

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON JUVENILE JUSTICE

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April 14, 2016

Start: 1:08 p.m.

Recess: 3:36 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: FERNANDO CABRERA  
Chairperson

COUNCIL MEMBERS: Inez D. Barron  
Rory I. Lancman  
Barry S. Grodenchik  
Rafael Salamanca, Jr.

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

Felipe Franco, Deputy Commissioner  
Division of Youth and Family Justice  
NYC Administration for Children's Services

Jill Krauss, Deputy Commissioner  
Communications and Community Affairs  
NYC Administration for Children's Services

Yumari Martinez, Associate Commissioner  
Office of Planning, Policy and Performance  
NYC Administration for Children's Services

Dr. Jennifer Havens, Adolescent Psychiatrist and  
Director, Dept. of Child and Adolescent Psychiatry  
Bellevue Hospital Center

Reverend Wendy Calderon Payne  
Executive Director over Bronx Connect

Dory Hack, Director  
Youth Justice Capacity Building  
Center for Court Innovation

Judy Yu, Director  
Juvenile Justice Project  
Correctional Association of New York

Elizabeth McCarthy, Chief Executive Officer  
Sheltering Arms, Children and Family Services

Jeffrey Butts, Director  
Research and Evaluation Center  
John Jay College

Emily Pelletier, Lawyer and Researcher  
Research and Evaluation Center  
John Jay College

Jeezi, Head Dance Teacher  
Flex Program

Ian Parks, Executive Director  
Martin De Porre's Group Homes

Gabrielle Horowitz-Prisco  
Executive Director  
Lineage Project, Inc.

Victoria San Sammartino  
Founder and Executive Director Emeritus  
Voices Unbroken

2 [sound check, pause] [gavel]

3 CHAIRPERSON CABRERA: Are we ready?

4 We're ready. Good morning and welcome to today's  
5 Juvenile Justice hearing. My name is Fernando  
6 Cabrera. I am--I am the Chair to the Juvenile  
7 Justice Committee. Thank you for being here today,  
8 and thank you to the staff who have worked to put  
9 this hearing together. I'd like to acknowledge the  
10 members of the Juvenile Justice Committee who are--  
11 who are--is here with us. That's Council Member  
12 Grodenchik, and today we are hearing a bill that I am  
13 proud to sponsor, Intro 949 in relation to requiring  
14 the Administration Children's Services to report on  
15 programs and services provided to youth in placement  
16 and detention facilities. Many--excuse me--many  
17 young people who enter the Juvenile Justice have  
18 health issues, learning disabilities or personal  
19 struggles that may contribute to their alleged  
20 destructive behaviors. When youth are under the  
21 supervision of ACS, there is an opportunity to begin  
22 to address some of their special needs. ACS,  
23 Division of Youth and Family Justice provides a wide  
24 range of services to detained youth that include, but  
25 are not limited to education, health and mental

2 health and recreational programs such as cultural and  
3 arts programming. I believe that data required by  
4 Intro 949 will help this committee identify strength  
5 and deficiencies in the services and programs  
6 available to remanded youth. The data will allow us  
7 to better identify types of services and programs  
8 available and which programs young people find most  
9 engaging. I believe that it's necessary to have a  
10 transparency in the services administered by DYFJ in  
11 order to learn how we can improve the provisions of  
12 services for youth in detention. The data for--by  
13 Intro 940--949 will help inform all stakeholders  
14 including the Council in future budget and policy--  
15 policy consideration. Before we begin I want to  
16 mention the DOI Report released yesterday on the  
17 investigation of--of the Close to Home Program. This  
18 report has a highlighted some serious concern with  
19 ACS oversight of Close to Home or additionally not  
20 take too much of today's focus. I hope this is the  
21 beginning of an extensive and thoughtful  
22 conversations around these issues. The committee  
23 looks forward to continuing these conversations going  
24 forward. We look forward to the testimony we are  
25 about to hear from the representatives of ACS as well

2 as the testimony of advocates who work so hard to  
3 protect these children. I would like now to ask the  
4 representatives of the department to present their  
5 testimony. Would you please state your name for the  
6 record, and before we do that, I need to swear you  
7 in. Do you affirm to tell the truth, the whole  
8 truth and nothing but the truth in your testimony  
9 before this committee, and to respond honestly to  
10 council member questions?

11 DEPUTY COMMISSIONER FRANCO: I do.

12 CHAIRPERSON CABRERA: You may begin.

13 [pause]

14 DEPUTY COMMISSIONER FRANCO: Good  
15 afternoon, Chair Cabrera and members of the Committee  
16 on Juvenile Justice. I'm Felipe Franco, Deputy  
17 Commissioner for the Division of Youth and Family  
18 Justice at New York City Administration for  
19 Children's Services. With me today is Jill Krauss,  
20 Deputy Commissioner for Communications and Community  
21 Affairs, and Yumari Martinez, Associate Commissioner  
22 for the Office of Planning, Policy and Performance.  
23 On behalf of Commissioner Carrion, I would like to  
24 thank you for the opportunity to offer testimony  
25 about the Introduction of 949 and about the health,

2 education, recreation programs and services that we  
3 are providing to young people in our secure and non-  
4 secure detention, our non-secure and limited secure  
5 placement facilities. ACS and our contracted  
6 partners work to promote public safety and improve  
7 the life of youth, families and communities by  
8 providing safe and secure care. As the Committee  
9 know, our most recent innovation is Close to Home, a  
10 radical transformation of the way New York City  
11 handles justice. Instead of warehousing children in  
12 institutions hundreds of miles from their families,  
13 Close to Home keeps them in their home communities so  
14 that families can participate in their  
15 rehabilitation. But there's more that we need to do  
16 to make this program safe for the youth and the  
17 communities. Yesterday, the Department of  
18 Investigation is--issued a report on a terrible that  
19 involved a former Close to Home non-secure placement  
20 provider in June of 2015. We thank the Department of  
21 Investigation for its work, and we'd like to take the  
22 moment to share wit the Council more information  
23 about our focus on safety and security and the  
24 additional working steps we have taken. ACS is  
25 committed to providing robust oversight about the

2 providers and ensuring that incidents like the--like  
3 this one would not happen again. We have taken major  
4 steps before these incidents, immediately after, and  
5 in the aftermath to transform and strengthen our  
6 Juvenile Justice Placement System.

7           In 2013, ACS implemented system wide  
8 changes to decrease the number of A-1 incidents. As  
9 a result of these changes, the number of AWOLs  
10 decreased by--was decreased by 69% between 2013 and  
11 2015. This success is in large part because ACS  
12 dedicated additional training, additional staff to  
13 address the issue immediately. We assigned six  
14 immigrants (sic) to investigate these consultants,  
15 former NYPD detectives who now are employed by ACS to  
16 work with providers, New York City Police Department  
17 to locate AWOLs. We also issued new requirements for  
18 the providers around reporting AWOLs, monitoring  
19 youth, and enhancing security measures. Despite  
20 these significant efforts and improvement you had  
21 mentioned before, on June 1st of 2015, three youths  
22 escaped from the Boys Town facility and perpetrated a  
23 horrible assault. When we learned about the  
24 incident, ACS took immediate action and closed the  
25 site where the incident occurred that same--that very



2 day. And after assessing the safety and security of  
3 those other facilities, ACS and Boys Town agreed that  
4 Boys Town will cease all non-secure placement  
5 operations in July of 2015. Between June and August  
6 of 2015, ACS conducted site visits to all 27 of the  
7 non-secure placement sites to ensure compliance with  
8 ACS, with ACS security and safety regulations. ACS  
9 also retained a national recognized expert in quiet  
10 assurance for Juvenile Justice programs, Dr. Kelly  
11 Devan (sp?) who is working with us to implement a  
12 comprehensive quality assurance system for Close to  
13 Home.

14 In 2016, ACS initiated a longer term  
15 strategic changes for improving our system. We are  
16 increasing the number of visits at each one of the  
17 sites to a minimum of eight per year. We will  
18 include overnight unannounced visit to each site  
19 every quarter. New York City Police Department Crime  
20 Prevention Officers are visiting every Close to Home  
21 site right now, as we assess safety, security and  
22 recommend changes where necessary. In addition, in  
23 order to appropriately oversee our providers and  
24 conduct quality assurance reviews, the de Blasio  
25 Administration is adding \$4 million to their ACS

2 Close to Home budget, which would--would allow ACS to  
3 hire 35 new positions across the ACS agency. Eight  
4 of those positions are dedicated to monitoring the  
5 provider agencies. The additional staff will improve  
6 our ability to respond to critical incidents, to  
7 continue to escape (sic) the downward trend in terms  
8 of AWOLs and incidents, and develop a doc agreement  
9 approach to inspecting and ever rating our programs.  
10 We are also updating our policies for our providers,  
11 and enhancing requirements around security protocols  
12 across the--across Close to Home.

13 This summer, ACS will begin implementing  
14 performance based standards, and evidence base  
15 program developed by the Department of Justice that  
16 works with nearly--nearly 200 programs in over 30  
17 states across the country to ensure a strong practice  
18 in Juvenile Justice settings. We're also  
19 promulgating strength--ten revised organizational  
20 (sic) for our provider agencies. It is--it's  
21 important for me to point out that PBS besides  
22 ensuring the highest safety standards actually has  
23 the most robust set of standards around youth  
24 programming education, vocational services,  
25 recreation and treatment. The safety and security of

2 the community and our young people is paramount--or  
3 is a--is of paramount importance to ACS. The Boys  
4 Town incidents highlighted the need for vision and  
5 monitoring and inspections of our provider agencies.  
6 But it has also highlighted the importance of  
7 targeted programming for our young people in care to  
8 keep them engaged to--to address their trauma, and to  
9 prevent risky behaviors. This is why we work--this  
10 is why the work we do with young people in our  
11 residential facilities is ever so important and why I  
12 am grateful for the opportunity to talk to you today  
13 about the services and programs the Division of Youth  
14 and Family Justice and our partners provide in  
15 residential care. ACS provides secure and non-secure  
16 detention, and services for juvenile delinquents and  
17 juvenile offenders. Those cases are pending family  
18 and juvenile (sic) court. The Division of Youth and  
19 Family Justice directly operates two secure  
20 facilities, Horizon Juvenile Center in the Bronx,  
21 Crossroads Juvenile Center in Brooklyn. The Division  
22 of Youth and Family Justice also receives 11 not-for-  
23 provider agencies operating in non-secure detention  
24 group homes across the city.

2           Given the relative short length of stay  
3 for most young people in detention the mission and  
4 focus for this population is to ensure on-time court  
5 appearances and exposed young people to specific  
6 programming and services to encourage them to get the  
7 right--into the right path up on this chart from  
8 receiving child care. As you know, New York City  
9 placement system, Close to Home allows for New York  
10 City youth who are adjudicated juvenile delinquents  
11 by the Family Court to be placed in residential  
12 programs closer to their families and home  
13 communities. A judge may order the youth to be  
14 placed in residential placement program if the judge  
15 finds that youth committed an offense and is--is in  
16 need of services. Under Close to Home, young people  
17 receive their appropriate (sic) services at small  
18 group homes in our near--in--in group homes in or  
19 near the five boroughs where they are close to the  
20 resources that can support the treatment and  
21 transition back to their community. Currently, ACS  
22 not-for-profit partners operate--operate 25 non-  
23 secure placement residences, and five limited secure  
24 placement residences. In contrast to detention,  
25 Close to Home placements are longer. Those

2 facilitate the ability to provide lengthier intensive  
3 and therapeutic programming to youth in placement  
4 including after care services. As such, we actively  
5 connect youth to programming that can be continued in  
6 the community when they are back home in after care.

7 Pro--I'm going to talk about programming  
8 and detention. Youth in our secure detention  
9 facilities receive a location, healthcare, mental  
10 health, dental care, recreation activities and case  
11 management on site. Within 72 hours of our mission,  
12 our young people receive a comprehensive medical  
13 evaluation including a complete health exam and  
14 mental health assessment. To further support the  
15 mental health needs of youth in detention, ACS  
16 contracted with New York--NYU Bellevue Hospital to  
17 provide psychiatric and psychological services. Each  
18 secure facility now has a full-time psychiatrist and  
19 psychology and youth are systematically screened for  
20 trauma exposure. Our services--other services  
21 available to youth include assessments, evaluations,  
22 and medication management.

23 Youth in secure detention attend Passages  
24 Academy, a full-time educational program that is  
25 operated by New York City Department of Education.

2 The Department of Education's school--school teacher  
3 execute a standard curriculum that includes English  
4 language, arts, mathematics, science and social  
5 studies and it enables youth to earn credits toward  
6 graduation. Each class is currently comprised of  
7 approximately eight students share a similar level of  
8 academic needs. The school day consists of eight  
9 period including lunch and each period last for 44  
10 minutes. In addition to providing tutoring, DOE  
11 staff work with the high school students to help them  
12 prepare for regents examinations. The division  
13 reviews from Family Justice parents with not-for-  
14 profits agencies across the city for operating a non-  
15 secure detention residents throughout the city. Non-  
16 secure detention offers the least restricted  
17 residential setting than secure detention so that  
18 young people are able to leave the residents under  
19 staff supervision to attend school, medical  
20 appointment and Center and recreational activities.

21 Youth in non-secure detention also  
22 receives health, mental health, recreational and case  
23 management services similar to the ones offered in  
24 secure detention. Non-secure detention--detention  
25 youth residents travel to one of two stand-alone

2 community schools that solely serve Juvenile Justice  
3 involved youth. The Department of Education provides  
4 instruction for non-secure youth at two Passages  
5 Academy sites: Belmont in Brooklyn and Bronx Hope in  
6 the Bronx, and with their peers in secure detention  
7 youth in non-secure detention receive full academic  
8 instruction and accumulate DOE credits still for  
9 graduation. (sic)

10 The Division of Youth and Family Justice  
11 and our partners provide a range of recreational  
12 programs and services to justice involved youth in  
13 secure and non-secure detention facilities. Through  
14 the positive activities and strong role models, we  
15 hope to develop the skills young people need to  
16 redirect their lives in a positive direction when  
17 they leave our care. Within our residence, we and  
18 our providers funding with groups Source Us, Carnegie  
19 Hall, Voices Unbroken, CUNY (sic) University, NYU,  
20 English Program, and the Center for Community, the  
21 Alternative among many others. We also partnered  
22 with the faith based community to provide the  
23 spiritual services and mentoring. We are con--  
24 constantly reviewing our programs including our arts  
25 and enrichment programs, and we're always looking for

2 ways of expanding our portfolio of programming and  
3 services.

4           Close to Home. Young people in Close to  
5 Home receiving legal authorized therapeutic services  
6 that are shaped by evidence based models, which  
7 integrate secular location and community behavioral  
8 curriculum. We are mentoring interpersonal  
9 processing and life skills development. ACS has  
10 partnered with eight not-for-profits to deliver  
11 strength based placement programs in 25 non-secure  
12 placement residents located in and near New York  
13 City. All eight providers have experience and serve  
14 with Juvenile Justice population, and each program  
15 offers a structured residential care for 6 to 12-  
16 year-olds in a small supervised homelike environment.  
17 I contrast to traditional larger--larger juvenile  
18 placement facilities, all of the non-secure placement  
19 programs have been intentionally designed to ensure  
20 participation in program while preserving the safety  
21 and security of youth, of staff and the surrounding  
22 community.

23           Young people in non-secure placement  
24 while under strict staff supervision are able to  
25 leave the residence to attend school, medical



2 appointment and certain recreational activities.

3 Limited secure placement, which opened in December of  
4 2015 currently has programs operating in all four--  
5 operating at four sites, two in the Bronx and one in  
6 Dobbs Ferry and one in Queens. In contrast to non-  
7 secure placement, all programming and services are  
8 provided to young people on site including medical,  
9 dental, psychiatric and education. Even at that--  
10 even at the secure residence, our official addition  
11 of psychiatric features such a prohibitive fencing,  
12 closed circuit TV monitoring during that (sic) didn't  
13 make any sense.

14 Young people in non-secure placement and  
15 living as a group placement receive and utilize  
16 educational services that are--receive educational  
17 service provided by the New York City Department of  
18 Education. This allows for academic credits earned  
19 in placement to count for a high school diploma.  
20 After school tutoring is also available to young  
21 people in NSP through--through the New York City  
22 Department of Education, and they're participating in  
23 a wide range of after school recreational activities  
24 throughout the school SONYC programs, which is  
25 offered through partnerships with the New York City

2 Department of Youth and Community Development. As a  
3 way to help engage the community and foster  
4 meaningful relationship with the surrounding  
5 neighborhoods, our partner agencies also work with  
6 outside service providers, and community partners to  
7 provide recreational services to young people our  
8 placement facilities. Some of the most popular  
9 programs and options in Close to Home include arts or  
10 music therapy, and bigger (sic) size have also  
11 engaged, charitable--charitable foundations,  
12 professional sports teams, service learn--service  
13 learning opportunities, mentoring organizations to  
14 supplement recreational programs offered to young  
15 people wanting placement. Non-secure placement  
16 providers have partnered with administration social--  
17 the Sadie Nash Leadership Project, Warriors Mentoring  
18 Program to provided services. Also, use local parks  
19 and recreational activities.

