

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON JUVENILE JUSTICE

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September 20, 2018
Start: 10:26 a.m.
Recess: 1:11 p.m.

HELD AT: 250 Broadway - Committee Rm.
16th Fl.

B E F O R E: ANDY L. KING
Chairperson

COUNCIL MEMBERS: Inez D. Barron
Mark Gjonaj
Robert F. Holden
Mark Levine
Bill Perkins
Jumaane D. Williams

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

Dana Kaplan, Deputy Director
Mayor's Office of Criminal Justice

Felipe Franco, Deputy Commissioner, Youth and
Family Services, ACS

Gineen Gray, Deputy Commissioner, New York City
Department of Probation

Jean-Claude LeBec, Assistant Commissioner for
Strategic Initiatives, Department of Correction

Elias Husamaudeen President, Correction Officers
Union

Anthony Wells, President, Local 371

Dalvanie Powell, President, United Probation
Officers Association

Frederic Fosco, Legislative Chairman for the COBA

Vidal Guzman, Community Organizer, Close Rikers
Campaign

Kate Rubin, Director of Policy, Youth Represents

Lisa Fenlon, Human Rights, Legal Aid Society

Nancy Ginsberg, Director, Adolescent Practice
Legal Aid Society

Julia Davis, Children's Defense Fund

Ashley Sawyer, Attorney, and Director of Policy and
Government, Girls for Gender Equity

Kerry Lowe, Staff Members Friends of Island Academy

2 [sound check] [gavel]

3 CHAIRPERSON KING: Good morning everyone.

4 Good morning, good morning, good morning every one.

5 Thank you for your patience. Sorry about my

6 tardiness. Sometimes things just happen, and the

7 best laid out plans is always subjected to

8 adjustments, which we will hear from today's

9 conversation that our best laid out plans need

10 adjustment. So, good morning again. I'm New York

11 City Council Member Andy King. I represent the 12th

12 District, Chair of the Juvenile Justice Committee and

13 I want to thank everyone for coming out and joining

14 us today to be a part of today's conversation making

15 sure that we are prepared for October 1st deadline of

16 Raising the Age implementation here in the city of

17 New York. Joined today by committee members, Council

18 Members Holden as well as Council Member Powers and

19 Lancman. First off, I want to say on behalf of the

20 Council I'd like to extend my condolences to the

21 Department of Corrections and the family of

22 Correction Officer Jonathan Narain who was

23 senselessly murdered last week while traveling to his

24 position to work in Rikers Island. I understand that

25 members of the DOC staff, our attending officers sent

2 a note (sic) this morning, and we do appreciate the
3 officer for all the work that he's done as well as
4 the department for sending representatives today for
5 today's hearing. We are here today to discuss the
6 city's plans of raising the age of criminal
7 responsibility. The Council has examine the issue of
8 age of criminal responsibilities for many year. Most
9 recently, the Juvenile Justice Committee had a-held a
10 hearing this past April on the topic and we intend to
11 continue to conduct robust oversight as the city
12 implements a plan to shift custody of 16 and 17-year-
13 olds into ACS facilities. As we all know, this is a
14 significant undertaking by the Administration who has
15 committed substantial resources, and work the past
16 year to ensure the successful transition of youth off
17 of Rikers Island by October 1st deadline. When the
18 law is fully implemented, we hope there will be
19 significant benefits to the lives of the Justice
20 youth that are involved. However, as most of you
21 know, this topic is not without controversy.
22 Advocates, unions, elected officials alike have
23 expressed serious concerns regarding the city's plan
24 to utilize correction officers to provide security
25 regarding the city's plans in our youth facilities

2 during this preliminary transition period of 16 and
3 17-year-olds to ACS custody. At the Council we want
4 to ensure a smooth transition of these youth to ACS
5 custody, but we believe it is essential that the city
6 prioritize the full ACS takeover of these facilities
7 as soon as possible. It is our responsibility to
8 remain faithful to the spirit of Raise the Age by
9 ensuring a swift transition to full ACS custody to
10 promote the rehabilitation of impacted youth. I look
11 forward to hearing testimony from the Administration
12 regarding their plans for operation of the rise in
13 specialized secure detention facility, and measures
14 are being—and what measure are being taken to ensure
15 the punitive culture that often permeates our city
16 jails are not replicated in this new facility.

17 Additionally, the Juvenile Justice Committee will
18 also vote on Resolution No. 283 sponsored by Council
19 Member Powers calling upon the Governor to coordinate
20 a review of cases involving persons convicted of a
21 crime at the age of 16 or 17 of age before Raise the
22 Age legislation went into effect who are currently
23 incarcerated or sentenced in criminal court to ensure
24 those sentences were equitable and just. It should
25 not—it should not be the case that a young person who

2 encountered the justice system before this law took
3 in effect—took—tool effect are left to languish in
4 the adult system. The Raise the Age legislation is
5 an acknowledgment that we owe our young people more,
6 and that it is a responsibility that it can—that we
7 can uphold so—so we can—we can up or hold
8 selectively. I want to thank again Council Members
9 Powers for his leadership on this issue, and was we—
10 before we take the oath, I just want to say to all of
11 us we are all here because we have a commitment, we
12 have an interest to make sure that this system is
13 work—that works right. The state has imposed an
14 October 1st mandate on us all, and we've being the
15 first municipality have to deliver on this, but I say
16 to all adults in the room, I want us all to continue
17 to be fair. I want us to be honest and be sincere.
18 Whatever our testimony is or whatever our thoughts
19 are, whatever our agendas are that we do it in the
20 best interest of the children as I call students who
21 are looking for us to help them rehabilitate
22 themselves. With that all being said, we are under
23 some time constraints. So, I want people to be real
24 concise in their testimony, tell us what they want to
25 share with us, but more importantly, let's make sure

2 that if we got to get this right, again, I do not
3 want to see this car move off the lot if the
4 transmission is faulty. I want to make sure that we
5 do this, we do it right the first time. That we
6 coming back, we got to change the topic. We got to
7 come back to change the transmission. We got to come
8 back to change the oil. If we're going to move this
9 together by October 1st let's make sure that it's
10 right, and it's ready. If it's not right and ready,
11 I'm expecting us to be responsible. We have the
12 right conversation so we can get it right the first
13 time, not be bullying to an October 1st mandate if we
14 are not prepared. If we're prepared, let's do it,
15 but if we have some challenges, let's be real in the
16 conversation so we can address it correctly. With
17 that being said, I would kind of like to ask the
18 representatives of the administration to please state
19 their name for the record so committee-committee
20 counsel can administer the oath.

21 DEPUTY DIRECTOR KAPLAN: Dana Kaplan,
22 Mayor's Office of Criminal Justice.

23 DEPUTY COMMISSIONER FRANCO: Felipe
24 Franco, Deputy Commissioner, ACS.

2 ASSISTANT COMMISSIONER LEBEC: Jean-
3 Claude LeBec, Assistant Commissioner for Strategic
4 Initiatives, Department of Correction.

5 DEPUTY COMMISSIONER GRAY: And good
6 morning. Gineen Gray, Deputy Commissioner for New
7 York City Department of Probation.

8 CHAIRPERSON KING: Okay, before we go to
9 your testimony today, we're going to step back and
10 allow Council Member Powers to make a statement in
11 regards to today's resolution that's up for a vote.

12 COUNCIL MEMBER POWERS: Thank you, and I-
13 I appreciate brevity. So, I will keep it short.
14 Thank to Chair Andy King and the-all the folks here
15 today who represent those working in the Correction
16 system and the Probation system as well and the
17 Mayor's Office. The bill or the resolution that
18 we're voting on today would call on the Governor to
19 review the cases of anyone in New York who is
20 convicted of a crime at age 16 or 17 before the Raise
21 the Age Law went into effect who are currently
22 incarcerated or sentenced in criminal court to ensure
23 that those sentences are equitable and just. As we
24 know, in April 2017 the Governor signed the Raise the
25 Age into law, which declared that New York will no

2 longer automatically prosecute 16 and 17-year-olds as
3 adults by October 2019. Until then, New York and
4 North Carolina were the only states that still
5 sentenced 16 and 17-year-olds as adults. However, as
6 noted amongst a number of editorial boards as well
7 the legislation they did not bring any justice for
8 the hundreds of young people who are already behind
9 bars when Raise the Age went into effect. As one of
10 those op-eds put it recently, it's fundamentally
11 unfair. It's like doing the long sentence for a
12 crime even after society had decided it doesn't merit
13 so many years behind bars. Since our goal should be
14 rehabilitation and not incarceration, and since we
15 need to make sure our Criminal Justice System is both
16 safe and fair, I believe a review of past cases where
17 young people were changes in criminal court is
18 necessary. I think the chair for putting this up for
19 a vote, and I do want to second something he said
20 earlier, which I know many folks couldn't be here
21 today because of the officer that lost his life last
22 week. I share the pain of—of many and—and really
23 want to send my—my condolences to the family and to
24 the department and, of course, those represented
25 officers as well who I know are grieving that today,

2 and could not be here. So, thank you—the Chair for
3 recognizing that as well. Thank you.

4 CHAIRPERSON KING: Okay. Let's go to
5 testimony and today's conversations.

6 LEGAL COUNSEL: Let's vote first.

7 CHAIRPERSON KING: We probably need to
8 vote first.

9 LEGAL COUNSEL: Yeah, I think we—

10 CHAIRPERSON KING: Since we have a
11 quorum, we're going to take the vote on Council
12 Member Powers' resolution to the Clerk.

13 CLERK: William Martin, Committee Clerk,
14 roll call vote Committee on Juvenile Justice,
15 Resolution 283, Chair King.

16 CHAIRPERSON KING: I vote aye.

17 CLERK: Levine.

18 COUNCIL MEMBER LEVINE: I vote aye.

19 CLERK: Perkins.

20 COUNCIL MEMBER PERKINS: Aye.

21 CLERK: Holden.

22 COUNCIL MEMBER HOLDEN: Aye.

23 CLERK: By a vote of 4 in the
24 affirmative, 0 in the negative and no abstentions,
25 the item has been adopted by the committee.

2 CHAIRPERSON KING: Okay, before we start,
3 I just want to say for the record we've been joined
4 by Council Members Mark Levine and Member Bill
5 Perkins.

6 DEPUTY DIRECTOR KAPLAN: Great. Thank
7 you. Good morning Chair King and members of the
8 Committee on Juvenile Justice. As I said earlier, my
9 name is Dana Kaplan and I am Deputy Director at the
10 Mayor's Office of Criminal Justice. Thank you for
11 the opportunity to testify on this very important
12 topic today. As you know, the Mayor's Office of
13 Criminal Justice advises the Mayor on public safety
14 strategy and together with our partners inside and
15 outside government develops and implements policies
16 that promote safety and fairness to reduce
17 unnecessary incarceration. Today's hearing update on
18 the city's implementation of Raise the Age is a major
19 milestone in the larger context of justice reform in
20 our city. In the last four years in New York City
21 we've seen an acceleration of trends that have
22 defined the public safety landscape over the last
23 three decades and made this the safest big city in
24 the country. While jail and prison populations
25 around the country increased, New York City's jail

1 population has fallen by half since 1990. In the
2 last four years, the jail population dropped by 27%
3 giving us the lowest incarceration rate of any big
4 city, and the steepest four-year decline in the size
5 of the jail population since 1998. Since 2014, the
6 number of 16 and 17-year-old in custody in particular
7 has dropped approximately 63%, and the number of
8 children in secured juvenile detention has dropped
9 approximately 70% even as our crime rate has
10 continued its downward trend. Meanwhile, last year
11 was the safest year in COMPSTAT history and low-level
12 enforcement has also reduced dramatically. This is
13 unique and continued proof that jurisdictions can
14 have more safety and safer jails. Mayor de Blasio
15 and the Commissioners of our Administration for
16 Children's Services, the New York City Police
17 Department, Department of Corrections, Department of
18 Probation, Department of Education and the Law
19 Department have repeatedly affirmed the city's
20 support for raising of criminal responsibility prior
21 to its passage. Additionally, Elizabeth Glazer, the
22 Director of my office participated in the Governor's
23 Commission and was integral in developing the initial
24 proposal for Raise the Age in 2015. We have long
25

2 been a supporter of treating 16 and 17-year-olds more
3 appropriately within the Juvenile Justice System, and
4 applauded the state for its passage of Raise the Age
5 in April of 2017. Since then, the city has been
6 working purposefully to prepare for its
7 implementation including the removal of all
8 adolescents from Rikers Island by October 1, 2018 as
9 noted on a timeline that is shorter than any
10 jurisdiction in New York State. As we testified in
11 April 2018 before this committee, since passage of
12 Raise the Age the city has been working to prepare
13 for its implementation. We formed interagency
14 working groups focused on court processing,
15 programming and diversion, data analytics and
16 facilities with participation from the courts,
17 district attorneys, public defenders and nine city
18 agencies responsible for implementation. We are
19 engaging with our non-profit partners and providers
20 to prepare for implementation and have brought in
21 state and local and national technical assistance
22 providers to assist our efforts. Finally, we have
23 also been meeting regularly with the labor unions
24 representing the affected employees on this
25 implementation effort specifically to address their

2 concerns. We look forward to a collaborative
3 relationship with the unions and making the
4 implementation of Raise the Age a success. The
5 following updates are in addition to our April 2018
6 testimony on this topic. So, one as I noted
7 adolescent population reduction. Since the Mayor
8 took office in January 2014, the number of
9 adolescents in custody has fallen by more than 53%,
10 and our ADP has remained under 100 since June of this
11 year. To further these reductions, the city recently
12 invested an additional \$8 million in initiatives to
13 divert 16 and 17-year-olds from detention where
14 appropriate or to shorten their length of stay in
15 jail. These initiatives in partnership with Criminal
16 Justice System and service providers include
17 expanded supervised release, bail expediting, in-
18 court case processing support, individual case
19 planning resources for young people who are detained,
20 family therapy and intensive mentoring. Our success
21 in safely reducing the population of young people in
22 detention is a key component of why we are well
23 poised for success in implementation at this point.
24 The Court Processes Working Group chaired by Judge
25 Edwina Mendelson has established a set of shared core

values to inform the city of the implementation of the Raise the Age. This group has spearheaded a number of analyses and established protocols that will anchor implementation citywide. The Raise the Age Implementation Task Force has developed a citywide implementation guide describing detail how each system point and stakeholder will be impacted by the implementation of Raise the Age. The guide has been vetted by the court system, district attorneys, public defenders, and representatives from across the city agencies involved in implementation and reflects that culmination of the city's efforts to enter October 2018 fully prepared. The guide will be publicly released tomorrow and will be made available on the MOCJ website. Raise the Age requires the creation of new specialized youth parts in the Superior Court of each county. Cases for all 13 to 15-year-old juvenile offenders and all 16-year-old adolescent offenders beginning October 1, 2018 and 17-year-old adolescent offenders beginning October 1, 2019 will originate in the youth part, adolescent offenders, 16 or 17-year-olds who are charged with a felony offense. Youth part judges and back-up judges have been designated in all counties. Additionally,

2 the Office of Court Administration completed a three-
3 week training for judges and an additional convening
4 for youth part judges and their court attorneys. In
5 recognition that Raise the Age may require defense
6 attorneys to represent clients across court
7 jurisdictions in the event that it is a case—that a
8 case is removed from the youth part to family court,
9 the City supported a specialized training for defense
10 attorneys—defense attorneys who have practiced in the
11 adult system only. Legal Aid delivered two half day
12 CLE training sessions—sessions on the basics of
13 juvenile delinquency practice to a range of adult
14 defense practitioners. Finally, New York City
15 Department of Probation Commissioner Anna Bermudez
16 will hold sessions in each borough for prosecutors
17 and defense attorneys to describe the role of
18 probation in the Juvenile Justice System. In
19 addition to existing alternatives to incarceration,
20 there will be two predisposition alternative to
21 detention program options for young people in the
22 youth par. One, the New York City Department of
23 Probation will make intensive community monitoring
24 available to any young person with a case pending at
25 the direction of the judge and defense bar. The

2 intervention will be modeled on the ICM program
3 currently offered in the Family Court. MOCJ will
4 expand supervised release to serve more young people.
5 Supervised-supervised release services are provided
6 by contracted community based organizations. The
7 availability of these ATV programs for children whose
8 cases are heard in the youth part will have decreased
9 the number of children who are held pre-trial in
10 detention we believe. New after-hour processing for
11 Juvenile Delinquents: Currently, juvenile
12 delinquents arrested after the operating hours of
13 family court are transported directly to detention
14 likely for an overnight stay. Beginning October 1,
15 2018, the Family Court system will expand the hours
16 during which juvenile delinquents can have a steady
17 process in court following arrests. This will
18 increase the number of children who are processed on
19 the same day of arrest, thereby reducing unnecessary
20 overnight stays in detention, and contributing to
21 more fair and speeding outcomes for children and
22 their families. Practically speaking, this means
23 that juvenile delinquents who cannot be transported
24 to the Family Court by the arresting officer during
25 the court's business hours, will be transported by

the arresting officer to Manhattan Criminal Court at 100 Center Street, the same location currently used for weekend juvenile pre-petition hearings. Intake and processing of Juvenile delinquents at Manhattan Criminal Court will begin at 4:00 or 5:00 p.m. seven nights per week. A judge will be available to hear pre-petition hearings if necessary during the dinner hour beginning at 9:00 p.m. In terms of facilities, significant renovations have been underway at both Crossroads and Horizon to prepare to house the significantly expanded number of young people post Raise the Age with improvements targeting safety, programming and administrative face-space. Excuse me. Both facilities will have an operational capacity of 106. We will house all juvenile delinquents, juvenile offenders and adolescent offenders at Crossroads, which, as you know, currently holds all of the young people who are currently in the ACS system. ACS will bring on an additional 175 Youth Development Specialists at this facility by October. We will transfer all of the 16 and 17-year-olds who are currently held at Rikers to Horizon as well as all newly arrested 17-year-olds. The facility will be jointly staffed by DOC and ACS

