERSON PALMA: So have you found--what are the challenges, right, with finding the schools? Because the way--

RAYE BARBIERI: [interposing] Yes.

CHAIRPERSON PALMA: the DOE system is set up, right, and these schools receiving these grades and making sure that they meet certain criteria and don't fall below a certain amount of scores while they're testing their children.

RAYE BARBIERI: Yeah.

CHAIRPERSON PALMA: Obviously, this population needs extra help. This population is a challenging population when you have to integrate them back. So, do you find--

COMMISSIONER RICHTER: [interposing]
So we as part of our planning for Close to Home did actually hire an education advocate to join our education unit at ACS. So we brought a lawyer from advocates for children to work with our close to home team. He has been working with Raye's group in an effort to make

1 sure that this critical transition of young
2 people from our NSP agencies to community
3 schools works, and sometimes it doesn't, and so
4 we have someone who actually has, you know,
5 relationships with the Department of Education
6 and can advocate on behalf of our individual
7 young people when we have a hard time finding a
8 good placement. Some our kids have IEP's.
9 Some of our kids have special needs and need a
10 school that is going to meet those, and there,
11 as you can see from the numbers, there aren't a
12 lot of kids.
13

14 CHAIRPERSON PALMA: Right.

15 COMMISSIONER RICHTER: So we have a
16 lawyer who actually has been doing this for his
17 career who can target those kids with our
18 providers. I also want to say that our after
19 care programs are using functional family
20 therapy, FFT, which is an evidence based model
21 that is actually designed to help parents
22 develop skills to advocate for their kids as
23 well, not just the kid who's involved in the
24 juvenile justice system, but their family--
25

CHAIRPERSON PALMA: [interposing]
Right.

COMMISSIONER RICHTER: as it's a family functioning model, and so that system work for the family which is home based also helps the parent take on the role, which is the goal here of advocating for their young, you know, their young person, and that includes with the school. And it's not uncommon for the social worker to go to the school with the child and the social worker, the parent, the child, the social worker get involved in advocacy for the kid to make sure that that community based school is going to fulfill that child's needs.

CHAIRPERSON PALMA: Okay. And we've been joined by Council Member Brad Landers from Brooklyn and Council Member Wills from Queens, Council Member Rodriguez and then--oh, and we've also been joined by Council Member Brewer.

COUNCIL MEMBER RODRIGUEZ: Thank you, Chair.

CHAIRPERSON PALMA: Council Member--
So Rodriguez and then Council Member Brewer.

COUNCIL MEMBER RODRIGUEZ: So my
frustration in life and I know many of you that
have been longer in government, including my
colleagues on the Council, are we provide so
much services and then we don't get to hear the
outcome for those services. Like I imagine that
that particular population have a low
percentage of them who graduated from getting
to high school or if we get to them to get into
high school, I assume that the graduation rate
is so low, because I was teaching for 13 year
before being elected, and I'm part of the
people that I can share my frustration, because
sometimes I say, "My God, we didn't make it." I
was not able to see the child that been dealing
with so much problem, and we've been providing
all those services at the school, you know, the
facility. So really take in and be sure, see
that child being graduating in June. So that's
my frustration. You know, like, when we hear
everything that we do like and my question is

COMMISSIONER RICHTER: So we, you know, we started the program in September of 2012, and our young people are mostly 16. So they're--our kids in Close to Home have not yet--are not eligible to graduate yet just by virtue of their age, but what you point out is part of why we did this, because our kids who were placed by the family court on delinquency cases were not getting any credit when they were placed up state with the State Office of Children and Family Services that were transferred when they returned home, and so they were not in all likelihood graduating and that was a serious problem that this law was intended to address. And so our hope is, and what we have seen is that our young people in Close to Home are earning credits towards graduation. A big issue that Chair Palma was asking about is how are we doing on making sure that when young people are leaving us, they are getting transferred to a school that is meeting their needs, and that is, you know, a challenge

of our program, that we think we're doing, you know, relatively well on and that we have data that shows that kids are going to school once they return to their families in their neighborhoods, and that is a big, you know, that is a big piece of data in this program that we have to continue to focus on. I wish I could tell you that they were going to school 100 percent of the time or 90 percent of the time. Most kids who come to us have truancy issues. They're not going to school at all. When they are returning home, we are seeing them going to school significantly more, in the 60 percent range. So that is a big improvement. So that when they're with us they're going to school every day, obviously. When they're going home, they're going to school 60 percent of the time. That's much more than never going to school, but it's an area where we need to improve. My hope is that we will see a lot more kids graduating. We have kids in this program who passed Regence, a significant number of kids who passed Regence, which means that they were not engaged in

1 education at all before they came to us, and
2 when they are forced to go to school every day,
3 they're intellectually strong, and so they can
4 pass Regence. And so it's up to us to make
5 sure with DOE that these kids actually, you
6 know, get into schools where they're engaged,
7 which is as you're pointing out, and DOE
8 teachers point out is our challenge.

10 RAYE BARBIERI: I would also add
11 that we do have a lot of middle school kids,
12 and you can't graduate from high school unless
13 you get promoted through middle school, and you
14 know, I'm going to quote Tim Lesante [phonetic]
15 who heads up District 79, which has been our
16 really tremendous partner in this effort, and
17 if you don't--if you get left back in middle
18 school one year, your chances of graduating
19 high school drop by 50 percent. And if you get
20 left back twice, your chances of graduating
21 high school drop to almost nil. And so we've
22 really put a lot of time and energy and focus
23 on those middle school kids, and happily in the
24 school year 2012/2013 we were able to promote
25 26 out of 31 middle school kids. They advanced

1 a grade while in placement, which is a hugely
2 significant achievement for those individual
3 kids, obviously. And we feel like that
4 percentage is only going to get stronger this
5 year, and just adding that individual focus
6 making it possible for kids to work at an
7 individual pace, work with extra help both on
8 site at the school, as well as in the program
9 after school is going to improve not only the
10 middle school kid's performance, but high
11 school performance as well. So we're really
12 encouraged by some of the early results and
13 hope to share, you know, with our partners at
14 DOE some of the data we expect to be even more
15 encouraging as we move forward.

17 COUNCIL MEMBER RODRIGUEZ: What
18 percentage has been identified of young people
19 having some mental, dealing with some mental
20 issues.

21 RAYE BARBIERI: About 48 or 45 to 48
22 percent of kids based on New York City DOE
23 information have some disability, meaning they
24 have an IEP, some special ed. requirement. We
25 don't have a breakdown of what those specific

categories are, although the vast majority of those kids have some emotional disturbance or a learning disability. We also feel that about 40 to 45 percent of our kids in placement have a mental health issue that can range from, you know, a significant mental disorder to an axis two behavioral disorder and everything in between or some combination thereof. So a very high percentage of kids overall, and those percentages are reflected throughout the Juvenile Justice System, sort of regardless of placement.

COUNCIL MEMBER RODRIGUEZ: So it looked that way then following the same pattern, because when we look at that 1,400 people at Riker's Island--

RAYE BARBIERI: [interposing] Yes.

COUNCIL MEMBER RODRIGUEZ: More than 40 percent also they have some mental--

RAYE BARBIERI: [interposing]
Absolutely.

COUNCIL MEMBER RODRIGUEZ: So, no like, again I'm hoping that one day we will part of the solution, because I believe that

all of us, we are part of the problem. Like reality is that a percent of our population get to start late in the marathon and then it is difficult for them to catch up later on. So, you know? Let's see how we can continue getting those data and making major improvement in the future, so that we can be only one City.

CHAIRPERSON PALMA: Thank you.

We've been joined by Steve Levin and Council Member Jimmy Van Bramer, and Council Member Mark Weprin sitting in the corner over there. Just wanted to acknowledge you, Mark. So quick, what Council Member Brewer has questions, but then in terms of the special needs with in regards to the youth within DOE, so what is the difference in services that they receive like in the Passage Academy versus the traditional school setting?

RAYE BARBIERI: For the special ed kids?

CHAIRPERSON PALMA: For the special needs population, whether it's mental health, or any other issue that they may be dealing with.

RAYE BARBIERI: Right. I mean, all those individualized IEP's, you know, are tracked and monitored and DOE infuses services that meet the needs of those kids. District 79 works with District 75 to wrap in services for those children in NSP just as they would in any of the City schools. So it's an individualized basis. There's DOE staff working very closely with provider staff as well as with Children's Services Staff to work on those individual plans and to make sure that those services are in place. Providers in this system provide medication management and medical care with assistance from Children's Services. DOE infuses some of the additional learning elements. DOE offers, not for just learning disabled kids or special needs kids, but for all kids. At Regence time there's test prep extra hours on the day in school. There's lots of team meeting between social work staff on school, on site at the schools as well as the DOE providers. So I think it's an individualized approach working in District 79 and District 75 working in close collaboration

1 to make sure that those services are folded in.
2 I think we have a little ways to go there to
3 ensure that we, you know, can iron out those
4 occasional disruptions and make sure that IEP's
5 are updated, IEP's are timely and recently
6 updated, and then reassessed on time. I think
7 that we also have made great strides in
8 ensuring that families are engaged in that
9 process when their kids are in placement in
10 terms of working through with the Special Ed.
11 and special learning needs might be.

12
13 COMMISSIONER RICHTER: And we should
14 add that as you're aware, there are specialized
15 placements--

16 RAYE BARBIERI: [interposing] Yes.

17 COMMISSIONER RICHTER: for young
18 people who are determined to--

19 RAYE BARBIERI: [interposing]
20 Correct.

21 COMMISSIONER RICHTER: have certain
22 behaviors or certain diagnosis that require a
23 special setting, and that came with the initial
24 Close to Home program. So for example, kids
25

who have serious emotional disturbance, we have placements to address that issue for example.

CHAIRPERSON PALMA: Council Member Brewer and then Council Member Wills.