20 Existing and Current Reporting. ACS  
21 currently reports information regarding several  
22 aspects of our human justice system all--all of which  
23 is accessible via our--via our agency website.  
24 Information regarding seniors who receive ACS  
25 services at Juvenile Justice facilities is available.

2 And A--and ACS must reflect--include the statistics  
3 source at the Division of Youth and Family Justice,  
4 monthly admissions to detention, monthly average  
5 daily population and Close to Home intakes. Local  
6 Law 44 of 2013, requires ACS to post quarterly  
7 reports regarding incidents, an annual report  
8 regarding demographic data as well as annual reports--  
9 --reports of child abuse allegations for detention and  
10 non-secure placement. The Division of Youth and  
11 Family Justice's primary goal--goal are to assure  
12 that our facilities are safe and secure, to provide  
13 youth in detention and placement with appro--  
14 appropriate health and mental heal services to  
15 provide services to prevent youth from returning to  
16 the Juvenile Justice system.

17 As reflected in your Preliminary Mayor's  
18 Management Report of 2016, we are doing a better job  
19 of linking our young people to mental health services  
20 as we have seen a significant increase from 50%  
21 during the first twelve months--four months of 2015  
22 to 54 during the first four months of current--of the  
23 current fiscal year. The percentage of young people  
24 who received mental health services--services rose  
25 from 46 to 56 during the same time period. New York

2 State Social Services Law, Section 404 requires ACS  
3 to submit an Annual Close to Home Report to the  
4 Office of Children and Family Services, to the Senate  
5 President and the Assembly Speaker. Our Annual Close  
6 to Home Report con--contains outcomes data as well as  
7 that information on after care services, education  
8 advancement and community engagement. [pause]

9 ACS is committed to maintaining  
10 transparency in the work that we do, and we're happy  
11 to share information about the programs and services  
12 we provide through our Juvenile Justice continuum  
13 with the City Council. We support the City Council's  
14 interest in learning more about the program and our  
15 youth received while in care, and share the Council's  
16 dedication to enhancing and maintaining positive  
17 programming approaches for juvenile involved--justice  
18 involved youth. Together, we can work to define the  
19 parameters of such a bill. So that ACS is better  
20 able to provide information the Council needs in a  
21 way that will be--most effectively suit the purposes  
22 of the legislation. To better understand the  
23 requirements of the bill, we would like to work with  
24 the Council to clarify the meaning of services and  
25 programs. The terms can refer to an array of

2 wellbeing services that we are required to provide  
3 for young people in our care such as medical care,  
4 mental health, education and recreational activities.  
5 The accompanying two different types of in--intensive  
6 evidence based operative (sic) programming that can  
7 help your people change their behavior and improve  
8 outcomes, and you can also refer to a variety of  
9 opportunities we and our contact agencies partner  
10 when we partner with organizations in the community  
11 to provide for our young people. Without clarity and  
12 specificity in the definition of services and  
13 programs we are unable to determine whether ACS has  
14 the capacity to aggregate the required data, nor are  
15 we able to conceive the form with such a report,  
16 report will look like.

17           The daily schedule of services or  
18 programs as to the Division of Youth and Family  
19 Justice Continuum or Residential Services, various  
20 kind residents to residence. (sic) And I offer my  
21 young--and I offer it to young people based on their  
22 individual needs and interests. Based on these  
23 variations and dependent on the definition of  
24 services and programs, it will be difficult to report  
25 on the variation (sic) on the way of hours per month

2 that this service or program is provided as well as  
3 the monthly percent of the young people who  
4 participate in the program.

5 Intro 949 will also require ACS to supply  
6 the daily schedule for each non-secure detention  
7 residence, secure facility, non-secure placement  
8 residents, and in it's peak (sic) residence. This  
9 will amount to the submission of 365 schedules  
10 multiplied by a total of 43 residents for a total of  
11 15,695 schedules per report period. We are  
12 presenting and applaud the interest that the  
13 committee has shown in the Justice Juvenile--Juvenile  
14 Involved--Justice Involved youth, and always welcome  
15 opportunities to partner--partner with the Council  
16 and to address the interests of young people in  
17 residential care. We are concerned that though  
18 Introduction of 949 does not capture this goal in its  
19 current form. However, we wish to continue to  
20 cooperate with the City Council and are glad to work  
21 with achieving the spirit of the law. In closing,  
22 thanks for the opportunity to discuss Intro 949 this  
23 afternoon. We also thank you for the opportunity to  
24 share with you the targeted actions that ACS has  
25 taken to fortify the safety and security of in Close

2 to House. So that we can prevent tragedies like the  
3 one at Boys Town, that incident from ever happening  
4 again. We have to get security right as--if--if we  
5 want to continue to do the--built work (sic) that we  
6 know benefits the youth and the community. As  
7 always, we are here to work with the community in our  
8 continuing effort to improve the system and provide  
9 services for the city justice involve youth. We are  
10 happy now to take your questions.

11 CHAIRPERSON CABRERA: Thank you so much,  
12 Commissioner, for your thorough report. As I said in  
13 my opening, I believe that the incident of Boys Town  
14 and the content of the DOI report are matters to be  
15 discussed more thoroughly at a future date. However,  
16 with respect to the incident at the Boys' Town Site  
17 where youth were able from the facility, and there  
18 was falsifying of report done by the staff for the  
19 facility. One of the indicators we received in the  
20 Mayor's Management Report is the AWOL rate. So I  
21 just have two quick questions related to that, and  
22 then I'll jump into Intro 949. Should we assume that  
23 these numbers are, in fact, higher than past reports  
24 have been suggesting, and will the agency make any  
25 effort to rectify past numbers that may be

2 inaccurate, or to perhaps know that such numbers may  
3 be unconfirmed.

4 DEPUTY COMMISSIONER FRANCO: Thank you.  
5 Regarding AWOLS, as I mentioned before, they have  
6 decreased 69% between 2013 and 2015. We actually  
7 within the last two years have really imposed robust  
8 standards for the reporting of the incidents to our  
9 providers. So our trend actually is a continuing  
10 reduction in the number of AWOLs. I think it's  
11 important to clarify that the young people who left  
12 Boys Town was no known by us or by--but the Boys Town  
13 staff. They were not AWOL because staff wasn't doing  
14 what they had to do and checking on them.

15 CHAIRPERSON CABRERA: But in--and--and we  
16 appreciate that, but I'm just curious as to these  
17 numbers. Are--are they higher than past reports have  
18 been suggesting? Are they the same or what--what do  
19 you--?

20 DEPUTY COMMISSIONER FRANCO: Yeah, if I  
21 were to going to look at the numbers of AWOLs within--  
22 -post 2015 now through 2016, I believe it's still a  
23 downward trend.

24 CHAIRPERSON CABRERA: Okay, uh--



2 DEPUTY COMMISSIONER KRAUSS:

3 [interposing] Council Member I think I can clarify a  
4 little bit. The--the--the--

5 CHAIRPERSON CABRERA: [interposing] If  
6 we can ask you to get closer to the mic. It's just  
7 hard to hear. I'm getting older.

8 DEPUTY COMMISSIONER KRAUSS: No problem.  
9 The--the statistic that Felipe just cited, a 69%  
10 reduction, that's over three-year time period from  
11 2013 to 2015, and what you see in the MMR, the AWOL  
12 rate for non-secure placement between Fiscal 14 and  
13 Fiscal 15, it's a decrease from .7 to .4%, which is a  
14 43% decrease. That's just comparing the--the one  
15 year between Fiscal 14 and 15.

16 CHAIRPERSON CABRERA: Are--are you aware  
17 of any--have--have there been reviews of videos in  
18 other facilities just to see if this was an anomaly  
19 at one site, or--or was this sys--systemic?

20 DEPUTY COMMISSIONER FRANCO: Yes, so our-  
21 -our new standards, which we can go into detail, now  
22 require our provider community to exactly what DOI  
23 did to actually review and cross-check logs and video  
24 to ensure that their staff is doing what they are  
25 mandated to do. But on top of that, you know, we are

2 actually inspecting the facilities unannounced at  
3 night.

4 CHAIRPERSON CABRERA: And checking the  
5 old videos or this is from there--

6 DEPUTY COMMISSIONER FRANCO:  
7 [interposing] We have--we have been checking videos,  
8 but actually we have been going out at night  
9 unannounced to our provider facilities to check on  
10 the staff.

11 CHAIRPERSON CABRERA: When--when will you  
12 conclude the reviewing of the videos for pass? I'm  
13 sure you're going to do that.

14 DEPUTY COMMISSIONER FRANCO:  
15 [interposing] We--we--we intend to make up lower  
16 (sic) practice. So we're actually going to be  
17 looking at video footage of all our provider--  
18 providers consistently.

19 CHAIRPERSON CABRERA: Commissioner, will  
20 you be open to a committee holding a hearing on the  
21 Close to Home and the department's oversight issues  
22 at this point in the near future?

23 DEPUTY COMMISSIONER FRANCO: Sure.

24 CHAIRPERSON CABRERA: Thank you so much.  
25 Before I continue, let me recognized we have been

2 joined by Council Member Salamanca, the newest member  
3 in the Council and Council Member Rory. Regarding on  
4 949's--did--did I--Her name. Oh, I'm so sorry.  
5 That's what happens when you don't eat lunch. My  
6 apologies, council member. Regarding Intro 4--949,  
7 could you be a little bit more specific as to the  
8 defining of the terms that you would like us to  
9 define? What would you--how--how we can make this a  
10 better bill, and I appreciate that you appreciate--

11 DEPUTY COMMISSIONER FRANCO:

12 [interposing] Uh-huh.

13 CHAIRPERSON CABRERA: --the spirit of  
14 Intro 949 and I'm looking forward to hearing from the  
15 Administration how we can make it better and from the  
16 advocates.

17 DEPUTY COMMISSIONER FRANCO: Yes, I--I--I  
18 feel actually the City Council has taken a very  
19 active role since my arrival here in understanding  
20 the relationship between positive youth programming  
21 and skill building, and juvenile justice and  
22 rehabilitation and actually because the City Council  
23 kind of spotted that in such an issue that actually  
24 now the city has committed a million dollars to the  
25 Department of Youth and Community Development just

2 for after school positive youth development  
3 programming through Passages and including secure  
4 detention and Close to Home Sites. And that's--  
5 that's a welcome change. It's an improvement on our  
6 operations before. I--I believe the intent to make  
7 sure that young people get the services that they  
8 need so that while they are in--under--under our  
9 care, they can change the trajectory. It's--it's--  
10 there's a 01 I wonder if we should be accountable  
11 for. I think it's important to further define what  
12 we mean by services, and as you could imagine there's  
13 actually--the typical young person there's certain  
14 structured activities like school time. We talk  
15 about 45, 44 minutes for every one of those classroom  
16 times. That is meant to happen consistently for  
17 every young person. This actually in all the moments  
18 of the day where we're going to have activities at  
19 each one of the providers that are going to be  
20 specific to the needs of those young people and their  
21 interests are actually based on prescribing certain  
22 ones of their needs. And those are actually--they  
23 are building (sic) programs that tend to be with a  
24 beginning and an end, and I think those are the kind  
25 of programming that the Council should actually make

2 sure that their agency is transparent to make sure  
3 that we as a system provide those kind of helpful  
4 (sic) interventions that are going to help young  
5 people change their--their skills. There's a lot of  
6 stuff that happened. I mean our providers are--are  
7 good. They have been--take advantage of a  
8 community's resources. They take advantage of events  
9 and activities happening in New York City. Those are  
10 more sporadic in nature, and I think actually it  
11 would be kind of almost impossible to capture all of  
12 them. But those--those programs that actually are  
13 meant to influence education, mental health. It  
14 possibly views this element and even vocational  
15 offerings. I think those are things that actually  
16 should be prescribed. The City by adopting pro forma  
17 based standards, it's actually now going to be held  
18 to a certain set of national standards that actually  
19 have--it could be said those surge of the amount of  
20 time each one of these services have to happen. It  
21 actually includes a twice a year survey where  
22 actually young people are going to be able to provide  
23 their opinion on the quality of those services.  
24 that--that will be available to the Council soon.

2 CHAIRPERSON CABRERA: Thank you so much,  
3 Commissioner. I--I have a few more questions, but I  
4 want--I'll give an opportunity to my colleagues to  
5 ask questions. I know what it is wait for questions.  
6 If we could have--first we'll start with Council  
7 Member Grodenchik, and then we'll follow it with  
8 Council Member Lancman.

9 COUNCIL MEMBER GRODENCHIK: Thank you,  
10 Mr. Chairman, and thank you for being here today. I  
11 was going to hit this a little harder, but since  
12 you're going to come back for another hearing, I  
13 guess I could wait. One of the concerns that I have  
14 and a lot of my colleagues have is with site  
15 selection for these facilities, and it's a--I'm  
16 relatively new. He's older than I am, but we are  
17 concerned that when you look to locate any kind of  
18 facility in our districts, what is the outreach?  
19 What's the typical outreach because we've had some  
20 problems with other agencies not with Juvenile  
21 Justice yet, but I hope that doesn't happen with ACS.  
22 But there seems to be sometimes with this  
23 administration unfortunately a lack of communication  
24 between the local communities and with the elected  
25 officials, community board, civic leaders. You know,

2 right on down. So can you describe to us when you  
3 have a site in mind how you would roll that out to  
4 the community? I'll take it from anybody. I don't  
5 care.

6 DEPUTY COMMISSIONER KRAUSS: Yeah, sure.  
7 So when Close to Home was created that's the sort of  
8 most recent time that we've done site selection, and  
9 the way that the procurement worked there was that we  
10 required all of the providers who were applying to  
11 the RFP to tell us what--to come to us with a site  
12 already selected. So it wasn't actually something  
13 that the City made a decision around in most cases.

14 COUNCIL MEMBER GRODENCHIK: But don't you  
15 think the City should be making that decision?

16 DEPUTY COMMISSIONER KRAUSS: Well, in--in  
17 some cases we are making--

18 COUNCIL MEMBER GRODENCHIK: [interposing]  
19 Because you know, what, they're not--they're not  
20 going to be blaming the ABC group or the XYZ group.  
21 They're going to be coming to my office and Laurie's  
22 office and the chairman's office and Councilman  
23 Salamanca's office, and that's a big problem for us.

24

25

2 DEPUTY COMMISSIONER KRAUSS: So, that--  
3 I'm--I'm explaining to you how this happened under  
4 the prior administration.

5 COUNCIL MEMBER GRODENCHIK: Okay.

6 DEPUTY COMMISSIONER KRAUSS: Close to  
7 Home rolled out in 2012, and non-secure placement was  
8 RFP'd that year. So, this is a system. Close to  
9 Home is a system that this Administration inherited,  
10 but it was created under the prior Administration.  
11 At the time before any of the sites were selected,  
12 ACS held a number of I think in--in each borough held  
13 a community event to gather input from community  
14 members to talk about what kind of services and  
15 programs they thought would be important in the  
16 juvenile placement system. And then once the  
17 procurement was complete, ACS sent notification to  
18 the city, state and federal electives as well as  
19 community board members to notify them. We also met  
20 most recently around limited secure, which was  
21 actually rolled out in 2015. We met with the  
22 community board members in each of the three boroughs  
23 where those sites are located, and for each of those  
24 community board meetings we invited the local elected  
25 official in whose district the facility was sited.



2 COUNCIL MEMBER GRODENCHIK: Often times--  
3 I appreciate that--often times when--when community  
4 boards have contacted the civic groups or even our  
5 offices, there is a sense that it's a formality. And  
6 I would like to--to--maybe not today, but in the next  
7 hearing when we talk about Close to Home for you to  
8 come back and talk to us about how much--how much  
9 input. I know that the Close to Home that was--was  
10 suggested for my district I wasn't in office yet, but  
11 I know Senator Connolly as well had taken an interest  
12 in that. It was right on the dividing line between  
13 what had been Mark Weprin's district, which is my  
14 district now, and Councilman Daneek Miller on Jamaica  
15 Avenue, and that was not located there. The  
16 community felt it was an inappropriate spot. But I  
17 would appreciate hearing when you come back about how  
18 seriously you take those issues that we raised.

19 DEPUTY COMMISSIONER KRAUSS: Sure.

20 COUNCIL MEMBER GRODENCHIK: Thank you,  
21 Mr. Chairman. Thank you.

22 COUNCIL MEMBER LANCMAN: [coughs] Okay.

23 I have concern that when members of the Council and I  
24 have direct experience with that, have tried to--to  
25 speak with ACS on these issues, and to engage in my

2 case in particular on concerns about safety in--in  
3 these homes and these facilities, that we really  
4 haven't gotten the cooperation that we should get.  
5 You know, we had reached out to ACS when I first  
6 became a council member--

7 DEPUTY COMMISSIONER FRANCO:

8 [interposing] Uh-huh.