2 programming staff with a phased transition to all ACS
3 staff, which we are aiming to complete within the
4 next year and half time period through new hiring.
5 The state has denied our request to allow limited
6 interaction between this population and other young
7 people of similar charge, severity and age, which, as
8 we've stated in the past we believe that the policy
9 of segregation that is outside of the spirit of Raise
10 the Age. However, because of our success and
11 continuing to reduce the number of young people in
12 detention, it will not impede our ability to meet the
13 October 1st deadline and we will submit a new waiver
14 request—request to the state if need be over the
15 course of implementation. Horizon and Cross—
16 Crossroads will both offer the following programming
17 to adolescents: Enrichment programming, vocational
18 training, program counselor led programming and access
19 to religious services. At both sites, youth will
20 attend school for a full school day either working
21 toward a high school diploma or high school
22 equivalency. ACS and DOC have been working
23 diligently to develop one operational set of
24 standards and practices to ensure that the law and
25 spirit of Raise the Age is implemented effectively

1 while adhering to the regulations out-outlined by
2 OCFS and the State Commissioner of Corrections. The
3 city is very clear on the core values of Raise the
4 Age that juveniles should be treated as juveniles and
5 every part of the planning process has been guided by
6 this principle. Finally, tomorrow on September 21st,
7 the city is holding a conference raising the age for
8 a fair New York, which will feature topics such as
9 adolescent brain development, racial and ethnic
10 disparities in juvenile justice, pre-trial release
11 and bail, crossover youth, trauma-informed care, and
12 meeting the educational needs of justice involved
13 youth. We will equip-equip practitioners with an
14 understanding of the operational details of how Raise
15 the Age will unfold in New York City, and its best
16 practices in Juvenile Justice and youth development
17 nationwide. In closing, New York City has long
18 supported reforms that treat 16 and 17-year-olds as
19 juveniles to produce the best possible outcomes for
20 young people, their families and for public safety.
21 We are well positioned to build on the significant
22 progress that we've made in New York City's Juvenile
23 and Young Adult Justice Systems to day. Yet, our
24 work to ensure the successful implementation of this
25

2 law will not conclude on October 1st. In
3 appreciation of the required coordination between
4 city agencies, the courts, prosecutors, defense
5 attorneys, community and neighborhood providers,
6 labor as well as collaboration between the state and
7 local government, the city will lead an ongoing
8 collaborative effort to understand the impact of the
9 law. With the ongoing collaboration of our partners
10 throughout the city, we will realize the goals of
11 Raise the Age and ensure a fair justice system for
12 the children of New York. Thank you for the
13 opportunity to testify here today, again as I said on
14 this very important and exciting topic. I will now
15 turn to my colleague Deputy Commissioner Felipe
16 Franco who can provide further details on the
17 implementation by ACS in particular, and then I'd be
18 happy to answer all questions.

19 DEPUTY COMMISSIONER FRANCO: Thank you
20 everyone. Good afternoon Chair King and members of
21 the Committee on Juvenile Justice. I'm Felipe
22 Franco, Deputy Commissioner of the Division of Youth
23 and Family Justice, DYFJ within the Administration of
24 Children's Services. Thanks for the opportunity to
25 update the committee on the work the city has done to

2 prepare for Raise the Age implementation. We are one
3 of the most monumental Juvenile Justice reform
4 efforts, and we have seen--that we have seen in
5 decades. On the Raise the Age, the New York State
6 justice system will now acknowledge what research has
7 actually agreed for a significant amount of time, but
8 as doing some brainstorming have shown that previous
9 sharing and out-sharing (sic) produce outcomes for
10 justice involved youth. After more than a 100 years,
11 a century of treating 16 and 17-year-olds, as adults
12 in the community as the system, the passage of Raise
13 the Age last year creates an entirely new system for
14 older adults since that was to be implemented in only
15 18 months. Unique to New York City the laws or
16 mandates within the same timeframe the transfer of
17 all--of all 16 and 17-year-olds currently housed at
18 Rikers Island to a non-Rikers' facility to be jointly
19 administered by ACS and other Criminal corrections.
20 Raise the Age is a unique opportunity to build on the
21 tremendous work that has already been done to
22 transform the Juvenile Justice system in New York
23 City, which has made the city a national leader
24 Juvenile Justice reform. The city has done an
25 enormous amount of work over the past year to create

2 this new system for older youth and to establish an
3 infrastructure to support them. I'm please to update
4 everyone today on ACS contributions to this massive
5 effort. ACS Division of Youth and Family Justice
6 oversees service as unfolding for youth at every
7 stage of the Juvenile Justice system process. Our
8 continuum includes community based preventive
9 services, immigration programs for youth who are at
10 risk of delinquency, detention services, youth who
11 are arrested and waiting court resolution and
12 reservation services for adjudicated placed youth
13 with New York City as well as after their services
14 often return to the community. As you know, over all
15 admissions to the Juvenile Detention system and Close
16 to Home have decreased significantly year after year,
17 and this is due in major part to intensive preventive
18 services that ACS, the Department of Probation and
19 our partners provide to help young people from every-
20 from ever entering into the Juvenile Justice system.
21 Research overwhelmingly shows that young people do
22 better when they are able to remain at home with
23 their families and with connections to their
24 community, and so we have expanded community-a
25 continuum of evidence based strongly, which now also

2 includes interventions that promote permanency for
3 Justice involved youth who do not have a family
4 resource. ACS FAP, Family Assistance Program is
5 available to all families of youth up to age 18 to
6 help youth avoid delinquency and involvement in the
7 Juvenile Justice system by providing the appropriate
8 services that address difficulty in age behaviors.
9 ACS as around the Juvenile Justice Initiative, known
10 as JJI, the largest alternative to placement-to
11 placement program in the city in partnership with the
12 Department of Probation. JJI serve youth who have
13 been adjudicated in the Family Court and provides
14 intensive services to these youth to keep them in the
15 communities with their families as part of-with their
16 families. As part of our preparation for the Raise
17 the Age, the Division of Youth and Family Justice
18 will be adding a new program to the JJI continuum to
19 help further meet the needs of older youth. With
20 substantial input from communities and providers, the
21 Division of Youth and Family Justice issued a Request
22 for Proposal earlier this year from Mentoring and
23 Advocacy program known as MAP. MAP is a new
24 community based program that is designed to support
25 youth by providing them with mentors and advocates

2 with the focus on school engagement, education and
3 workforce assistance. Contracts of our award were
4 announced in July of 2018 and services will begin in
5 November of 2018. Before providers selected for-wire
6 have shrunk community ties, and significant community
7 relations and are located in Brooklyn, Manhattan,
8 Queens, and the Bronx. We also continue our close
9 collaboration with our planners at the Mayor's Office
10 of Criminal Justice, the Department Probation, the
11 Courts to increase the use of Alternative to
12 Detention Programs, alternative to placement programs
13 and to keep their people who do not need to be
14 confined safely in the community with the necessary
15 services and support. ACS has also been working very
16 closely with the Vera Institute of Justice, by our
17 agencies and national experts and advocates on the
18 Durst (sic) task force to reduce courts' involvement
19 in detention and Close to Home. The task force work
20 is ongoing and we are currently working on the
21 development of a concept paper for bringing gender
22 specific program into the Juvenile Justice system
23 continuum. Detention. An important part of our
24 continuum is Non-Secure Detention, NSD. It's-it's a
25 smaller less restrictive residential setting for

1 youth who are remanded by detention by the Family
2 Court during the pendency of the court case. It-NSD,
3 Non-Secure Detention residents houses up to 12 youth
4 and offers young people a supportive family-like
5 environment and close supervision. To help
6 accommodate the new 16 and 17-year-olds who will be
7 entering the Juvenile Justice System under Raise the
8 Age, ACS issued an RFP in the fall of 2017 to
9 increase our existing NSD capacity. Contrary to
10 award in April 2018, will now all us to-allow us to
11 bring an NSD residential care to 131 beds. And Secure
12 Detention. As you know, SCS currently operates two
13 secure detention facilities: Horizons in the South
14 Bronx, and Crossroads in Brooklyn. Under the initial
15 phrase of Raise the Age implementation, Crossroads
16 will house juvenile delinquents, juvenile offenders
17 and the new delinquents and offenders and will be
18 primarily staffed by SCS with DOC the Department of
19 Correction serving in an advisory capacity conducting
20 security outreach (sic) and recommendations.
21 Horizons will house adult-adults charged 16 and 17-
22 year-olds who are currently in Rikers Island as well
23 as newly arrested 17-year-olds who will continue to
24 be charged as adults until October 1st of 2019.

2 Horizon will be jointly operated by both ACS and DOC.
3 Applications to certify Crossroads as a specialized
4 secure detention facility and Horizons and a
5 specialized juvenile detention facility have been
6 submitted to New York State Office of Children and
7 Family Services, and the New York State Commission of
8 Corrections, and we're expecting formalizing these
9 within the coming days. Since the re-enactment of
10 Raise the Age, one short year ago, the city has been
11 working non-stop to ensure that the facilities are
12 safe to serve older youth. Extensive renovations
13 have been ongoing at both sites over the past year.
14 The total budget for the long-term innovations at
15 both facilities is \$329 million and an authorized
16 budget of \$128 million, and already \$112 million have
17 been committed to contracts through the Department of
18 Design and Construction to improve on our facilities.
19 As we have mentioned before, the focus has been for
20 October 1st and the renovation of the medical unit
21 and the dormitory halls were hardened into all the
22 facilities updated programs areas and classroom
23 spaces, new plumbing and HVAC systems, update staff
24 and transport areas, and enhanced security throughout
25 the facility. The work of our frontline staff in

2 detention is critical to create positive outcomes in
3 the life of young people that pass through our doors.
4 It's not an easy job, but it's an in extremely
5 important one, and it's why ACS is proud to help SEIU
6 371 and DC37 in our partner agencies of DCAS, OLR and
7 OMB to create the new youth developments specialists
8 civil service type for our frontline staff. The YDS
9 replaced the previous juvenile counselor Civil
10 Service title. Not only does it offer a more
11 appealing salary and a range—and a range that the
12 previous title did, it better reflects the
13 developmentally appropriate supervision and care we
14 require of our frontline staff and the important role
15 the staff plays in helping youth learn new skills.
16 We are track on our mission by Dana Kaplan to hire to
17 175 new YDS by October 1st, which are necessary to
18 meet that staffing ratio required by the state to
19 safely manage youth who will be housed at Crossroads
20 and we have an ongoing campaign to hire more than 400
21 YDS positions over the next two years. A new class
22 of ACS recruits are hired and trained. As new
23 classes of ACS recruits are hired and trained, the
24 DSS that will transition out from their role at
25 Horizons. We are on our way to meeting our hiring

2 goals, but we still need to have other Council and
3 everyone else to identify a pool of committed people
4 in your communities who would want to be—who want to
5 be a force of change in the life of youth.

6 Information about the title and the position has been
7 shared with you today. Essential to operating a safe
8 and effective facility is having a unified program
9 approach and theory of change that guides all the
10 staff interactions and integrations on behalf of
11 youth. ACS have been working with local and national
12 experts for the last two years including the Masuda
13 Youth Services Institute, and the developers of Safe
14 Crisis Management and the folks at NYU Bellevue to
15 develop a system of care that uses a multi-
16 disciplinary team who works together consistently
17 with the same group of youth to enforce positive
18 behaviors. The multi-disciplinary team staff will
19 use a wide array of de-escalation techniques to
20 manage and regulate youth behavior. Essential to the
21 model of success, it stationed both youth and staff
22 to a responsive case to have youth regulated in
23 motion and sound behavior. The vast majority of
24 youth that we serve as high as 90% of young people in
25 the Juvenile Justice System have experienced some

2 sort of trauma. Youth in our secure facilities
3 receive a locational healthcare, mental health
4 services including psychiatry and psychological care,
5 dental care, recreational activities and case
6 management on site. Youth in secure detention
7 attended New York City Department of Education
8 District 79 Passages Academy, their full-time
9 educational program that is operated by DOE across
10 our entire Juvenile Justice System. DOE District
11 secured a standard curriculum that includes English,
12 language arts, mathematics, science, social studies
13 and Regents prep-prep, and enables youth to earn
14 credits to evaluation. In addition to the
15 comprehensive educational services provided through
16 Passages Academy, we have worked with the DOE to
17 establish a high school equivalency programs in
18 detention and Close to Home, alternative for some
19 older youth, and have developed new internship, new
20 career certificate programs, and better access to
21 vocational schools. DOE has also invested in
22 vocational transitional counselors now available at
23 Horizons and Crossroads to assist youth in the
24 transition back to their community school open
25 release to the community. Earlier this year ACS

2 announced that we have entered into a partnership
3 with Health and Hospitals who will help manage the
4 contracted healthcare providers currently working at
5 Crossroads and Horizons. This will ensure that young
6 people in detention continue to receive high quality
7 healthcare, and it's also the first step to ensure
8 continuity of care for young people through the
9 Juvenile Justice system from detention through to
10 placement and aftercare upon return to their
11 communities. With the recent Youth and Family
12 Justice and the Department of Youth and Community
13 Development collaborate with an extensive array of
14 partners to provide a range of recreation
15 improvements and services to justice and the youth in
16 our detention and close to facilities. Through our
17 positive activities and our stronger morale (sic) we
18 hope to develop the skills young people need to
19 direct their lives in a positive direction—in a
20 positive direction. We have broadly expanded our
21 portfolio program and services including our art and
22 enrichment programs to better address the interests
23 of all youth in our system including older adults who
24 will be entering the facilities as part of Raise the
25 Age. Close to Home: As you know, it's a KATHERINE

2 KITCHENER: reform that has allowed New York City
3 youth who have been adjudicated as juvenile
4 delinquents to be placed in residential care with
5 ACS, near their homes and communities and also attend
6 the DOE Passages Academy. Close to Home was launched
7 only five years ago, but in that time has
8 dramatically changed the way we approach services and
9 programming for justice involved youth, and has
10 positioned New York City as the national model for
11 Juvenile Justice reform. ACS currently partners with
12 seven for-profit agencies to deliver student based
13 programs including four non-secure placement NSPs and
14 four limited executive placements LSPs. Sites located
15 in near-located in or near New York City. All of our
16 Close to Home providers have extensive experience in
17 Juvenile Justice population, an issue program offers
18 structured risk and initial care in smaller
19 supervised homelike environment. We estimate that
20 the court ordered directing Close to Home placements—
21 and placements will increase with Raise the Age when
22 it's fully implemented. We're working with our Close
23 to Home providers to maximize the existing capacity
24 to accommodate the many increase in Close to Home
25 placement under Raise the Age and to asses future

2 capacity needs. We intend to full work with the City
3 Council and all of o you on the development of any
4 new Close to Home residential sites if needed. As
5 you know, despite overwhelming evidence of the
6 success and effectiveness of Close to Home and the
7 expected and—and even with the expected sense of
8 increase under Raise the Age, New York State chose to
9 eliminate every dollar of funding for Close to Home
10 in their 2019 Budget. While we're deeply
11 disappointed that the state budget does not continue
12 to share state fiscal responsibility for Juvenile
13 Justice in New York City and New York City youth,
14 which have always existed previously in every other
15 community, we remain committed to the known success
16 of Close to Home. In closing, Raise the Age has been
17 a massive undertaking for New York City and across
18 the state, and we are overjoyed by this monumental
19 system with folks (sic) that are now finally a
20 reality. We would not have made it to this point
21 without the City Council Advocacy, and I sincerely
22 thank each one of you for your support and deep
23 voice. The story doesn't end on October 1st. It
24 actually begins. Raise the Age implementation will
25 continue over the next several years as 17-year-olds

2 transition into the Juvenile Justice System in 2019,
3 October of 2019 and the Raise the Age population
4 access our care. We will need the Council's
5 partnership and support to make sure there's the
6 normal system reform is a success for all youth. We
7 need your advocacy to help restore funding for Close
8 to Home so that seniors in New York City will receive
9 the same support from the State that children in many
10 other counties receive. We need your voice to help
11 us forget partnerships with organizations that can
12 provide the supportive services our young people and
13 families need to thrive. Thank you for the
14 opportunity to discuss the—to discuss what the ACS
15 work as done in collaboration with many, many of our
16 providers of our agencies, and our sis—our sister
17 city agencies in preparing for today's legislation
18 presentation. Thank you.