COUNCIL MEMBER BREWER:
Congratulations. I noticed the other days that finally Dennis Walcott opened a health center in one of the high schools and it included--I must admit, he should have invited us all because we all screamed and yelled about mental health for 12 years. So we're glad that at least one high school has full complement, and there was a--according to the Daily News, there was a social worker, hopefully qualified and culturally appropriate, and there was a community organizer, thank God, in the school as part of this team. So, every school should have that. So my question is, when you place these young people, I know it's hard just to start with in a school, but did that--does that school have a complement of mental, culturally appropriate mental health services when you place the child? In other words, it's hard to

find a school for your kids. I know your kids, they're knuckleheads, some of them.

COMMISSIONER RICHTER: So--

COUNCIL MEMBER BREWER:

[interposing] And it's hard to find a place-- they are knuckleheads, but I love knuckleheads. I happen to love knuckleheads. But the question is, do you find those services in those schools?

COMMISSIONER RICHTER: So, one of the advantages of our programming is that we are ensuring that our young people when they are integrated into the community don't just have their school, but also have a complement of programing, including an after-care provider that is a real--a real--

COUNCIL MEMBER BREWER: [interposing] Support network.

COMMISSIONER RICHTER: Support network, and so that will include a mental health provider if the child or the family is deemed, you know, to need one, but, you know, that is to say that as you've pointed out, not every school setting has everything that a

1 child may require, if the child has an IEP that
2 requires mental health care or something like
3 that, then the school will have that because
4 it's legally required, and if the school
5 doesn't have it there, then the school's going
6 to make sure it's brought in at the required
7 level that the IEP sets.

9 COUNCIL MEMBER BREWER: But I'm going
10 to say the same thing I said before, which is
11 you have a great program, of course,
12 unfortunately, your program should be
13 everywhere. It should just be at ACS. Just
14 like when CUNY finally figured out the
15 Community colleges that when you do ASAP, which
16 means everybody gets support, like 400 kids get
17 support, they all graduate in two years.
18 Hello? If you do that for everybody, then they
19 can get through. So it's the same thing, like I
20 have a lot of friends who've got children whom
21 you--that just by luck of the draw, they're not
22 in your system. So it's hard. So now my next
23 question is, first of all, you should be
24 advocating for these schools to have the
25 services in the school. I keep saying that to

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three to five months of after care services. Each kid generally has a dispositional order that puts them in our care for a 12 month period, or in some cases an 18 month period, at which--and when that dispositional order ends, they're no longer required to, you know, be in our care or under our supervision. So generally, there's about a seven month stay in the residential portion of non-secure placement followed by after care.

COMMISSIONER RICHTER: And I just-- and Council Member, I do want to say that while I appreciate that there are kids and families who we will see again, and that some our providers are, you know, particularly skilled at seeing families over and over again. We are requiring that our providers in after care and our Close to Home providers are using models that actually have a demonstrated record of trying to stop that cycle.

COUNCIL MEMBER BREWER: Okay.

COMMISSIONER RICHTER: So we are-- for example, functional family therapy, there is research behind it that shows that you are

reducing the likelihood that that family is going to continue coming back and, you know, if you go online and look at the research behind it, which I know you like to do, it actually prevents families from coming back again. So not all families by all means not all families, but we're stopping the cycle for a good number of families so that Sister Paulette won't have to see them again.

COUNCIL MEMBER BREWER: Sister Paulette is always going have to--

COMMISSIONER RICHTER: I know that, but I'm just saying.

COUNCIL MEMBER BREWER: Alright, so what--so you're saying is after a certain period of time everything more or less should be okay, but if it isn't it's just a 911? I'm asking what do you--what happens?

RAYE BARBIERI: I would also say--

COUNCIL MEMBER BREWER:
[interposing] Because those kids really do need, you know, it doesn't end.

RAYE BARBIERI: Right.

COUNCIL MEMBER BREWER: I had to tell you the bad news.

RAYE BARBIERI: Right, I think one of the hallmarks of Close to Home is the community reintegration process. It didn't really exist in the OSFS schematic.

COUNCIL MEMBER BREWER: No, it did not.

RAYE BARBIERI: Kids kind of got plopped up state and then sort of came back and were plopped back into families that were perhaps hard pressed to best support those kids, weren't sure what resources. There were after-care services, but perhaps not in an integrated phases process. So I think that the after-care process for close to home begins really at the point that the child enters placement and we're all about reintegrating that kid into their home. We don't just plop the kid back, we go--

COUNCIL MEMBER BREWER: [interposing]
No, I understand.

RAYE BARBIERI: through a series of staged, you know, and staggered home visits,

and a lot of that is working with the family before a kid returns home to identify what resources the family needs to make that stay home more durable. Because--

COUNCIL MEMBER BREWER:

[interposing] Okay, and if there aren't resources--

RAYE BARBIERI: that's the objective.

COUNCIL MEMBER BREWER: you--

RAYE BARBIERI: [interposing] Yes.

COUNCIL MEMBER BREWER: make--you fight to make sure there are resources.

RAYE BARBIERI: Exactly. Exactly. That's part of the role of the PPS team and my team. Every kid has a case manager from the point that that kid enters placement to the point that that kid is discharged from placement.

COUNCIL MEMBER BREWER: I'm glad you hope you're going to be making some recommendations--

RAYE BARBIERI: [interposing] Yes.

COUNCIL MEMBER BREWER: to the City as a whole about what should be happening and

other systems, 'cause this is almost too good to be true, FYI.

RAYE BARBIERI: Well, I also would add that in addition to the kitchen table work and FFT and the evidence based programming that after-care provides through our after-care providers, part of the obligation of the after-care provider and our obligation as ACS is to link that family to services that aren't that contracted after-care provider.

COUNCIL MEMBER BREWER: Okay.

RAYE BARBIERI: 'Cause sometimes it's midnight basketball. Sometimes it's a faith based organization on the corner that runs an art program, and so accessing those services, leveraging those services, you know, and helping families connect to those services, because those are the lynch pins that help kids stay out of trouble down the line, and those are the resources families can turn to instead of calling 911.

COUNCIL MEMBER BREWER: I know. And family planning, how does that fit into all of this?

RAYE BARBIERI: That's a part of--

COUNCIL MEMBER BREWER:

[interposing] The sex doctors is what you call them.

RAYE BARBIERI: That's a part of the work that the residential care provider must do with each of our kids, and continue to do in the after-care work.

COUNCIL MEMBER BREWER: So it's all part of this?

RAYE BARBIERI: That's correct.

COUNCIL MEMBER BREWER: Family planning is there?

RAYE BARBIERI: That's correct.

COUNCIL MEMBER BREWER: Okay. And then just finally, everybody has a family to go home to?

RAYE BARBIERI: No.

COUNCIL MEMBER BREWER: Okay, so then what happens?

RAYE BARBIERI: So we work very hard to pull--we convene a series of family conferences. We work--some of our kids are crossover kids or in foster care before they

got arrested and we expect them to return to foster care at the end of their dispositional order. So we work very closely with that foster care provider.

COUNCIL MEMBER BREWER: These are middle school and high school kids who have--

RAYE BARBIERI: Uh-hm, yes.

COUNCIL MEMBER BREWER: Okay, go ahead.

RAYE BARBIERI: Right.

COUNCIL MEMBER BREWER: So you're working with a foster care.

RAYE BARBIERI: We're doing permanency planning for that youth. If that child really has no other obligation. Sometimes we're reaching back and finding family members that may be able to be re-linked to that kid. They might not be a custodian for that kid, but re-establishing family connections, strengthening those family connections, looking for ways that we can re-integrate that child into the community.

COUNCIL MEMBER BREWER: And more or less you've been successful in that effort?

RAYE BARBIERI: It's challenging.

COUNCIL MEMBER BREWER: It is.

RAYE BARBIERI: It's extremely
challenging.

COUNCIL MEMBER BREWER: No my, the
last question, my friend that teaches college
who teach teachers and--

COMMISSIONER RICHTER: [interposing]
if I could just add to that last answer.

COUNCIL MEMBER BREWER: Go ahead.

COMMISSIONER RICHTER: More or less
we've been successful. This is--the
integration of juvenile justice into the child
welfare agency is a process in the City, and
it's a process within our sector, within our
agencies, and so more or less successful. You
know, we are really looking at juvenile justice
involved kids in a different way than we ever
have before, which is a huge--a hugely
important issue for our kids and our families.
They are, you know, people say they are the
same kids, but just saying that doesn't make it
so. Because the kids run afoul of the law
doesn't make them any different than any other

kids except they--except first of all they made a bad decision and then they got caught.

COUNCIL MEMBER BRWER: Absolutely.

COMMISSIONER RICHTER: Which, you know, they--

COUNCIL MEMBER BREWER:

[interposing] And the other one didn't.

COMMISSIONER RICHTER: And the other one didn't, but that doesn't mean that our--my agent, my ACS that our workforce doesn't look at that kid differently because they got caught. So how we go about placing that kid and how our providers then look at that kid and how our world looks at that kid is different. And we are working really hard to change that. Close to Home is a huge step in the right direction. We also have to work with DOE; they shouldn't look at that kid any differently.

COUNCIL MEMBER BREWER: Really?

COMMISSIONER RICHTER: But it's--I just want to pause and say, just changing the law doesn't make us all look at these kids as the same.

COUNCIL MEMBER BREWER: No, I
totally agree with you. And they've gotten--

COMMISSIONER RICHTER: [interposing]
So we're working on that at ACS.

COUNCIL MEMBER BREWER: Okay.

COMMISSIONER RICHTER: But just
because we move DJJ into ACS, we're making
progress, but you know, it takes time.

COUNCIL MEMBER BREWER: No, I think
you're making progress.

COMMISSIONER RICHTER: It's a seed
change.

COUNCIL MEMBER BREWER: The child is
making progress. It's hard for the family to
make progress.

COMMISSIONER RICHTER: Totally.

COUNCIL MEMBER BREWER: That's where
the rubber hits the road.

COMMISSIONER RICHTER: Right.

COUNCIL MEMBER BREWER: And the
family doesn't always want the kid back, and
I'm quite familiar with all that. Annabel will
take one if they're not too bad, and I'll take--
[laughter] and I'll take one if they're not

1 too bad, but too bad, I'm not going to be able
2 to handle. So the other, final question is on
3 that level is my friend that teaches college
4 indicate that boarding schools, as I call them,
5 boarding places are something that's needed in
6 the high schools. Do you agree? In other
7 words, there's a whole bunch of people who
8 don't have places to go, kids, and the notion
9 would be the City of New York should have
10 places for high school kids to go on a regular
11 basis then they can just go to school--I'm just
12 saying, is that something that you've even
13 considered or you don't think it's needed?