9 COUNCIL MEMBER LANCMAN: --to have a  
10 dialogue about issues related to safety in these  
11 facilities, and my particular issues at the time  
12 focused on the safety of the--the staff because it  
13 was work. Of course, it was work that I had done in--  
14 -in the Legislature, and eventually that dialogue  
15 kind of petered out, and it wasn't on our end or for  
16 lack of interest on our now. [coughs] So now we're  
17 in a situation where the Department of Investigation  
18 comes out with what could only fairly be described as  
19 a scathing report of mismanagement and incompetence.  
20 And having come from the Legislature where we adopted  
21 the--the--the--the idea that--that these young people  
22 should be kept in their communities to the extent  
23 that it was possible. You know, to see this kind of  
24 breakdown is really quite a disappointing and--and  
25 even devastating. I don't have to tell you that

2 there are many people in our city, let alone once you  
3 get out of New York City, who don't believe in what  
4 we're trying to do here. So the impact of this kind  
5 of breakdown is really--is really devastating, and it  
6 becomes extremely difficult for local council  
7 members. I think this is what Council Member  
8 Grodenchik was alluding to, to sell these policies in  
9 our--in our communities. Let me ask you something  
10 because--and this was the--the source of a lot of--  
11 with the basis and a lot of conversation on this  
12 issue, I don't know, two years ago now. The  
13 contracts that you have with these providers are you  
14 able to take the recommendations that--that DOI has  
15 made especially those that relate to improving  
16 certain concreat--contractual requirements,  
17 guaranties, et cetera. Are you able to go into those  
18 contracts today, and say we need to make some--some  
19 changes, or are you locked in because, you know, a  
20 contract period might extend for three or four years  
21 form now and, you know, it's the day after. But this  
22 isn't--this isn't news to you that this was coming.  
23 What--what conversations have you had with the  
24 providers about the kind of changes that they're  
25 going to have to--they're going to have to make. And

2 I know this isn't the hearing for it, but it seems  
3 like everyone needs to get one or two questions in  
4 this. Go ahead.

5 DEPUTY COMMISSIONER FRANCO: I mean the  
6 Study--the Study on standards of Practice we actually  
7 have that ability to do everything within the  
8 existing contracts. So I mean for example when we  
9 talk about bringing--you mentioned my expertise of  
10 performance study (sic) alerts, and actually making  
11 our provider community, which actually is eager and  
12 open to improve safety in their programs. To have to  
13 implement that, they--they--they will do it I mean.  
14 So we can do that. I mean I think to you--to your  
15 bigger issue of workplace safety and--and I'm sorry  
16 to hear that, you haven't heard that much  
17 responsiveness from ICS. I mean we--we know--we know  
18 your leadership in the state. We know your  
19 leadership here in the city and actually everything  
20 that's actually is important from the workplace  
21 safety perspective is you have been the champion  
22 person for years now including the importance of the  
23 amount of staff. Because you and I remember well. I  
24 mean we want to make sure that even group homes,  
25 which only six kids always have two people on board,

2 which is different than what it be. The standard for  
3 AOB ages. So ever Close to Home Site requires having  
4 two full--two staffs at any one moment even if  
5 there's only six kids or four kids. One of the  
6 things that I know is important to you is the--to the  
7 aiming of staff. So we have high requirements of  
8 today. I mean every staff in every one of our not-  
9 for-profits and the escalation techniques through  
10 Safe Crisis management. And we actually are  
11 implementing all the work place safety standards or  
12 your state's legislation in our secure and limited  
13 secure facilities. So that--that is the most  
14 requirement of training. It's actually happening in  
15 our non-secure--

16 COUNCIL MEMBER LANCMAN: [interposing]  
17 Are you doing--are you doing a--a workplace violence  
18 prevention plan at each location?

19 DEPUTY COMMISSIONER FRANCO: Yes.

20 COUNCIL MEMBER LANCMAN: Uh-huh.

21 DEPUTY COMMISSIONER FRANCO: We have that  
22 at the--at limited secure and our secure facilities.

23 COUNCIL MEMBER LANCMAN: Okay, and then  
24 my last question on--on this topic. We had the  
25 budget hearings last month. The Mayor is going to

2 come out with is Executive Budget. Should we  
3 anticipate that there'll be significant changes to--  
4 to--to your funding in that Executive Budget in  
5 response to DOI's report?

6 DEPUTY COMMISSIONER KRAUSS: Yeah, as we  
7 testified at our Preliminary Budget hearing, the  
8 Administration has committed \$4.1 million to ACS'  
9 Juvenile Justice budget to allow the agency to add 35  
10 positions, specifically to address some of the  
11 concerns that were addressed in DOI's report.

12 COUNCIL MEMBER LANCMAN: Yeah, okay, and  
13 as for the legislation that--that we're actually  
14 having a hearing on today, which I'm a--which I'm a  
15 sponsor of, and--and as an outgrowth I think of the  
16 hearing that--that you had held which--across the  
17 street, which I thought was very, very informative.  
18 I apologize. I came a little bit late, and I wanted  
19 to listen to your--to your testimony. Do you have  
20 specific objections to--to the legislation or--or--or  
21 you're--you know, we're here to hear a bill actually.  
22 Are you--are there specific objections to the  
23 reporting bill that--that we're talking about today  
24 or you're on board?

2 DEPUTY COMMISSIONER FRANCO: No we don't.  
3 I mean you're talking about your, you know, workplace

4 COUNCIL MEMBER LANCMAN: No, Intro what  
5 is it? 949.

6 DEPUTY COMMISSIONER FRANCO: I--I know,  
7 I mean in spirit we--we agree with the transparency  
8 of--of programming and services, and actually that's  
9 the role of the City Council. We--we think it may be  
10 difficult because of the lack of definition of  
11 programming and services to meet your requirement on-  
12 -on intent.

13 COUNCIL MEMBER LANCMAN: And well, all  
14 I'll say is I'll--I'll make the observation, which I  
15 think is reinforced by the Department of  
16 Investigation's report is that particularly where it  
17 comes to circumstances regarding the justice system,  
18 detention--whether it's detention with a capital D  
19 or--or lower case D, the more transparency, the more  
20 reporting, the more accountability, the better. So  
21 thanks.

22 CHAIRPERSON CABRERA: Let me ask--thank  
23 you so much, and thank you for sponsoring the bill as  
24 well, and--and thank you so much. We--we--we heard  
25 from our council members now, joining in and thank

2 you so much. Let me just focus first as a follow up,  
3 and a couple of questions here. Does ACS currently  
4 do a focused assessment of the scope and reach of all  
5 programs, and where gaps exist?

6 DEPUTY COMMISSIONER FRANCO: We actually  
7 have instruments and procedures in place to kind of  
8 gather feedback from our residents in terms of what  
9 programming is actually important to them. I think  
10 with the implementation of PBS, or Program Based  
11 Standards, we actually are going to have a set of  
12 standardized youth surveys that actually are going  
13 into harmony on 52 other sites across the nation that  
14 we inform what kind of program that we need to do.  
15 But we have actually use more than anything the  
16 information that we gathered from our assessments.  
17 So, we're beginning to be more and more responsive  
18 now with the relationship with NYU Bellevue to  
19 understand what the needs of our kids are, and we're  
20 hoping to then kind of be able to respond to those  
21 needs because that's the best way to respond to--to  
22 criminal behaviors. I mean a lot of--a lot of the  
23 information that we're getting as more and more kids  
24 are being assessed, it's actually influencing what  
25 kind of treatment and services that we provided.



2 CHAIRPERSON CABRERA: Can you talk to me  
3 about also the capacity for recreation programs in  
4 detention compared to the number of young people who  
5 aren't sure they would like to participate in  
6 recreational programs? And if there's act--excess of  
7 slots available all that are doing that in our slots?

8 DEPUTY COMMISSIONER FRANCO: Yeah, I  
9 mean, I'm--I'm lucky to be in a moment in the  
10 Juvenile Justice system where we actually have a  
11 wealth of programs for a reducing number of kids. So  
12 I mean it's not typical, but actually we have more  
13 than one offering in detention I mean in one moment,  
14 and actually young people can actually decide  
15 between, you know, poetry and meditation or  
16 treatment. So we actually have a unique opportunity  
17 now to have more than one offering at any one moment.  
18 So when your people can actually select those  
19 placements for their interests.

20 CHAIRPERSON CABRERA: What support, the  
21 one that they're most interested in?

22 DEPUTY COMMISSIONER FRANCO: Stephanie  
23 may know that better.

24 CHAIRPERSON CABRERA: What's--what's the  
25 winner today.

2           STEPHANIE: Well, sports.

3           DEPUTY COMMISSIONER FRANCO: Sports.

4           STEPHANIE: Sports, the drama club, they-  
5 -they really like the art programs. The--we have  
6 people coming in doing murals with the kids. They  
7 really like that.

8           CHAIRPERSON CABRERA: And what's the one  
9 that they least attend?

10          STEPHANIE: I'm sorry.

11          CHAIRPERSON CABRERA: Which one is the  
12 one they least attend? [pause]

13          STEPHANIE: I'm not sure. I--I--I'm  
14 really not sure, but I can get that information for  
15 you.

16          DEPUTY COMMISSIONER FRANCO: And--and,  
17 you know, to be honest, we don't have any program  
18 that is empty. So I mean there's always a youth  
19 interested in anything that we're doing in any one  
20 moment.

21          CHAIRPERSON CABRERA: So, is there any  
22 program that has too many young people in it?

23          DEPUTY COMMISSIONER FRANCO: I don't  
24 think.

2 DEPUTY COMMISSIONER KRAUSS: I don't  
3 think so.

4 CHAIRPERSON CABRERA: Well, based--so--so  
5 basically you have the capacity to handle all the  
6 kids and all the programs, and there's not a program  
7 that--

8 STEPHANIE: We do run into, you know,  
9 it's sometimes a question of timing. So if you're  
10 having tutoring and maybe a musical program at the  
11 same time--

12 CHAIRPERSON CABRERA: [interposing] No, I  
13 get that.

14 STEPHANIE: --kids might want to, you  
15 know. So we also have to be careful with how we time  
16 what's available, you know--

17 CHAIRPERSON CABRERA: [interposing]  
18 Yeah.

19 STEPHANIE: --at a given time.

20 CHAIRPERSON CABRERA: What I was  
21 referring--the norm. You know, sometimes you're  
22 going to have a schedule conflict or a light to go to  
23 two different types of maturity and how many hours a  
24 day are there available to all these opportunities?

25 [pause]

2                   STEPHANIE: So it's 3:00 p.m. to 8:00  
3 p.m. usually.

4                   CHAIRPERSON CABRERA: What was that  
5 again? I'm sorry.

6                   STEPHANIE: 3:00 p.m. to 8:00 p.m. So  
7 about five hours of programming after school or--or  
8 Monday through Friday.

9                   CHAIRPERSON CABRERA: So they get an--an  
10 hour of dinner time?

11                   DEPUTY COMMISSIONER KRAUSS: Yeah.

12                   STEPHANIE: About 40 minutes for dinner.

13                   CHAIRPERSON CABRERA: So dinner is at  
14 what time?

15                   STEPHANIE: I'm sorry.

16                   CHAIRPERSON CABRERA: What time is  
17 usually dinner, 5:00 to 6:00?

18                   STEPHANIE: Dinner is from like 4:30 to  
19 6:00.

20                   CHAIRPERSON CABRERA: To 6:00. It--?

21                   STEPHANIE: Well, you know.

22                   CHAIRPERSON CABRERA: Are there  
23 appointments available during that time that they can  
24 eat quickly and they go and participate or they have  
25 to wait until that period of dinner time is over?

2           STEPHANIE: Well, for the after school  
3 programs there's a choice. So there's about four or  
4 five programs they could go to. Some are right after  
5 school. Some are actually also offered in the  
6 evening after dinner, and then we have regular  
7 recreation time use of the gym, use of outdoor spaces  
8 when the weather permits.

9           CHAIRPERSON CABRERA: So are there  
10 programs for example at 5 o'clock running?

11           STEPHANIE: Yes.

12           CHAIRPERSON CABRERA: Oh, okay, so  
13 there's a program running.

14           STEPHANIE: Even when dinner is going on,  
15 there's also programs running.

16           CHAIRPERSON CABRERA: My last question  
17 here if I don't have any other questions from--

18           LEGAL COUNSEL: [off mic] I think we have  
19 one.

20           CHAIRPERSON CABRERA: Okay, my last  
21 question before I turn it over to my colleague,  
22 Council Member Lancman, for young people who do  
23 participate in recreational activity, and who  
24 cultivate a skill or a hobby, what efforts are made  
25 to connect a young person to an after care program or

2 young--where the young person can continue this  
3 activity so they, you know, you serve as a catalyst.  
4 I--I know for many of us the first time they got  
5 engaged into the wonderful programs that you offer,  
6 but what do we do to create that bridge so they can  
7 continue.

8 DEPUTY COMMISSIONER FRANCO: Yeah, I mean  
9 I think the--the wisdom of the Administration to  
10 actually house and fund recreational programs now  
11 through Passages through DYCD is that actually their  
12 intent is that they're part of that agency whose  
13 mission is to provide recreational and after school  
14 programming across the city. So we have a unique  
15 opportunity. We--we're beginning to explode and do  
16 better of in taking advantage of the opportunity of  
17 young people feeling that they can actually have a  
18 good time for social activities and identify social  
19 services in the community. We haven't been able to  
20 achieve that concretely with every young person. We  
21 have really good examples of cases of young people  
22 who begin in Close to Home participating in events  
23 with Carnegie Hall, and actually they maintain  
24 continuity of participation in Carnegie Hall after  
25 leaving Close to Home, and we are beginning to track

2 that, and we have actually had some really good  
3 examples of that happening very well. I think our--  
4 our challenge, and actually our opportunities to do a  
5 study what you're saying, Council Member, how we use  
6 the opportunity of the programming in the facility to  
7 create continuity of care with the Cornerstone  
8 programs that are happening in every one of the  
9 neighborhoods. I think our best effort right now is  
10 actually the City Council's funding of Cure Violence  
11 as an after care mentoring program within the  
12 detention and Close to Home. So now, for the first  
13 time we have ambassadors within those communities  
14 that are impacted by gun and violence coming in and  
15 doing targeted recruitment of young people in  
16 detention and Close to Home where they can actually  
17 continue their participation, and make sure that they  
18 don't go back to their old gun affiliations when they  
19 go back to their community. That's beginning to pay  
20 off, as you seen in your district, and we have four  
21 more of those, and we are beginning to get some  
22 really promising data about that.

23 CHAIRPERSON CABRERA: And Commissioner, I  
24 appreciate you working with the Cure Violence  
25 programs. When Council Member Jumaane Williams and

2 myself started with this new initiative Cure Violence  
3 one of the things we were concerned was the young  
4 people coming out of detention, and to be able to  
5 have follow up. I'm so glad that you have been able  
6 to incorporate that into your strategy to better  
7 serve our young people. Just to be sure, just to  
8 have clarity here, all--all of the young people are  
9 tracked or do some of them fall off the radar because  
10 they move out of the state? They don't get connected  
11 with the programs? How--how do we know how many of  
12 the young people are actually involved in the  
13 programs?

14 DEPUTY COMMISSIONER FRANCO: You're  
15 talking about Cure Violence now?

16 CHAIRPERSON CABRERA: No, I'm talking  
17 about any of the young people they come out of either  
18 Close to Home or detention.

19 DEPUTY COMMISSIONER FRANCO: Yeah. So  
20 the capacity--the capacity to look at the continuity  
21 of relationship between what happens in placement or  
22 detention and what happens when they return to the  
23 community. We don't have that capacity now.

24 CHAIRPERSON CABRERA: Okay.



2 DEPUTY COMMISSIONER FRANCO: So we  
3 actually are more prescriptive about making sure that  
4 our staff and the provider's staff knows what  
5 programs are similar in nature back in Far Rockaway  
6 or back in the neighborhood where they're going back  
7 to. And those--those conversations are happening.  
8 We don't have a mechanism to track it yet. But  
9 actually we are in really deep conversations with  
10 DYCD to particularly being on the Cornerstone  
11 program. So by re-identifying Cornerstone's best  
12 practice providers in the neighborhoods that actually  
13 populate the majority of cases in the Juvenile  
14 Justice system. We are planning to create a  
15 partnership so that's actually those providers  
16 similar to what you development of Cure Violence are  
17 available for those young people when they come back  
18 to the community.

19 CHAIRPERSON CABRERA: So do we have an  
20 interagency collaboration in tracking with the  
21 software where everyone shares that?

22 DEPUTY COMMISSIONER FRANCO: No, we  
23 don't.

24

25

2 CHAIRPERSON CABRERA: We don't. Okay, do  
3 you--do you believe that would be something that we  
4 should have? Because I know--

5 DEPUTY COMMISSIONER FRANCO: I--I think  
6 that we--

7 CHAIRPERSON CABRERA: I'm know there are  
8 some states, too, and I was doing some reading the  
9 other day on some states where they do have that.

10 DEPUTY COMMISSIONER FRANCO: Yeah, I  
11 think we're limited by some, you know,  
12 confidentiality challenges. I mean, you know,  
13 there's--there's a difference between the amount of  
14 information that we can provide for youth placed in  
15 foster care or Juvenile Justice, and what you get at  
16 agency who goes to an office with programming in a  
17 school setting. So maybe we will never be able to  
18 get a continued pathway from facility of program to  
19 the community, but I think we could create the  
20 networks. So actually people are waiting for those  
21 pieces when they get home.