19 CHAIRPERSON KING: Thank you, thank you
20 Commissioner and thank you to the Administration and
21 thank you all for your testimony today. We are on
22 the clock. We have roughly---it's 11:00 and we have
23 roughly to about 12:45 to finish our conversation.
24 So, whatever that is going to look like. So, I'm
25 going to ask you guys to continue to testify and ask

2 questions that were succinct and to the point. Thank
3 you for your testimony and the good thing about
4 testimonies everything always sounds great in
5 testimonies until we start dissecting what's real.
6 So, I'm—I want to engage my colleagues in the—in the
7 conversation quick fast and hurry, but before I do
8 that, I do just want to ask a couple of quick
9 questions in regards to by October 1st—I'll give you
10 a few questions and you can answer them. How many
11 Kids you plan on having off of Rikers in today's Yes
12 System by October 1st. Secondly, I'd like to know
13 from the training aspect, you said you're on track to
14 have 175 by October 1st. What happens if something
15 goes wrong with that track and you don't have 175 by
16 ready? And I'd like to know what ready means because
17 I know there's a training piece that has to happen,
18 and because you hired them doesn't it mean that
19 they're ready and trained. Second. The third
20 question goes back to our correction officers who
21 have said from day one that they weren't really
22 interested in being part of this transition into a
23 yes. We understand three days ago the courts have
24 kind of sided with them in saying hey there's a stay
25 right now. So, if those 300 bodies get lost, what is

2 your plan to move forward? I'm going to stop right
3 there and let you answer.

4 DEPUTY DIRECTOR KAPLAN: : So, I can
5 start just in terms of the numbers. As I said, the
6 average daily population of 16 and 17-year-olds on
7 Rikers Island since June has been under 100. There's
8 94 young people there today. We anticipate that that
9 will be the—the approximate number that will need to
10 be transferred off by October 1st. In terms of the
11 training, I think ACS can speak with that. The court
12 case that you referenced, we actually were back in
13 court and that temporary restraining order—order was
14 lifted, and so, actually we prevailed on an appeal in
15 that, and so everything is moving full steam ahead in
16 terms of training in our—in our plan as stated to
17 have Horizon staffed by DOC and ACS together, and
18 again DOC and ACS can speak to the specifics of the
19 training and our preparation.

20 DEPUTY COMMISSIONER FRANCO: I would—
21 Council Member—Member King, I mean your questions is
22 a right one. I mean when I'm—when I say 175, what do
23 I mean? I think that what do I mean? I mean that we
24 will have 175 folks by October that will have just
25 been hired and identified and controlled by extensive

2 vetting process, but also will have actually been
3 through our pre-service economy. One thing that
4 actually we have take advantage of doing because of
5 Raise the Age is actually look at our Pre-Service
6 Academy, which is about six weeks, and booster the
7 amount of training that actually happens among the
8 teams within the facility. So, just what I mean by
9 175 is that actually we will have 175 while DSS the
10 essential and very, very much needed at Crossroads so
11 that we can actually meet the demands of other Raise
12 the Age Kids that as of October 1st will be coming to
13 Crossroads.

14 COUNCIL MEMBER KING: Okay, alright.
15 Thank you for that. I'm going to just after having a
16 number of conversations with unions, I know there's a
17 big concern, and I know that all interested parties
18 are working together to try to make this right. Now,
19 I need to know from correction officers who are
20 coming over, who are going to be a part of correction
21 officers, I need to know what kind of training have
22 they received as of to date? Are they readily ready
23 to train, and if the correction officers who are
24 coming over are these correction officers who have
25 volunteered to be a part of this process as opposed

2 to taking someone out of the jail system who may
3 still map this—we don't the—the jail mentality to
4 manifest in our facilities. So, if a young brother
5 or young sister has been locked up with the same
6 individuals now who are supposed to be in another
7 facility that's supposed to be a lot less harsher on
8 them and that same face is still there, the same
9 messages still get sent. How are you planning to
10 deal with that?

11 ASSISTANT COMMISSIONER LEBEC: So, first
12 on the training the state regulations for it give ACS
13 o work at Horizon. It came along with a number a
14 number new regulations. We've had our Academy doing
15 trainings everyday for the last several months to
16 make sure that our officers are up to speed with
17 those new regulations, and we're moving—we're—we've
18 finished all of the mandatory trainings that we need
19 to do, and that is focused on our—our Safe Crisis
20 Management to make sure that we know how to—to
21 bolster our skills to work with young people and
22 intervene in a very safe way at the new facility. In
23 terms of the number of staff that will be going over
24 there, we'll have 330 correction officers and
25 supervisors combined.

2 CHAIRPERSON KING: Who want to be there.

3 ASSISTANT COMMISSIONER LEBEC: We have a
4 : combination of volunteers and also some staff that
5 have specific requirements that the state gave us to
6 us that—that meet those requirements and that's two
7 years of working with young people, and those
8 officers have been assigned as well. Over the last
9 couple of months, we've been working with those
10 officers that hadn't been—that hadn't directly
11 volunteered to engage with them about what to expect
12 over there and as we have those conversations, we're
13 getting very good feedback from the staff.

14 CHAIRPERSON KING: Okay, I'm going to
15 keep having more conversations during this, but I
16 want to give my colleagues an opportunity to jump
17 into the conversation and share their questions or
18 their thoughts. So, each member we have about—we'll
19 do a couple rounds and see how long we can be here.
20 Four to five minutes to start off so we're going to
21 start with Council Member Powers and then Council
22 Member Lancman.

23 COUNCIL MEMBER POWERS: Thank you. I
24 will go quick. Thank you for the testimony, and for
25 being here. I'm just going to go quick. So, the

2 first question is you had mentioned—Dana you had
3 mentioned that there was a timeline for New York City
4 that was quicker than the rest of the state. Can you
5 tell me what the—what one of the implementations that
6 was a referral for the rest of the state—the rest of
7 the state?

8 DEPUTY DIRECTOR KAPLAN: So, the—the
9 implementation for the Raise the Age law overall is
10 consistent. So, October 1, 2018 for 16-year-olds,
11 October 1, 2019 for 17-year-olds. The specific
12 provision that is unique to New York City is that all
13 16 and 17-year-olds who are currently in detention
14 must be moved to a juvenile facility that is under
15 the regulations that govern specialized secure
16 detention facilities or the—the SSD facilities. It's
17 a slightly different legal term in terms of what that
18 facility is in New York City. So, again, whereas in
19 the rest of the state it is all newly admitted young
20 people that have to be held in a juvenile facility.
21 In New York City we have the unique provision that
22 all of the young people must be transferred off, and
23 so that is why in particular this, you know, close to
24 100 young people that will be moved off of Rikers
25 Island is a—a challenge that we have risen to.

2 DEPUTY COMMISSIONER FRANCO: I think of
3 it in very practical terms because many of other
4 commissioners, you know, every other week, the
5 Commissioner Rockland (sic) was just there. He's
6 getting ready for the new Raise the Age Kids that are
7 in in October. He doesn't have to deal with the Kids
8 who are coming out of there by holiday. So, New York
9 City wasn't told something and nobody has acted on
10 it.

11 COUNCIL MEMBER POWERS: Okay, thanks.
12 Just because I'm on the clock and ready to go. You-
13 we're talking about a lot of that staffing and
14 training. So, a follow-up question to the Chair.
15 How does the role of the officer so what is the role
16 of the-of a corrections officer in the new facility-
17 how does that differ from their current job in terms
18 of what the duties they're going to have to perform?

19 ASSISTANT COMMISSIONER LEBEC: So, the
20 duties don't change. They're responsible for the
21 direct supervision of the young people at Horizon.
22 What does change is the partnership with ACS and the
23 close collaboration that our staff will have with the
24 program counselors and case managers at ACS.

2 COUNCIL MEMBER POWER: So, let me just
3 ask a follow-up question. You are replacing at some
4 point the DOC employees just the-the officer with ACS
5 staff, which would-which would then lend one to
6 believe-lead one to believe that there is a
7 difference because you're hiring ACS employees to do
8 that. Presumably they're not providing security and
9 safety in there. So, it does seem like there is a
10 difference.

11 DEPUTY COMMISSIONER FRANCO: Yeah, I
12 mean maybe a way of understanding is that we both-I
13 mean there's two different types of facilities.
14 There's a place that has a juvenile detention
15 facility that is actually intended to be for young
16 people who have more out of Rikers Island and there's
17 a special security detention facility, which is for
18 youth and community as part of Raise the Age.
19 They're both-and the staff have to abide by the same
20 set of regulations and policies. So, policies that
21 actually are publicly available for anyone here to
22 see, will dictate the behavior of the YBS for AOs,
23 and will dictate the behavior for correction officers
24 at Horizons.

2 COUNCIL MEMBER POWERS: So, if I'm an
3 officer that's not a volunteer and I'm—I made the
4 two-year requirement and I'm going to the Horizon or
5 Crossroads, I will be performing a straight
6 description of the job as I am today?

7 ASSISTANT COMMISSIONER LEBEC: Yes, I
8 mean--

9 COUNCIL MEMBER POWERS: [interposing] No
10 new duties.

11 DEPUTY COMMISSIONER RAY: No new duties.
12 However, there are certain procedural changes that
13 happen at Horizon, and so, there are certain state
14 specific policies related to movement or mechanical
15 restraints or how you deescalate certain situations.
16 So, we have trainings going on with our academy
17 everyday to get those officers up to speed. [bell]

18 COUNCIL MEMBER POWERS: Okay, and just--

19 ASSISTANT COMMISSIONER LEBEC:
20 [interposing] and those are the general
21 responsibilities we're seeing.

22 COUNCIL MEMBER POWERS: Got it.

23 ASSISTANT COMMISSIONER LEBEC: Some of
24 the specific procedures. There are some specific
25 procedures that change.

2 COUNCIL MEMBER POWERS: Okay, I was just
3 reading your testimony and I know—I just want to ask
4 a question about it. It says we are on track to hire
5 174 YDS staff, which is Youth Development Specialist,
6 right, which are necessary to meet the staffing
7 ratio, and then the next one is as new classes of ACS
8 recruit. That is about Cross—that first one is about
9 Crossroads on track to hire 175 new YDS staff, and it
10 says as new classes of recruits are hired and
11 trained, DOC will staff but transition out from the
12 role at Horizon. So, they kind of go from talking
13 about Crossroads and then talking about Horizon. Are
14 there—how many YDS officers—YDS staff will be a
15 Horizon on October 1st?

16 DEPUTY COMMISSIONER FRANCO: We're going
17 to have a very small unit for doing for admissions
18 and we're going to have a significant count of about
19 80 plus program staff, but actually our need is to
20 focus our YDS as to fully staff Crossroads as we meet
21 the demands of the new Raise the Age kids.

22 COUNCIL MEMBER POWERS: So the--

23 DEPUTY COMMISSIONER FRANCO:

24 [interposing] We're looking for what—as I said in the
25 testimony to hire really quickly, and as those staff

2 are available, and we have a full deployment at
3 Crossroads, we will start deploying staff at Horizons
4 to take over the footprint front the Department of
5 Corrections.

6 COUNCIL MEMBER POWERS: So, you have 175
7 new YDS staff at October—sorry, at a Crossroads on
8 October 1st, and what's the—what's the YDS number at
9 Horizon on October 1st?

10 DEPUTY COMMISSIONER FRANCO: I think
11 there's a team of 25.

12 COUNCIL MEMBER POWERS: 25 and how many
13 juveniles are there?

14 DEPUTY COMMISSIONER FRANCO:
15 [interposing] Well, well besides, I think it is
16 important to make sure that we have 25 YDS and we're
17 going to have 87 other staff and actually supporting
18 the Department of Corrections to the program I think
19 elements.

20 COUNCIL MEMBER POWERS: Got it and how
21 many counselors?

22 DEPUTY COMMISSIONER FRANCO: I believe
23 the number of counselors is actually 14. We also
24 have a cadre of case managers, which is about 10 and
25 there is a significant number of other—other

2 recreational specialists and other types of—that are
3 all supporting the operations at Horizons as of
4 October 1st

5 COUNCIL MEMBER POWERS: Got it and my
6 last question: How many DOC staff will be at Horizon
7 on October 1st?

8 ASSISTANT COMMISSIONER LEBEC: 330. *

9 COUNCIL MEMBER POWERS: Got it. So, then
10 you're going to have to turn those 330 into ACS staff
11 over what period of time? What's the timeline?.

12 DEPUTY DIRECTOR KAPLAN: So, our—our
13 target is for this to be complete within a year and
14 as new classes of YDS staff are brought on there will
15 be a transition off of DOC staff during that time
16 period.

17 COUNCIL MEMBER POWERS: Got it. I just
18 want to thank I think the ratio is a—just seems way
19 off, 330 and then 25 YDS. It strikes me as, and I
20 know you guys are working urgently but, you know,
21 whether it's from—we hear from all different sides
22 their concern about—about the staffing and—and where
23 we are on that [bell].

24 DEPUTY COMMISSIONER FRANCO: I—I think—I
25 mean the City Council has heard this before, we have

2 testified before, we at ACS in terms of our Juvenile
3 Counselor staffing ratios were depleted. The type of
4 being to attract the staff that we needed we lost
5 more than 20% of the staff within a year. So, we
6 actually are kind you're bringing the YDSs to finally
7 staff closest to what is expected under regulations
8 and to do it safely. We have to be ready not just to
9 serve the juvenile delinquents and juvenile offenders
10 that we have today, but we have to serve all the new
11 kids that are coming in as part of the Raise the Age
12 as of October 1st.

13 COUNCIL MEMBER POWERS: Okay, I've used
14 my time up, so I'll leave it there. Thank you.

15 CHAIRPERSON KING: You can always come
16 back on a second round, and I thank you, and as to
17 testify to your questions, I did feel a red flag in
18 there when we started talking about the numbers and
19 the time that you take in between. So, some DOC
20 workers are out and getting youth workers. So, I'm
21 just asking us again, I know we have this mandate,
22 but let's make sure that we get it right the first
23 time because a Department of Correction Officer will
24 come in and will—and—and implement what he's given—
25 he'll always or she will always go back to what she

2 knows best if they're in crisis. No matter how much
3 training that you give, when ACS worker has a certain
4 amount of training that will always keep them in that
5 same zone. They come from another culture. So, I'm
6 just saying we got to be real mindful on it because
7 what I heard is that you're going to have a lot more
8 correctional officers until you get your ACS workers
9 in place. That means what the culture has not
10 changed. You're taking it from Rikers and placing it
11 in Crossroads or Horizon, which is scary when we are
12 telling our children, our students we're putting them
13 in new and different environments so that we can get
14 them back in society. So, are going to have to keep
15 this conversation on the date again because feel that
16 October 1st many, which we are trying to achieve. If
17 we can't get it right, let's figure how to do it
18 right. Next, I want to ask Council Member Lancman to
19 just ask-

20 COUNCIL MEMBER LANCMAN: Thanks. Good
21 morning. I just want to understand on October 1st
22 between Crossroads and Horizon, how-how many ACS
23 staff will there be and how many Department of
24 Corrections staff will there be? Correction
25 officers?

2 DEPUTY COMMISSIONER FRANCO: At Horizon
3 on October 1st we will have assigned 330 staff—DOC
4 staff to Horizon. It's a combination of Correction
5 Officers, Captains, supervisors and--

6 COUNCIL MEMBER LANCMAN: [interposing]
7 Got it, and—and any ACS?

8 DEPUTY COMMISSIONER FRANCO: Yes, as I
9 said before 87 ACS staff that actually are providing
10 programming, adding support, sustaining the facility,
11 counseling and case management under those--

12 COUNCIL MEMBER LANCMAN: [interposing]
13 So, 300 plus to 87. What—what is there—what is it at
14 Crossroads if any?

15 DEPUTY COMMISSIONER FRANCO: Crossroads
16 is fully staff by ACS.

17 COUNCIL MEMBER LANCMAN: Fully staffed by
18 ACS. So, you know, I—I'm very unsympathetic to the
19 problems that you're having with properly Horizon.
20 The Raise the Age legislation was passed I think
21 about 17 months ago, and at the very beginning issues
22 were raised about whether or not correction officers
23 were the appropriate people to be staffing these—
24 these—this facility, these facilities to meet the
25 purpose of Raise the Age, which was as the Chair

2 mentioned, and my colleagues mentioned to get kids,
3 and these are kids that we're talking about, out of
4 correction facilities, out of jails. Now, 17 months
5 later you're telling us that Horizon is going to have
6 the-the-four plus times as many correction officers
7 and-and-and-and folks from DOC as people from ACS,
8 and that's just completely unacceptable. Now, I
9 understand that a TRO was issued prohibiting you from
10 using correction officers, I'm learning now because
11 it wasn't in either of your testimonies. Like the
12 elephant in the room that nobody was talking about
13 that that TRO was lifted. There's going to be a
14 hearing on October 1st. What happens if the judge
15 who is hearing this on October 1st issues another TRO
16 or some kind of stay prohibiting you from employing
17 Correction Department employees at-at this facility?
18 What's-what's Plan B?