14 COMMISSIONER RICHTER: In other--

15 COUNCIL MEMBER BREWER: [interposing]
16 Kids, well kids, you know, couch surf. Like I
17 think have the high school kids are sur--I
18 know, they're on the couches every night. They
19 go from family to family, and so I don't know
20 that that's a problem for your kids 'cause you
21 don't have a large number.

22 COMMISSIONER RICHTER: Yeah.

23 COUNCIL MEMBER BREWER: But there is
24 a push in interest, I think, in trying to think
25

of alternative places, because the foster care doesn't always work, and--

COMMISSIONER RICHTER: [interposing]

So I think--

COUNCIL MEMBER BREWER:

[interposing] but that might not be an issue for your kids.

COMMISSIONER RICHTER: So, I think I would probably need to know more about that.

COUNCIL MEMBER BREWER: Okay.

COMMISSIONER RICHTER: In order to answer that question intelligently.

COUNCIL MEMBER BREWER: Alright.

Well congratulations. The only suggestion I make is please suggest to the rest of the city that the kinds of services you have would be necessary and needed for other families, because you know what, it's hard out there. Thank you.

CHAIRPERSON PALMA: Thank you.

Thank you, Council Member, and Commissioner, I think, you know, in getting ready for this hearing, the staff and myself we were just acknowledging how happy we are with the way--

1 this is huge. This was a huge undertaking and
2 we know that providers didn't, you know, they
3 knew how to provide foster care services. They
4 didn't know how to operate a JJ facility,
5 right? So, the challenges that were presented
6 to ACS and providers in terms of dealing with
7 this kind of population were going to be tough,
8 but I believe that with--even with the hiccups
9 that have been experienced, it's just the mere
10 fact that this collaboration amongst agency is
11 just helping this so--be so much better for our
12 youth. I want to--

14 COMMISSIONER RICHTER: [interposing]

15 And our providers really did meet this
16 challenge in a very short period of time and
17 have done some extraordinary work. So I
18 appreciate your saying that.

19 CHAIRPERSON PALMA: And so I want to
20 raise in terms of the measures and the
21 information gathering for providers and if you
22 could talk a little bit about what kind of like
23 quality assurances are there in place for the
24 providers and are they based on quality versus
25 quantity?

COMMISSIONER RICHTER: Yes. So during the past year, non-secure placement programs, I hope this answers your question, have been in what is called the program development phase. So our program development unit at ACS has been working closely with our providers to get their programs off the ground and we have been providing during this phase technical assistance and monitoring. We are currently collecting data by agency and facility. So we have nine agencies and 30 facilities, 30 sites, and are using the data we're collecting to develop what will be a fiscal year score card for the first year of close to home that will be a snapshot of how agencies are performing for a set of indicators, and so those indicators for example include parent visits, education data, family contact, the number of children who leave without permission, restraints, assaults, children's length of stay, case work contacts, etcetera. The indicators are shared monthly with providers for continuous performance monitoring and improvement, and agencies are

going to receive their score card this winter. We developed evaluation tools for fiscal year 14 based on our non-secure placement quality assurance standards and policies which the provider have, and we're incorporating information about the providers engagement with families as they think about transitioning young people back into their communities and treatment planning while young people are in care. We are not as far along in terms of our after-care agencies, but are trying to do the same thing for those.

CHAIRPERSON PALMA: And in terms of when--what is the, I guess, what is the process when ACS feels that a provider, it's not meeting the standards--

COMMISSIONER RICHTER: [interposing]
Right.

CHAIRPERSON PALMA: What is the undertaking that's going to happen?

COMMISSIONER RICHTER: So we have a phased approach to addressing concerns with agencies. And agency is generally first put on heightened monitoring. Heightened monitoring

1 is a phase where an agency, for example, their
2 VENDEX score is not effected by a heightened
3 monitoring, but they are in much more contact
4 with us about certain performance measures. So
5 for example, if an agency in Close to Home has
6 a high level of restraints or a high level of
7 children leaving without permission, we may put
8 them on heightened monitoring and work with
9 them closely, maybe even have them work with
10 another provider who's had success addressing
11 something like that, and then monitor them very
12 closely with an expectation within a two month
13 period that that be brought within the system
14 norm, and if they can't do that, then they may
15 be stepped up to something called corrective
16 action, and corrective action is, you know,
17 that involves me meeting with the executive
18 director. That involves a letter to the Chair
19 of the Board. That's a much more stepped up
20 significant thing. And so it depends what the
21 issues is. Clearly with Close to Home, the
22 leaving without permission was a very serious
23 issue that we felt had to be immediately
24 brought under control, and we worked closely
25

with OCFS. OCFS has been very involved in that and has partnered with us on that. And so does that give you some--

CHAIRPERSON PALMA: [interposing] No-

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COMMISSIONER RICHTER: [interposing]

We're happy to share more information. We have all of this written out. Obviously our providers cared about being put on notice on how this would work, because--

CHAIRPERSON PALMA: [interposing]

Right.

COMMISSIONER RICHTER: for them it's very challenging to know like what's going to happen next, and so I think for example with limited secure, our providers will have a much better sense of what will happen, and we, you know, we tried to do it fairly and also tried to be attendant to the public's, I think, fair interest in public safety, and so we tried to balance it. As you pointed out, our providers really got this together quickly and quite successfully, and at the same time we had an unacceptable AWOL rate--

CHAIRPERSON PALMA: [interposing]
Right.

COMMISSIONER RICHTER: and needed to
get that under control. And data helped us
target what residences were really the most
concerning, and we worked with providers to
bring it under control.

CHAIRPERSON PALMA: There were two
providers that are no longer part of the NSP
because of the AWOL issue, correct?

COMMISSIONER RICHTER: It wasn't
just--

UNKNOWN: Three others.

CHAIRPERSON PALMA: Okay.

COMMISSIONER RICHTER: It really was--
-I don't think it would be fair to characterize
it as just the AWOL issue.

CHAIRPERSON PALMA: So there was
other issues within that--so have those been
replaced? Have those providers been replaced?

COMMISSIONER RICHTER: So there has
been capacity added in order to ensure that we
have enough capacity, but the--but we went from
11 to nine providers.

CHAIRPERSON PALMA: Okay. We've been joined by Council Member Maria del Carmen Arroyo. Steve Levin, Council Member Levin has questions.

COUNCIL MEMBER LEVIN: Thank you Madam Chair. Thank you Commissioner. I just wanted to ask a little about working with families for preparing for kids to be back in the communities. So can you maybe describe a little bit more in depth what types of activities and discussion you're--ACS is having with families, and then what role other agencies are playing and how that interaction develops and kind of what services we're looking at providing.

RAYE BARBIERI: So I think there are multiple agencies involved in the conversation, and again, that process begins sort of at the point that placement starts, obviously. But as we get closer to the point that re-entry and re-integration into the family is nearing. There are series of conferences that our staff convene which include family members and that's all pre-discharge conferencing to finalize what

the permanency plan will be, where is that child going home to, what other additional supports does the family need to make that a successful process. So there was--

COUNCIL MEMBER LEVIN: [interposing]

So like what type of additional supports would we--

RAYE BARBIERI: [interposing] Sure.

So we can make referrals to, you know, any of the other city agencies. If there are, you know, issues around benefits or income or things like that, we've linked families to other kinds of resources in the community, after school programming, additional academic support. We work--we link that family before the child goes home with the after-care provider, per say, who begins work with that family prior to the kids--

COUNCIL MEMBER LEVIN: [interposing]

The after care provider's not necessarily the same as the non-secure placement provider?

RAYE BARBIERI: correct. In the non-secure system that's true. In the limited secure system it will be the same provider. In

the non-secure system the after-care was bifurcated in the procurement process from the residential provider.

COMMISSIONER RICHTER: Except--

RAYE BARBIERI: [interposing] Except in a few situations.

COMMISSIONER RICHTER: Except Boy's Town.

RAYE BARBIERI: Correct.

COMMISSIONER RICHTER: Boy's Town will be seamless.

COUNCIL MEMBER LEVIN: Okay.

RAYE BARBIERI: Right.

COUNCIL MEMBER LEVIN: Is counseling a part of this? I mean is there like a--

RAYE BARBIERI: [interposing] Yes.

COUNCIL MEMBER LEVIN: family counseling?

RAYE BARBIERI: Absolutely.

COUNCIL MEMBER LEVIN: Identifying--

COMMISSIONER RICHTER: [interposing] So most--

COUNCIL MEMBER LEVIN: family breakdowns?

RAYE BARBIERI: Mapping, yes.

COMMISSIONER RICHTER: So most of the after-care providers are going to be using something called functional family therapy, which is FFT, which is basically a social work model that involves having a social worker in the home several times a week working with the parent and the young person, and if there are other children, the other children to help the parent manage the teenager and issues that are very individualized toward that particular family's functioning. And so there are sort of protocols that the social worker uses to direct the work with the family, but it is meant to help ensure that the parent's role in the family is as--the person responsible for the young person's behavior and that the young person understands that they are responsible to the parent, and very often with our kids they've ended up getting involved in difficulties because the parent has had a hard time communicating successfully to the kid that they are actually the person in control. And so these models have been demonstrated,

1 including in New York in preventing placement
2 to helping parents regain control, and so we
3 have--we are now using them so to speak on the
4 back end when kids come out of placement to
5 help parents prevent further involvement of
6 kids in the justice system.

8 COUNCIL MEMBER LEVIN: What's like
9 the average case load of one of those social
10 workers?

11 COMMISSIONER RICHTER: So four to
12 ten families.

13 COUNCIL MEMBER LEVIN: Okay.

14 COMMISSIONER RICHTER: It's a very
15 low case load.

16 COUNCIL MEMBER LEVIN: And--

17 COMMISSIONER RICHTER: And it
18 depends on the risk level of the young person.
19 So you--there's an assessment done before the
20 young person is reintegrated into the community
21 that determines what the likelihood of that
22 young person getting involved again in the
23 justice system.