22 CHAIRPERSON CABRERA: I--I think maybe  
23 where the confidence is--confidentiality issue, which  
24 I'm very big on having come up from the counseling  
25 field. I--I think maybe we could resolve it that you

2 would know not necessarily other agency would know.

3 That way you could do the tracking. Is that possible  
4 that you could set up the system to run that way, and  
5 that way we could do better tracking really to speak-  
6 -I mean sometimes good things happen, and they're not  
7 applauded because you simply don't know.

8 DEPUTY COMMISSIONER FRANCO: Yeah, it's  
9 hard for me to answer now, but it sounds like you  
10 have identified some best practices elsewhere. So  
11 we're--we're more than open to look into that.

12 CHAIRPERSON CABRERA: Great. Excellent  
13 Council Member Lancman.

14 COUNCIL MEMBER LANCMAN: Sure. One last  
15 question in the category of while I've got you here.  
16 What's the status of the rolling out of the limited  
17 secure placement facilities? I see from the--the  
18 Annual Report 2014 they were supposed to be rolled  
19 out in 2015, 4/2015. Are-are there any limited  
20 secure placement facilities that are--that are up  
21 and--up and operating or was it just a matter of  
22 transitioning some from one ownership to--to yours?  
23 Just--just briefly where are we on that?

24 DEPUTY COMMISSIONER FRANCO: Yeah, we--  
25 we're open. We opened in December of this year.

2 MALE SPEAKER: [off mic] No, no, last  
3 year.

4 DEPUTY COMMISSIONER FRANCO: Last year,  
5 this--the--

6 DEPUTY COMMISSIONER KRAUSS: [off mic]  
7 15.

8 DEPUTY COMMISSIONER FRANCO: 2015. It  
9 feels like yesterday, and we opened with the capacity  
10 of 66 beds, the limited secure.

11 COUNCIL MEMBER LANCMAN: And that's a one  
12 location or--?

13 DEPUTY COMMISSIONER FRANCO: No, I think  
14 I mentioned before we have how many locations.

15 DEPUTY COMMISSIONER KRAUSS: [off mic]  
16 Well, we will--It's hard to find.

17 DEPUTY COMMISSIONER FRANCO: We have four  
18 locations, two in the Bronx and one in Queens, and  
19 one in Dobbs Ferry.

20 COUNCIL MEMBER LANCMAN: Two in the  
21 Bronx, one in Queens--

22 DEPUTY COMMISSIONER FRANCO: And one in  
23 Dobbs Ferry.

24 COUNCIL MEMBER LANCMAN: One in Dobbs  
25 Ferry. Where is the one in Queens?

2 DEPUTY COMMISSIONER FRANCO: It's  
3 actually in Ocean Park.

4 COUNCIL MEMBER LANCMAN: Okay, and I  
5 assume the findings of the--the [coughs] DOI report,  
6 although it was limited, if I'm not mistaken, it was  
7 limited to the non-secure--

8 DEPUTY COMMISSIONER FRANCO:  
9 [interposing] Uh-huh.

10 COUNCIL MEMBER LANCMAN: -facilities or  
11 was it an over--were--were there recommendations that  
12 related to the limited secure block?

13 DEPUTY COMMISSIONER KRAUSS: There were  
14 actually. The--the recommendations that they made  
15 about non-secure placement they asked us to look at  
16 our Limited Secure Placement Regulations and see  
17 which ones are applicable, which we agreed to do.

18 COUNCIL MEMBER LANCMAN: Got it. Okay,  
19 thanks. Just wanted an update on that. I just have  
20 one last question, and thank you, Mr. Chairman. You  
21 said in your testimony, Commissioner, you're going to  
22 be visiting a minimum of eight per year, the sites.  
23 It doesn't seem like enough. It's only once every  
24 month and a half. Are these random sites like the

2 Health Department conducts at restaurants or are they  
3 scheduled sites or is there random--

4 DEPUTY COMMISSIONER FRANCO:

5 [interposing] Yeah, we have both. Maybe you can get  
6 that one.

7 ASSOCIATE COMMISSIONER MARTINEZ: Yeah,  
8 so we have--we'll be conducting both announced and  
9 unannounced visits. Those are minimum amount of  
10 visits that we'll be making but, as we monitor the  
11 sites we will enhance the visits that we make based  
12 on the--the work--the pilot testing, which the  
13 providers are meeting our expectations.

14 COUNCIL MEMBER LANCMAN: Okay, thank you  
15 very much, Mr. Chair.

16 CHAIRPERSON CABRERA: Thank you so much.  
17 With this we conclude our--our questions to the  
18 Administration, but I'm looking forward to having a  
19 hearing, an oversight hearing in the near future  
20 regarding Close to Home and giving you ample time, of  
21 course, to prepare for that. Thank you so much.

22 DEPUTY COMMISSIONER FRANCO: Thank you.

23 CHAIRPERSON CABRERA: And keep up the  
24 great work. With that, lets us have Dory Hack from  
25 the Center for [pause]. Dr. Jennifer Havens (sp?),

2 and Reverend Wendy Calderon from Bronx Connects and  
3 Dr. Jennifer Havens is from Bellevue Juvenile Justice  
4 Mental Health. [background comments and noise,  
5 pause] Just identify yourself. You're free to  
6 begin. Thank you.

7 DR. JENNIFER HAVENS: Good afternoon. My  
8 name is Jennifer Havens. I'm a child and adolescent  
9 psychiatrist, and the Director of the Department of  
10 Child and Adolescent Psychiatry at Bellevue Hospital  
11 Center. In that role I oversee Bellevue's continuum  
12 of emergency, new patient/outpatient mental health  
13 services. In addition, I oversee mental health  
14 services at the ACS Children's Center and in Juvenile  
15 Justice, and I'm here to share with you the kind of  
16 work we're doing in collaboration with ACS and the  
17 mental health arena. We began working in Juvenile  
18 Justice in 2012 when we received a Federal SAMHSA  
19 Grant to implement trauma-informed care in the two  
20 secure detention facilities in the Bronx and  
21 Brooklyn. This project had three main components.  
22 Number one, train all facility staff in the impact of  
23 trauma on youth in your care. Two, to address the  
24 lack of identification of trauma exposure and its  
25 mental health impact for through the implementation

2 of systematic screening at intake for trauma  
3 exposure, trauma symptoms, PTSD, depression and  
4 problematic substance used. And three, to establish  
5 groups for youth to educate them about the impact of  
6 trauma, and build their skills in recognizing  
7 feelings coping and managing interpersonal  
8 situations. A very important project of this--future  
9 of this project was a--was an emphasis on building  
10 the skills of frontline staff in these facilities.  
11 From our previous work, we know that when you're  
12 working with challenging kids, individual clin--  
13 clinical services are important and necessary, but  
14 for youth in residential settings they are not  
15 enough. The staff that work with these young people  
16 around the clock needs the skills and support to give  
17 a consistent positive response. So we work to  
18 created a shared language about trauma, build staff  
19 skills in working with traumatized youth, and create  
20 supports for staff as they work with this difficult  
21 to engage population. Another important part of our  
22 work has been the systematic identification--  
23 implementation of screening for trauma and related  
24 symptoms when young people enter detention. As I'm  
25 sure the committee knows, this is a highly



2 traumatized population, and for many of them--many of  
3 these young people, entering detention is now the  
4 first time that the impact of trauma on them has been  
5 identified. For some it's also first--the first time  
6 someone has helped them understand the impact trauma  
7 has had on their emotions, behavior and interpersonal  
8 relationships. And when we assumed the  
9 responsibility for direct mental health services in  
10 detention, which I'll get to that we found that the  
11 screening results really allowed us to reach  
12 appropriate diagnoses and set up appropriate  
13 treatments for these kids, something that was lacking  
14 in--in the previous mental health treatment team. In  
15 a lot of cases this has meant putting kids on less  
16 medication or more appropriate medication. For  
17 example in our experience anti-psychotic medications  
18 were being overused with young people in the Juvenile  
19 Justice system largely because they were volatile and  
20 angry, and medications for depression and ADHD, which  
21 are safer and more effective were being underused.  
22 The third part of our trauma grant was establishing  
23 skills for residents. So in the same way that we  
24 train staff about the effects of trauma on young  
25 people we also train the young people themselves. We

2 use a three-session version of the curriculum that we  
3 had developed on our Bellevue Adolescent Inpatient  
4 Service. These groups teach feeling recognition,  
5 coping skills, and interpersonal skills, and young  
6 people develop a personalized safety plan for  
7 themselves over the course of the three sessions. In  
8 the same way that we focused on the frontline staff  
9 with staff training, we also engage them from the  
10 start with these trauma skills groups. Each group is  
11 run by a mental health clinician in collaboration  
12 with a juvenile counselor, a frontline staff member.  
13 Implementing these groups of frontline staff of  
14 colliers (sic) serve to reinforce the training and  
15 trauma they had received, to help support the spread  
16 of a common language around trauma impact throughout  
17 the facility and importantly communicate respect for  
18 the essential role frontline staff play in the care  
19 of detained youth.

20 As an outgrowth of our work on  
21 implementing trauma informed care in collaboration  
22 with the ACS leadership in these facilities in 2014  
23 our clinical team at Bellevue began collaborating  
24 with ACS to develop a more and expanded model of  
25 mental health service delivery for secure detention.

2 In October 2014, we were awarded a contract for full-  
3 time on-site psychiatric services serving both secure  
4 and non-secure detained populations. We were asked  
5 to establish a psychological service in part to  
6 provide assessment of residents going to Close to  
7 Home placements. Our current staffing model includes  
8 2.5 psychiatrists and 3.5 psychologists. The  
9 important change in the psychiatry model was rather  
10 than using part-time people to run the facility  
11 several a week, we now have a full-time doctor in  
12 each facility who was integrated into the work of the  
13 team. We provide 40 hours a week of on-site coverage  
14 at both secure detention sites in addition to serving  
15 both secure and non-secure detention populations of  
16 this capacity on week days. There is also an on-site  
17 psychiatry coverage on weekends, and availability by  
18 phone for complication 24 hours a 7 days a week.  
19 Referrals come from a broad range of sources  
20 including medical services, the Mental Health Masters  
21 Level therapists, residents, guardians and attorneys,  
22 facility case management, facility staff as well as  
23 court ordered evaluations, thus helping to ensure  
24 that vulnerable youth with psychiatric treatment  
25 needs have multiple paths by which they can be

2 identified for psychiatric intervention. Outside of  
3 performing full diagnostic evaluations and psycho  
4 informed (sic) consultations, psychiatry also  
5 provides medication management, monitoring and  
6 regular clinical follow-up of those residents who are  
7 on medication, individual therapy, attendance at  
8 family meetings and transitional meetings where  
9 residents are placed in Close to Home--in the Close  
10 to Home continuum, and we closely collaborate with  
11 facility administration and frontline staff in  
12 identifying and discussing the specific treatment  
13 needs of individual use. We also maintain a very  
14 close and collegial relationship with the medical  
15 staff in the building and actively practice a  
16 treatment mode that encourages multi-disciplinary  
17 approaches in caring for these residents. On a  
18 daily--on the most basic level it is important for  
19 young people's healthy development and for the safety  
20 and--of secure facilities to keep them occupied and  
21 structured--structured and well supervised  
22 activities, the same as in their families and in  
23 their communities. But in our view, it is also  
24 important to understand the distinction between  
25 recreational and therapeutic activities. Some

2 activities are purely recreational, and--which is  
3 appropriate. The kids live there. Some activities  
4 promote positive development and general resilience  
5 building. For example, and cooking group or one that  
6 engages young people in animation projects. Some  
7 activities still focus heavily--more heavily on  
8 either therapeutic skill building and instilling  
9 positive behaviors. For example, our trauma focused  
10 skill buildings groups. All these activities serve a  
11 vital purpose, but they--just across the continuum,  
12 but the more therapeutic activities being led by  
13 clinically trained staff with structured goals.  
14 Finally, I'd like to say a word about outcomes.  
15 While process outcomes, how many, who got them, what  
16 percentage are maybe a good reflection of effort,  
17 they do not tell us if we are reaching our goals in  
18 this work. For example, in our work implementing  
19 trauma-informed care, we are focusing on facility  
20 wide outcomes, which will indicate whether we have  
21 succeeded in culture change such as reductions in  
22 assaults and staff injuries. In our mental health  
23 work we are focusing on the accurate identification  
24 of mental health problems, the implementation of  
25 effective treatment plants, and very importantly

2 implementing and evaluating strategies to improve  
3 communication about youth's mental health needs as  
4 they transition out of detention. These kinds of  
5 data allow us to assess if we are truly reaching our  
6 goals, which include operating a safe facility, which  
7 serves to address the mental health needs of its  
8 residents, and ultimately have the potential to  
9 change the tra--trajectories of youth in our care.  
10 Thank you.

11 REVEREND CALDERON PAYNE: It's on? Okay.  
12 Chairperson Cabrera and members of the Council. Thank  
13 you extending the invitation to address the Council  
14 on the important subject of program services provided  
15 to youth in placement and detention facilities. I am  
16 Wendy--Reverend Wendy Calderon Payne. I'm the  
17 Executive Director over Bronx Connect, which is the  
18 only Bronx based Juvenile Justice organization  
19 serving Bronx court involved youth for over a decade,  
20 16 years to be exact. From its inception our program  
21 has addressed the epidemic of juvenile incarceration  
22 among our poor Black and Hispanic youth. We are  
23 actually one of the few programs that actually came  
24 out of the community, and we have gone strong for 16  
25 years. On behalf our organization and the Bronx

2 community we serve, please accept my deep  
3 appreciation for recent legislation around  
4 transparency in Juvenile Justice. It's a community  
5 based organization staffed by people of color and ex-  
6 offenders. Juvenile Justice is not something that we  
7 do. This is our community, and this disproportionate  
8 minority confinement affects us personally. Quite  
9 bluntly, we speak as those who realize when we look  
10 up in our community that our young men are gone.  
11 They are not present in our community. They're  
12 actually filling beds in jails. So, as a community  
13 we would like to know what services are being offered  
14 to our youth in placement and facilities. I think,  
15 though, that the legislation can go a little further.  
16 I think we need some transparency on how much these  
17 services cost per youth. Is it the overall cost of  
18 being at Horizons for a year, or is it the cost of a-  
19 -an extra provider coming in? The people that come  
20 in, where do they work? Are they from the community?  
21 Are they from the person's local house? You know,  
22 local community or are they from another borough,  
23 another state? Where is the contractor from. As a  
24 community based organization, I'm always asking where  
25 the contractors are from. I think that this is

2 something that should be transparent, and then how  
3 does ACS actually rate success? I think we're all  
4 really thinking about how can you rate success? Is  
5 it family engagement? Is it is less fights? Is it  
6 personal wellbeing? You know, a lot of times we rate  
7 success in the ATI and ATD world as recidivism, and  
8 there are many in my community who say recidivism  
9 should be taken off the table. I personally don't  
10 believe that because as a member of the Black and  
11 Hispanic community I believe that our youth have to  
12 stop thinking that recidivism and being arrested is a  
13 normal part of their lives. So I'd like recidivism  
14 to stay, but there's also other things. There's  
15 engagement in schools, engagement of family, a pos--  
16 that are positive outlooks. So there's--I'm not one  
17 to take it off, but I'm one to add others. I'd like  
18 to know what services are provided per youth, and not  
19 an aggregate number because you can actually--there  
20 might be youth--when Bronx Connect began, we began  
21 with the charge to start to show high risk youth, but  
22 we realized they weren't in school. The kind of  
23 youth we needed had already dropped out of school.  
24 So you might have kids in detention who are kind of  
25 better off, and they're the ones taking care of all



2 the services. So you need to kind of look for each  
3 young person. How do we track what services? How do  
4 we track how many times the family came in? What  
5 kind of family support they have, family engagement.  
6 I really like the point about therapeutic.  
7 Recreation is not therapeutic. Therapeutic is not  
8 recreation. They need both. How many youth can be  
9 placed in community programs as opposed to placement?  
10 It is--I've sat in meetings where I hear about ATP  
11 programs having open spaces, and it infuriates me. I  
12 don't know why there are open spaces in ATP programs  
13 when we have so many kids in Horizons. And--and ATP  
14 programs are always better in my opinion. In terms  
15 of gauging success, I just really feel that--that I  
16 don't want to--I do want to know what programs are  
17 being offered to my community youth, but I want to  
18 know how successful they are. I want to know how  
19 much they're costing us. I want to know how much  
20 they're--they're adding back to my community in terms  
21 of employment and engagement. I want to know whether  
22 they're culturally simple, culturally sensitive or--  
23 You know, I want to know whether the young people in  
24 Horizons are going to see people who look like them  
25 who are from their community who are succeeding and

2 employed, you know. And then as a community group I  
3 also would love--I love the fact that you got--that  
4 your Cure Violence site got some young people out of  
5 detention, but I've talked--I've testified about this  
6 before. I feel like there is--there's a lot of red  
7 tape in terms of discharged planning. I've been told  
8 that by Horizons' staff that there's difficulty in  
9 that, and you need to ask about that. How can we do  
10 a greater discharge planning for these young people?  
11 And then finally, I'm--I'm going to just plug this.  
12 You know, we need transparency. We need to really  
13 understand how successful programs are. We need to  
14 know publicly. The community needs to know what are  
15 you doing, and how good is it. And so, I thank you  
16 for this--this legislation, and I'm--I'm going to ask  
17 you push it a little further if you can.