19 DEPUTY DIRECTOR KAPLAN: So, the-the TRO
20 was lifted yesterday. So, and, you know as you know,
21 we have been in court on this many times. We have
22 prevailed each time, and at this point there is no
23 legal obstacle to us moving ahead fully with our
24 plan. By October 1st we will have a facility
25 staffed, and we will have all of the 16 and 17-year-

2 olds in the facility, and we will continue to go to
3 court as needed, but we are going to continue with
4 our path, and we believe that it's--well, this path
5 will lead us forward.

6 COUNCIL MEMBER LANCMAN: Well, listen,
7 you may be right, and I'm not going to substitute my
8 legal opinion for yours or wherever you're--you're
9 getting from, but if you're wrong, and--and--and the
10 judge hearing this--conducting this hearing has
11 already said--has already issue a restraining order in
12 this case, it doesn't sound like you have Plan B,
13 and--and if you have a Plan B tell me, and if you
14 don't have a Plan B tell me that--tell me that also.
15 We'll leave the--the estimation of whether or not
16 you're going to win this hearing to what actually
17 happens at--at the hearing. So, I want to know if the
18 hearing goes the wrong way, are these kids still
19 stuck on Rikers Island.

20 DEPUTY DIRECTOR KAPLAN: So, we have
21 continued to face every obstacle in our planning
22 efforts head on, and our, you know, obviously
23 constantly evaluating that, but at this point, we are
24 optimistic that we will prevail as we have done in

2 court [bell] consistently up until this time period,
3 and we are confident in our path forward.

4 COUNCIL MEMBER LANCMAN: Right, [coughs]

5 If you can indulge me just one more question. So,
6 the--the--the head of the--the Correction Officers
7 Union, the Administration had done a remarkable job
8 in--in uniting a diverse range of advocates and
9 interests. Behind the issue of correction officers
10 shouldn't be doing this work. In their testimony
11 later today. I don't know if Mr. Husamudeen will be
12 here because of circumstances of one of his members
13 being killed, but that they at least submitted
14 written testimony, and in it, it says: The training
15 materials applicable to Little Horizon reveal that
16 the COs and their supervisors will be required to
17 engage in social development, psychological
18 counseling, education, ego building and daily life
19 instructions including combing hair and brushing
20 teeth. These counseling, parenting, et cetera duties
21 are wholly inconsistent with the job description
22 training and experience of correction officers. Do
23 you agree with that statement?

24 ASSISTANT COMMISSIONER LEBEC: The
25 specific things that you just read are not part of

2 the curriculum that has been given to the correction
3 officers.

4 COUNCIL MEMBER LANCMAN: Okay, is that a
5 fair description of what their duties will include
6 whether it's in the curriculum or not?

7 ASSISTANT COMMISSIONER LEBEC: They're
8 doing the same thing that they're doing now, direct
9 supervision of the young people. They're not combing
10 hair or taking care of those types of hygiene or
11 activities that you just read. So, I--

12 COUNCIL MEMBER LANCMAN: Well--

13 ASSISTANT COMMISSIONER LEBEC: I'm-I'm
14 not seeing a connection.

15 COUNCIL MEMBER LANCMAN: Okay, well, it
16 sounds like what you're saying is-is impossible, and
17 maybe I don't understand something because the whole
18 premise or-or at least half the premise of Raise the
19 Age-half the premise of Raise the Age is these kids
20 are not going to be criminally culpable or as
21 culpable as adults. That's one part of the process,
22 but the other part is they're going to be housed, and
23 treated. Those who are detained are going to be
24 housed and treated differently than individual in-in
25 adult jails, and so, if you're telling me that in

2 fact these young people will be treated the same,
3 housed the same, supervised the same then I don't
4 understand how that-that-that's possible or-or
5 appropriate. There--there has to--it seems to me there
6 has to be a difference between the way these young
7 people are being supervised and--and--and what let's
8 supervised than how adults in Rikers Island are being
9 supervised. There--there has to be a difference.

10 ASSISTANT COMMISSIONER LEBEC:

11 [interposing] There will be--

12 COUNCIL MEMBER LANCMAN: If the benefit is
13 a difference, then the responsibilities of the
14 corrections officers coming from Rikers Island have
15 to be different than the responsibilities they will
16 have when they're at--at--at Horizon.

17 ASSISTANT COMMISSIONER LEBEC: So, I'll
18 turn it over to my colleagues in just a second, but
19 there--there will be far more rigorous programming and
20 therapeutic support for the kids at Horizon than they
21 have now. There will be case managers in the housing
22 areas. There will be more program counselors
23 available than are available today on Rikers. So, I
24 might turn it over to my colleagues to explain a
25 little bit about those particularities, but those are

2 things that are going to be managed by largely the
3 ACS staff, those changes that are—

4 DEPUTY DIRECTOR KAPLAN: And I just
5 wanted to I guess emphasize the kind of legal
6 framework of Raise the Age overall in which Raise the
7 Age created these jointly—this jointly operated
8 facility of the Department of Corrections and the
9 Administration for Children's Services, and outlined
10 that, you know, did not specify this, you know,
11 specifics of the staffing roles, but that no matter
12 who is staffing these facilities, it has to be under
13 the regulations that govern the specialized secure
14 detention facilities. And so, that is really the,
15 you know, uniqueness of what will happen both at
16 Horizon and also for the adolescent offenders at
17 Crossroads is that there will be the same set of
18 regulations that are not just SCOC or OCFS, but under
19 this joint new regulatory framework that has been
20 created by Raise the Age.

21 COUNCIL MEMBER LANCMAN: So, are you
22 saying that the difference that the young people at
23 these ACS facilities, the difference in their—in
24 their time there, and their experience there in the
25 way that they are—they are held there, that will be

2 provided by ACS staff, and that the correction
3 officers who outnumber the ACS staff--

4 DEPUTY COMMISSIONER FRANCO: [interposing]
5 Exactly.

6 COUNCIL MEMBER LANCMAN: --four to one,
7 are going to be doing I don't know, just security,
8 non-touchy, feely stuff? Because that begs another
9 question, but let's do this one first.

10 DEPUTY COMMISSIONER FRANCO: Yeah, I-I,
11 you know, I kind of talk about the work of the
12 Department of Corrections day to day. What is clear,
13 and--and you know, you--you have a good, you know,
14 statewide perspective. New York City has to have two
15 different type of facilities, specialized juvenile
16 detention facilities and secure--specialized secure
17 detention facilities. Crossroads will be the
18 specialized secure detention facility for your people
19 who are coming in as part of Raise the Age. Horizons
20 will be the specialized juvenile detention facility
21 for what the state is calling 3RTA Youth where youth
22 are being removed out of Rikers. Both facilities no
23 matter if it it's YDS or it's actually a correctional
24 officer, both of them have to abide by the same
25 regulations and the same policies, and actually

2 policies were—have been reviewed and approved by the
3 state.

4 COUNCIL MEMBER LANCMAN: [interposing]
5 Just to be clear, there's no doubt those regulations
6 and policies are different than the ones that have to
7 be adhered to at—at let's say Rikers Island.

8 DEPUTY COMMISSIONER FRANCO: Yeah, they—
9 they are regulations that have to be used in a
10 specialized juvenile detention facility as approved
11 by OCFS, and they're grounded in Juvenile Justice
12 practices.

13 COUNCIL MEMBER LANCMAN: So—so you can
14 see where we would be concerned where everybody would
15 be concerned that you're taking correction officers,
16 trained and used to adhering to regulations at
17 Department of Corrections facilities, adult jails,
18 and putting them into these—these—these—these
19 youthful offender, these young jails—detention
20 centers. So, there—there—there are a different set
21 of rules, regulations, practices, and what we're
22 hearing from the correction officers is that aside
23 from whether or not they've been forced to do
24 something that they believe they're not legally
25 required to do, let's put that aside. They're saying

2 they haven't gotten that training to-to conduct
3 themselves according to the norms and practices and
4 rules of-of-of an ACS facility.

5 ASSISTANT COMMISSIONER LEBEC: We've had
6 hundreds of staff go through training. So, I don't-
7 again, I'm sorry. I just don't see that connection.

8 COUNCIL MEMBER LANCMAN: You don't see
9 what connection?

10 ASSISTANT COMMISSIONER LEBEC: The-the-to
11 the point that they don't-they're not getting the
12 training to work at Horizon.

13 COUNCIL MEMBER LANCMAN: Well, they're-
14 but they're saying they're not. That's where we-
15 that's where we started.

16 ASSISTANT COMMISSIONER LEBEC: I know,
17 and I'm-and I'm saying when I see the numbers of
18 staff in training, we're almost done with it for all
19 the staff that are going there. So, and we will be
20 absolutely done with it by October 1st. So-

21 COUNCIL MEMBER LANCMAN: So, so-so your
22 last point. So, it's your position that every
23 Department of Corrections employee at these
24 facilities by October 1st will have been retrained
25 and receive the training necessary to conduct

2 themselves and operate in this environment, which is
3 different from the Rikers Island environment?

4 ASSISTANT COMMISSIONER LEBEC: That's
5 right.

6 COUNCIL MEMBER LANCMAN: Well, we'll hear
7 their view later, but thank you very much.

8 COUNCIL MEMBER KING: Alright, thank you,
9 but thank you for bringing that up because the staff
10 ratio is a concern, and as someone who has worked in
11 a facility such as group homes, it doesn't matter.
12 When you're in a situation, you have to be able to
13 deal with the young people who are in there. So, God
14 forbid that you have 4-25 correction officers in one
15 location, and you have 7 ACS workers when stuff goes
16 down, and who needs to do the work. Correction
17 officers have to step in because you just don't have
18 the bodies.

19 ASSISTANT COMMISSIONER LEBEC: Can I just
20 make a comment on the record?

21 CHAIRPERSON KING: Please.

22 ASSISTANT COMMISSIONER LEBEC: So, the 87
23 staff that--and I believe and please correct me if I
24 get this wrong, that's a daily number for ACS, right.
25 Every day there's around 87 staff. 330 staff that

2 I'm referencing. That's three tours 24 hours a day,
3 7 days a week. So, it's not like at any give time
4 there's going to be 300 staff against ACS' 87. You
5 know, our highest tour level might be around 112.
6 So, it is a relatively equitable distribution of
7 staff on an hourly basis. Just wanted to make sure
8 that that point is clarified for you.

9 COUNCIL MEMBER LANCMAN: Those 87 they're
10 working around the clock? I mean, they've got tours?

11 CHAIRPERSON KING: ACS is there, right?

12 ASSISTANT COMMISSIONER LEBEC: They're
13 there during business hours.

14 CHAIRPERSON KING: And some of them—

15 COUNCIL MEMBER LANCMAN: [interposing]
16 But non-business hours it will go back to 112 to 15?

17 ASSISTANT COMMISSIONER LEBEC: Which is
18 when everybody is sleeping.

19 COUNCIL MEMBER LANCMAN: Things have been
20 known to happen in—in these kinds of facilities when
21 people are sleeping right?

22 CHAIRPERSON KING: Thank you, Council
23 Member. We'll—we'll keep following up on this. We're
24 going to take a quick pause to go back to the vote.
25 We've been joined by Council Member Mark Gjonaj,

2 Councilwoman Barron and is that it? Yeah, so we're
3 going go open it back for the vote.

4 CLERK: Continuation roll call, Reso 283,
5 Committee on Juvenile Justice, Council Member Barron.

6 COUNCIL MEMBER BARRON: I vote aye.

7 CLERK: Council Member Gjonaj.

8 COUNCIL MEMBER GJONAJ: Aye.

9 CLERK: The vote is now currently at 6 in
10 the affirmative.

11 CHAIRPERSON KING: Okay, we can continue.
12 Up next Council Member Holden.

13 COUNCIL MEMBER HOLDEN: Yeah, so I just
14 have a couple of follow-ups to Councilman Lancman.
15 So, the Plan B is win in court. That's what—that's
16 what the Plan B is because I really didn't hear it?

17 DEPUTY DIRECTOR KAPLAN: So, we have been
18 to court on this issue several times. We have
19 continued to prevail. We will be back in court on
20 October 1st. Before then, we will have transferred
21 all of the adolescents, all the 16 and 17-year-olds
22 off of Rikers, and we believe we're on track.

23 COUNCIL MEMBER HOLDEN: So, so, but that's
24 the Plan B, win in court. If you lose in court, what
25 happens? That's what—that's what I think the

2 question was. If you lose in court, how do you staff
3 Horizon then?

4 DEPUTY DIRECTOR KAPLAN: So, I don't—I
5 think it's premature for me to speculate on what
6 happens after a court hearing that is after we will
7 have already moved the adolescents off of Rikers
8 Island, and staffed the facility.

9 COUNCIL MEMBER HOLDEN: Okay, can
10 somebody explain to me why you need the correction
11 officers at Horizon but not at Crossroads in
12 Brooklyn?

13 DEPUTY COMMISSIONER FRANCO: Again,
14 there's two types of facilities. One of them—one of
15 them being the Specialized Juvenile Detention
16 facility that was created by New York State just for
17 New York City for what they are calling the Pre-RTA
18 youth. These are the young people who are being out
19 of Rikers who going through the criminal court before
20 Raise the Age, and that facility we're working in
21 partnership with the Department of Corrections who
22 actually know these young people through the
23 transition. The Horizon—the Crossroads facility will
24 actually be co-managed we did a kind of operation
25 where they actually played an important role in

2 helping us around safety and security outings and
3 provided technical assistance as we speak, but we
4 have to stop and actually will have the 175 people
5 that we need to meet other new 16-year-olds that are
6 coming in in October at Crossroads.

7 COUNCIL MEMBER HOLDEN: But they're both
8 secure facilities?

9 DEPUTY COMMISSIONER FRANCO: Well,
10 actually you get into the weeds. I mean Crossroads
11 is actually a secure detention facility, and
12 specialized secure detention facility well, because
13 there's a new classification of the special secure
14 detention facility just to serve adolescent
15 offenders, and those young people will be coming to
16 Crossroads.

17 COUNCIL MEMBER HOLDEN: Yeah, I'd like
18 to—I'd like to see these facilities this—to see the
19 difference because it's really hard to follow some of
20 the, you know, the descriptions here.

21 DEPUTY COMMISSIONER FRANCO: And I think
22 it's important to remind they—they look very similar.
23 I mean, you know, they're intended to look very
24 similar. The Specialized Juvenile Detention—
25 Detention Facility licensing is based on the

2 regulations of the Specialized Secure Detention
3 facility license. So, even though the state created
4 a distinction between the two facilities, they expect
5 to behavior of the staff and the requirements—
6 requirements to be very similar.

7 COUNCIL MEMBER HOLDEN: And-and just to
8 go back on some of the training that the correction
9 officers receive that are going-going to go into
10 Horizon, how many hours was that, and were they—are
11 you, you've already recruited the officers where
12 they're willingly, you know, you recruited them or
13 they volunteered. Those have been identified and
14 they have already received the training or they—it's
15 going to be ongoing training for some?

16 ASSISTANT COMMISSIONER LEBEC: A lot of
17 the training is already completed, and it's going to
18 be ongoing.

19 COUNCIL MEMBER HOLDEN: How many—how many
20 hours have they completed?

21 ASSISTANT COMMISSIONER LEBEC: They're all
22 different hours. So, the longest one is the Safe
23 Crisis Management Training. That's a four-day
24 training 7 hours a day. We have some trainings that
25 are 30 minutes because the change in regulation is so

2 minimal, and we have some trainings that are a full
3 day. If you would like that breakdown, I-I can get
4 it.

5 COUNCIL MEMBER HOLDEN: [interposing]
6 Yeah, I would yes, yes. Thank you. Thank you, Chair.

7 CHAIRPERSON KING: We've have a lot of
8 people testifying today. There's been a lot of
9 conversations prior to today [bell] and my question I
10 have to ask is that between the unions, the
11 advocates, the administration, it appears that
12 everyone is not 100% on board, and while we're trying
13 to figure out there are some discrepancies so, the
14 Department of Probation is sitting here in the room,
15 and I want to hear from you what do you think have
16 been the challenges, and do you think with all that-
17 everyone's conversations that we can meet these
18 deadlines, but more importantly, puta a program
19 that's going to be one that will really help our-our
20 students that are coming out of Rikers or coming into
21 the system?