24 COUNCIL MEMBER LEVIN: And they're
25 overseen as well by the Juvenile Justice

Oversight Board, or those social workers, or what? I'm just trying to think of if there's challenges or if there's issues that social workers are encountering through this process because it's not on the front end, it's on the back end of--is there a way in which concerns can be brought up and kind of addressed structurally, or is--how does--how's it going to be kind of overseeing moving forward?

COMMISSIONER RICHTER: So we--so our agency program sort of quality assurance department will be overseeing this program, much like we're overseeing other programs and the provider agencies that have been, you know, selected to provide this service obviously have supervision involved in these models. Interestingly, with the program like Functional Family Therapy, there are adherence scores that are provided by the model developers so that in order to provide Functional Family Therapy, you have to adhere to certain protocols in order to really provide the model with integrity, and so there's built in quality assurance in providing a service that you can actually call Functional

1 Family Therapy. So there are multiple ways in
2 which you're making sure you're doing it
3 properly.
4

5 COUNCIL MEMBER LEVIN: With the
6 limited secure placement is there going to be--
7 the providers are then going to be doing that
8 work on the back end?

9 COMMISSIONER RICHTER: The after
10 care.

11 COUNCIL MEMBER LEVIN: Right, and is
12 there any reason why it was done that way with
13 limited secure versus non-secure, or is there--
14 do those agencies have that expertise or those
15 social workers?

16 COMMISSIONER RICHTER: So it's, you
17 know, it's a higher level need young person,
18 and it's a smaller number of children and we
19 had more time to plan limited secure and felt
20 that it made better sense to do it this way.
21 So we did it this way for limited secure.

22 COUNCIL MEMBER LEVIN: Right now,
23 kids that would be going into limited secure
24 facilities are going into limited secure
25 facilities right now run by OCFS is that right?

COMMISSIONER RICHTER: That is accurate.

COUNCIL MEMBER LEVIN: And what, if you could just maybe expound upon some of the similarities, differences in terms of between limited secure and non-secure in terms of how it's going to be implemented under Close to Home and how you--how ACS is kind of looking at it structurally, maybe if there are any lessons learned from the roll out of non-secure that you're able to take into account?

COMMISSIONER RICHTER: Yes.

CHAIRPERSON PALMA: And Commissioner, in the same breath, can you also just let us know if the limited-secure placements have been--like when are they slated to start? How many kids will be entering it and have the providers been identified already?

COMMISSIONER RICHTER: Yes. Okay, so we anticipate that they will start in early 2014. The providers have been identified. We anticipate that there will be approximately 140 young people or capacity for 140 young people. We actually don't think that there will be that

many. It's very hard to say because the Family Court in New York City right now has the choice of either placing kids non-secure in the City or limited-secure up State, and when they have the choice of placing kids either non-secure or limited-secure in the City, you don't know if some of the kids they've been placing non-secure they're going to put in limited-secure. We just don't know. So the numbers could go up limited-secure and down a little non-secure.

COUNCIL MEMBER LEVIN: So if that's the case, is there, are there contingency plans to increase the capacity in limited-secure?

COMMISSIONER RICHTER: Yes. So we're--so we're going to have more capacity in non-secure. We're going to have more capacity in limited-secure than there are kids currently in limited-secure. In other words, we're purchasing more than we have kids for right now.

COUNCIL MEMBER LEVIN: How soon?

COMMISSIONER RICHTER: We're making room at the end--

COUNCIL MEMBER LEVIN: [interposing]

Do you--have you--

COMMISSIONER RICHTER: for more

kids.

COUNCIL MEMBER LEVIN: Has ACS or

have you kind of discussed with the judiciary

and Family Court to discuss kind of where the

thinking is? I know that it's a Family Court

Judge, I mean, do you talk with your former

colleagues?

COMMISSIONER RICHTER: Yeah, abs--

COUNCIL MEMBER LEVIN: [interposing]

on the bench and--

COMMISSIONER RICHTER: [interposing]

And we've also tried to--

COUNCIL MEMBER LEVIN: [interposing]

Know what they're thinking?

COMMISSIONER RICHTER: Yeah, and

we've also tried to see whether there have been

any trends in non-secure placement that we can

kind of--in other words, there's been an

increase in girls that have come into non-

secure placement since it's been in the City,

and so I, you know, we don't have any studies

that, you know, that are conclusive about that other than I think that, you know, one could hypothesize that judges did not particularly like placing girls 14 and 15-year-old girls very far away from their families.

COUNCIL MEMBER LEVIN: Uh-hm.

COMMISSIONER RICHTER: I don't, you know, I'm hypothesizing. Now that they can place them closer to their families, our percentage of girls being placed non-secure is higher than it was before they could place girls closer to home. So that's just--

COUNCIL MEMBER LEVIN: [interposing]
There's a lot of discretion to the judge, right?

COMMISSIONER RICHTER: Correct.

COUNCIL MEMBER LEVIN: In terms of there's not--there are clear markers in places to say, like if an infraction is or if a whatever the--

COMMISSIONER RICHTER: [interposing]
A lot of discretion.

COUNCIL MEMBER LEVIN: Lot of discretion.

2 COMMISSIONER RICHTER: An enormous
3 amount of discretion--

4 COUNCIL MEMBER LEVIN: [interposing]
5 A lot of grey area in terms of--

6 COMMISSIONER RICHTER: [interposing]
7 so that the Family Court judge--

8 COUNCIL MEMBER LEVIN: [interposing]
9 where--

10 COMMISSIONER RICHTER: Right.
11 That's correct. That's correct. The court has
12 to find that the young person--the court has to
13 find that the young person committed an act
14 that if they were an adult would be a crime,
15 and that's the fact finding, and they have to
16 find that beyond a reasonable doubt, and then
17 at disposition the court has to find the least
18 restrictive alternative consistent with the
19 child's best interest and the safety of the
20 community. I believe something like that, and
21 they have to find that the young person has a
22 need for treatment, supervision, and
23 confinement if they're going to place the kid.

24 COUNCIL MEMBER LEVIN: In non-secure
25 or limited?

COMMISSIONER RICHTER: And then the court finds whether that would be met, and the least restrictive alternative would be met if they're going to place the kid in non-secure placement or limited-secure placement.

COUNCIL MEMBER LEVIN: That's a lot of competing--

COMMISSIONER RICHTER: [interposing]
Right.

COUNCIL MEMBER LEVIN: interest or different interests--

COMMISSIONER RICHTER: [interposing]
Exactly. And someone here can correct me if I said that wrong when they are testifying, which I may have. Jackie said I'm good. Okay. I'm good. I got an okay.

COUNCIL MEMBER LEVIN: Okay. I look forward to I think in the next--in the months after the system is up and running to reconvene with your agency and this committee to see, you know, how the roll out is going and to work collaboratively where there are challenges and where there are inevitably things that are

going to come up that are going to be
unanticipated and they're going to be--

COMMISSIONER RICHTER: [interposing]

Yeah, I do want to say we have learned an
enormous amount from the roll out of non-secure
placement that I think will very much inform
how we do limited-secure. One obvious thing as
we mentioned before was the issue of
staggering, how we do placements. The
combination of young people coming from lots of
different directions in non-secure made it very
difficult for our providers and for Department
of Education, and so we will work really
closely with the court and OCFS to make sure
that we don't do as much mixing of populations
of kids from different directions as we bring
kids down here in limited-secure.

COUNCIL MEMBER LEVIN: I guess
actually one question that I would--last
question that kind of brings up--have you
encountered numerous instances of fights in
non-secure placement? I mean does it--does
that happen a lot? You get a lot of kids
coming in from a lot of different directions.

COMMISSIONER RICHTER: So it--so they're teenagers.

COUNCIL MEMBER LEVIN: Yes.

COMMISSIONER RICHTER: And it depends what you call a fight.

COUNCIL MEMBER LEVIN: Uh-hm.

COMMISSIONER RICHTER: You know, I had one--we had one case in the Bronx that came before a judge where he said--and it was about milk. It was about milk containers being tossed around by boys in a kitchen, and it came before the judge and he said, you know, "I have two teenage boys, and this happened in my kitchen like you know, a couple of weeks ago." And he sort of tossed the--I don't know if it was a violation or something out of the court room saying, "You know, this isn't exactly something that you should be bringing to me." And then we obviously have some serious stuff that goes on. I'm not going to diminish that there are serious fights that have to be addressed, and you know, so the answer is yes, we have fights, and you know, we try to distinguish between a fight that is something really serious and a

1 fight that's not. But we I think have
2 providers who are increasingly getting adept at
3 figuring out how to manage behaviors really
4 productively and making them learning
5 experiences for kids, which is the goal of
6 these programs that are 14 and 15-year-olds
7 increasingly 14 and 15-year-olds where the
8 systems being--aging down as we, you know.
9 There were more sort of 16-year-olds and now
10 there are becoming more middle schoolers. So,
11 but yeah, we have--we have fights, we do.

12 COUNCIL MEMBER LEVIN: Are there--
13 are there instances where, you know, knives or
14 other types of weapons--

15 COMMISSIONER RICHTER: [interposing]
16 So we have had that. We are having that less
17 and less.

18 COUNCIL MEMBER LEVIN: And so the
19 providers are--know how to keep an eye out for
20 that, or how does that work?

21 COMMISSIONER RICHTER: Yeah, I mean,
22 as the providers get better and better at doing
23 the work, we haven't had one of those in a very
24 long time. In the beginning we had some things
25

happen that I think we learned from very quickly.

COUNCIL MEMBER LEVIN: Okay. Thank you very much, Commissioner.

COMMISSIONER RICHTER: You're welcome.

COUNCIL MEMBER LEVIN: Thank you, Madam Chair.

CHAIRPERSON PALMA: Thank you. Commissioner, before, you know, we're done can you just quickly walk us through the steps the provider takes when a youth is missing and like how long before like the police is notified--

COMMISSIONER RICHTER: [interposing] Yes.

CHAIRPERSON PALMA: how warrants are issued.