18 DORY HACK: [coughs] Good afternoon,  
19 Chair Cabrera and members of the Committee on  
20 Juvenile Justice. My name is Dory Hack and I'm the  
21 Director of Youth Justice Capacity Building at the  
22 Center for Court Innovation, and thank you for the  
23 opportunity to address the committee. The Center for  
24 Court Innovation is committed to improving outcomes  
25 for young people impacted by the justice system. The

2 center grounds with youth programming in the robust  
3 body of research on adult and brain development,  
4 childhood trauma, youth development and positive  
5 youth justice. Our youth programs emphasize  
6 participants--participants' strength, building core  
7 skills and competencies, promoting positive  
8 connections to peers, family and community and  
9 providing opportunities for youth to learn and  
10 practice healthy behaviors. Our Juvenile Justice  
11 programs service a vibrant neighborhood resource  
12 centers offering participants new pathways that lead  
13 away from system involvement and towards academic,  
14 social and vocational successes. The Center  
15 supports the Council's efforts to create more  
16 transparency and accountability within juvenile  
17 detention and placement facilities. The Center is  
18 currently a service provider within the detention  
19 facilities operated by ACS. So our services would be  
20 included under the proposed legislation. The  
21 Brownsville Community Justice Center has provided  
22 arts based programming for young people detained at  
23 Crossroads Juvenile facility in Brownsville. This is  
24 facilitating workshops and providing young people the  
25 opportunity to express themselves creatively.

2 Similarly, in the Bronx, Save our Streets--Streets is  
3 piloting a new version of violence prevention at the  
4 Horizons Juvenile Center. Each week, Save our Street  
5 staff engage young people in conflict resolution  
6 workshops and other interest based activities. We  
7 would like to take this opportunity to highlight the  
8 importance of the services provided to young people  
9 back in the community after leaving detention or  
10 placement facilities. While this hearing is focused  
11 on what takes place within the facilities, the  
12 Council must consider the types of resources and  
13 programming available to young people and their  
14 families as they return home. Re-entry planning  
15 should begin once plan--placement has been  
16 determined, and ACS Close to Home facilities  
17 operators, schools, social service providers and  
18 community based organizations should work together to  
19 ensure that young people and their families receive  
20 appropriate services to support their transitions  
21 back into the communities.

22           The Center for Court Innovation has been  
23 working in collaboration with ACS to provide after  
24 care services for youth returning to the community  
25 from Close to Home placement sites. Our services

2 provide a structured strength based community after  
3 care continuum for youth in key neighborhoods in  
4 Brooklyn, Upper Manhattan and the South Bronx, Staten  
5 Island and Queens. We receive referrals from ACS of  
6 youth leaving Close to Home facilities and provide a  
7 robust array of services at our Harlem Community  
8 Justice Center, Brownsville Community Justice Center,  
9 Queens Youth Justice Center and Staten Island Youth  
10 Justice Center. Our strategies include early  
11 engagement where young people are still in placement;  
12 ongoing collaboration and communication with ACS  
13 workers and other service providers, and family  
14 engagement. Young people receive individualized case  
15 management services and clinical interventions  
16 including referrals to other providers. Our Justice  
17 Centers all--also offer a host of after school  
18 programs including competency building workshops,  
19 recreational, artistic and cultural activities, and  
20 internship opportunities and referrals for summer  
21 youth employment. We engage families as partners in  
22 the after care process with family team meetings and  
23 family events. We promote community engagement by  
24 offering youth oriented service learning  
25 opportunities and community leadership development

2 programming including Youth Court and Neighborhood  
3 Justice Councils. [background noise] In addition,  
4 we provide educational advocacy collaborating with  
5 the Department of Education and families to ensure  
6 appropriate school placements and educational  
7 services. We are proud to collaborate with ACS in  
8 building an after care model and expanding community  
9 based services and programming for youth leaving  
10 Close to Home facilities. We hope that the Council  
11 can support expanded youth programming that extends  
12 beyond the time young people are under the authority  
13 of ACS or Family Court, and to help those young  
14 people who spent time in placement facilities achieve  
15 enduring success back in the community. Thank you  
16 for the opportunity to speak, and I'm happy to answer  
17 any questions you may have.

18 CHAIRPERSON CABRERA: Thank you so much  
19 for your testimony. As a matter of fact, let me  
20 start with the last point that you were making here  
21 in terms of what happens after they get out. You  
22 heard me ask the question to our Deputy Commissioner  
23 regarding the whole idea of tracking whether we  
24 should have a system within the system that will be  
25 able to have ACS have the ability to track within

2 other agencies. Do you believe that we should have  
3 such a system in place or it's not going to better  
4 help us know whether we're truly following up with  
5 our young people?

6 DR. JENNIFER HAVENS: Certainly speaking  
7 from the angle of--it's great to meet you, too. From  
8 the angle of the mental health services, this is a  
9 huge problem, and it's not--the kids that go into  
10 placement actually tend to get more services than the  
11 kids that come right out of detention, and they get  
12 nothing as far as I can tell. And we also struggle  
13 really--

14 CHAIRPERSON CABRERA: [interposing] Say  
15 that again, if you will please?

16 DR. JENNIFER HAVENS: Well, when a kid is  
17 released from detention and doesn't go into  
18 placement, there--there isn't an array of services  
19 immediately available to them, and--and there's a  
20 pretty robust array of services for kids in  
21 placement, and obviously you're dealing with the kids  
22 coming out of placement. The other thing I think the  
23 Council needs to be aware of is that there's a real  
24 lack of mental health services for these kids and  
25 families. In these communities they have the--have

2 the expertise and the model to really work  
3 effectively with this population so--

4 CHAIRPERSON CABRERA: [interposing] Why  
5 is that? I mean is it because the non-profits are  
6 not coming to these communities, or because--

7 DR. JENNIFER HAVENS: It's because--it  
8 is--it's a complicated question having to do with the  
9 entire kids mental health system, but where many  
10 outpatient providers are really struggling to  
11 survive. But these are general--this is a  
12 generalization. Please be aware of that--

13 CHAIRPERSON CABRERA: [interposing]  
14 Right.

15 DR. JENNIFER HAVENS: --but, you know,  
16 these are families that don't necessarily have a  
17 relationship with the mental health system that would  
18 allow them to engage and the services aren't there.  
19 It's a combination. You can speak to this.

20 DORY HACK: I--yes, and I'm happy to. I  
21 do want to answer your--the question that you posed,  
22 which is about--

23 DR. JENNIFER HAVENS: [interposing]  
24 Tracking.



2 DORY HACK: --tracking from, and so as  
3 part of our after sort of our after care  
4 collaboration with ACS, we are--we firmly believe  
5 that there should be collaboration and a continuum of  
6 tracking because our work is best served if we--if it  
7 begins before the young person leaves placement, when  
8 they are still in the care of ACS, and we work  
9 closely with ACS to make sure we are tracking what is  
10 appropriate of the services we're delivering and  
11 provide that information so that we understand that  
12 each young people--person and their family are  
13 engaged properly.

14 DR. JENNIFER HAVENS: You--you have to be  
15 careful with tracking because it has implications  
16 also about people's privacy, but--

17 DORY HACK: [interposing] Right.

18 DR. JENNIFER HAVENS: --certainly the--  
19 certainly we should have better communication among  
20 providers, and we're actually working on something  
21 called a mental health passport. So when a kid  
22 leaves detention we have something that we can--with  
23 the kid's and the family's permission obviously that  
24 we can share with the next set of providers. So  
25 whatever we've been working on with that child and

2 their family, the next provider knows about. I mean  
3 breaking down the lack--the lack of effective  
4 communication across transitions is very important.  
5 I'd be nervous about tracking because it sound like  
6 you ended up in jail and that you're followed for the  
7 rest of your life.

8 DORY HACK: Right, sorry--and I would say  
9 by tracking I am thinking about what services are  
10 delivered possibly aggregately or by provider not  
11 necessarily--I agree with you, confidentiality and  
12 privacy especially around mental health services or  
13 other needs, needs to be carefully, carefully  
14 considered.

15 CHAIRPERSON CABRERA: Right. What--what I  
16 was proposing or at least entertaining was that if a  
17 young person end up in summer youth employment or any  
18 other program that is funded by the Department of  
19 Youth or any other city agency, and I'm just that as  
20 a--as an example, it's not that that program per se  
21 unless you have a system like you just mentioned,  
22 passport with consent from the parents of course.  
23 But I--I'm just--

24 DR. JENNIFER HAVENS: And the youth.  
25 (sic)

2 CHAIRPERSON CABRERA: --and--and the  
3 youth, indeed, that--that ACS will be able to know  
4 that they will be the ones who will be able to know  
5 are they continuing to receive services. Would they--  
6 --would that be--would there be a con--would there be  
7 some kind of invasion of privacy with that?

8 DR. JENNIFER HAVENS: [off mic] I don't  
9 think there is.

10 CHAIRPERSON CABRERA: I don't you would  
11 break any of the ethical guideline [laughter] in our  
12 field, and I think it will be helpful. You know, I--

13 DR. JENNIFER HAVENS: It would be  
14 technically quite challenging.

15 CHAIRPERSON CABRERA: Yes.

16 DR. JENNIFER HAVENS: Yes.

17 CHAIRPERSON CABRERA: I think under the  
18 right parameters maybe we can make it happen. I know  
19 it's happening in other states just so you know the  
20 interest into it. Yes.

21 REVEREND WENDY CALDERON: I just want to  
22 say MOCJ is creating a whole database of services  
23 available for adults. So I think it's called Chart  
24 Your World. I can send you--I have some paperwork on  
25 it.

2 CHAIRPERSON CABRERA: Okay.

3 REVEREND WENDY CALDERON: I'll send it to  
4 your office so it's--but it's for adults, but it's  
5 probation and they just had a big re-entry committee.  
6 They gathered, you know, I don't know 80 of us. Put  
7 us in a room, talked to us, Dr. Glazer. So they're--  
8 they're having--they're creating this database about  
9 involvement and--and services rendered. I do think  
10 there needs to be some sort of continuation, and  
11 conversation, although--but I do also believe that,  
12 you know, Legal Aid and Bronx Defenders and Brooklyn  
13 Defenders are going to be strong enough that if we  
14 riling(sic) anyone, right, that you will hear from  
15 it. So, you know, there's--there has to be a way to  
16 better chart how we serve our children our most  
17 vulnerable.

18 DR. JENNIFER HAVENS: And--and how we  
19 communicate among ourselves about our young people  
20 because I think that's an important--when we know  
21 what the other adults have been doing for this young  
22 person. The young person actually knows it, and  
23 feels better understood--

24 DORY HACK: [interposing] Uh-huh.

2 DR. JENNIFER HAVENS: --and if they're  
3 not paranoid, right? [laughs]

4 DORY HACK: Right. I mean, you're--  
5 you're talking about young people for whom there may  
6 be multiple forms of system involvement, and not  
7 always positive experiences. So the better that we  
8 can provide services to the youth and the family in a  
9 consistent and collaborative manner, the better  
10 everyone is served.

11 REVEREND WENDY CALDERON: So just to give  
12 you the thing about confidentiality issues, we've had  
13 programs in Supreme Court and Family Court in the  
14 Bronx and we've had kids with two charges, and trying  
15 to get them in one program not the other and  
16 literally being told that they're not allowed to talk  
17 to each other about--I mean it's--Well, you know, I--  
18 I understand, but it's--sometimes it's a little  
19 frustrating.

20 CHAIRPERSON CABRERA: I--I think  
21 sometimes the young person leaves us out when they're  
22 thinking we're trying to protect, they--they become  
23 the victim of--of the very thing that is trying to  
24 supposed help them. So, you know, it's something

2 that we need to look at and maybe perhaps looking at  
3 best practices out there and other states.

4 REVEREND WENDY CALDERON: You know, we  
5 have options with the mental health information  
6 because as long as you follow the HIPAA rules and  
7 have consent, you can share information from one  
8 provider to the next, and that's really important  
9 that--that somebody go to a Close to Home placement  
10 and actually we're trying to work it out so that they  
11 can actually talk to the person who took care of the  
12 kid in detention, and who has some real knowledge  
13 about the kid. And I think that would be really  
14 helpful.

15 CHAIRPERSON CABRERA: I think that's key.

16 REVEREND WENDY CALDERON: Yes.

17 CHAIRPERSON CABRERA: Well, thank you so  
18 much.

19 DR. JENNIFER HAVENS: Thank you.

20 REVEREND WENDY CALDERON: Thank you.

21 CHAIRPERSON CABRERA: It was very  
22 informational, and I believe that we could use some  
23 of the information you gave--gave to make the bill  
24 even better. At this moment, I'm going to call for  
25 the second panel, public panel--[pause]. We do have

2 Judy Yu from Correction Association of New York;  
3 Alyssa McCarthy from Sheltering Arms, and Jeffrey  
4 Butts and Emily Pelletier from John Jay College.  
5 [background comments, pause] You can begin when  
6 you're ready. [pause]

7 JUDY YU: Hi, good afternoon. I'm  
8 Director of the--I'm Judy Yu. I'm Director of the  
9 Juvenile Justice Project at the Correctional  
10 Association of New York. We are an independent non-  
11 profit organization founded by concerned citizens in  
12 1844, and we have the unique authority granted by the  
13 New York State Legislature to inspect prisons and  
14 report its findings and recommendations to the  
15 Legislature, the public and the press. The Juvenile  
16 Justice Project works to reduce incarceration of  
17 children and youth and create a safe publicly  
18 transparent and accountable youth justice system.  
19 Through advocacy, coalition building, youth  
20 leadership development and public education, we  
21 promote child centered policies and practices that  
22 protect the dignity, safety and human rights of youth  
23 who come into contact with the law. I want to thank  
24 you Chair Cabrera and members of the committee for  
25 the opportunity to testify today. The Correctional

2 Association of New York supports Intro No. 949, and  
3 we want to commend the New York City council members  
4 for proposing this law. We actually provided  
5 testimony last year in January 2015, and urging  
6 enactment of such legislation, and our testimony  
7 noted that comprehensive--providing comprehensive and  
8 effective programs and services to young people in  
9 ACS detention and placement facilities is important  
10 for young people's wellbeing and growth, and that  
11 it's been shown to both reduce recidivism and  
12 increase long-term positive outcomes. We noted in  
13 our testimony at the time that council members,  
14 communities and family members as well as advocates  
15 should have access to information about the programs  
16 and services in detention and placement to fully  
17 understand and analyze the provision of such programs  
18 and services. This is why we support the proposed  
19 legislation, and we also have some additional  
20 recommendations to enhance its effectiveness. So as  
21 ACS, and we want to first actually commend ACS  
22 because it has done a tremendous amount of work to  
23 develop and expand its programming for youth in  
24 placement and detention, and as it continues do to  
25 this, it's equally important that members of this



2 Council, community and family members, advocates  
3 should have access to information about these  
4 programs and services. Parents in New York City have  
5 access to information about their child's education  
6 including the daily schedule, their classes, their  
7 activities. They can find out about their child's  
8 schools graduation rate, the suspension rate,  
9 attendance rate, and a host of other metrics.  
10 They're also able to call their child's school, visit  
11 the school and observe classes and activities.  
12 Obviously there are some important differences  
13 between a local--between a school setting and a  
14 combined youth justice setting, and there may be  
15 complex clinical and safety issues present. However,  
16 parents, caregivers, community members, advocates and  
17 members of this and other legislative bodies have a  
18 right to know what is happening to and for youth  
19 inside locked facilities, how their tax--how our tax  
20 dollars are being spent, and what those dollars are  
21 buying in terms of outcomes. And in that spirit I  
22 want to make the following recommendations.