22 DEPUTY COMMISSIONER GRAY: So, good
23 morning again. As far as DOP is concerned, we are
24 ready for RTA, Raise the Age October 1st. I would
25 like to say we have already hired additional staff,

2 which are about 100 additional probation officers.
3 The impact will definitely be in juvenile operations.
4 So, those probation officers will be there to manage
5 caseloads in all system points, which is intake,
6 investigations, supervision, our intensive community
7 monitoring that was just spoken about, and with that
8 it clearly is we will get an offering of that for our
9 young people that are ATD. That's a term to
10 detention so we can release them in the community
11 with some type of monitoring. This will also be
12 offered to our youth part, adolescent part, young
13 people as well, and what we do here is basically we
14 do daily curfews, daily school visits and home
15 visits. We also have a group session, and what we're
16 looking at now to add to our menu of services is
17 credible messages, and those, of course, are people
18 who are experienced in the justice system, and have
19 transformed their lives, and we're hoping and looking
20 forward for them to transform the lives of our young
21 people as well. So, that is something of additional
22 resource that we will have. As well as that, we have
23 been preparing space for RTA. As you know, as the
24 volume, and as we move forward, it's going to be
25 increased in certain system points in juvenile

2 operations as well. So, we have been looking for
3 space, preparing space, and we will also have staff
4 and in youth parts as well. So, like I said before,
5 to aid those young people and provide them with the
6 services they need whether it be voluntary services
7 as well as those young people who are release ATI,
8 which is Alternative to Incarceration in which we
9 will use the ICM component in the youth part to
10 service those young people also. I would also like
11 to say as far as us being prepared, is that we have
12 been working with city agencies, and we also have
13 been on implementation planning efforts to make sure
14 this-we are ready. We also have been coordinating
15 and collaborating with OCA, the State Office
16 Administration, New York City Division of Criminal
17 Justice Services, office of Probation and Correction
18 Alternatives as well as our probation unions. I
19 would also like to state that one thing that is
20 important to know is that in juvenile operations, we
21 do have an opportunity to divert our kids at the
22 front end, and what I mean by that is that based on
23 their suitability and eligibility and eligibility is
24 based on charges, and suitability is based on all
25 parties agreeing, which includes the complaint and

2 witness, the respondent and their caregiver, which is
3 usually the parent or legal guardian in which we can
4 services those young people between 20 and 120 days
5 without filing a petition. And what that means is
6 that we can divert these kids—kids from deeper
7 involvement in the Juvenile Justice system. This was
8 not an opportunity that they had an adult. So, we
9 are looking for it to working with our kids in the
10 community as well as making sure public safety is not
11 jeopardized. We will also have that available after
12 hours, and what that means is we call it night court
13 where we will have officers available to also see the
14 young people and their families, and try to divert
15 those cases as well as we are currently in crossroads
16 where we also have an opportunity to divert young
17 people from deeper involvement in the criminal
18 justice system or juvenile justice system, and what
19 is also our collaboration with ACS is that, of
20 course, the families or the caregiver is not in
21 detention or at Crossroads. So, when that kid is
22 able to go home ACS has a van that will take the kids
23 home, and this has been working very well. Lastly,
24 some of the things that we will be looking at moving
25 forward, and I know I mentioned it, but also finding

2 more space working with DCAS to identify more space
3 as we expand. Another thing that we'll be looking on
4 is enhancing all of our programming. We've all had
5 credible messages like I mentioned as a group based
6 mentoring component, part of ICM in the youth part as
7 well in Family Court. We will also increase the
8 capacity of all alternative placement programs and
9 basically that means in Juvenile Operations. Without
10 these programs our young kids, our young children
11 would have been placed. So, we will expand on that,
12 and we will assess the gaps in those programs as well
13 as adding individualized mentoring opportunities for
14 those high risk kids that are not in those programs.
15 That's also something that we will add to our menu,
16 and lastly preparing for Raise the Age so that we
17 don't forget the victims that are involved. We will
18 also expand our restorative approaches, our circles,
19 and to make sure that our kids are accountable and
20 understand how we can repair the harm. So, these are
21 the things that we are doing now, and these are the
22 things that we're looking at doing moving forward,
23 but I would like to state again that we are fully in
24 support, as well as our Commissioner Bermudez a Raise
25 the Age of criminal responsibility, and we look

2 forward to serving our young people as well as our
3 families October 1st.

4 CHAIRPERSON GRODENCHIK: Thank you.
5 Thank you that, and I just want to end with one
6 question. I know you mentioned that you were
7 bringing on more—more staff. I just wonder what is
8 your current youth to probation officer ratio right
9 now and what could it look like as we more young
10 people come in after this legislation is implemented?

11 DEPUTY COMMISSIONER GRAY: So, we have—
12 I'll say this as quickly as possible—we have a
13 continuum, and what that means is based on the risk
14 of a young person is a ratio of our caseload. So, I
15 would just give you an example. If we have a young
16 person who is a low risk, our caseloads are a little
17 higher, but when we move up the continuum, and we're
18 working with our high risk kids, our caseloads
19 decrease based on the fact that we want to engage
20 these kids. So the ratio can be a probation officer,
21 supervising young people like 1 to 15, right, and
22 that's based on the higher the need. We want to make
23 sure we can reach those young persons so our caseload
24 decreases, and I think you had another question.

2 CHAIRPERSON KING: And what it would look
3 like once—what those numbers go. Do you have enough?

4 DEPUTY COMMISSIONER GRAY: [interposing]
5 I believe the numbers will go out. It will probably
6 double, but like I said, we have projections for
7 that. So, every double we will add more probation
8 officers, but we will no decrease or increase that
9 risk as far as the ratios will stay the same.

10 CHAIRPERSON KING: [interposing] Okay.

11 DEPUTY COMMISSIONER GRAY: We'll just add
12 officers.

13 CHAIRPERSON KING: Alright, and you have
14 the funding to do that?

15 DEPUTY COMMISSIONER GRAY: Right now we
16 have the funding and the resources, and that's what
17 we're doing right now. So, the 100 additional
18 officers we are prepared as we're moving forward to
19 service our young people and their families.

20 CHAIRPERSON KING: Okay. I'm just going
21 to shift gears for a second, and then I can turn it
22 back over to my colleagues. I want talk about the
23 facilities that you've been working on to improve
24 them and retrofit them for this legislation. Where
25 are with them? Because I know we said we're also

2 making, we're almost 100% but we're not a 100%.

3 There was a number phases that you all were doing
4 construction. Where are we with the facilities now?

5 DEPUTY COMMISSIONER FRANCO: I've
6 testified about this before. Our focus has been for
7 October 1st to focus on health and safety, and
8 actually there are seven--seven items that we have
9 actually invested up to \$112 million in contracts
10 with the Department of Design and Construction. That
11 includes the solicitation (sic) of all of the works
12 across the facility, and includes the improvement of
13 the living units, and then including everything from
14 new beds to new doors, to new safety and security
15 systems, improvement in our medical spaces,
16 improvement in our intake and admission spaces and
17 particularly improvement in our classroom and school
18 spaces. So, all of those things actually are--will be
19 in place by October 1st. We have stated before
20 that's the first phase, and we have done an enormous
21 amount of work to get all of these done substantially
22 by October 1st. We will continue to look what other
23 program enhancements are needed.

24 CHAIRPERSON KING: Okay, thank you for
25 that answer, and one final question is on facilities,

2 and then I'm going to turn it over to my colleagues
3 again who have a question or a statement. We're
4 talking about the bathroom policies at Horizon right
5 now. Now, we do understand and actually we say we
6 have counselors and we have correction officers, and
7 how does that play out on how-how-how will your
8 requests to access to the bathrooms in regards to
9 kids when they're in the cells? Is it the same
10 person responsible for responding to bathroom
11 requests? Is it the same correction officers who-who
12 might have to reports and responsible or if they
13 don't let them go. Who's responsible for your
14 bathroom policies because that's a big issue in the
15 evening or during the day when children are, you
16 know, in their cells.

17 ASSISTANT COMMISSIONER LEBEC: So, how it
18 works, if the young person wants to use the bathroom
19 at night, there is a button in their room, and they
20 press it. There's a flashing light works. I was
21 over there last night and we were testing them out.
22 The officer opens the door. That whole interaction
23 is recorded both by a tech system that related to the
24 button, and also at least in the beginning we'll
25 safeguard that with a log book, and we've got pretty

2 strict standards from the Board of Correction to both
3 audit that regularly, and also report to the Board of
4 Correction on that use. All of that is recorded
5 through our GenTech Video system back at DOC
6 headquarters. So there is a tremendous amount of
7 oversight on ensuring that that's a smooth process.

8 CHAIRPERSON KING: So, does it need the
9 correction officer? As a matter of fact, let me--is
10 the correction officer going to be considered a
11 correction officer at these facilities now--

12 ASSISTANT COMMISSIONER LEBEC:
13 [interposing] Yes.

14 CHAIRPERSON KING: --or do they take on a
15 new title or--?

16 ASSISTANT COMMISSIONER LEBEC: They're a
17 correction officer.

18 CHAIRPERSON KING: So, will they be
19 dressed in correction uniform or--

20 ASSISTANT COMMISSIONER LEBEC:
21 [interposing] Yeah, they'll be.

22 CHAIRPERSON KING: So, then how do we
23 change the culture, if I still see the same
24 correction officer dressed like a police officer when
25 I'm waking up at 2:00 in the morning?

2 ASSISTANT COMMISSIONER LEBEC: Okay.

3 CHAIRPERSON KING: I mean it's fair to
4 raise ages to change that mentality.

5 DEPUTY COMMISSIONER FRANCO: Yeah, I mean
6 I think you actually alluded to, council member, to
7 your experiencing reforms and, you know, Lancman,
8 Council Member Lancman left. There have been
9 multiple moments in the history of New York State,
10 New York City and the nation we actually practice
11 exchange in Juvenile Justice and Corrections. I mean
12 that's what we're doing in our business. I mean
13 there have been multiple cases and actually Council
14 Member Lancman when he was in the Assembly and I
15 worked on changing the culture of the facilities at
16 OCFS. I mean training and practice helps people
17 change the way they do the work. It happens in civil
18 service consistently. I'm sure you experienced that
19 when you worked at ACS. I have no doubt that
20 actually the Office of my Corrections can do what
21 other people have done everywhere else. You—you get
22 trained, you know, how to use things differently.
23 You change practice based on science, and have been
24 shown to work, and then you do better.

2 ASSISTANT COMMISSIONER LEBEC: I also
3 don't want to underplay the significant reforms that
4 have happened specifically in the adolescent housing
5 areas on Rikers over the last two years. There's
6 classrooms that look like classrooms in any other
7 school. We've got a large cadre of officers that are
8 trained in specialized de-escalation skills that come
9 in and are able to prevent incidents, and meeting
10 those officers and talking with them and the care
11 that they show for these children, and—and the care
12 that, you know that many of them will be going to
13 Horizon. It's spectacular. There's weekly meetings
14 with ACS with DOE with the correction officers that
15 are happening now every week to talk about what kinds
16 of interventions kids need to get on a better track.
17 So, these are all things that have been happening
18 now, and we'll ensure and help those smoother
19 transactions for Raise the Age. So, a lot of these—I
20 think these practices will be very helpful for the
21 transition.

22 CHAIRPERSON KING: Okay, well, we're
23 hoping so. We're still sticking to this October 1st
24 deadline and just hoping that this call will be

2 running well. I'd like to turn it over to Council
3 Member Barron right now.

4 COUNCIL MEMBER BARRON: Thank you, Mr.
5 Chair. Thank you to the panel for being here. The
6 last time that we spoke there was to me still not a
7 distinction between SSD and SJD and the requirements.
8 So, has that happened and can you give me
9 clarification as to what exactly it is now? Do you
10 recall what I'm talking about with the--

11 DEPUTY DIRECTOR KAPLAN: With the
12 regulation.

13 COUNCIL MEMBER BARRON: Right.

14 DEPUTY DIRECTOR KAPLAN: So--

15 COUNCIL MEMBER BARRON: [interposing] And
16 if you said it earlier, I apologize.

17 DEPUTY DIRECTOR KAPLAN: No, no.

18 COUNCIL MEMBER BARRON: You didn't?

19 DEPUTY DIRECTOR KAPLAN: It's come up.
20 It's a very--it is a very complicated topic.

21 COUNCIL MEMBER BARRON: Okay.

22 DEPUTY DIRECTOR KAPLAN: So, there is
23 the--the legis--the Raise the Age legislation created
24 New York City's specific category--

2 COUNCIL MEMBER BARRON: [interposing]
3 Right.

4 DEPUTY DIRECTOR KAPLAN: --of specialized
5 juvenile--

6 COUNCIL MEMBER BARRON: [interposing]
7 Right.

8 DEPUTY DIRECTOR KAPLAN: --detention
9 facility. That is under the same regulations as the
10 specialized secure detention facility. So, an SJD,
11 which is specific to the young people coming off of
12 Rikers Island and newly arrested 17-year-olds is
13 under the exact same regulations as this SSD facility
14 that is for--that has a statewide for any adolescent
15 offender.

16 COUNCIL MEMBER BARRON: How do they
17 differ?

18 DEPUTY DIRECTOR KAPLAN: The only
19 distinction is that this specialized juvenile
20 detention facility is for pre-Raise the Age youth.
21 So, young people that haven't come under Raise the
22 Age from court processes, those young people cannot
23 be comingled with any other young person. So, even
24 if they're under the same facility regulations, they

2 might be the same age. They might be the same charge
3 category, but if one person has been detained pre-

4 COUNCIL MEMBER BARRON: [interposing]

5 Raise the Age

6 DEPUTY DIRECTOR KAPLAN: --Raise the Age
7 and another person has been detained post-Raise the
8 Age, they cannot interact in a facility. They cannot
9 be in a classroom together. However, the actual
10 regulations themselves are exactly the same, if that
11 makes sense. Now, it might--if I make sense.

12 COUNCIL MEMBER BARRON: So, they can be
13 in the same facility?

14 DEPUTY DIRECTOR KAPLAN: They cannot come
15 into any contact. So, if you were--

16 COUNCIL MEMBER BARRON: [interposing] But
17 can they be in the same facility?

18 DEPUTY DIRECTOR KAPLAN: So, legally,
19 they can co-located within one facility. Practically
20 and operationally, if you cannot come into any
21 contact in any type of common space or intake or
22 medical services facility, it's not operationally
23 possible for us to have these young people within the
24 same facility. Legally, they say that these two
25 types of facilities can be collocated, but there can

2 be no interaction whatsoever between those different
3 youth.

4 COUNCIL MEMBER BARRON: So, Crossroads is
5 the SSD--

6 DEPUTY DIRECTOR KAPLAN: Uh-hm.

7 COUNCIL MEMBER BARRON: --and Horizon is
8 the SJD.

9 DEPUTY DIRECTOR KAPLAN: Correct.

10 COUNCIL MEMBER BARRON: And do you feel
11 that you've given enough training. I probably should
12 ask the question of the people who are being trained
13 so that they can meet the purpose of Raise the Age to
14 talk about those kinds of social programs and social-
15 --

16 DEPUTY COMMISSIONER FRANCO:

17 [interposing] Sure. I mean like--I think I mentioned
18 this before, we have been working for the last two
19 years with a cadre of experts particularly our staff
20 in looking at revamping our pre-service offerings in
21 light of the development of the new type that you're
22 going give them a specialist. So, if our training
23 now includes more time in the facility with their
24 ecology and understanding the importance of the

2 living units of the new U.S. we call it in our work,
3 and yes I mean actually--

4 COUNCIL MEMBER BARRON: [interposing] How
5 many youth development specialists have you trained
6 and hired?

7 DEPUTY COMMISSIONER FRANCO: By now we
8 have--we are in the middle of the third class that
9 will get us to 92 I think.

10 COUNCIL MEMBER BARRON: And what's your
11 goal?

12 DEPUTY COMMISSIONER FRANCO: 475 and
13 actually already made offers on Saturday to 75 more
14 and they are going through our very strenuous
15 screening process.

16 COUNCIL MEMBER BARRON: So, you have 72
17 and you're hiring--offering it to 75 more. So you
18 thin that you will be--?

19 DEPUTY COMMISSIONER FRANCO: [interposing]
20 We will.

21 COUNCIL MEMBER BARRON: You will.

22 DEPUTY COMMISSIONER FRANCO: We have
23 another hiring for this week.

24 COUNCIL MEMBER BARRON: Okay, thank you,
25 Mr. Chair.

2 CHAIRPERSON KING: You—Council Member
3 Barron makes a valid point in regards to we train
4 people. Are they ready on this day because you're
5 going through the class. I mean you might be ready
6 to take the test. It's like studying for the all
7 tests. You're not going to take the bar if you ain't
8 ready. So, if you're telling us that you've trained
9 all these folks, have you had conversations with
10 evaluations with whoever your training and say are
11 you going to be ready to walk me to a facility on
12 October 1st. It's a difference in that you're
13 dealing with human lives now and if they aren't—the
14 adults that you're hiring are not ready, then they
15 will mess up a child who comes in or physically end
16 up getting hurt because they're not ready with proper
17 training.

18 DEPUTY COMMISSIONER FRANCO: Yes, exactly
19 what I did after the last week. I—I had the chance
20 to meet the first class of 47. They have been
21 actually in the facility now for three or four week,
22 and I actually had the chance to meet with all of
23 them, and I actually just had that question. I mean
24 how are you doing? Are we doing well enough? What
25 do you need? As you now, in this business that's

2 mentioned that they just lost what we learn in the
3 classroom. There's a lot of things that we're
4 learning now through coaching and peer mentoring, and
5 actually what we have done at ACS is actually we
6 build the capacity of two national consultants with
7 Masuda (sic) Services Institute that are actually in
8 better than the facility with our staff and some of
9 the more senior staff that actually knows how to do
10 this work, the former JCs and they are actually doing
11 that. They're providing culture and support to the
12 new recruits, and then as you know better than
13 anyone, you don't learn this practice as in eight
14 weeks. It takes a significant amount of practice and
15 mostly memory to do it well, and that's what we're
16 focusing on.