COMMISSIONER RICHTER: So, so a warrant is not issued until 24 hours, and the reason for that is because in working closely with the police department, it became clear that so many of our young people are returning within 24 hours, the--or less, that it was not productive for our, for the police department.

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RAYE BARBIERI: That's right.

COMMISSIONER RICHTER: Okay. Those.

RAYE BARBIERI: A dollar a
cigarette. Loose cigarettes.

COMMISSIONER RICHTER: I know what
they are.

[laughter]

UNKNOWN: One at time.

COMMISSIONER RICHTER: So there's an
immediate obligation for the provider to start
looking for the young person and there are--we
have an AWOL policy which we're happy to share
with the Council that it makes it very clear
that the provider has an immediate--and our
providers have taken this very seriously. We
also have a protocol where when a young person
comes into care, we try very hard to
familiarize ourselves with where the young
person's going to go when they AWOL. We've
tried to make it very clear. Most of our kids
do not AWOL to go commit crimes. Most of our
kids AWOL because they're close to home. They
want to go hang out with their friends. They
want to go hang out with their mother. They

want to go hang out. They really do want to go, you know, do what kids do, play basketball, you know, go to the movies. Like, they do what kids--go to the mall, that's what they do.

And--

CHAIRPERSON PALMA: [interposing]
Able to locate them fairly quickly?

COMMISSIONER RICHTER: Yes.

CHAIRPERSON PALMA: And you say that the youth has returned. Do they return on their own most of the time?

COMMISSIONER RICHTER: Or their parent returns them.

CHAIRPERSON PALMA: Returns them, okay.

COMMISSIONER RICHTER: Which we are very happy about. You know, we have--and if you see which I think is wonderful to see, when a young person is going on a home pass, the provider sits down with the parent before the home pass, and goes through like here's what you need to do if this happens or if that happens, and most parents are quite, you know, receptive to that. We'll even hear that

1 providers say that parents will call during a
2 home pass and say, "Look, things aren't going
3 well. I think you need to come pick up my kid."
4 So--

5
6 CHAIRPERSON PALMA: Does that lead
7 then to the provider scaling back on future
8 visits?

9 COMMISSIONER RICHTER: Yes. So we
10 have a suggested consequences grid for
11 providers. You know, if the kid goes AWOL for
12 this amount of this is suggested what you do.
13 We are not totally prescriptive to providers,
14 but providers have developed their own. You
15 know, a kid knocks a painting off the wall and
16 ruins it, then their allowance will be
17 immediately docked for paying for the painting.
18 So obviously, I think most people know with
19 adolescents there have to be immediate
20 consequences to actions. If you AWOL, even if
21 it's for a couple of hours, there has to be a
22 consequence to that or else the kid is going to
23 keep AWOLing [phonetic]. And so providers have
24 taken to doing that, which makes sense.

CHAIRPERSON PALMA: Council Member
Arroyo?

COUNCIL MEMBER ARROYO: Thank you,
Madam Chair. I was chairing a hearing
upstairs. So I'm a little lost on the subject,
but following the line of questioning, if they
do go missing is there a consequence to the
sentence or the amount of time that they have
to be in detention? Does it go back to court,
and is there a possibility that they'll end up
somewhere else in a secured facility as a
result?

COMMISSIONER RICHTER: Right. So
this is a question--this is a questions,
Council Member, that we have been struggling
with. So it can affect the amount of time they
will spend in the residential portion of the
placement. What we are struggling with is how
quickly. You know, how many AWOL's does it take
before we will go back to court to seek a
modification of the placement, and what is fair
to expect a young person who's ended up in non-
secure placement? You know, a couple of AWOL's
is not--a couple of AWOL's if we know that it's

1 under 24 hours and they're going to the corner
2 store, is you know, and they come back on their
3 own, should that warrant us going back to court
4 for a modification? So we're working through
5 what is the right--what is the right sort of
6 constellation of factors that requires us to
7 seek a modification to limited-secure
8 placement. We were very reluctant in the
9 beginning to seek modifications up. We have
10 become less reluctant, because we feel as
11 though certain things really just require a
12 modification up. If a kid goes out and is
13 alleged to have committed a crime we will seek
14 a modification up. Then the judge decides. The
15 kid has a lawyer. The judge decides. We don't
16 get them all granted. I said earlier we've
17 sought about 20-25 modifications up to limited-
18 secure. We've had over 500 kids in the
19 program, so it's a very small number, but I
20 would say most of them have probably come in
21 the last four months out of 12 months. We're
22 trying to be, you know, conscientious about the
23 fact that we want our AWOLs to keep low and
24 we've gone--we are now at 9.8 percent, which is
25

down from 27 percent in May, which was not acceptable. And so we're, we're trying to do a lot of balancing.

CHAIRPERSON PALMA: Commissioner, out of the 30 sites that are--the 30 sites that the nine providers operate that are close to home, how many are boy's facilities versus girl's facility?

RAYE BARBIERI: I can't remember off hand.

COMMISSIONER RICHTER: We know. Obviously, we know the answer to that question.

RAYE BARBIERI: But not at our fingertips.

CHAIRPERSON PALMA: And will you have a break down in terms of the AWOL population?

COMMISSIONER RICHTER: Yeah, we can give that to you.

CHAIRPERSON PALMA: If you can--

COMMISSIONER RICHTER: [interposing]
Yes.

CHAIRPERSON PALMA: share that.

COMMISSIONER RICHTER: We can share the boys, girls, and we can share the AWOL data with you.

CHAIRPERSON PALMA: Any other questions? So thank you so much for coming and sharing your testimony and answering our questions. I believe that, again, this is--this was definitely a step in the right direction to be able to deal with our youth and show them some positive direction in how they can turn their lives around, and you know, I'm happy and honored to be a partner in implementing this program, and we'll continue to provide the support that the agency needs from the City and definitely strongly urge that the comments that Council Member Brewer made in terms of demons--you know, sharing with the rest of the agencies how collaboration actually works in getting the job done. So thank you so much. I want to, for the record, there's been testimony submitted by the honorable Edwina G. Richardson-Mendelson. She's an administrative judge in the New York City Family Court, and there has also been testimony submitted by one

of Ruben Wills constituents, Anthony Gellineau. He's the President of the South Ozone Park Civic Association West. So we'll submit those two testimonies for the record. Thank you. Our next panel will be Jackie Deane from Legal Aid Society, Amy Breglio from Advocates for Children, and Ruth--I'm sorry, Beth Powers from Children Defense Funds of New York. [off mic conversation]

COUNCIL MEMBER ARROYO: The Chair stepped out momentarily, but please continue. You can choose your order, however. You flip a coin, draw straws.

JACKIE DEANE: They keep us guessing. Every room has a different mic.

COUNCIL MEMBER ARROYO: Okay.

JACKIE DEANE: It's working now, okay. Good morning, Chairwoman Palma and members of the Committees on Juvenile Justice and General Welfare. My name is Jackie Deane, and I'm the Director of the Juvenile Justice Training at the Juvenile Right's Practice of the Legal Aid Society. I'm submitting this testimony on behalf of the Legal Aid Society

and thank your committees for giving us this opportunity to speak about this very important topic. As many of you know, the Legal Aid Society is the nation's oldest and largest provider of legal services to low income families and individuals. Legal Aid's Juvenile Right's Practice provides comprehensive legal representation to children who appear before the New York City Family Courts in all five boroughs in abuse, neglect, juvenile delinquency, and other proceedings effecting children's rights and welfare. Last year our Juvenile Rights staff represented some 34,000 children, including approximately 4,000 in juvenile delinquency proceedings. The Commissioner has just provided the council with a detailed analysis of the data indicating the successes of the Close to Home reform. Juvenile Justice reform in New York City was long overdue and the City's plan, while still being fully implemented and assessed clearly addresses the majority of concerns long held by the society as well as other advocates. We want to begin by applauding the City and ACS

for undertaking this comprehensive change. It is irrefutable that the children placed with the Office of Children and Family Services on delinquency petitions have not been well served by their time in state facilities. Not only have these facilities or prisons failed these children in every basic way by allowing endemic abuse both physical and emotional, failing to provide them with the most basic and necessary mental health services, and providing a substandard education. They have also failed wholly and at an astonishing 81 percent of boys re-offended post release from those facilities. In no other segment of society would we allow a practice to continue that maintained a success rate of less than 20 percent. In other words, an abject social failure, but year in and year out, children had been placed with OCFS when it has been determined by the court that they are unable to be treated or supervised within their own communities. It has been proven in New York City that the rich continuum of effective community based alternatives, which was enhanced by the Close to Home Department of

1 Probation Initiatives, has been successful and
2 economical in dealing with the issues that
3 children present when involved in delinquency
4 matters. Moreover, incarceration should be
5 used sparingly and only for those children who
6 are deemed to be dangerous, not for children
7 who's only transgression is a failure to go to
8 school or attend a counseling program.

9 However, in those instances where children may
10 need to be removed from their homes for a short
11 period of time, Close to Home follows three
12 important principles. One, any institution for
13 children should be small, with a home-like
14 environment. Large impersonal institutions
15 such as those that were utilized up State are
16 inappropriate for children no matter what their
17 issues may be. These facilities must be close
18 to home to encourage and allow meaningful
19 family involvement. Caretakers should be seen
20 and treated as partners in the process. As
21 Close to Home mandates from the moment a child
22 enters a facility, staff and parents or
23 caretakers should be working together to
24 facilitate a seamless re-entry to the
25

community. In order to ensure this occurs, any placement facility must be close to the home and community of the youth. Two, there must be a mandate that isolation and a correctional approach and hardware will not be used, but that safety will be maintained through the use of relationship building and effective supervision of both staff and children.

Children should receive extensive counseling when necessary and meaningful educational and/or vocational skills. There is no better way to teach children appropriate behaviors and decision making than by example. Close to Home agencies utilize practice illustrated to be effective from programs like the Missouri model, a youth development focused relationship building strength based model, which relies heavily on community and family support as well as positive peer and counselor relationships.

These supports need to be smoothly transitioned into community based services and schools and that also part of the Close to Home model.