23           The percentage of youth or the number of  
24 youth in each facility utilizing such services  
25 [coughs] and programs should be disaggregated by

2 gender as well as by race and ethnicity. We feel  
3 it's really vital that families and the public have  
4 information about whether the programs and services  
5 in detention and placement reflect the backgrounds,  
6 identities, and cultures of youth in custody. We  
7 also noted in previous testimony that girls now make  
8 up a growing percentage of the youth justice  
9 population nationwide, but their needs are often not  
10 met by a youth justice system that primarily was  
11 designed for males. It is important to track whether  
12 girls in the system are responding to offered  
13 programs and services, and I'd also like to note  
14 there is a need for more gender responsive  
15 programming, which means programs that are more  
16 comprehensive, safe, empowering, community and family  
17 focused and relational. And that they also do not  
18 fall into stereotypes about girls such as focusing  
19 solely on feelings, and not providing opportunities  
20 for girls to learn concrete skills such as mechanics.  
21 It's also crucial for staff and program providers to  
22 understand and work with gender in a nuanced way  
23 including the fact that not all young people who are  
24 identified female at birth identify as female or as  
25 girls, and that programming and services for girls

2 should all include transgender girls. We are  
3 actually very heartened by efforts the Commissioner  
4 and her staff have made toward incorporating more  
5 gender responsive programming and services. There  
6 was a recent all day convening on the issues girls in  
7 New York City's foster care and youth justice systems  
8 face in innovative and effective responses. We hope  
9 that that work continues to build, and in doing so we  
10 think it would be helpful for City Council and the  
11 just--and the public to see how many girls in the  
12 system are being served, and how those services are  
13 helping them. We also feel that ACS should provide a  
14 summary accompanying the report that provides a brief  
15 description of each program and service provided at  
16 facilities. This is to further understand if ACS is  
17 serving the needs of all youth with diverse needs.  
18 This should include whether any program whose  
19 services are specifically for certain populations of  
20 youth such as for young men, for young women, for  
21 LGBTQ youth. And in addition we recommend ACS  
22 provide descriptions of the major needs or issues,  
23 programs and services--the program and service aims  
24 to address such as special education, substance use,  
25 problematic sexual behaviors, limited English,

2 commercial sexual exploitation and developmental and  
3 intellectual disabilities. In its report, ACS should  
4 also explain how they define utilization of services  
5 and programs. The proposed law will result in a  
6 report it seems us that shows a percentage of youth  
7 utilize programs and services per month at a  
8 facility. To get a better sense of youth engagement  
9 with programs and services, we recommend that the law  
10 also asks the agency to define what they consider  
11 utilization. For example, if a youth attends a  
12 program one time in a month, is that considered  
13 utilization of that program? Erratic or rare youth  
14 participation in programs and services will not be as  
15 beneficial obviously as consistent engagement. We  
16 also recommend that the law should mandate reporting  
17 about family engagement in programs and activities  
18 for youth in detention and placement. Forty years  
19 worth of research has demonstrated that family  
20 engagement improves outcomes for justice system  
21 involved youth including reduced violent incidents  
22 while in care, and improved recidivism rates.  
23 According to a recent report from the Vera Institute  
24 on family engagement, facilities in places like  
25 Indiana, Oregon, Vermont and Wisconsin allow families

2 to visit everyday and have seen positive results, and  
3 youth with frequent contact with families showed  
4 dramatically lower incidents at the facility. Family  
5 engagement and identifying supports in the community  
6 such as mentors, extended family members or positive  
7 peers can help with successful reentry and ultimately  
8 prevent recidivism. We recommend that the City  
9 Council require that ACS report on the amount of  
10 family engagement for each youth in facilities, and  
11 that this also includes more informal engagement such  
12 as attending a celebration or a performance by youth.  
13 To have an initial understanding of the relationship  
14 between youth engagement in programs, and use of  
15 force and incident rates at detention and placement  
16 facilities, we also recommend that ACS release  
17 incident data filtered by participation in programs  
18 and services.

19 ACS was placed under a Corrective Action  
20 Plan from New York State Office of Children and  
21 Family services regarding the excessive use of  
22 restraints and room confinement in its detention  
23 facilities. Although it's our understanding that due  
24 to improvements, ACS will be released from the plan  
25 shortly. In their Secure Detention Focused Review,

2 OCSS specifically stated that ACS should increase the  
3 availability of programming for youth during the day  
4 and evening. And, also stated that increasing  
5 activities would contribute to enriching the day-to-  
6 day environment in detention and engage youth in a  
7 healthier way. We recommend that ACS release the  
8 incident data filtered by Program Services'  
9 participation. Specifically, ACS should report what  
10 percentage of youth involved in peer-on-peer  
11 altercation, youth-on-staff altercation, physical or  
12 mechanical restraint by a staff member and room  
13 confinement received programs and services that  
14 month. And last but not least, to understand how the  
15 programs services needs of LGBTQ youth are being  
16 served, the law should require that ACS report on the  
17 percentage of staff in detention and placement at  
18 each facility who received LGBTQ training, and report  
19 on the programs and services that have any LGBTQ  
20 specific content embedded in the curriculum.

21 National data indicates that there are  
22 disproportionate numbers of LGBTQ youth in the  
23 justice system with one studying finding 20% of youth  
24 in detention identified as lesbian, gay, bisexual or  
25 gender non-conforming. The same study found that 40%

of girls in the system self-identified as LGBTQ. We applaud ACS for its strong LGBTQ anti-discrimination policy and guidelines developed in collaboration with advocates including the Correctional Association.

It's unclear, though, whether this policy is meaningfully implemented at all facilities and whether LGBTQ youth in detention and placement are receiving LGBTQ affirming programs and services.

Discrimination and harassment based on sexual orientation, gender identity and gender expression seriously impacts a youth's ability to participate meaningfully and successfully in programs. WE

recommend that ACS report on the number of staff that have completed mandatory training on working with

LGBTQ, and to specify the program services that have any LGBTQ content embedded in the curriculum. And as

mentioned earlier, we recommend the agency provide a summary of programs and services at each facility,

and that the summary includes information about any programs or services that are designed specifically

to serve a particular population including LGBTQ

youth. I want to conclude by again stating that we

support Introduction No--Intro No. 949 and we really

commend Cabrera--Council Member Cabrera and members

2 of the City Council who sponsored this bill. We very  
3 strongly feel, and believe that improved transparency  
4 is important for the youth in facilities, families  
5 and communities, and that providing a rich array of  
6 programs and services can only support the growth and  
7 development of youth and improve outcomes. We  
8 believe that proposed legislation and our suggested  
9 additions can encourage greater transparency,  
10 accountability and also clarity about the utilization  
11 and impact of such services and programs. Thank you.

12 [background noise, pause]

13 ELIZABETH MCCARTHY: Good afternoon. My  
14 name is Elizabeth McCarthy. I'm the CEO of  
15 Sheltering Arms, Children and Family Services. Thank  
16 you for the opportunity to testify today. Sheltering  
17 Arms helps over 22,000 low-income children and  
18 families through our work in the Bronx, Manhattan,  
19 Brooklyn and Queens. We operate 11 Early Childhood  
20 Education Centers, after school programs, Juvenile  
21 Justice programs, foster care preventive services,  
22 Article 31 mental health clinics and services for  
23 developmentally disabled adults. Throughout our 180  
24 years of service we've been committed to transforming  
25 the lives of the city's highest need children and



2 families. And as the city's needs have changed,  
3 we've evolved in our practice. We've partnered with  
4 the city and worked with nationally recognized  
5 universities and foundations to create programs for  
6 vulnerable children and young adults and collaborated  
7 with elected officials and community leaders to scale  
8 upon significant initiatives like Cure Violence,  
9 which we operate in the Far Rockaway. Our theory of  
10 change for New York's most vulnerable children and  
11 families starts with safety and security, and success  
12 is attained through the quality of our staff, many of  
13 whom are from the communities where they're working,  
14 the rigor of our programming and the breadth of our  
15 partnerships. With those priorities in mind, we're  
16 pleased to partner closely with ACS and the city's  
17 leaders to continually improve the quality of Close  
18 to Home. In 2012, we were the first organization to  
19 open a Close to Home facility, and we began by  
20 operating three non-secure placement homes in the  
21 Bronx, and have since added one in Queens. After  
22 years of high recidivism rates among youth offenders  
23 in New York City, we viewed then and still do view  
24 Close to Home as a critical step to transforming the  
25 Juvenile Justice system. Admittedly, the first few

2 months were difficult. We needed to find the right  
3 way to blend our programming model, which was based  
4 on a nationally recognized framework for therapeutic  
5 care with our safety and security protocols. After  
6 working through those initial growing pains, we were  
7 able to develop a system that ensures high levels of  
8 safety and security, which has therefore allowed us  
9 to develop our therapeutic and academic programs.  
10 Our security protocols are comprehensive, and involve  
11 program staff on site as well as management and  
12 quality assurance teams who monitor the programs  
13 extensively. We have several methods of oversight to  
14 ensure the system has rigorous adherence. The  
15 supervisor reviews the logbook throughout the shift,  
16 and it is reviewed once more when the new shift  
17 arrives, when there's a comprehensive briefing, which  
18 covers any issues going on in the homes and all  
19 pertinent security matters. In the evenings our  
20 staff conduct bed checks every 15 minutes with a  
21 flashlight, and whereabouts of youth are documented  
22 in the logbook. On each shift, staff conduct checks  
23 on the security infrastructure including the fire  
24 alarms, exit lights, security alarms, homes' backup  
25 generators and the exit doors. And these components

2 are reviewed for functionality, and our facility  
3 staff is on call around the clock to fix anything  
4 that requires attention. Additionally, we have a  
5 camera system that covers all parts of the home, and  
6 the external perimeter, and this camera system can be  
7 actually accessed by the site directors not only on  
8 site but remotely. Throughout every shift there are  
9 multiple times where the program staff and our  
10 quality assurance staff are checking the cameras. We  
11 also hold routine in-person spot checks, which are  
12 administered by site directors and our Quality  
13 Assurance Department. Staff are not warned in  
14 advance and, for example, our QI Department may  
15 arrive in the middle of the night, and visit all of  
16 our facilities simultaneously so they can't inform  
17 each other that a check is occurring. It's an  
18 important element of our overall approach to quality  
19 control. [background noise] This comprehensive--a  
20 comprehensive system for safety and security works in  
21 harmony with our therapeutic services. It's a group  
22 based program that's built on goal setting and  
23 accountability among all parties including youth,  
24 their families who are involved in our service plan  
25 throughout placement and do visit the facilities

2 quite often. When we are able to keep youth safe,  
3 they're more prepared to identify their strengths and  
4 opportunities and participate in positive activities  
5 and ultimately attain their goals. This process  
6 provides clear insight into the safety and emotional  
7 needs of our youth, which help us provide more  
8 intensive care when needed. We are undeterred in our  
9 belief that Close to Home approach and quality of our  
10 services, and we saw a dramatic drop in--incidences  
11 in our home after the first two months of operating  
12 the programs. Nearly everyday we hear stories of  
13 success, and are encouraged when youth catch up in  
14 school for the first time or when our young girls  
15 discover voice and self-esteem through the music and  
16 poetry, and we have an extensive arts therapy  
17 program. We're optimistic when we see how firmly  
18 committed our staff are to providing the safety and  
19 security that youth need in order to succeed  
20 academically, professionally and socially while  
21 they're in our care, and after they return home. We  
22 have a model that is not only working for the  
23 hundreds of youth we've served for the past three  
24 years, but could also serve as a blueprint for future  
25 success. Signs continue to point upward as--as the

2 reform in Juvenile Justice in the city, and  
3 Sheltering Arms looks forward to partnering with ACS,  
4 elected officials, community leaders and  
5 philanthropists to ensure we meet our collective  
6 goals.

7                   JEFFREY BUTTS: Good afternoon. We  
8 appreciate the opportunity [coughs] appreciate the  
9 opportunity to be here. My name is Jeffrey Butts. I  
10 direct the Research and Evaluation Center at John Jay  
11 College. This is a colleague Emily Pelletier.  
12 We're both researchers. I started out in life as a  
13 social worker working with young people. Emily is a  
14 lawyer, but now we both focus on gathering the  
15 information and data necessary to prove justice  
16 effectiveness. I have--we have a very nicely  
17 prepared statement here, which I'm not going to read  
18 because I don't think anyone here wants me to read  
19 it. But I want to leave you with a few points that  
20 are in the written statement, and some of them you've  
21 already heard today. We wholeheartedly agree that in  
22 order to have a good operating youth services system  
23 and youth justice system, we need to have data  
24 collected at the individual level. It's just not  
25 sufficient any more to have aggregate counts from

2 agencies. The bill under consideration today asked  
3 for aggregate counts, and that's a--certainly a good  
4 first step. It's a good baseline. I would call it  
5 more of an auditing function than an evaluation  
6 function, but we live in a different world today than  
7 we did 20, 30 years ago where it's no longer  
8 acceptable or effective to say these are the youth we  
9 served. These are the programs we offer. We need to  
10 have the data to show what a researcher would call a  
11 dosage and response framework. So that this young  
12 person got twice the number of interventions or twice  
13 the intensity of that young person, and we can see  
14 the correlation between the intensity of effort, and  
15 the outcomes. And that means collecting data at an  
16 individual level. I also want to reinforce something  
17 you've already heard, which is data and the youth  
18 justice system has to be inter-organizational even  
19 intersectoral. It's no longer sufficient to say we  
20 have data from our program because the system itself  
21 is interorganizational. So we need to have data that  
22 crosses boundaries from schools to prevention  
23 agencies to mental health agencies, and probation and  
24 ACS itself. Finally, it's very important that we  
25 look beyond traditional outcome measures like

2 recidivism. People often pitch recidivism as a--as a  
3 quality measure, or an outcome measure for agencies,  
4 and it's really--it doesn't address the core issue,  
5 which is, is this young person better off than they  
6 were before they started services? The rate of  
7 recidivism or the probability of recidivism is not a  
8 measure of a youth's capacity to survive in a  
9 community. It's an interaction between that youth's  
10 capacity, and the community response to behavior. So  
11 if you live in a neighborhood with intensive policing  
12 and a lot of scrutiny and surveillance, the  
13 recidivism rate will be higher, but that doesn't mean  
14 the youth in that community are--are systematically  
15 worse or more badly behaved than in a different  
16 community with less surveillance. So we delude  
17 ourselves if we judge the effectiveness of the  
18 justice system on recidivism alone. Having said  
19 that, the next question is where do we go for  
20 additional outcome measures, and our written  
21 testimony proposed a number of frameworks some of  
22 which you've just heard. Sheltering Arms, the fact  
23 that they include arts programs--I think you said  
24 theater--every kind of expressive activity a young  
25 person is engaged in. We know from science reduces

2 the probably of future offending, but we can't just  
3 make that assertion. You have to collect the data to  
4 show that participation in the arts, participation in  
5 sports and physical activity, community activity,  
6 politics that all these things help bind an  
7 adolescent and a young person to the community, and  
8 those the things that help turn around behavior. Not  
9 simply professionalized therapeutic interventions.  
10 But to make that argument we have to collect the  
11 data, and I--I hope that New York is moving in that  
12 direction and will not stop as much as the bill under  
13 consideration today is a contribution to solving the  
14 problem. It's not a solution. We need to build a  
15 better system, and it's not a technical problem.  
16 It's--the problem is--are always politics and  
17 legalities. But I think if everyone works together  
18 it could happen. Thank you very much.

19 CHAIRPERSON CABRERA: How--how would--let  
20 me start. First, let me just say that again another  
21 panel who are really contributing to making this bill  
22 better where you're really looking closely to what  
23 the advocates are really putting forth every single  
24 piece. All right, and I see a lot of work has gone  
25 into making this presentation by each one of you.



2 But how will you--how--how--how do we overcome the  
3 privacy issues if we're going to do an individualized  
4 basis as--as you proposed, professor?

5 JEFFREY BUTTS: Well, one way, you heard  
6 the concept of a mental health passport brought up,  
7 and I think if--if you recognize the--the network of  
8 providers and community groups that could help young  
9 people are identifiable, you could have a global  
10 consent agreement at the first point of contact that  
11 tells a parent and a family we will be sharing this  
12 information with a lot of people in order to serve  
13 your young person--

14 CHAIRPERSON CABRERA: [interposing] But  
15 I want to--

16 JEFFREY BUTTS: --and we agree.

17 CHAIRPERSON CABRERA: --I wanted to ask  
18 you is it possible that we will have skewed results  
19 because there will be families who say I don't want  
20 to participate, which probably will be the most  
21 resistance one. I don't--I don't even know if that  
22 variable is correct, but as an assumption that would  
23 be another study to determine. But is there a  
24 potentiality that the results that we're going to get  
25 are really--not really valid results.

2 JEFFREY BUTTS: Yes, but two things. One  
3 is that I think we overestimate the reluctance of  
4 families to participate in getting help for their  
5 young people. I think they do so and often for  
6 rational reasons when those very systems are harmful  
7 or foreboding and if it--I think it places the onus  
8 back on you and us to build a system, which is  
9 attractive and engaging. So I think that's a--it  
10 could be a good thing. The second thing is as long  
11 as we have data on those families that refuse  
12 services, that data themselves can still go into the  
13 overall monitoring system and you would learn from  
14 that. The last thing I'll say is I--I make  
15 recommendations all the time about building more  
16 sophisticated data systems. The one caution I have  
17 is that the more we impose that burden on agencies,  
18 you just--you run the risk of driving out the smaller  
19 non-profit neighborhood based organizations, and  
20 leaving the responsibility for the system itself to  
21 the big midtown corporate ties human services  
22 organizations, and that would not be a good thing.

23 CHAIRPERSON CABRERA: Is that--the  
24 assumption of is that they don't have the capacity to  
25 gather up this data? It would be too costly or

2 should we be looking at the Council that every time  
3 we get a contract that part of the funding will be,  
4 you know, funding to make this happen. Is--is that,  
5 you know--

6 JUDY YU: I mean from the provider's  
7 perspective--perspective yes. It's--it's really--  
8 when all these kind of unfunded mandates are laid on  
9 top, it really becomes very difficult, and we are a  
10 larger agency, but still to have the capacity to  
11 really do this kind of in-depth monitoring and  
12 evaluation.