17 MALE SPEAKER: [off mic] To provide this
18 to this.

19 CHAIRPERSON KING: Okay, hold on. We'll
20 give you an opportunity. Welcome to the party. Thank
21 you, sir. At least we get to see you as always, and
22 again and then I'm going to say this, you know, we're
23 on a timer. I'm going to ask everyone because we're
24 all here for a purpose. So, I'm going to ask after
25 you testify today, I'm going to ask everyone to stick

2 around and listen to everyone's conversation for the
3 next hour because we got to be on it. We got to get
4 this right. We can't talk about stuff on the record
5 and leave and not hear what the next person said.
6 Then, say, you know, oh, they're right. You didn't
7 think about that. Oh, yea. So, we can get a record.
8 This is our last hearing before October 1st unless we
9 have to call an emergency meeting in which I'm hoping
10 we don't have to do, but we'll do what we got to do
11 to make sure that we save our children's life. I
12 want to turn it back over to Council Member Barron
13 who has a follow-up question, and then Council Member
14 Powers after that.

15 COUNCIL MEMBER BARRON: Thank you, Mr.
16 Chair. In terms of those Youth Development
17 Specialists, what restrictions are there in terms of
18 background checks or background information that
19 exist? What are their restrictions? Are there
20 restrictions that might limit them or prohibit them
21 from being selected? We understand that we often
22 times look for people who have been through this
23 system and who understand the pitfalls and can
24 related to the young people and address that issue,
25 but are there any restrictions or are there some

2 circumstances in their past that might prohibit them
3 from being selected?

4 DEPUTY COMMISSIONER FRANCO: Yeah, I mean
5 the safety of young people is, you know, the number
6 one priority at ACS, and based on actually state and
7 city regulations, there's a very comprehensive
8 vetting process. For example, everyone that actually
9 is going to work as a YDS has to go through the OCFS
10 Statewide Central Register, the SCR. So, there
11 actually has to be a thorough review that they don't
12 have a history of child abuse or maltreatment. They
13 actually have to go through the CDAS Criminal
14 Background Check, the CBC. They also have to go
15 through the New York State Justice Center Staff
16 Exclusion List. No one that is actually on that list
17 can actually work with young people. They have to go
18 through the New York State Justice Center Criminal
19 Background Search on top of the SCR, and an
20 additional that we ACS have a set of standards. So,
21 its our drug screening, medical screening, FEMA
22 screening, Fair Committed Compliance Information, New
23 York City Comprehensive Personnel Document and
24 Completion, two character references, past employment
25 verification, and interview process.

2 COUNCIL MEMBER BARRON: So, they have to
3 pass all of those starting lines. (sic)

4 DEPUTY COMMISSIONER FRANCO: All of that
5 before they get an officer.

6 COUNCIL MEMBER BARRON: So, in the
7 criminal background check, what might be something--
8 what might be an offense that would prohibit a person
9 from--

10 DEPUTY COMMISSIONER FRANCO:
11 [interposing] They--at--particularly the Justice Center
12 and the OCFS Center Register pay attention to any
13 offense that has to do of a sexual nature or actually
14 anything related to abusing children or neglecting
15 them.

16 COUNCIL MEMBER BARRON: Okay.

17 DEPUTY COMMISSIONER FRANCO: So those are
18 the exclusionary categories.

19 COUNCIL MEMBER BARRON: And I was told
20 that there are correctional officers who are being
21 asked to complete some type of background information
22 as well, which is not required of others, something
23 new that's being implied. Can you talk to that
24 briefly?

2 ASSISTANT COMMISSIONER LEBEC: There's
3 tree additional checks that come along with the Raise
4 the Age legislation and there are three that—the
5 Commissioner Franco just mentioned the SEL, the State
6 Exclusion list, the SCR is a criminal background
7 check and then there's another justice center check.

8 COUNCIL MEMBER BARRON: And who—who is
9 required to do that? Which titles are required to?

10 ASSISTANT COMMISSIONER LEBEC: Everybody
11 working at Horizon.

12 COUNCIL MEMBER BARRON: Are other
13 correction officers required to do those as well?

14 ASSISTANT COMMISSIONER LEBEC: If they're
15 not assigned to Horizon, no.

16 COUNCIL MEMBER BARRON: So, what was the
17 rationale for including them with this position?

18 ASSISTANT COMMISSIONER LEBEC: Within the
19 state regulations.

20 COUNCIL MEMBER BARRON: In the state
21 regs. Okay, great. Thank you. Thank you, Mr.
22 Chair.

23 CHAIRPERSON KING: Alright, than you.
24 Council Member Powers.

2 COUNCIL MEMBER POWERS: Thank you. I was
3 going to ask about a background checks. So, me over
4 that, but I want to ask a follow-up question. So, if
5 you are a volunteer or volunteering, but if you are
6 assigned to Horizon, and you're an officer that means
7 you have to go through a background—a second
8 background check? You so go through—I think you go
9 through one at initial employment and then if you are
10 assigned here you have to go through a second one?

11 ASSISTANT COMMISSIONER LEBEC: Yes,
12 there's the three, there's the three checks—

13 COUNCIL MEMBER POWERS: Three checks.

14 ASSISTANT COMMISSIONER LEBEC: --per
15 regulations.

16 COUNCIL MEMBER POWERS: Got it. Okay,
17 the—I missed part of this. I'm sorry. I had to make
18 that down to a call, but I wanted to follow up with
19 some things we were talked about earlier on
20 descriptions of jobs. Can you tell me the job
21 description for the YDS?

22 DEPUTY COMMISSIONER FRANCO: Yes, I mean
23 I—I mean it's a—I could share that with you. It's
24 actually a five-page document that actually goes into
25 that, but—

2 COUNCIL MEMBER POWERS: A bullet point.

3 DEPUTY COMMISSIONER FRANCO: Yeah, yeah,
4 I mean one of the things that we actually understood
5 and in conjunction with our current JCs, and our
6 Financial (sic) at 371 is that we needed to build the
7 capacity of this staff to do two things: Be able to
8 set up limits, structure and productablity (sic) in
9 the day-to-day schedule of the young people that we
10 serve. At the same time, they actually had the
11 ability to teach new skills. That is why it's called
12 a Youth Development Specialist.

13 COUNCIL MEMBER POWERS: Thank you. So,
14 with that being said, there is a—I mean you're today
15 moving correction officers whose job is predominantly
16 to provide safety, and security into that role and
17 then they're being replaced with people who by the
18 description have it as an entirely different purpose
19 and role. It's hard to see the connection when you
20 talk about how—I mean either—either of two things is
21 happening: You are moving people to provide security
22 and safety to these facilities today provide security
23 and safety within their job title, and then moving
24 them out so saying we don't need the safety and
25 security any more, and then you are replacing them

2 with people who have a totally different job
3 function, which sounds like a good group to have in-
4 in this facility. So it's hard. I-I can understand
5 that concerns. I'm not saying it's a legal argument.
6 I don't make the legal argument, but I can understand
7 the concerns that you're taking one entire job and-
8 and another job and you are eventually replacing them
9 and they really have this by the job descriptions,
10 but I know what the job description when I hear an
11 entirely different role, and it's heard to-I would-I
12 would imagine it would be hard to believe that
13 there's not a going to be sort of an encroachment on
14 the existing job. I mean how do you-how do we-I
15 guess maybe I'll just ask for maybe a further
16 explanation of how we explain how you're going to
17 moving-switching these jobs or-or-you know,
18 eventually trading and yet the job title sounds so
19 radically different from each other. So, either
20 we're sacrificing the safety and security, which is
21 what the correction officers do, or we are asking
22 folks to do something way out of the purview today.

23 DEPUTY COMMISSIONER FRANCO: I mean
24 sector security is what we have our zoned and secure
25 detention before having special security detention

2 facilities. Our JCs did it really well, and they
3 have always done it really well. They specialized--
4 you're going to be--the Youth Development Specialists
5 is actually grounded on what you and the counselors
6 did. I'm not clear about the question safety and
7 security. We have very safe, very secure facilities.
8 We have hours to have them--the data shows that
9 actually they get safer every year. What is the
10 question again the YDS?

11 COUNCIL MEMBER POWERS: Are the YDS--I'm
12 sorry. I'm sorry that I have actually--I used all my
13 time. YDS officers are providing security?

14 DEPUTY COMMISSIONER FRANCO: Yeah, they
15 provide safety and security in our Crossroads
16 facility.

17 COUNCIL MEMBER POWERS: Okay.

18 DEPUTY COMMISSIONER FRANCO: They do that
19 day to day. As I mentioned before, they provide
20 flexibility. They provide structure. They set up
21 limits. They do--

22 COUNCIL MEMBER POWERS: [interposing] But
23 they're--but they're not--they have a role that's
24 beyond safety, too? That sounds like Brother John's
25 (sic) version.

2 DEPUTY COMMISSIONER FRANCO: Yes.

3 COUNCIL MEMBER POWERS: Of that. Okay,
4 and—and so I have another discussion, the 85 jobs
5 that are going to be the ACS jobs there today, it is—
6 is it all—what are the breakdown of those jobs?

7 DEPUTY COMMISSIONER FRANCO: I can share
8 that in writing. As I mentioned before, a
9 significant number of them are going to be program
10 counselors and made it that each one they live in
11 units. They're going to be case managers, which I
12 believe is a new role within the criminal adult, some
13 parts, and the criminal court, and it's, you know,
14 guidance counselors. A significant number of
15 different people that actually are doing what we
16 intend to do which is expand the programmatic
17 elements to have young people engage that we see all
18 the time.

19 COUNCIL MEMBER POWERS: Got it. Thank
20 you. Thank you for answering my questions.

21 CHAIRPERSON KING: Okay, thank you.
22 We're going to go to Council Member Holden who has a
23 question.

24 COUNCIL MEMBER HOLDEN: Yes, just to
25 follow up on Councilman Powers' comments, the job

2 description as I see it, you're replacing correction
3 officers eventually at Verizon with the YDS person
4 that--are there sub-job titles within that or I mean
5 there must be, right? So--so there might be personnel
6 to handle security. They're trained in only security
7 and not counseling.

8 DEPUTY COMMISSIONER FRANCO: Yes, that's--
9 that's not the way that actually the regulations are
10 set up. That's not the way you're going to Juvenile
11 Justice is done. So, I mean, you know, there's
12 actually subtitles within the YDS series, and there's
13 actually AYDSes and different levels of supervisors,
14 but if you go to any facility in the nation, you will
15 find actually at OCFS your development aids or in
16 New Jersey they're called actually Youth Development
17 Counselors, but actually the folks that are actually
18 doing safety and security and also helping young
19 people improve their lives. It's not unusual. It's
20 actually what is done everywhere.

21 COUNCIL MEMBER HOLDEN: I guess as a
22 layperson, we--we're trying to come to grips with the
23 fact that correction officers are going in, and being
24 replaced with what? What's the, you know, like a
25

2 clear job description of--otherwise of YDS of YDS, the
3 YDS, which--

4 DEPUTY COMMISSIONER FRANCO:

5 [interposing] I'm sure that we have.

6 COUNCIL MEMBER HOLDEN: --we haven't
7 seen.

8 DEPUTY COMMISSIONER FRANCO: We would.

9 COUNCIL MEMBER HOLDEN: Excuse me?

10 DEPUTY COMMISSIONER FRANCO: We always
11 share these--

12 COUNCIL MEMBER HOLDEN: [interposing] You
13 share?

14 DEPUTY COMMISSIONER FRANCO: We set up
15 class and standard once we place--

16 COUNCIL MEMBER HOLDEN: [interposing]
17 Because that would take care of a lot of things up.
18 Okay, because correction officers and I think the
19 union is--is mentioning. They're asking--they're going
20 in there blind actually, and with their training, and
21 it may not be sufficient to what you guys have
22 planned for this facility, but I understand their
23 apprehension and--and certainly the Council Members as
24 you can hear--

25 DEPUTY COMMISSIONER FRANCO: Uh-hm.

2 COUNCIL MEMBER HOLDEN: --are concerned
3 also. Thanks. Thank you.

4 CHAIRPERSON KING: Thank you, Council
5 Member. We're going to turn it over to Council
6 Member Gjonaj and thank you. You have about four
7 minutes, sir. Do your thing

8 COUNCIL MEMBER GJONAJ: Thank you,
9 Chairman. I'll make it quick and just a follow-up to
10 Councilman Holden's question there. If we're going
11 to be using existing correction officers, which have
12 been trained in a certain way, and we're looking to
13 actually change their common practice, have they been
14 adequately trained to adapt to this new environment?

15 DEPUTY COMMISSIONER FRANCO: SO, we
16 believe so. We've—we have a Safe Crisis Management
17 training that we've sent all the 300-330 staff to so
18 far. A lot of the other trainings are specific to
19 the state regulations. Some of those are small
20 procedural changes. So, we are on task to complete
21 all this training by October 1st and believe that
22 they are adequately equipped.

23 COUNCIL MEMBER GJONAJ: You believe or
24 you're certain because this weeks away, and if

2 October 1st is to be the beginning of this new
3 programming--

4 DEPUTY COMMISSIONER FRANCO: I mean,
5 let's make no mistake that this is a challenge for
6 every agency to implement. We are doing the best we
7 can to put in a strong training curriculum to get our
8 staff prepared.

9 COUNCIL MEMBER GJONAJ: Isn't that a set
10 up for failure if October 1st is the beginning, but
11 we're not certain here?

12 DEPUTY COMMISSIONER FRANCO: No. Many of
13 these staff have been working with these kids for
14 years. So, it's not--it's not radical in the--in the
15 way I think it's being characterized in that--in that
16 last question.

17 COUNCIL MEMBER GJONAJ: Well, I'll
18 believe a little bit more for me, and I'm just trying
19 to grasp all of this. They've been--the system is
20 broken. We came up with at solution to fix the
21 system, but it's the same individuals that have been
22 working in that system that are now going t to be
23 used to correct the problems. Is that what you're
24 saying? Without the additional training?

2 ASSISTANT COMMISSIONER LEBEC: So, un-
3 unpacking that, the system as a whole changing the-
4 the--Raise the Age, that's a system wide change.

5 COUNCIL MEMBER GJONAJ: Right.

6 ASSISTANT COMMISSIONER LEBEC:
7 Specifically to our correction officers that have
8 been working with adolescents for years and the many-
9 very positive reforms that we've had on Rikers over
10 the last two years. You know, we-we think this is
11 going to be a smooth transition, and helping empower
12 the officers also with the new training will be a
13 benefit and-and make this success.

14 COUNCIL MEMBER GJONAJ: But that new
15 training is not confirmed, and I'm sensing that we
16 have not completed the new training?

17 ASSISTANT COMMISSIONER LEBEC: We-we
18 will.

19 COUNCIL MEMBER GJONAJ: You will and the
20 program is going to begin when?

21 ASSISTANT COMMISSIONER LEBEC: On October-
22 I mean prior to October 1st we're going start moving
23 kids, and all of the mandatory trainings that we have
24 to do for Raise the Age are just about complete or
25 will be completed within the next day or two.

2 COUNCIL MEMBER GJONAJ: And I want to see
3 what happens on October 1st.

4 CHAIRPERSON KING: Thank you, Council
5 Member, and before we let this panel go, I just want
6 to ask two quick questions. The first one goes to the
7 Department of Probation and it's been brought to my
8 attention that the Department of Probation is hiring
9 civilians to supervise probation officers in this
10 transition. I want to know is this correct and how
11 come there wasn't promotions within for supervisors?

12 DEPUTY COMMISSIONER GRAY: We are
13 currently hiring staff as far as I know, and clearly
14 that these are probation officers, and they're
15 probation officers. So, I don't know about the
16 civilians.

17 CHAIRPERSON KING: So, so this is where
18 we won't resolve it today--

19 DEPUTY COMMISSIONER GRAY: Correct.

20 CHAIRPERSON KING: --but when we go back
21 having the real conversation, because someone can't
22 always be manipulating the truth, and we stand before
23 each other. We have our agendas we got to protect,
24 but sometimes we got to sit here in the room and say,
25 you know, what, that is right even if it goes against

2 my agenda why I'm supposed to testify. Yeah, that's--
3 that's a blunder there so let's fix it as opposed to
4 having--having paused with deniability because I don't
5 know about it. It doesn't mean it doesn't exist.
6 So, I say that to us all because clearly the
7 committee has some real concerns with staffing, and
8 being able to kick this off adequately the right way
9 not just saying oh, we did it. We got it done, but
10 we didn't do it right, because at the end of the day
11 we got young people in the system who are going to
12 get hurt if we mess it up as the adults in the room.
13 So, I'm going to ask you if because everyone, if
14 you're taking training, and you're telling me I start
15 my--I start my job in two weeks from now, and I should
16 be ready, I have no warm-up, no pre-run through
17 before I walk in to try to save some kid's life or
18 even to save my life at the same time. So, I'm just
19 asking you if you had more time, what would your
20 program look like and what had you better do, which
21 you're delivering today?