Three, all facilities must be staffed with youth development specialists who are

culturally competent and specifically trained to work with children who share the range of issues that children in confinement may manifest. A facility for children should not use a correctional model of supervision. Children in confinement should be free from physical abuse, but should also be free from humiliation and emotional abuse. Paramount to the issue of safety is the abolishment of the use of prone restraints, which have caused the death of youth and should be deemed completely unacceptable. Close to Home was developed to provide confinement that meets the above criteria, and has moved us in the direction of rehabilitation instead of correction and in recognizing the importance of family and community involvement in serving these children. We want to note our appreciation that the City has developed the Juvenile Justice Oversight Board, which as you've heard from the Commissioner is comprised of experts who will have the ability to visit facilities, speak with residents and staff, view data, and meet with city officials as a semi-independent

entity, but still under the auspices of city control. While this type of internal oversight is critical, there still needs to be an objective independent and comprehensive formal oversight system in place that allows for regular review of the policies and practices of the facilities to ensure the safety of these youth, particularly going forward into future administrations. As anyone who works within the Juvenile Justice System knows, the vast majority of children prosecuted and placed are children of color from the poorest communities in New York City whose families are over stressed, underserved, and in need of social services assistance to meet their most basic needs. This creates an added obligation to ensure that their placement in facilities is beneficial, not harmful, and we at the Legal Aid Society believe that Close to Home meets this requirement. Although the current reforms outlined above have been--have decreased both the number of children placed and the length of their placement, there still needs to be much work done to address the problem outlined

above, namely the inappropriate arrest and prosecution of poor children of color for low level crimes and normative adolescent behavior.

I refer you to our written testimony for our suggestions about continued reform from the front end to the deep end of the system. The truth about the City's Close to Home reform, which was supported and developed by experts both local and national is that it works. The majority of children served by this well thought out evidence based reform have successfully completed the program, returning to their families with services in place that will assist both the child and family to continue their positive trajectory towards adulthood, but more importantly for these young children being close to home means family visits, maintaining school credits and connections, and knowing that we have not thrown them away. We have invested in their futures and have hopes for their success. For children in trouble, just believing they can succeed can be the difference between a life lost and a life saved. Close to Home was

carefully expertly created to be that lifeline.

Thank you.

AMY BREGLIO: Thank you for the opportunity to speak with you today. My name is Amy Breglio, and I'm an attorney with the School Justice Project at Advocates for Children of New York where I provide educational advocacy and legal representation for court involved youth. For over 40 years Advocates for children has worked to promote access to the best education New York can provide for all students, especially students of color and students from low income backgrounds. My testimony today focuses on the educational needs of students in the custody of the Administration for Children's Services, ACS, in non-secure placement through Close to Home. I would like to begin by stating that we are encouraged by the positive educational outcomes we have begun to see with the implementation of the first phase of Close to Home. For example, we are encouraged that according to data recently released by the Department of Education, students who are beign

1 educated through Passages Academy in District
2 79 under Close to Home are accumulating credits
3 and passing Regence exams while in placement.
4 We are also generally supportive of the Passage
5 Academy model of education for students in
6 placement, which allows students to attend
7 school at the Belmont or the Bronx Hope campus
8 while on placement. This model allows students
9 to receive education from teachers with content
10 area specialty, which is often not the case
11 when teachers are embedded within specific
12 placement facilities due to their smaller size.
13 It is also our understanding that the DOE is
14 looking into introducing school based mental
15 health resources to Passages. And we look
16 forward to the implementation of these
17 services. However, we continue to have
18 concerns about the quality and the consistency
19 of education across all of the non-secure
20 placement facilities. The DOE and ACS's public
21 release of only minimal education related Close
22 to Home data has compounded these concerns. In
23 particular, we are very troubled that
24 educational data has been released for students
25

in non-secure Close to Home placements who are receiving education outside of Passages Academy. Specifically, no data has been released for students who are receiving education directly from provider service agencies and students who are receiving education from DOE teachers embedded in specific non-secure placements. It's our understanding that it's District 75 who is providing that portion of education. We would also like to see more in depth data on the educational outcomes for students at Passages that is disaggregated by school site. We recommend that information about these educational programs be made public including but not limited to information on curriculum, class profiles availability, and provision of special education services, credit accumulations, Regence passage rates, and promotion rates. We would suggest that this data be disaggregated by site as well, so that facilities with positive educational outcomes could serve as models and for those that may be struggling and given extra support and

interventions. We also encourage ACS to continue to improve the initial placement process for youth by ensuring that the educational needs of youth are given due consideration prior to placement in non-secure facilities. It is our understanding that youth and their families participate in a placement conference with ACS staff to consider any specialized needs that may affect the youth's placement, which includes special education. Unfortunately, we have not always seen this to be true in practice. For example, last May, Advocates for Children worked with a student who was remanded to ACS custody in the course of our representation. We reached out ACS in advance of the placement conference to provide additional information on the student's educational needs. ACS was not aware that the student had a disability that entitled him to receive special education services and supports including specialized behavioral services. We urge ACS and DOE to increase information sharing to ensure that ACS has a full picture of the youth's educational needs prior to

placement. With the new amendment to the Family Education Rights and Privacy Act, or FRIPA, many barriers to interagency information sharing have now been lifted. We also encourage ACS to reach out to advocates and other community based providers involved with the youth and the family to get a full picture of the student's educational needs during the placement process. Additionally, we recommend that to the extent possible, as student's grade and age be taken into account during the placement process. The limited data we have seen from DOE has shown that nearly a quarter of youth in non-secure placement are middle school students. This is problematic in respect to planning and executing appropriate educational curriculum for middle school students in placement who are either receiving education directly from provider agencies or from DOE teachers embedded at placement sites. Because the middle school curriculum is significantly different from the high school curriculum, when middle school students are placed in facilities where the majority of

youth are high school aged, it is difficult to provide these students with appropriate education. While we understand that numerous factors must be considered during the placement process, we encourage ACS and DOE to work collaboratively to place students with similar grade and academic functioning levels together to the greatest extent possible, particularly in placement facilities where youth do not receive education at Passages. Finally, it is also our understanding that ACS is working with DOE to coordinate educational discharge planning from the time youth enter non-secure placement facilities. We believe that supportive after care services, including helping youth feel welcome back to and supported in their community schools are essential to creating positive educational outcomes for youth coming out of placement. We recommend that after care teams focus not only on helping youth re-enroll in community schools, but also work closely with DOE staff at all levels to ensure that students receive the educational supports and services they need

1 to stay in school and succeed. To that end we
2 look forward to seeing data on the
3 implementation of these after care services.
4 We are eager to continue to work with the City
5 Council, the DOE, ACS, affected youth and
6 families, and other stakeholders to ensure
7 student's access to quality education while in
8 placement and success upon their return in
9 their community. Thank you.

11 BETH POWERS: Good morning. My name
12 is Beth Powers. I'm the Senior Juvenile
13 Justice Policy Associate of the Children's Fund
14 New York. Thank you Juvenile Justice and
15 Child--and General Welfare Committee members
16 for the opportunity to testify today. Close to
17 Home represents a dramatic improvement in the
18 treatment of young people in the Juvenile
19 Justice System of New York. Significant
20 barriers to success have been removed by moving
21 youth within their home communities into small
22 therapeutic settings where they can maintain
23 family and community connections and earn
24 educational credits. A monumental step in
25 improving outcomes for youth has been taken and

we fully support this initiative. As the administration for children's services embarks on the next phase of Close to Home, limited-secure placements, we believe that the agency should continue to build upon and strengthen its policies in the following areas. AWOLs from placement, we're very pleased to learn that AWOLs have continuously dropped since May of 2013. We understand that ACS has implored a number of tactics to aggressively address the issue of AWOL. In addition to improving ways to locate youth and making it physically harder to leave facilities, it's important that ACS address the root of the problem by examining why youth AWOL within program. We strongly encourage ACS to continue to assess what tactics have been successful in addressing this issue and what other approaches need to be considered. The second issue is educational discharge planning. One of the greatest benefits of Close to Home is the ability for youth to attain educational credits. Not only do statistics support that poor prognosis of graduation for youth held behind in school, the

denial of credit for work done was discouraging and unfair to youth. We're very pleased to learn the number of youth taking Regence test and earning credits has increased. It's encouraging that the rates of school attendance are higher post discharge from NSP than when youth come into placement. Despite this, youth tracked for two months post discharge from placement still have attendance rates in need of improvement. Department of Education and ACS staff need to ensure that appropriate supports are in place for youth and families, including appropriate school placements upon discharge. The best ensured youth will continue educational progress begun in placement. The third area is community engagement. Community engagement is critical to the success of Close to Home. The Children's Defense Fund New York has been actively engaging community around Close to Home. We found the community based organizations and others within the community are eager to connect with providers and firmly root Close to Home in their communities. We recommend that ACS continue to engage in deep

community conversations and dialogues hosted by groups such as CDF New York and its partners, especially given implementation of limited-secure placements. We're fully supportive of the Close to Home initiative. As outlined above there are areas that need to be addressed to ensure continued success. Our hope is that as limited secure placements roll out, ACS builds upon the lessons learned from the first year of non-secure placement and takes necessary measures to ensure these issues are addressed. Thank you.

CHAIRPERSON PALMA: Thank you all for your testimony. I have a quick question. Jackie, you mentioned some of like the restraints and the non-secure placements for the agencies to make sure that these restraints are not being used as a method of preventing a child from leaving--I just--I guess I just want to get your thoughts on the doors being locked. I know it was an issue for some when we--when that was implemented and of course, I believe it has a lot to do now with the number of AWOLs going down, right? So I just wanted to get

your thoughts on that issue, and is that viewed as a major restraint and making it seem more as a correction facility versus Close to Home facility?