13 CHAIRPERSON CABRERA: And--and then--yes,  
14 go ahead, please.

15 ELIZABETH MCCARTHY: Well, and to add  
16 onto that I also, you know, there--more and more you  
17 are hearing about participatory sorts of research and  
18 data collection meaning that community members who  
19 are impacted also can help talk about what are the  
20 outcomes that should be measured, which should also  
21 be obviously funded. But, you know, I think it's  
22 really important to bring in community--the direct  
23 youth and family members who are impacted to talk  
24 about the kind of data that they think also would  
25 reflect good outcomes.

2 CHAIRPERSON CABRERA: This--this passport  
3 would--do you suggest that we should pass legislation  
4 so it is mandated among agencies who are con--have a  
5 contract with the city or--or it should be something  
6 just left to the agencies to say hey, let's just  
7 collaborate and--and just base it on good will?  
8 [pause] My first question.

9 JEFFREY BUTTS: I would--I would--my  
10 instinct would be to use the carrot rather than the  
11 stick, and make the participation in the passport an-  
12 -and entre into a larger collaborative rather than--  
13 than mandating or coercion it, but that's your  
14 business, not mine.

15 CHAIRPERSON CABRERA: If it's not  
16 mandated, is there the potentiality and possibly the  
17 probability that programs who don't want to share  
18 their information perhaps because they're not doing  
19 as well. I'm sure programs that are doing very well  
20 will want to share some data or information? What--  
21 what's the--the down on not mandated?

22 ELIZABETH MCCARTHY: I mean honestly I'm  
23 not familiar enough with the details of the passport  
24 to be able to say, you know, what the positives and  
25 negatives are. Of course, sharing information is

2 wonder, and I think we are headed in that direction  
3 much more with electronic health records and with--  
4 many of these kids will qualify for health homes when  
5 they open. So some of that will start to happen but  
6 I'd have to, you know, before I [laughs] know exactly  
7 what the pros and cons are of the passport, I just  
8 need more detail.

9 CHAIRPERSON CABRERA: So let me make a  
10 call today to all the non-profits who are before us,  
11 those who are waiting, and those who are watching  
12 right now by live stream to--if they could present me  
13 that information, and at least entertain it and to  
14 consider literally the--the pros and cons. The--the  
15 last thing I want to share with you is some of the  
16 information that you provided are---don't at first  
17 may seem germane to this intro. We will probably  
18 have to do another intro, which I'm always happy  
19 [laughs] to put an LS request for, and--and this bill  
20 really came as a result of--of the advocates. You  
21 inspired this bill, and you are inspiring many other  
22 bills today. So I'm really happy to--to hear your  
23 report, and the very thorough--thorough research that  
24 you did. Thank you so much. It's very valuable and

2 the last panel, but not least--[background comments].  
3 Okay, so it's probably Ian Parker.

4 IAN PARKS: Parks.

5 CHAIRPERSON CABRERA: Parks. Apologies  
6 there. Gabrielle Horowitz-Prisco. [background  
7 comments] of Lanceport (sp?) GC Reporting. Victoria  
8 Sammartino. [background comments] Oh, is there more  
9 than the project? Okay, you may begin as soon as  
10 you're ready. [background comments, pause]

11 JEEZI: I can start if you guys want to.

12 FEMALE SPEAKER: If you would like, you  
13 can go first.

14 JEEZI: All right. I'd like to start off  
15 by saying hi everybody. Happy Thursday, all right.  
16 My and Jeezi. I am the head dance teacher in the  
17 Flex Program, and I'll keep this really short. The  
18 Flex Program is a dance program expanding minds  
19 through flex dance showing the youth that there are  
20 other ways to channel their negative energy into  
21 something positive. So, like the program has  
22 actually changed a lot of lives, and we've seen great  
23 development with the youth at a slow but steady rate.

24

25

2 CHAIRPERSON CABRERA: I'm sorry I'm  
3 interrupting you but--and I love dancing--what is  
4 flex dance?

5 JEEZI: Flex, yeah. So flex dance was, it  
6 was actually created here in New York, Brooklyn.  
7 Yeah, it--it was created about '95 and then right  
8 now--right now and the city is actually taking over.  
9 It's taking over the world. A lot of people are  
10 interested in it. You've--you've actually probably  
11 see it before, and it has such moves as contortion,  
12 twisting of the arms and stuff like that.

13 CHAIRPERSON CABRERA: Okay, got you. Got  
14 you. So I'm--I'm dating myself here. Thank you.

15 JEEZI: Okay, the other day--the other  
16 day one young man at Horizons Juvenile Detention  
17 Center, this is a guy who doesn't--he doesn't smile  
18 at all, right. So, he--he comes up to me with a big  
19 smile and says, "I don't usually dance, but this  
20 program make me wanna me come back and learn from you  
21 guys." So to me I say, you know, this speaks some  
22 volumes because a lot of kids like, you know, they  
23 have an image to portray so, you know, they don't  
24 want to seem too punkish or, you know, they--they  
25 want to seem cool, but for him to come to come--come

2 up to me and actually say that, you know, it touched  
3 me, right. So we hope to continue the program for  
4 these kids. You can actually check out our video  
5 journals at [www.flexdanceprogram.com](http://www.flexdanceprogram.com) for more insight  
6 on the youth after the sessions, right. So on behalf  
7 of the Flex Dance Program, we would like to thank the  
8 SONYC program and ACS for making our program  
9 available at Horizons.

10 CHAIRPERSON CABRERA: Thank you.

11 JEEZI: Thank you, guys.

12 IAN PARKS: Hello. Okay, Yes, good  
13 afternoon, Councilman Cabrera and the rest of the  
14 City Council. My name is Ian Parks. I am the  
15 Executive Director of a small non-profit called  
16 Martin De Porre's Group Homes. We do child welfare  
17 services throughout Queens, the Queens area and we've  
18 been in existence for 41 years. I'm here today to  
19 just speak to you about some of the safeguards that  
20 our agency. We have one non-secure placement--and we  
21 have non-secure placement facilities. Some of the  
22 safeguards that we've put in place, and that we  
23 continue to have in place that has made our programs  
24 successful. And I'm hoping that these safeguards  
25 are--are some of the things that we will continue to



2 include in any legislation that the Council puts  
3 forward. Now--now I have to say that--that Elizabeth  
4 who is my--a colleague of mine she also runs non-  
5 secure placement, and we want to make sure that we  
6 say that no all providers do the same thing, but we  
7 all have the interest in making sure that the youth  
8 that--that are placed in our care and the community  
9 is safe. The first I think it's--it's really  
10 necessary is--is staff training. That is probably  
11 the most paramount of all components when you're  
12 running a non-secure placement. We do 200 hours of  
13 staff training before--pre-service training before  
14 staff members are allowed to work with the young men,  
15 right. Two hundred hours would also include four  
16 weeks of shadowing experienced staff members before  
17 they can actually work with the young men. The  
18 second component would be staff support. Now, staff  
19 support comes in many different ways. It comes in  
20 coaching. It comes in mentoring. It comes with  
21 providing the--the necessary training, pulling staff  
22 members off of--of the floor if we identify that  
23 there's a deficient in--in their--in their skills,  
24 and retraining them so they can go back to work and  
25 be successful. Staff support also means recruiting

2 the best, and--and the way we recruit, you know,  
3 really good staff members is by paying them a decent  
4 starting salary. We pay--we being our staff members--  
5 --pay--pay--we begin paying our staff members at \$15  
6 an hour, which is the current legislation proposal  
7 for--our New York City minimum wage. You know,  
8 that's also going to be an issue. Once--once the  
9 minimum becomes \$15, how do we make sure that these  
10 people are--are comfortable enough to stay working  
11 with our--our population when there are other venues  
12 out there paying the same amount. So the competitive  
13 salaries is--is a big issue. We--we were able to  
14 retain staff members by paying them a competitive  
15 salary. The last thing that I want to talk about is  
16 the staff ratio. The staff ratio--staffing to--to  
17 child ratio, it's hard to maintain a--a large staff  
18 to child ratio only because, of course, you need to  
19 hire more people. And, of course, our--our budgets  
20 are often as a small non-profit, our budget is often  
21 constraint based on the fact that our--our rates  
22 don't go up as much as--as they should. So those  
23 are--those are--those are things that we need as  
24 small non-profit. If we're asked to do this work, we  
25 need the support of the Council when--when--when

2 things like minimum wage and--and, you know, the bill  
3 for the non-secure placement. You know, we need to  
4 know that you support us with these things, all  
5 right? And I just want to thank you for allowing for  
6 us to present today because this is hard work and we--  
7 --we want to make sure that we're supported in that--  
8 in this hard work. Thank you. [pause]

9 GABRIELLE HOROWITZ-PRISCO: Hello. My  
10 name is Gabrielle Horowitz-Prisco. I'm the Executive  
11 Director of Lineage Project, Inc. Lineage provides  
12 mindfulness programming, meditation, Yoga and other  
13 kinds of mindfulness programs to young people who are  
14 incarcerated, homeless, suspended from school or at  
15 risk of school dropout or of justice involvement. We  
16 work in multiple sites throughout New York City  
17 including managing the SONYC Grant through DYCD and  
18 in partnership with ACS at Horizon. You heard my  
19 colleague one of our subcontractors speak a little  
20 bit about the Flex Program there. Lineage thanks you  
21 in particular, Chair Cabrera for your leadership on  
22 this issue and the members of the Juvenile Justice  
23 Committee for Introduction 949, and we support its  
24 passage. We have six recommendations for further  
25 improvement in this area. I am going to conclude

2 talking a little bit about those recommendations, but  
3 I want to start by reading a poem by a young man in  
4 our program at Horizon. The poem is called Lost and  
5 Found, and it was written with the Power Writers  
6 Program, which is one of our subcontractors through  
7 the DYCD SONYC Grant. "I am lost, but I'm trying to  
8 be found. Even though I was never lost, I am lost to  
9 myself. A world of nothing, a path I will take if I  
10 choose to do wrong. Lost and found. I am a young  
11 man waiting to be found. I feel as if I live in an  
12 empty space with no one around. Why? Because when I  
13 need support and help, there is nobody to be found.  
14 This world is full of hatred, but every time I listen  
15 there is never a calm and collective sound." I just  
16 go goose bumps reading that. The part that really  
17 struck is that he said, When I need support and help,  
18 there is nobody to be found." This is a young man in  
19 the custody of the city and, you know, I think one of  
20 the things we find is that the young people when they  
21 come into the doors of the justice system have  
22 already been failed by many, many systems, by our  
23 society, but the adults around them. We have a  
24 chance to work with young people both before they  
25 ever enter the justice system. Hopefully, we hope to

2 ever keep them there, which I know is an issue. You,  
3 Chair Cabrera, spent a lot of time talking about in  
4 other hearings how do we keep kids from ever walking  
5 in the front door. And we also have a chance with  
6 kids who are already in the system to reach, to help  
7 them and I think programs are a vital way of doing  
8 that. The kind of evidence that we talk about in our  
9 testimony about how programs make an impact, I know I  
10 have limited time. So I'm just going to say that if  
11 you--I hope you read our testimony. We really  
12 outlined some of the benefits of the SONYC program at  
13 Horizon, but the resolution is very important because  
14 it--it really allows for more than anecdotal  
15 evidence. It allows for us to really get a grasp for  
16 policymakers and the public to get a grasp about  
17 what's happening inside.

18           So I'm going to speak a little bit about  
19 what we're doing in side SONYC and then, as I said, I  
20 have six recommendations for the resolution as well  
21 as for the issue more generally. So in September  
22 2015, Lineage Project launched the DYCD SONYC After  
23 School Program as Hor--at Horizon. As the lead  
24 contractor SONYC Horizon, Lineage both manages the  
25 comprehensive after school program inside the Horizon

2 Detention Center in the Bronx, and we provide our own  
3 life on the spaced classes for detainees. To the  
4 best of our knowledge, this is the first time that  
5 programs are being compensated by the City for their  
6 work in Horizon or in detention. Lineage has been  
7 doing this work for 16 years inside the justice  
8 system, and this is the first time that we have been  
9 reimbursed by the City directly for this work that  
10 I'm aware of, and we are really, really grateful to  
11 DYCD for that funding. Together with Lineage--with  
12 our subcontractors including Flex and together with  
13 ACS and DYCD staff, we provide the following  
14 programs: The Building Beats Program, which  
15 involved DJing, music production, entrepreneur and  
16 life skills, Carnegie Hall, which builds music  
17 connections for young people including using an  
18 artist in residence. Drama Club, which is theater,  
19 empathy, skills building and mentoring, and you heard  
20 ACS testify a little bit earlier about how much young  
21 people love participating in theater. Flex Dance,  
22 you've already heard about. Power Writers, which is  
23 literacy, creative writing and poetry. Shadow Box  
24 Theater, which is puppet making using a--a model  
25 developed by a formerly incarcerated person, and the

2 four As through Community Connections for Youth. And  
3 Chair Cabrera, I know you're particularly interested  
4 in mentoring, and that is a credible messenger  
5 mentoring program run through the Community  
6 Connections for Youth in the Bronx where young people  
7 who have--have had justice involvement are trained to  
8 become peer mentors for young people inside. We have  
9 seen so many positive impacts of this program  
10 including we believe that there have been reductions  
11 in violence and incidents. Again, we're hearing that  
12 anecdotally. We've engaged with families through  
13 family day events, and we also hear from young people  
14 about how transformative the programs are, and I  
15 think we're all in agreement about how critical  
16 programs are. So the following six recommendations I  
17 think will help us go even deeper with regard to both  
18 the introduction before us and some of the deeper  
19 issues around programming.

20 The first recommendation is that  
21 Introduction 949 should be amended to include the  
22 collection and release of data related to the impact  
23 of programming on incidents such as fights,  
24 restraints and room confinement. You've already  
25 heard a little bit from the Correctional Association

2 about this. I would also just point out that Local  
3 Law 44 of 2013, which was passed by this Council,  
4 already requires ACS to publish incident data, but  
5 there is currently no way to look at incidents with  
6 regard to program. We believe again that when  
7 programming is happening kids are less likely to be  
8 involved in fights and altercations. We believe  
9 anecdotally that things like restraints and room  
10 confinement go down when kids are engaged in  
11 programming, but we would like to really take a  
12 deeper dive into that.

13           The second recommendation is that  
14 Introduction should be further defined to clarify the  
15 distinction between programming and a one off  
16 activity such as a basketball game or single outing.  
17 So just to note, and you heard a little bit about  
18 this from one of the mental health providers before,  
19 I think there are some distinctions between like an  
20 ongoing program or a therapeutic program, and like a  
21 recreational activity. Both are really important.  
22 ACS should be providing things like basketball games  
23 and outings when available, and things that are just-  
24 You know, we don't believe that kids should jut be in  
25 therapeutic programming. We think it's important



2 that kids gets to play and dream and, you know, do  
3 the things that kids do. But I think when we talk  
4 about data collection we want to make distinctions  
5 between those things so we know what it is we're  
6 measuring.

7           The third recommendation is that if  
8 needed, ACS should be given funding to improve its  
9 data collection systems including for any necessary  
10 technological upgrades. So, you know, just to make  
11 sure that technology is not a barrier to the kinds of  
12 data collection the Council is interested. Finally,  
13 I want to talk about three recommendations with  
14 regard to programming for youth in detention and  
15 placement generally. The first is I strongly urge  
16 the Council to create a programs for justice fund to  
17 provide additional funding for community based non-  
18 profits serving youth in the justice system. A  
19 programs for justice fund would really help community  
20 programs who want to do this work. Again, it's  
21 incredible that DYCD is providing the kind of  
22 programming and--and funding that they have.

23 However, you know, we can say that there are still  
24 challenges, and that there are programs that are not  
25 receiving DYCD funding that are still working in the

2 facilities we believe without reimbursement. And  
3 even for programs like Lineage and our  
4 subcontractors, the DYCD contract doesn't necessarily  
5 cover the true cost of our programs including  
6 indirect costs. Additionally, as you may know, the  
7 DYCD contracts are reimbursement based contracts.  
8 There can be a lengthy contract registration period.  
9 So sometimes especially for small community based  
10 programs there can be a lot of start-up costs with  
11 being able to capacitate a program like this. And  
12 DYCD shouldn't have to shoulder this burden alone.  
13 I think the Council has a leadership role to play in  
14 fill some of the gaps in terms of funding for  
15 programs. And the programs for a justice fund I  
16 think would be a real visionary kind of step that the  
17 Council could take to take some of its funding and  
18 really target it to where it's most needed with  
19 vulnerable youth in the justice system.

20           The second general recommendation is that  
21 the Council should lead efforts to leverage state,  
22 federal and private dollars to support programs for  
23 youth in detention and placement. I know that they  
24 Council has leadership fund--you know, leadership  
25 requests--excuse me--funding requests. Very--you

2 know, a lot of them and you can't meet every request  
3 but you do have leverage, and you have the ability  
4 to--to look at, you know, and the field of what's  
5 available at the state level, at the federal level  
6 and private philanthropy. You would have the chance,  
7 for example, to invite private philanthropy and  
8 perhaps representatives from the federal and state  
9 government to some kind of briefing on the work that  
10 we're doing. And to play a leadership role, you  
11 know, within whatever legal constraints there are to  
12 do so in terms of making sure that again small  
13 community based non-profits and other serving the  
14 youth in the system can leverage these dollars, and  
15 area aware of opportunities. This would be a low-  
16 cost opportunity for the Council to exercise  
17 leadership and a high yield return on investment for  
18 the young people inside, and those of us who serve  
19 them.