22 DEPUTY COMMISSIONER GRAY: I would just
23 like to add, any--okay fine. So, I would just like to
24 add as far as any staff, whether it be probation
25 officer or supervisors that are working with our

2 young people will have the fundamental training to do
3 that whether it's in motivational interviewing,
4 stages of training, restorative practices, they will
5 have that, and, therefore, we are committed to doing
6 that because we take our young people very serious as
7 well as their families. So just to add onto what you
8 have, anyone that's going to working with us, will be
9 trained to do so, and I just wanted to make that
10 statement.

11 CHAIRPERSON KING: You got to go, I want—
12 I want to hear from you, Felipe, if you had more
13 time because we got—and still—we still got some
14 possibilities in the next two weeks what could—what
15 the past—the next two weeks and a snowstorm hits and
16 everything is shut down October 1st is out the
17 window. So, what does it look like if you had more
18 time? If you had your choice and you got more time,
19 what would your program look like?

20 DEPUTY COMMISSIONER FRANCO: I think I
21 want to open up with some perspective. I mean
22 actually Commissioner Gray and I actually were in
23 Albany about three weeks ago, and this is what I can
24 say: New York City actually is the only jurisdiction
25 that actually has submitted all of the policies, and

2 actually most of them have been approved by their
3 body. It's actually the only jurisdiction that
4 actually has invested a significant amount of money.
5 As I mentioned before, over \$100 million to improve
6 the facilities on top of actually having to say like
7 Dana Kaplan said before do two things: Be ready for
8 the new kids and take care of all the kids who were
9 also on Rikers. Whenever we to any of these meeting,
10 actually and meet with other jurisdictions people are
11 appalled in terms of our ability to make all of these
12 happen so quickly. The ability to actually have—I
13 mean I think we are—are talking about changes in the
14 court process. Those are not minor things to do.
15 The ability to actually having juvenile delinquents
16 go to court at 1:00 a.m. is not just actually fair,
17 just, and a big item is actually something that will
18 reduce the likelihood of young people being in
19 detention for one or two days when they don't pose a
20 risk to the community. If you look at the population
21 in Rikers or you look at the population in detention
22 today, a significant number of them about 30% of them
23 leave within four days by actually having that in
24 front of the judge quickly, expeditiously in the
25 middle of the night I think we're making our system

2 faster and fairer. I think all of those things are
3 things that we have give consideration. The thing
4 that is actually the most difficult to do in any
5 transition, and there have been a few of them, is
6 actually preparing the young people for the move and
7 preparing those staff, and for the last two week my
8 staff and my staff of the Department of Corrections
9 have been talking to young people. Actually, the
10 Department of Probation is part of those
11 conversations and to their families in getting them
12 ready even though we all saw the number, it had been
13 ready to go-transition to Horizon. And actually, we
14 haven't actually been paying attention to details
15 that actually no one knows about. The folks at the
16 Department of Corrections were-were working with
17 young people for the last summer, and actually
18 painting murals in terms of what they expected in
19 terms of the dealing with life. Those murals are
20 actually moving with them with their staff and the
21 officers to the Horizons next week.

22 CHAIRPERSON KING: Okay. The final
23 question and-and again we know-we know that the city
24 you've done some good things to put this together.
25 You know, we-the ball is rolling and, you know, and I

2 just want to make sure by October 1st we all do want
3 to make sure by October 1st that that ball is full
4 and complete, not 85% complete, you know. I'd rather
5 be a long distance from the long haul, than sprinter
6 who sprints for the last six months and then falls
7 apart when he just—he can't go any further. So—but
8 when it comes to Close to Home, how is—how is your
9 Close to Home program that's in effect right now?
10 How is Raise the Age going to have an impact? Can
11 you give me an answer in about two minutes?

12 DEPUTY COMMISSIONER FRANCO: Yeah, I mean
13 one of the things that we have done really well, as
14 you know, is that we have been able to reduce the
15 number of kids in Close to Home significantly, almost
16 20% in the last two quarters, and then actually allow
17 us to actually be at only about 60% capacity. So, we
18 actually have the capacity to take on the new 16-
19 year-olds that will be coming in October. We're
20 working—working very closely with the Mayor's Office
21 of Criminal Justice with OMB, and others to figure
22 out what is the additional capacity that will be
23 needed for Close to Home, and as soon as we know
24 that, we will come here first because we will need

2 the support of the Council, and we will have to
3 develop new programs for Close to Home.

4 CHAIRPERSON KING: Okay. Thank you.
5 Council Member Gjonaj gets the last question.

6 COUNCIL MEMBER GJONAJ: Yes, and I have
7 to run for my own committee and who's providing the
8 security today at Crossroads?

9 DEPUTY COMMISSIONER FRANCO: It's-it's a
10 collaboration between the special officers and our
11 Youth Development Specialists.

12 COUNCIL MEMBER GJONAJ: So, they're not
13 correction officers currently?

14 DEPUTY COMMISSIONER FRANCO: No.

15 COUNCIL MEMBER GJONAJ: And they operate
16 under different rules and circumstances that a
17 correction officer would?

18 DEPUTY COMMISSIONER FRANCO: The special
19 officers?

20 COUNCIL MEMBER GJONAJ: Yeah.

21 DEPUTY COMMISSIONER FRANCO: I believe
22 so, I mean yes.

23 COUNCIL MEMBER GJONAJ: But isn't that-
24 isn't that the concern that you're expecting the
25 correction officers to come and be fully trained and

2 prepared to deal with this--this group in a different
3 than they have been trained, and you're saying in the
4 next--in the next couple of days you expect or you
5 hope and I would rather hear it's not perfect. We're
6 not ready, but we're going to start, and I'm not
7 hearing that, and I don't--It's kind of misleading
8 that you believe that on October 1st you're going to
9 be ready for this tremendous--tremendous shift and
10 change in using correction officers in a manner in
11 which they're not prepared, but on top of that,
12 you're existing where--your existing security is
13 operating under different circumstances.

14 DEPUTY DIRECTOR KAPLAN: So, I--I actually
15 want to go to the larger October 1st and just the
16 Raise the Age deadline overall in terms of, you know,
17 we across--Raise the Age is a system wide change. It
18 is obviously for the facilities, but it's got a huge
19 impact on the family court system, on probation, on
20 the Law Department. It is--we absolutely have a very
21 aggressive timeline for implementation. Agencies
22 across the board have been working day and night to
23 get this right, and to be as ready as we possibly can
24 before for October 1st, and we have certainly
25 indicated along the way that it has not been the

2 easiest path because we are on a very short deadline,
3 because, you know, there's things that we've said
4 that we would have liked the state regulations
5 earlier, things like that. With the time lime that
6 we have, we are trying to move mountains, and we have
7 the same consideration and concern about the
8 wellbeing of these young people, and the wellbeing of
9 staff in the facilities, but also throughout the
10 entire Juvenile Justice system and these new youth
11 parts. So, I am certain that come October 1st, we
12 will be ready, and that we will continue to approve
13 after that. We are going to—there will be all of the
14 young people will be moved off of Rikers. There will
15 be a growing number of young people 16-year-olds
16 first coming into the—the Juvenile Justice System,
17 and we are going to continue to be working together
18 with the agencies, with our other partners, and
19 labor, the district attorneys, the public defenders,
20 non-profit providers to learn in those early days,
21 and make adjustments as we need to, and be
22 responsive. And so, I don't want to say that we are
23 going to have everything perfect by October 2nd. We
24 are learning. We are going to be continuing to do
25 the hard work of implementation. Young people are

2 going to be front and center, and so certainly this
3 is an aggressive timeline. We are going to be ready.
4 We are prepared for it, and also it will continue to
5 improve, and we have to continue to do the hard work
6 together of getting it perfect, because obviously
7 that is ultimately what we're responsible for.

8 COUNCIL MEMBER GJONAJ: Thank you for
9 that. A couple of key words, which is our concern.
10 I think everyone here has concern for the same
11 things. We hope to be ready. We moved mountains,
12 time-time constraint, and then all under the notion
13 of in the best interests in putting youths' health
14 and safety as well as those that are working in that
15 environment and not jeopardizing any of their safety
16 and health.

17 DEPUTY DIRECTOR KAPLAN: Uh-hm.

18 COUNCIL MEMBER GJONAJ: That's pretty
19 complicated to say October 2nd—we may not get it
20 right on October 1st, but moving forward we're going
21 to try to figure this and improve. We're talking
22 about the health--

23 DEPUTY DIRECTOR KAPLAN: [interposing]
24 Uh-hm.

25 COUNCIL MEMBER GJONAJ: --and safety

2 DEPUTY DIRECTOR KAPLAN: Uh-hm.

3 COUNCIL MEMBER GJONAJ: --and the life of
4 our most vulnerable children as well as those that
5 are here with the responsibility of overseeing that.

6 DEPUTY DIRECTOR KAPLAN: Uh-hm.

7 COUNCIL MEMBER GJONAJ: I would just hate
8 the worst case scenario that a life was lost because
9 we were not prepared, and whether it be a 16 or a 17-
10 year-old or an administrator or a correction officer
11 or some security or anyone else, that's going to be
12 on someone's hands.

13 DEPUTY DIRECTOR KAPLAN: Uh-hm, yeah.

14 COUNCIL MEMBER GJONAJ: And I don't--and
15 I'm not feeling very comfortable and confident that
16 you're ready for this' ^{not this October, although it sounds like}
17 ^{October 2nd} or any time in the near future.

18 CHAIRPERSON KING: Thank you Council
19 Member. Thank you for you for those words, and you
20 share the sentiment of the committee and I think a
21 lot of us in the room. It goes back to us. Hey, if
22 I took--if we need October 2nd then let utilize
23 October 2nd. Let's not be bullied from the State
24 because the state said we want it on the 1st because
25 at the end of the day, lives are at stake. So, again,

2 we want to thank you all for your—for testifying and
3 having this conversation, I'm asking you please,
4 we've only got another 40 minutes in the room. Hang
5 out, listen to the other conversations. We might all
6 learn something that can help improve what we're
7 trying to accomplished on October 1st. Thank you
8 again. Our next panelists consists of President
9 Anthony Wells, Local 371 and President of COBA, Elias
10 Husamudeen. Please join us. [background comments]
11 Hey, we all in this. [laughs] [pause] [sound check]

12 CHAIRPERSON KING: Okay, let's get
13 started again. We are on limited time so forgive me.
14 For those of you who came to testify, we're going to
15 give you an opportunity. I'm going to ask the
16 presidents who are here, you have roughly 3 to 4
17 minutes to share what you want to share with us. I'm
18 asking everybody to be as concise as we can be so we
19 can hit the nail on the head. So, again, thank you
20 gentlemen and ladies for today's conversation and
21 you—whoever wants to start first, just introduce
22 yourself for the record and for it.

23 ELIAS HUSAMUDEEN: Elias Husamaudeen, the
24 President of the Correction Officers Union. I need
25 to start out with a disclaimer. I'm not in uniform

2 representing the department. Unfortunately, one of
3 my members was murdered and I was at the funeral.
4 So, I didn't have time to change. So, I'm not here
5 presenting the department even though I wish I was.

6 MALE SPEAKER: You don't look so bad.

7 ELIAS HUSAMUDEEN: Just-just-thank you,
8 and-and just to start I'm not even going to read this
9 entire thing. I'm just going to go through it. I've
10 always been unhappy that we get three minutes and the
11 agency gets an hour to sit up and lie or be
12 disingenuous, if I can be politically correct. I
13 think it's shameful that the DOC isn't here to
14 represent the department. There are dozens of
15 managers, uniform and non-uniform that could have
16 been here. We have nine chiefs of the agency, and
17 there's no reason why they couldn't be here to
18 represent. I'm just going to jump around with my
19 three minutes. Some of the things that I heard since
20 I've been here, one of the things that I heard is
21 that the claim that we've been working with this
22 population, and that's part of the reasons why they
23 want to use us at Horizon, and nothing can be further
24 from the truth. Yes, we have worked with 16 and 17-
25 year-olds, but we worked with 16 and 17-year-olds who

2 were considered adults. So, the rules that apply to
3 adults are the same rules that apply to 16 and 17-
4 year-olds. So, it disingenuous of them to try to use
5 that as a reason for why we should be at Horizon. If
6 that was the case, then why are we not at Crossroads?
7 The other thing is I needed to be clear that this
8 uniform that I am wearing doesn't belong in Horizon,
9 and we should not be in Horizon on October 1st or
10 October 2nd. The other thing is the truth of the
11 matter is I was just there the day before yesterday.
12 This place is not ready. Yeah, they're doing double
13 time. They're working their behinds off, but the
14 place is not physically ready. The other thing is,
15 is that in understanding the—the legislation or the
16 bills signed by the Governor as far as the Raise the
17 Age is concerned, yes historically DOC has worked in
18 conjunction with the Juvenile Justice but it's never
19 been correction officers. We've known wardens,
20 deputy wardens, chiefs of the agency to assist them
21 and help them and guide them, but there's never been
22 a time in the 30 years that I've been a correction
23 officer that correction officers had been anywhere
24 near this particular population. The other thing is
25 and—and I think some of you people touched on it is

2 that look the fact of the matter is the Governor
3 based on this bill in what April or June of 2017 and
4 the city of New York sat on their behind and they did
5 nothing. They did nothing and then decided [bell] to
6 involve us in April of this year, and all of a sudden
7 now you want to sit here and claim that the five days
8 of training that you're giving correction officers is
9 going to—and all of a sudden turn them into Tony
10 Wells' people. His people go to an academy and get
11 extensive training to deal with 16 and 17-year-olds.
12 You're sticking us in our academy and you have our
13 people giving us five days of some training and then
14 on—on October 1st you us to march into Horizon as if
15 we're some type of juvenile counselor. The reality
16 is would you send a police officer into a burning
17 fire? No, you won't. You'd send a firefighter.
18 Would you send a firefighter to fight crime? No, you
19 won't. So why in the hell do you want to send this
20 uniform into Horizon some place that's made for
21 juveniles and adolescents and try to turn us into
22 something that we're not. The bottom line Councilman
23 is this is union busting. This is the city's way of
24 union busting trying to turn my members into
25 something that we are not. Don't get me wrong.

2 Would I love to have 300, 600 additional positions?
3 How often does a union sit down and say I don't want
4 it? At the end of the day, this is not good for 16
5 and 17-year-olds, and it's damn sure not going to be
6 good for my members. We want nothing to do with
7 Horizon, and we're not saying it in—in a negative
8 way, we're saying if you really want to stick with
9 the intent of what we believe the Raise the Age law
10 or legislation was about, which is to take these kids
11 off of Rikers Island and put them in an environment
12 where they can flourish, where they can be taught,
13 where they can be trained, and where they can be
14 helped. Then we don't see how that—how sending us
15 there is going to do that. Correction officers like
16 I've been saying, and everybody that's been listening
17 know we're law enforcement officers. Sending us to
18 Horizon on October 1st and I mean I heard people ask.
19 I get so frustrated when I hear people say I believe,
20 I think, maybe and that's all I heard from the ACS
21 people up here. I think, maybe. Listen, the bottom
22 line is they don't want to go to Horizon. They don't
23 want to go to Horizon because they're afraid of these
24 16 and 17-year-olds. That's the bottom line.
25 They're afraid of them. They were afraid of the kids

2 that they took a test, went to an academy, and
3 graduated and said this is who we want to help.
4 Well, guess what, October 1st send them to Horizon
5 and let the youth development specialist and let the
6 juvenile counselors and whoever else worked for ACS
7 that's running Crossroads run Horizon. I don't see
8 the complication. I don't see where this is all that
9 competent-complicated. Our training does not--does
10 not provide us with the type--our academy training
11 does not provide us with the type of training that's
12 needed to deal with these 16 and 17-year-olds. As a
13 correction officer, I wear slash-proof vest. As a
14 correction officer, I have a chemical agents. As a
15 correction officer, I have a baton. As a correction
16 officer, I have--I make arrests. As a correction
17 officer, I use deadly physical force. As a
18 correction officer, I transport inmates throughout
19 the city and the state. That's not the job of a
20 juvenile counselor. I am a peace officer. They are
21 not. They're taught to hug and--and--and communicate
22 with these 16 and 17-year-olds. My job is to enforce
23 the law. My job is to enforce the policies of the
24 New York City Department of Corrections. You want to
25 send--look, they still don't even know whether or not