JACKIE DEANE: I mean, you know, we appreciate that the struggles that ACS has had in dealing with the AWOL issue and also I think it's really appropriate that they have reframed that conversation, because I think what was being labeled AWOL was really not an AWOL, and again, comes from just by virtue of having a facility that is in a community is very different from sending kids way up state to remote locations where there's, you know, a physical disincentive to leaving. And so this was I think a big adjustment in just the whole model of locating facilities where they are. You know, I think in terms of the restraint issues that we had seen at OCFS were very significant. These were very physical restraints that caused physical harm to young people, and you know, really cannot in any way be compared with the decision to lock the doors and have a little more of a delay mechanism

1 between doors that open and when they open and
2 it's, I think, the changes ACS has made are
3 more akin to some of the mechanics used in the
4 non-secure detention facilities, which are the
5 short term group homes that are for kids while
6 there are cases still going on in Family Court.
7 Those are also non-secure facilities, and those
8 actually had a lower rate of AWOL, much lower
9 in part because the mechanism was a little
10 different, and I think initially that OCFS
11 hadn't agreed to using those same mechanisms,
12 but they now have been carried over to Close to
13 Home. So, I think it's something that, you
14 know, we'd experience with the non-secure
15 detention facilities and understand the need
16 for.

18 CHAIRPERSON PALMA: Okay. And Amy,
19 in regards to the education component, do you--
20 are--is one of the recommendations you're
21 making for the providers that are doing the
22 school, the education in house to be--to make
23 it public in terms of the outcomes that those
24 children are having?

25 AMY BREGLIO: Yeah--

CHAIRPERSON PALMA: [interposing]

And have you been--have you heard why this is not being made public?

AMY BREGLIO: No, we don't. The only data that we've seen was released about a month ago through District 79, and that data is for students educated through Passages. So, and it's not disaggregated by site. So we just know like general Regence passage rate and general credit accumulation rate, which are some of the stats you heard from ACS today. So we have no way to gauge whether or not certain sites are more successful than others and just what quality of what services are at what site, because we know that kids who are at the schools have more access to services, but we don't know specifically how many teachers or what class sizes or even what curriculum looks like at the actual providers.

CHAIRPERSON PALMA: And are Passages, do you know the classroom size versus--

AMY BREGLIO: I don't believe so. I don't think that was included. We may be able

to find that out, but I don't believe that was included in their recent data release.

CHAIRPERSON PALMA: And Beth, you spoke a little about trying to find a trend to why some of the youth may be AWOLing [phonetic] and you heard the Commissioner, some of them are just maybe leaving to go down to the store to get candy or something they would normally not have access to in this type of setting, right? So how--what kind of recommendations will you make?

BETH POWERS: Right. So what I would say is while the AWOL rates have gone down significantly, one of the rates that has lingered somewhat high are the youth that are gone a week or more. So there are definitely the youth that are going to the corner store and are coming back, but when looking at the complete picture of youth that are gone, there is still a rate of youth that's hovering around 38 percent now that has been near that rate in that time that overall AWOLs have dropped. So there is still concern for those youth that are gone longer periods of time.

CHAIRPERSON PALMA: So is the youth that don't return on their own and--

BETH POWERS: [interposing] Right.

CHAIRPERSON PALMA: And are just the agencies having a harder time tracking them now?

BETH POWERS: Right. And so what my recommendation would be is that while there have been tremendous efforts in identifying where, upon intake, where youth may go when they leave, or utilizing the strengths within ACS that already exist to identify where youth may go and being able to locate them as well as what you just alluded to with it making physically harder to leave the facility with locked doors or measures such as that. In addition to those measures, the idea of needing to get to the root of the issue and working with programs to identify why youth are leaving, particularly those youth that are gone longer periods of time, is something that ACS needs to address to see what efforts are being effective and what else needs to be addressed.

CHAIRPERSON PALMA: Thank you ladies for your testimony, and I look forward to continuing to work with you. Our next panel is Miles Jackson from Good Shepherd Services and Dina Careras [phonetic] from the Children's Village. You may begin.

MILES JACKSON: The microphone is on? Thank you, Chair Palma, members of the General Welfare, Juvenile Justice Committees for holding this hearing today. I'm Miles Jackson. I'm Division Director working under Sister Paulette at Good Shepherd Services. I'm very happy to talk a little bit about our experiences of implementing two non-secure placement programs. Both of these programs are in Brooklyn. We opened them in October, so just a year ago. One is in east New York Shelly Trisan (SP?) Residence for Girls. The other is Barbara Blume [phonetic] in Park Slope, which is for boys. Each has a capacity of up to 12 youth. So I wanted to talk a little bit about experiences, successful and some of the challenges in the year of implementation. I think you all are aware of

the general range of services provided in the NSPs. I think for us, and we have had history operating non-secure detention, the short term services that Jackie Deane referred to, and also Child Welfare and foster care residences. The great opportunity for us has been to be able to work with families. We've embraced that enthusiastically to bring them into the whole process of rehabilitation treatment and success re-entry into the community. Families regularly visit our facilities. We offer some structured activities. We offer social occasions, a chance for parents to interact with each other as well as with their youth. And we try to make those visits as enjoyable and supportive as possible. We can get to know families much better by doing that and in addition to when we visit them to make home visits for safety assessments, and it's part of the planning that we do with them. I would say that we have found it somewhat more challenging to engage the families of the girls. I think we feel that the types of an intensity of trauma, sometimes sexual abuse, sometimes other forms

of abuse within the family make the family relationships more conflicted and more contentious. It may also be because girls residence in east New York is not so easily accessible as are parts of that facility. And we do have families living in various parts of Brooklyn, but also in some other boroughs. I think the other great area of success that we want to talk about is our ability to provide mental health services while our young people are with us. This is again new for us, and working with the juvenile justice residential population it's critical we believe to successful rehabilitation, re-integration we have trained licensed social workers who use various models including trauma focused cognitive behavioral therapy where it's indicated, and they do some family counseling as well, where that seems to be called for. Additionally we use the sanctuary model of trauma informed non-violent emotionally supportive model in all of our residential programs, and it's one of the cornerstones of our approach to operating the new year in two

1 residences. We have also--we also chose to use
2 the Missouri approach, which various people
3 have referred to already. It very much
4 emphasizes working with the youth as a group,
5 and provides a lot of mechanisms and tools to
6 assist our staff to have the young people be
7 more accountable to each other as well as to
8 themselves and to staff. It's a fairly
9 complicated practice to learn. We're about a
10 year into it, and we are very pleased that
11 we've been able to continue working with
12 Missouri Youth Services Institute coach to help
13 us develop the practice further. I also want
14 to mention that we have been very happy to
15 being able to enroll some youth over the summer
16 and summer youth employment. They had very
17 positive experiences of--

18
19 CHAIRPERSON PALMA: [interposing]

20 I'm sorry, Miles, how would that work? Like
21 the youth then traveling to and from the summer
22 youth and--

23 MILES JACKSON: [interposing] So we
24 chose youths who were at a stage of their
25 movement through our program. We have a phase

1 system that marks increasing ability to manage
2 themselves to be able to trust themselves, and
3 us to be able to trust them. That is very
4 carefully graduated. So young people who were
5 at a higher level in that phase system and who
6 had been making successful family and home
7 visits without AWOLing, were those that we then
8 permitted to--so we escorted them for initial
9 interviews and depending on the young person,
10 escorting them for the first day or two, but
11 then had some very clear expectations of when
12 they would leave and when they would come back.

14 CHAIRPERSON PALMA: Did the site
15 that they were assigned to, the SYEP site was
16 aware that they were part of the NSP program?

17 MILES JACKSON: Yes. And it was a
18 variety of sites. Some retail outlets, one or
19 two summer camp settings, one or two
20 internships opportunities actually operated by
21 Good Shepherd in some of its school based and
22 after school summer camp programs. Similarly,
23 for some use of that level of trust and self
24 management, we have had some real success in
25 rolling them into the exalt [phonetic] program,

which is a sort of youth empowerment, youth development model that through a series of intensive classes prepares youths to be in sort of real life internships, and some our youths have continued into those internships, and some in place--post placement have continued in those internships. I do want to say that we have experienced a really positive working relationship with ACS during the implementation process. There were certainly implementation challenges mainly due to the pace of which the system change and implementation occurred and the speed with which new programs were brought online. But we really believe that ACS has made intense good faith efforts to provide information to us, to provide technical assistance, and to work with OCFS and ourselves to address the issues that have come up. I will say that an initial issue that was--that made the work more difficult was for those youth who were being transferred from OCFS, non-secure placement, some of whom incidentally that had been stepped down from I think a limited-secure placement with OCFS to a non-

1 secure setting and then to the non-secure
2 placement providers. We received rather little
3 information about those youth initially. ACS
4 has been really responsive to developing much
5 more comprehensive packages of informations,
6 the Commissioner referred to earlier. That's
7 working much better for us. I would say also
8 that initially because capacity came online
9 piece meal, sometimes the placements were made
10 in such a way that families were not easily
11 able to get to our sites to visit, and
12 sometimes it wasn't perhaps the best fit. As
13 the system has matured, as the capacity is
14 there, it's been our experience that ACS's
15 placement which program decisions have been
16 getting more refined and allowing us to work
17 more easily with the young people.

19 CHAIRPERSON PALMA: Miles, you
20 mentioned that you had--one of the challenges
21 that Good Shepherd Services faces is with
22 engaging the families of the girls that are
23 under your care, and you also mentioned that it
24 may be due to the location of the facility.
25 Has there been any discussion in terms of

finding a new location that makes it a little bit more accessible to the families, or?

MILES JACKSON: We haven't had that conversation. We do do a lot of telephone outreach and support and we offer assistance with transportation. Sometimes, can we come and get you. Sometimes, can we pick you up from this better subway location.

CHAIRPERSON PALMA: Okay. Thank you.