20           The third recommendation is that the City  
21 Council should increase funding for programming in  
22 the community. The bulk of the kids in the justice  
23 system come from approximately seven to ten  
24 neighborhoods, seven to ten. We all, you know,  
25 probably know what they are, but you can also look at

2 the data available on the ACS website. It's the  
3 program in the communities with the least resources,  
4 the most underperforming schools, the highest police  
5 presence, the least access to fresh fruits and  
6 vegetables. All of the markers of poverty are the  
7 markers often of justice involvement. And I find it  
8 really problematic, and I've spoken before the  
9 Council on this before that kids inside detention now  
10 have opportunities that are not available in terms of  
11 some of these programs in their community. Like they  
12 can grow vegetables inside a detention center, but  
13 maybe not find fresh vegetables in their home  
14 community. Or they can attend a Lineage Yoga class,  
15 but to go to a Yoga studio in the community can cost  
16 \$28 a class, which our young people cannot afford,  
17 and how do we offer these services to young people  
18 before they ever enter the justice system, and  
19 recognizing that offering these services in  
20 communities can often keep kids from ever coming into  
21 the system.

22 I also just want to conclude by address  
23 some of the questions you raise, Chair Cabrera  
24 throughout the course of the hearing. You asked ACS  
25 at the very beginning about sort of gaps in

2 programming, and if there was--an analysis being  
3 done. I would say, and we run a program that's in  
4 Horizon specifically four days a week for multiple  
5 hours a day. One of the challenges we're observing  
6 is programming on weekends as well as on school  
7 holiday. So we do run our program during school  
8 holidays to try to meet that gap. We are not  
9 currently offering programming on weekends for a  
10 complex set of reasons including some of the  
11 constraints of the--there's a lot of logistical  
12 challenges in sort of operating the grant, and I  
13 would be happy to discuss it in more detail. But  
14 really say that I think it is incredibly important  
15 that we target areas such as weekends when there is  
16 not a lot of pro--programming, and again making sure  
17 that providers are reimbursed for this pro--for this  
18 kind of services. And I also just want to talk a  
19 little bit. You had asked about the number of youth  
20 per program. You asked ACS if there's every 20  
21 kinds, for example, in a program, and I just want to  
22 point out that while I think we should be counting  
23 the number of unique youth in programs, there are  
24 constraints inside particularly the detention  
25 facilities around serving large numbers of youth at

2 the same time in a program. So we have found now  
3 managing the comprehensive after school program there  
4 since September with the full rollout of the program  
5 in the beginning of October, that we prefer our  
6 classes to be smaller. That the kids tends to do  
7 better with a smaller ratio of kids to staff, and so  
8 we prefer to--rather than serve 15 or 20 kids at one  
9 time, which we were trying to do when the program  
10 started, we have-- So, for example, Lineage is  
11 subsidizing as much as possible the cost of having  
12 smaller classes with less kids and offering more  
13 classes rather than having one big class of our own  
14 Mindfulness Program. And the reason for that is  
15 that, you know, it can be really hard for teacher or  
16 a teaching artist to engage 15 or 20 kids at a time.  
17 Another issue is that the ACS detention centers have  
18 some really serious and unfortunate space  
19 constraints. So we're often in a very small  
20 classroom or in a very big gym where there's a lot of  
21 distraction and too much happening, and that the  
22 facilities are really outmoded. The architecture of  
23 these facilities is not conducive to programming.  
24 It's another area we would love to have ACS get some  
25 funding and support about how to retrofit the

2 facilities. So that if they are going to remain open  
3 and not be replaced by smaller community based  
4 facilities which, of course, would be our first hope,  
5 but if these are the facilities we're going to use,  
6 the--the facilities don't support programming. It's  
7 actually very difficult to service a large number of  
8 kids within the limited structure of the buildings,  
9 and maybe there's that the facility--you know, ACS  
10 could be doing with assistance and funding to try to  
11 make that facilities more conducive to program. But  
12 I just want to caution the Council that when you're  
13 looking at participation, while you should look at  
14 the unique number of youth served, the number of kids  
15 a one moment in any particular program is not  
16 necessarily the best indication of program quality.  
17 Nor is popularity. So, you know, we have found that  
18 with our programs sometimes some of the programs that  
19 engage kids in things that are difficult for them  
20 like writing may be less popular than a sports  
21 program, but both are incredibly important. And we  
22 really try to encourage young people to do their  
23 range of programming and to meet them where they're  
24 at, and to build interest in the program over time.  
25 So I just want to say as we start looking at these

2 things that it's important to have a nuanced view,  
3 and I also want to echo Professor Butts' concern  
4 about ensuring that small non-profits have the  
5 ability to provide the kind of data that you're  
6 looking for when we are asked to do it. And as you  
7 said, Chair Cabrera to perhaps get the capacity  
8 building and technical expertise and assistance to do  
9 to that. Which leaves--the very last thing that I'm  
10 going to say, which is I think the these events (sic)  
11 have to clear the City Council to have a roundtable  
12 with just the providers to really have a deeper dive  
13 into this because I know, and I've testified over  
14 the years in my previous job and now this one many,  
15 many times. We always go last. There's usually not  
16 many people left in the room. You know, we often  
17 have a lot of ideas, but there's not much--many  
18 questions for us at the end. You are always the  
19 stalwart who is here, and we appreciate that, but I  
20 think a different format of providers and advocates  
21 could really see it with a wide range of council  
22 members and have a more nuanced conversation and back  
23 and form could maybe yield a lot of rich information  
24 and observations and insights that unfortunately the  
25 structure of council hearings often miss. Because by



2 the time you hear from the people doing the work,  
3 there's often not many--much time left or many people  
4 left to hear us, and we also don't have the chance  
5 for the robust back and forth. And I think we could  
6 really learn from you, and I also think we have a lot  
7 to offer, and I do wonder if just being a room maybe  
8 with some pastry and coffee and a few hours could  
9 yield some benefits for the young people of New York  
10 City. I'll bring the pastry.

11 CHAIRPERSON CABRERA: Pastry or healthy  
12 food.

13 GABRIELLE HOROWITZ-PRISCO: Or what?

14 CHAIRPERSON CABRERA: Healthy food.

15 GABRIELLE HOROWITZ-PRISCO: Yeah, even  
16 better, I'll bring the fruit.

17 CHAIRPERSON CABRERA: [laughs]

18 GABRIELLE HOROWITZ-PRISCO: Thank you.

19 CHAIRPERSON CABRERA: Thank you so much.

20 VICTORIA SAMMARTINO: I could be  
21 literally the last one. I--I--I don't have written  
22 testimony. So it's written here. I'm Victoria San  
23 Sammartino. I'm the founder and Executive Director  
24 Emeritus of Voices Unbroken a Bronx based non-profit  
25 organization that makes creative writing workshops

2 available to vulnerable youth with the particular  
3 focus on working with youth in the juvenile and adult  
4 justice system. In 2015, about 50--50% of the young  
5 people we worked with were in residential Juvenile  
6 Justice facilities. So I just had a couple of notes.  
7 I wasn't prepared. I wasn't going to testify, but as  
8 I was listening to the other testimony I was  
9 inspired. I wanted to make a--a particular note that  
10 I think the SONYC contract was--is a really important  
11 one, and it took many years to get--there to be any  
12 movement right, where--where there be any kind of  
13 funding for programming inside. But, you know,  
14 Voices Unbroken was founded in 2000, and we're very  
15 aware--I was very aware at the time that we were not--  
16 -this was not a new phenomena like providing arts  
17 based programming to young people in the Juvenile  
18 Justice system. This--so Voices Unbroken has worked  
19 in Horizon and Crossroads for many years. We're not  
20 currently offering workshops in those settings  
21 because of the way the contracts were structured and  
22 some particular challenges there, and I know we're  
23 not the only the organization. So I think like just  
24 in thinking about funding, I think it's really worth  
25 it to consider how to maintain what's really good

2 that's already happening even as like new things are  
3 created or expanded. So Voices Unbroken is now doing  
4 a lot of work. I mean I saw the commitment to  
5 working in Horizon and Crossroads, and we'll be  
6 working in those facilities. Again and is working in  
7 non-secure detention and placement with partnerships  
8 with a number of organizations including Sheltering  
9 Arms. I know our colleague left, and Good Shepherd  
10 Services, and I wanted to make that note about like  
11 let's maintain and then also create great new things.  
12 I think I had some--put some notes about the 949, the  
13 Intro 949. I didn't--I got to briefly read a draft  
14 of it, but it--it wasn't sent to me. So I'd be happy  
15 to look at it more, but--but some of the notes I had  
16 I feel like around this notion of programs and  
17 services and clarification, I know ACS asked for it.  
18 But I think for the Council to get really clear about  
19 what it would like to see would probably be really  
20 helpful. What is meant by programs and services  
21 because I think like one thing mental health  
22 services, you know, arts based services, you know,  
23 after school programming, tutoring, the schools.  
24 Like all of that in one--I don't know that that's the  
25 most helpful for--for the Council. So maybe getting

2 clear about exactly and maybe categorizing what--how  
3 the data would be given to the Council might be  
4 really helpful. I think there's also a really big  
5 distinction to be made. There are--there are city  
6 funded services like DYCD has a contract with Lineage  
7 Project, and then like Voices Unbroken, and Lineage  
8 prior to this contact for many years op--just like  
9 operated in the facilities, but didn't have like a  
10 paid--a contract or any money with a contract at all  
11 especially one where any money was being exchanged  
12 So I think just also getting clear about the  
13 difference between those two things. And so in  
14 secure detention it would be city funded services,  
15 and in particular in secure detention in particular  
16 ACS funded or like DYCD funded services because there  
17 are also programs that are coming into the Department  
18 of Cultural funding. But just to get to clear about  
19 that, what's funded and what's not. And then on the  
20 non-secure provider side I think also to find our  
21 services are--are the providers paying? Are these  
22 fee for service contracts that they have with  
23 providers or are these being offered on a volunteer  
24 basis? I think it's important for the Council to get  
25 a handle on the money part especially if you don't

2 want to lose track of the community based  
3 organizations that have been historically providing--  
4 doing a lot of the--at least kind of cultural  
5 programming. I think--If eel like data collection  
6 broadly defined it might really be worth it to think  
7 about what you need. So like is it easier to track  
8 by program? Is it easier to track by young person  
9 without getting--without, you know, violating  
10 confidentiality but could you get initials? Could  
11 you--some way to identify each young person, and what  
12 programming they are participating? Like what's the  
13 best way to get a snapshot, which I understand is why  
14 you want the data. I think also there should be some  
15 positive data. I--I agree with the like--I want to  
16 know about incidents, too. We always--we always  
17 hear rumors, you know, about like--but there's  
18 something about relationship building, these softer  
19 data points, right. Are young people being more  
20 confident? We would often staff--we've been doing  
21 that. Like I'll ask staff do--do young people share  
22 their writing with you? Look, are they proud--so are  
23 they proud of it. You know, we--just trying to get a  
24 handle on what are the really--or one of the more  
25 positive outcomes and--and so I don't know data

2 points wise. That might be difficult, but it just  
3 might be something to think about. I think also  
4 considering what will be done with the data seems  
5 important. So maybe collecting the data for a year  
6 or two years and then like putting it together in a  
7 report or just trying to, you know, then reassess at  
8 that point. I feel especially concerned that, you  
9 know, we're not always going to have the  
10 administration that we have, and we have really  
11 committed people right now, right. And so, let's  
12 get--let's have a good plan in place. I--I--I think  
13 there's this other point about like organizations  
14 need the data--need data, too, and there doesn't  
15 really seem to be clarity on the ACS side about what  
16 data they can share and can't share. And so in the--  
17 in that lack of clarity it means that organizations  
18 are often responsible for keeping a certain amount of  
19 data, but then not being able to access data that  
20 they want, and there's a lot of havoc. Sometimes  
21 they'll say, oh, you can't get last names. Sometimes  
22 it doesn't seem to matter, right. Sometimes it's  
23 that, you know, sometimes kids can sign it and they  
24 can't sign it like-- So I think just--I don't know  
25 who ACS has to get clarity form. I don't know if

2 it's their own counsel of if--or if the Council's  
3 counsel needs to get it, but if there can be some  
4 clarity given to them about what data provides.  
5 Like, you know, outside organizations can and should  
6 have access to, and then, you know, some--a push to  
7 them to actually give that data or allow that data to  
8 be kept by the organizations, that would be really  
9 helpful. And then just--okay, so my last point  
10 around funding. There was a lot of talk today about  
11 things other than money. So, I feel like the--when  
12 we talk about programming for kids outside of--of  
13 facilities, let's just talk about the fact that there  
14 is--there's an absolute lack of funding for basic  
15 use. Like youth services. The stuff that when you  
16 and I were growing up there were like community  
17 centers. You could just go to one. You didn't have  
18 to be justice involved. You didn't have to have a  
19 particular profile, and I feel like in--in there not  
20 being that funding that's what we're seeing. We're  
21 seeing a lack of like young people being able to just  
22 go to their neighborhood community--community center,  
23 their neighborhood. I mean, and I know--so now  
24 there's now these pockets right? There's Cornerstone  
25 and there's this and this projects. Well, what if

2 you live in the--the projects like, you know, a  
3 couple blocks down. Maybe you're not going to go to  
4 those projects or. You know, what if you--I mean  
5 there's all this territorialness, and--but also it--  
6 it just seems like we did a better job at this before  
7 as a city before we were obsessed with the notion of  
8 the kind of clinical evidence based practices and et  
9 cetera. And I feel like the funding that was sucked  
10 out of Youth Services during like other previous  
11 Republican administration really could be reinserted  
12 without ties to academic performance-- Just like  
13 basic like this is what people need. People need  
14 safe spaces. Young people need spaces that they can  
15 go to and have positive interaction with other young  
16 people and you don't have to prove that. That just  
17 is what it is. That said, the best agency to provide  
18 that funding would really be DYCD, right. Like we  
19 don't really need kids getting justice oriented  
20 funding unless they're in the justice system, and  
21 better they not be, right. But DYCD's contracting  
22 process is incredibly convoluted, and I think it  
23 really--it--it is a particular impediment to  
24 community based organizations. When the SONYC  
25 contract came out, I was still Executive Director,



2 and I made the decision not to apply because I knew  
3 it was reimbursement based, and I knew that there  
4 were-- I knew that the incredible burden it would  
5 have on us as an organization it would be like do we  
6 have enough cash reserves to get through the amount  
7 of time that it will take between when they--if they  
8 were to say we got the contract, and then us having  
9 to actually--and then us actually getting a check  
10 back. And that's a huge--that's a huge I don't know  
11 leap of faith to take as a--as a community based  
12 organization. So like I--so it does seem that the--  
13 that the City Council in particular and the city as a  
14 whole is really thinking about community based  
15 organizations are a really vital part of the kind of  
16 non-profit ecosystem. And if that's true, then I  
17 think you have to look at some of the--some of these  
18 contracting issues, and then, you know--I--I mean and  
19 then really seed community with--with--with funding  
20 for programs. And, you know, sort of prevent these--  
21 these bureaucratic challenges to be a--a barrier to  
22 that. That's it. Thank you.

23 CHAIRPERSON CABRERA: Well, thank you.  
24 Again, you are making all of you just feel better. I  
25 know there was a couple of groups that were talking

2 about security issues and so forth. We're going--I  
3 don't know--defer to our next oversight hearing. As  
4 I mentioned earlier, I'm--I'm very tempted to just  
5 delve into it, but I think it--it would be better  
6 when we have the Administration talk about Close to  
7 Home and different programs, and--and to hear the  
8 advocates at that time. My colleagues many of them  
9 understood that we were mainly focusing on this  
10 particular bill. We'll see what we could do about  
11 getting council member together. So all this  
12 challenge. You know, there are groups that are heard  
13 at the end, but as you noticed, I--I was tempted to,  
14 but really didn't include the clock because we really  
15 wanted to everything that you wanted to say. I mean  
16 I think today everyone had an opportunity to do that,  
17 and collect all this information and we're already  
18 speaking about I mean to Beth here about some of the  
19 bills that could be drawn out of here. Because not  
20 everything could fit or not appropriate to this  
21 particular bill where we could certainly look into  
22 other bills, and I love to introduce bills especially  
23 when it relates to Juvenile Justice because we need  
24 to do more. But thank you. Thank you so much for  
25 all that you do. You're making certainly a

2 difference in the life of young people that if the  
3 programs were not there, I am very sure many of them  
4 will have come back into the--the system and to put  
5 up housing (sic) as you mentioned. This time we'll  
6 need to focus on all the good that you are doing.  
7 Thank you so much, and with that, we conclude today's  
8 hear. Thank you so much.

9 FEMALE SPEAKER: Yes.

10 [gavel]

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C E R T I F I C A T E

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



Date May 4, 2016