MILES JACKSON: I would just touch on a couple of the other challenging issues. I know there's been a lot of conversation this morning about educational provision. Our two groups did initially attend the Belmont Avenue Brooklyn large site and I think the Commissioner probably referred to the mixture of groups using different youth development models and incidentally that NSD kids pre-dispositional youth were being educated in the same building, and that having those youth at different stages of the juvenile justice process in such close proximity, though not in the same classrooms, proved very over stimulating to quite a lot of our youth, and

sometimes really compromised the learning environment. We were fortunate that we had some space at our east New York campus and with the real cooperation of District 79 and ACS, we were able to offer space of Passages to open on off-site satellite to which both of our groups go. So we have two groups who are using Missouri come together every day. We have found that that's produced much more focused and productive learning environment. We've been thrilled that the youth have been accumulating credits and passing Regence exams. We have intended to have high school youth. We have, I think, no middle school youths with us at the moment. We have an educational vocational specialist who works very closely with the youths, with the families and with DOE trying to support the best process to find the right community school. Often times he will accompany the youths and the parent to interviews, site visits, sort of intake processes in schools that they're interested in and will advocate with the DOE to see if we can get a placement that we think is really going

1 to work for the youth. AWOL's I will talk a
2 little bit about. We have been fortunate that
3 we have been considerably below the system
4 average, I think less than half of the system
5 average. We came into this with some non-
6 secure detention experience, which I think is
7 part of the reason. Of the AWOLs that we have
8 experienced, quite a lot of them have occurred
9 while young people have been on home visits or
10 overnight passes with their families. I would
11 say that there's going to be no way to
12 completely eliminate AWOLs in a system that is
13 designed to be non-secure, whatever quite that
14 looks like. And also one that is based on a
15 progressive re-integration into the community.
16 There has to be a level of risk that's
17 associated with--for missing young people at
18 what we judge to be an appropriate stage of
19 their rehabilitation to begin to go home. ACS
20 has really supported us to help us improve as
21 well. The search efforts that we make have
22 become more intense. We learned about how
23 better to do this. I would also say that I
24 think that our AWOLs have declined as program
25

1 culture has developed in each of the settings.
2 It's one of those rather nebulous things that
3 takes quite a long time to develop. These are
4 very very new models of practice for us and for
5 the city as a whole. So I think as the program
6 cultures strengthen and really gel, the young
7 people understand better why they are with us.
8 I know Jackie referred to the very low AWOL
9 absent rates as they're termed in the detention
10 system. I will say as well as the reason she
11 offered for that, another reason is that there
12 is--there are a couple of very serious
13 consequences. The young person who goes missing
14 from NSD, they would immediately be remanded if
15 they were found to secure detention, and the
16 fact of the abscond would very likely have an
17 impact on the dispositional hearing in Family
18 Court. If you--if I have a moment, I would
19 just like to tell you about one particular
20 youth that we've been working with in our boy's
21 residence, just to illustrate some of the kind
22 of work that we do try to do. This young man
23 entered our residence from detention very very
24 distrustful of the juvenile justice system.
25

His mother was even more distrustful of the system, initially wanted nothing to do with us the provider, feeling that there was nothing that the system could offer her or her son to help them. Very unfortunately a few weeks after this young man entered placement, his father was involved in a very serious motorcycle accident and was in intensive care with a very uncertain prognosis. We worked extremely hard with the family, with the mother, to support her to come into tell her son what had happened and then to make with the approval and collaboration of ACS to be able to take him to the hospital numerous time to be able to spend time with his father. These were supervised visits. We were very aware of the possibility of this provoking some real feelings of crisis and manifestations in the young person, and all of our staff, our clinical staff and youth development counselors, our line staff, provided a great deal of support to him. Unfortunately after two weeks, his father died, and we were able to arrange for his mother to come into help tell

him that, and we did a lot of work with him and with other residents around loss, and how even to begin to simulate that. One of the consequences of this is being that his mother now feels that she has a partner in us as a provider. So we feel that that is--that's the kind of work that we can do sometimes, that really gives us faith that we're doing what we should be doing. There are many other things I could say, but thank you very much for giving us the opportunity to share our perspective on this work.

DINA CARRERAS: Good morning.

Actually, good afternoon. I'm Dina Carreras [phonetic]. I'm Chief of Staff at the Children's Village. Today I'm representing Doctor Jeremy Kohomban who's President and CEO of the Children's Village and President of Harlem Dowling. As I speak to you now, he's testifying in Washington D.C. on Child's Welfare Financing and apologizes for his absence. The Children's Village and Harlem Dowling have served children and families in New York City since the early 1800's. Together

we serve over 15,000 children and families annually. Our services range from community centers and food pantries to preventive services, out of home foster care, short term residential care, high end residential intervention for adjudicated juvenile offenders, and services for undocumented children in custody of the federal authorities. At the heart of our charitable missions is a simple premise, children need to belong to someone. One willing and appropriate adult is key to a child's long term success. We also recognize that children are best served within their own families and communities, and we know that the best solutions for children often come from within the family, not from external sources. Thank you for this invitation to testify on the implementation of Close to Home phase of the non-secure placement. The Children's Village provides close to home slots for 48 boys and girls and provides 95 percent of the slots for teens who need specialized care such as those with problematic sexual behavior, substance abuse and serious emotional

disorders. We're extremely pleased with the first year's success. It was not easy, and despite our long expertise and providing residential care for teens, the learning curve was steep. However, as we entered our first year of operations under the Close to Home legislation, we are pleased to report that the results experienced by children are now sampling encouraging. The results are life changing. For the children who would otherwise would have otherwise languished in an upstate facility home from home and family, the opportunity to be connected to family and community while receiving the support they needed has led to dramatic outcomes. Consistent with the goal of Close to Home, our most dramatic outcomes have been around family engagement. For example, of the 15 girls in our Queens program, eight are now having weekly family sessions, two don't have family, and four are going home every weekend. The girls who are going home have safety plans and are engaging in therapeutic activities. On the academic front, our girls are severely

1 challenged academically because of their pain
2 and loss and many life disruptions. However,
3 they are all enrolled in school. We give them
4 homework help and we continually look for
5 creative ways to help them succeed. One of our
6 girls who is quite bright just started at the
7 charter school. Another is participating in
8 the Exalt work preparation program every day
9 after school, and a third is enrolled in a
10 community art program every Saturday. The
11 Close to Home program mandates that residential
12 staff remain with the students during the
13 school day. We have found this to be of
14 tremendous help not only in assisting the
15 school staff with behavioral issues, but more
16 importantly in providing an important link
17 between school and cottage life. We are all so
18 fortunate to have a large group of volunteers
19 who enrich the life of students with books,
20 cultural events, trips and much more. When
21 possible, we engage the teens in the cultural
22 life of New York City through our volunteers
23 and our relationships with organizations that
24 provides tickets and special opportunities.
25

We've even taken the teens kayaking on the Hudson and we'll be introducing some of them to snowboarding in the winter. All of this is possible because the teens remain in the New York community. Let me share a few examples. Jayham [phonetic] is a 17 year old male dealing with a long term substance addiction. He's no stranger to our system either. We struggled with his inability to stay focused in program. The break through finally came when our team persuaded his family that they were the key to his recovery. It was a slow educational process, but in time, the family understood that they had enabled some of Jayham's behaviors, and that their support was crucial to the treatment team. Today, Jahyham is fully engaged in the treatment process. He still has a long road ahead of him. Recovery won't be easy, but he certainly is committed. Jayham's mother has been the catalyst to this motivation. She's fully engaged with the treatment team. She comes to most meetings in person, joins conference calls, and when she need assistance, she is honest with her

personal struggles. Her own life is complicated by gang affiliation, substance abuse and violence, and although speaking about her own life is difficult, her engagement and openness is allowing Jayham to be his own--begin his own journey toward healing. We're extremely hopeful for Jayham and his Family. MD [phonetic] is 17. Her early days in program are most remembered for her refusal to engage in treatment, her defiance, and her non-compliance, and her exceedingly difficult relationship with her mother. We worked with her and her mother for six months. Often it was one step forward and two steps back, but today she's home, attending a community school, engaged in numerous positive activities and willingly participating in our after-care services. SB is 15. SB spends her first couple of months being belligerent and placing herself and others at risk. When asked to introduce herself, she would introduce herself as nobody. She was violently opposed to any treatment. Today, SB has almost reached our highest safety phase. She goes home for

periods of time, and she has been incident free for more than 30 days. MB is 16. She entered our facility for a fight, ready for a fight. She was outspoken in her unwillingness to accommodate even the simplest request. She was determined to not stay in the program either. She too had a very a difficult and violent relationship with her mother. Today she's slated for an early release, and our biggest hurdle today is actually finding time for her therapy. She's in school and doing well. Despite her initial anxiety about independent travel, she now travels independently from school to her Exalt work program daily, and she returns to her home around 8:00 p.m. She's our role model. Finally, there is DW. DW is 16. She has a number of developmental delays and has been victimized by many, including the system. She came to us with no relationship with her mother or family and she has no desire to ever live with her mother. We began by focusing our attention on the mother, and for the first time, we were able to successfully engage mom in DW's treatment. Seeing her

1 mother making an effort has been the key to
2 DW's change of heart. DW has stabilized in our
3 program. She's stabilized to the best of her
4 ability. She participates in weekly family
5 sessions and both DW and her mother have shown
6 interest in working on their relationship. DW's
7 working towards a visit to her mother's home.
8 There are numerous hurdles that DW needs to
9 overcome, including navigating complicated
10 legal issues. We are helping her understand
11 that success will take time. She's showing
12 clear signs of understanding her current
13 situation and she is beginning to plan for a
14 different future. In conclusion, these initial
15 outcomes are already beginning to prove that by
16 keeping children closer to home, coupled with
17 responsive therapeutic interventions, families
18 are being empowered to plan for their children
19 rather than relying solely on the system for
20 their success.

22 CHAIRPERSON PALMA: Thank you both
23 for your testimony. I have--I have a quick
24 question. In the youth that, Miles, you
25

mentioned GSS youth, they're all high school students?

MILES JACKSON: Yes.

CHAIRPERSON PALMA: They're--you don't have any middle?

MILES JACKSON: We don't.

CHAIRPERSON PALMA: And in Children's Village, is there a mix of--

DINA CARRERAS: Well, frankly I'm not certain of the statistics for NSP, however, we do on campus have a school, and a lot of our NSP kids are on campus, and they do have middle school youth there as well as high school youth.

CHAIRPERSON PALMA: Thank you so much for your testimony. Seeing that no one else has signed up to testify, I am now going to adjourn the General Welfare, Juvenile Justice hearing of October 23, 2013, and once again, thank the staff for their work in helping us put the hearing together and thank the Sergeants at Arms for the work that was done here in today's committee room. The meeting's adjourned.

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COMMITTEE ON GENERAL WELFARE
[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 there is no relation to any of the parties to this action by blood or marriage, and that there is no interest in the outcome of this matter.



Date 10/31/2013