2 we're going to be able to use chemical agents. So,
3 like I said to Mrs. Pool up in Albany, so basically,
4 what you're saying to my members is this: If one of
5 the residents, inmates, detainees, adolescents,
6 juveniles, whatever you are calling them, if they
7 actually—if I'm involved in a use of force with them,
8 as it stands right now, where they are right now in
9 RNDC, I can use spray. I can use my OC. Do you know
10 that that does? That means that there's no physical
11 injury to the inmate that I'm spraying and there's no
12 physical injury to my officers. So, now you want me
13 to go to Horizon without my equipment. When a New
14 York City police officer walks into a New York City
15 public school, do you people ask him to take his gun
16 off? Do you ask him to remove his chemical agent?
17 Do you ask him to remove his vest? You don't, but
18 you want to send me and my members to Horizon without
19 a slash-proof vest, without our chemical agent,
20 without the things, the tools that we use to deal
21 with adults. So, I'm here and, of course, we're in
22 court. Yes, the judge removed the TRO again because
23 she's confused. I don't know if she actually knows
24 the difference between a judge—and—and—and a
25 paralegal because I would like to make her a

2 paralegal and maybe she'll understand exactly what
3 our argument is. We are not juvenile counselors. We
4 are not mental health workers. We are not social
5 workers. We are law enforcement officers. We are the
6 police of the jails. That's the test we took.
7 Currently, Councilman, they—they actually took
8 pictures of our members so we're going to have two ID
9 cards. We're going to have an ACS ID Card and we're
10 going to have a DOC ID Card. Where does this happen?
11 Where does this happen? So, you have my members fill
12 out this form that a juvenile counsel or Youth
13 Development Specialists they signed up for this. So,
14 they know they're going to be fingerprinted. They
15 know that they're going to go through Justice Center.
16 They know they're going to have to deal with child
17 registry and all this other type of stuff. That's
18 not the job that I took. That's not the test that I
19 took. I took a test to be a New York City Correction
20 Officer, and I'm not interested in being a
21 firefighter. I'm not interested in being a cop. I'm
22 not interested in being a Sanitation worker. I'm
23 interested in being what I signed up for and the test
24 that I took. I can go on. I won't go on. The
25 bottom line for me is we do not belong in Horizon no

2 more than we are at Crossroads. You have the same
3 inmates, 13 to 18-year-old. The same type of crimes,
4 murder, attempted murder or rape. Whatever it is
5 they're all in Brooklyn at Crossroads right now.
6 Correction officers are not there. We're not
7 providing security. We're not providing any type of
8 service at Crossroads, and what do they have? About
9 25 kids and as of October 1st you're going to get 50
10 from Rikers Island and you can't handle 50 kids?
11 Didn't you take the test to do this? Didn't you say
12 these are your jobs? This is union busting. This is
13 the Mayor and City Hall and unfortunately some of
14 your co-workers that's involving themselves in the
15 city in-in union busting and we're not interested and
16 I'm going- In conclusion, I'm going fighting,
17 screaming and kicking as of October 1st because I
18 don't want my members to have anything to do with
19 that because there's no positive outcome and just one
20 more thing. Four years ago, they said we had fight
21 clubs. Four years ago, they said we were abusing the
22 16 and 17-year-olds. Four years ago, they accused us
23 of dealing with Colleen Brower. Four years ago,
24 the Department of Justice attached itself to a
25 lawsuit, Nunez, four years ago. Four years later,

2 these people are sitting here that we are the best
3 equipped, and we are the best qualified. Where—where
4 is this hypocrisy coming from? This is hypocrisy.
5 Can we handle 16 and 17-year-olds? Yes, we can,
6 under our rules, under our guidelines, and under our
7 training.

8 ANTHONY WELLS: My name is Anthony Wells.
9 I'm the president of the Social Service Employees
10 Local 371 representing the juvenile counselors, youth
11 development specialists and other personnel at
12 Juvenile Justice. My brother put it really in-in—he
13 capitalized it. He don't want to be there. We don't
14 want him to be there. I got angry this morning
15 because the city is being disingenuous with you.
16 They are there because this law said October 1st New
17 York City must be treated differently than anybody.
18 This—this all these other programs is just nonsense.
19 These 17-year-olds at Horizon will be treated
20 differently than any other juvenile resident in the
21 Juvenile Justice System because while the personnel
22 will not be there to provide a counselor. My brother
23 put it succinctly. He's a law enforcement officer.
24 We're counselors. Our job is not just to provide
25 security and safety, but to provide development. I'm

2 upset with ACS and I've been as cooperative as I can
3 be, but I'm tired of hearing stuff for the first time
4 at this table. I've asked them what programs are
5 they bringing with them from the Corrections, now
6 they're telling me this nonsense today? This is not
7 a game, and I'm going to say something to you and my
8 brother is correct, the correction officers have been
9 maligned and accused of all kinds of stuff over the
10 last three to four years, and now you're saying
11 they're so great that you need them. No, you want
12 them in a Horizon because you don't have any other
13 choice. Be truthful. There's no cooperation from
14 the state and the City. They can't even make a
15 decision on a waiver. They've created a separate—the
16 17-year-olds will be treated different than anyone
17 else because they're going to be by themselves at
18 Horizons. They're not going to get the counseling.
19 They have created a disparate treatment that the
20 advocates have really looked at, and they were
21 interested in how these young people are going to be
22 treated. They are no longer going to be inmates, but
23 they're going to be in a mini-Rikers Island. If the
24 DOC is housing and staffing primarily at Horizons, it
25 a mini-Rikers. They're going to be responsible for

2 outside patrols, but right now at neither facility we
3 don't have outside patrols. Our facility is not
4 patrolled on the side by anyone because us officers
5 must do that because they're different. He's
6 correct. They have OC, and the SCM and safe crisis
7 management. It doesn't work now for little kids.
8 We've told this agency many times. We have members
9 that have been brought up on charges and have been
10 brought up on felony charges when they've used this
11 SCM because the justice system doesn't give a damn
12 about the SCM, and these correction officers are
13 going to put their jobs in jeopardy more because
14 they're trained in the philosophy. Their thinking is
15 different, and you're not accounting for that, and
16 the real truth of it is, if there was better
17 communication between the state and the city and our
18 elected officials, there would have stopped this
19 October 1st date. We brought this up. We've been on
20 the other-over almost—we're at the table because we
21 made noise. We were not invited to the table, and
22 yes, we negotiated the YDS title as we should be.
23 Members of the Juvenile Council, is a successful
24 title. There is no favor in here. We are the best
25 equipped to deal with juveniles in the City of New

2 York. We've been doing it for over 40 years. I had
3 started this office myself as a case worker in 1980
4 when this created. I'm glad to see it go. All of us
5 support the elimination of treating juveniles as
6 adults. I don't care if we're the last two states or
7 the first state. We're all unafraid, but the way to
8 do it--and they're disingenuous. If they had more
9 time, what they should have said was, we wouldn't use
10 correction officers if we had more time. We would
11 have a program that really utilized all that he's--
12 he's talking, but he's a wonderful man. He wants to
13 do stuff for kids. That's great, but at the end of
14 the day we're going to put these residents at risk,
15 we're going to put our staff at risk. There is--you
16 can't have conjunctive policy to together that have
17 two different philosophies. When they merged, ACS
18 and Juvenile Justice I opposed it five years ago
19 because the focus is different. Juvenile Justice is
20 there to protect society from so-called bad little
21 kids and ACS and child welfare is there to protect
22 little kids from bad grownups. Two different
23 philosophies, folks, but the Bloomberg Administration
24 did it anyway, and I wasn't the president, by the
25 way. I'll say that, too, because like vice kicking

2 and screaming. So, yeah, you found my frustration
3 now because we have tried our best to be most
4 cooperative with everybody here. I support this
5 brother, and what he's talking about because you are
6 going to bring it to a mix that don't belong, and
7 you're doing it because the state and the city can't
8 sit down at the table, and put their political
9 nonsense aside and say this is not in the best
10 interest for these kids, and it is not the intent of
11 the law. Why are these being special? The waiver to
12 commingle it, and she was incorrect because they could
13 be commingled in the doctor's office and in school.
14 Why wasn't New York granted a waiver? No, they have
15 to request a waiver. That's the local nonsense,
16 okay, and it's time for other people the advocates,
17 your elected officials. So, listen guys we need to
18 get this right--

19 ELIAS HUSAMUDEEN: The first time.

20 ANTHONY WELLS: The first time. Yeah, do
21 they have plan? Yes, they do. They're responsible
22 people. The man majority. They got a plan and all
23 proceed those. I see I got some. Good. Because I
24 was kind of short. Don't worry about it. [laughter]
25 I was talking about Charles Dressler. (sic) Is he

2 here? I'm quite sure. You got a plan, but is it the
3 best plan, and the answer is no, and if they were to
4 admit to you they would tell you it's not the best
5 plan. You know why? They're not using what we said.
6 Why don't you put a YDS in a dorm if you have CEOs
7 there. Put a YDS with the CEO so that therefore
8 there can be some counseling, and by the way, why not
9 replace the CEOs. This is our job. They are
10 temporarily and I said the word temporarily standing
11 in our place where they should not be, and they are
12 only there because no one wants to talk about moving
13 this October date giving New York City an exemption
14 to get it right. By the way, New York City has
15 different rules. In Westchester they're doing
16 trailers for these kids. We said put them on the
17 bars for a little while. They've been on the bars
18 before. We've used the bars under Juvenile Justice.
19 Now, we can't—we're not doing that. That's the best
20 answer. They don't complain. They go to the bars.
21 It's a facility in all of Rikers, and they didn't
22 develop a real plan, but no because the politics
23 don't dictate that rationality becomes the center of
24 this argument. It's bureaucratic adherence when we
25 can change this stuff. So, in closing, we have got

2 to the first two (sic) and correctional officers are
3 going to do what they have to do, and this brother
4 views his union well. I say to all you claim to be
5 caring. You don't have to have our view of life, but
6 you cannot tell me that this plan on October 1st
7 approved--[background comment] Let me talk. That's
8 Micelle. She's a new grandmother. We know what to
9 do. Okay.

10 MICHELLE: [off mic] Congratulations. I
11 was that we doctor and we got to close.

12 ANTHONY WELLS: My brother, we got time
13 my brother. We got time, but you what, though? Okay
14 but anyway--anyway listen. Anyway, if you are
15 concerned about what happens to these--these young
16 people, then you need to raise your voice and say
17 this is not the plan, and we need to push this date.
18 Okay.

19 DALVANIE POWELL: Okay. I wasn't
20 planning on speaking today, and I just heard some
21 things that just continues to desert me. I'm
22 Dalvanie Powell, President of the United Probation
23 Officers Association, and one thing I want to
24 definitely highlight because I do wear the hat of a
25 social--I got this--

2 CHAIRPERSON KING: [interposing] You got
3 one minute at the present.

4 DALVANIE POWELL: I'm Delvanie Powell
5 Probation Officers provide communities supervision,
6 and--and--and--and we also provide supervision on
7 corrections that the focus on the children is totally
8 lost in this whole thing, and I thought it was
9 supposed off as the children, and the response to the
10 department using Raise the Age as an opportunity to
11 bring civilians--supervised probation officers is
12 definitely and absolutely disturbing for now they've
13 taken the opportunity to do something totally against
14 what they should be doing. They're risking public
15 safety. They--yes, hide--provisionally 18 probation
16 officers to the become supervisors, but they're
17 insisting on and they already have hired definitely
18 three civilians supervisors, so based on this so
19 thereby overriding DCAS' qualifications to become a
20 probation--to become a supervised probation officer.
21 They have actually defied the rules and regulations
22 of the state H10, Rules and Regulations to become a
23 supervised probation officer and I find it's very,
24 very disturbing. These are not peace officers. We
25 are peace officers, law enforcement. We are--we are

2 qualified and we are trained, and I just cannot
3 understand and—and—and in the sense of Deputy
4 Commissioner—Ms. Gray, she probably did not know
5 because OLR did not know. So we got some serious uses
6 that needs to be addressed.

7 CHAIRPERSON KING: Okay, thank you. I
8 want to thank this panel. I'm not going to ask you
9 any questions because you laid it out—you laid it out
10 for what it is. I'm going to ask the Administration
11 that's still in the room, I'm going to ask you to
12 figure out in the next 48 or 72 hours to sit down
13 both with me (sic) because they make valid points.
14 Everyone is hearing it. I don't know who on your end
15 was not hearing what everyone in the room is hearing,
16 their frustration but the real talk that they're
17 having. So, we got to make sure that we get it right
18 the first time, and if October 1st does not make
19 sense, then let's have the adult conversation to
20 figure out how we save the program, but more
21 important save the lives of our young people who will
22 be transitioning in.

23 DALVANIE POWELL: And I only had one
24 meeting with the department. That's it.

25 CHAIRPERSON KING: Okay.

2 FREDERIC FOSCO: Chairman King, I just
3 want to make a quick point.

4 CHAIRPERSON KING: Sure.

5 FREDERICK FOSCO: My name is Frederic
6 Fosco. I am the Legislative Chairman for the COBA.
7 When you look at who they're hiring, who they're
8 bringing over to Horizon rather, a lot of these
9 officers have two years on the job. One of the
10 criteria was to work with children from two—I'm
11 sorry, with the juveniles for two years. These guys
12 working with the 16 and 17-year-olds came from the
13 Academy right over to RNDC and they worked with
14 Juveniles. So, out of those two years and that two-
15 year criteria, and six months of those two years are
16 academy based training to the New York City
17 Department of Correction. That includes deadly
18 physical force.

19 CHAIRPERSON KING: Yes.

20 FREDERICK FOSCO: Use of force, Article
21 3530, Human Law 2.30. Now, it's not even—a little
22 bit more than two years later we're going to give
23 them five days of training and say we want you to
24 handle everything else differently. That's all I
25 have to say, sir.

2 CHAIRPERSON KING: Thank you. You're
3 absolutely correct. I want to thank you and it's on
4 the record. I appreciate it. We're going to move on
5 to bring a number of our advocates who are here
6 today. Kate Ruben, Kate Ruben, Lisa Freeman and
7 Nancy Ginsberg, Julia Davis, Vidal Guzman.
8 [background comments, pause] Alright, whoever is
9 going to go first, thank you. You know, I know
10 sometimes these hearings can go a little off, and we
11 got to listen, but the people who are delivering on
12 the service we need to get real concreted for them so
13 we can hold them accountable when they say right
14 thing or if they don't say the right thing. It's up
15 to you all, the advocates to keep them—keep them to
16 the fire. So, whoever is going. Vidal, you want to
17 start?

18 VIDAL GUZMAN: Yeah, yeah. My name is
19 Vidal Guzman. I'm the Community Organizer for the
20 Close Rikers Campaign. I'm also a survivor of the
21 program. The program wasn't started four or five
22 years ago. I had 2007 in my—on my arm. Actually the
23 day that I was incarcerated in Riker's Island. The
24 program has been around for—around for 13 years. So,
25 wherever the DOC is actually saying it's not true.

2 It wasn't something that just happened. So, I want
3 to really be—the real question really becomes what
4 happened to DOC become the DOC become the caretakers
5 of the youth. It's not—the DOC has created the
6 culture of the program, and the Riker's Island. As
7 you know, DOC don't want or think to being a part of
8 this process. It's time for as a city, as a whole to
9 step up, and say DOC should not look over our youth.
10 There are going to be—there are going to be at
11 Crossroads and Horizon. It's time for us to step up
12 for our community, especially our community that
13 we're serving and to end the culture to make sure
14 that youth are in spaces that are rehabilitated and
15 restored with justice. [bell] I'm not done. People
16 tonight will be heading home to go home. Ladies
17 going home to these very comfortable homes where they
18 could relax easily, secure and be part of the
19 community. Other families of youth that are
20 incarcerated will turn back to underfunded, over-
21 incarcerated, over-policed communities and will be
22 returning to their uncomfortable communities also in
23 fear that DOC will become the caretakers. It's time
24 for us as a city to understand what that actually
25 means, and don't let them believe that the program

2 wad started four years ago because that program was
3 around for around 12 to 13 years. Thank you.

4 KATE RUBEN: Hi. Thanks, Chair and
5 members for holding the hearing. I'm Kate Rubin,
6 Director of Policy at Youth Represents. I have one
7 minute. So, I'm going to summarize into two things.
8 I think there are a lot of reasons to be hopeful
9 about Raise the Age and I think there are a lot of
10 reasons to be vigilant. We urge the Council to move
11 quickly to pass a data reporting bill. In my written
12 testimony I have a long list, a pretty detailed list.
13 We would love to meet with you and talk with you
14 about it in more detail. I won't summarize it here
15 for the sake of time, but we think getting that past
16 sooner than later since the law is about to go into
17 effect, it would-it is imperative. And then the
18 second is we wish to reiterate our opposition, which
19 we have stated many, many times to the city's plan to
20 staff-to staff Horizon with DOC correction officers.
21 COBA has made clear their vehement opposition, and
22 whatever happens with the litigation, one thing is
23 certain: 16 and 17-year-olds will not be well served
24 by correction officers trained in and accustomed to
25 an adult correctional environment transferred their

2 will to Horizon. The 16 and 17-year-olds we work with
3 at Rikers are apprehensive and fearful [bell] about
4 the transition because of the staffing issue. So we
5 look forward to continuing to work with you.

6 LISA FENLON: Good morning. My name is
7 Lisa Fenlon. I'm from the Legal Aid Society's Human
8 Rights Practice. I'm here with Nancy Ginsberg who's
9 the Director of our Adolescent Practice. In Criminal
10 Court we represent the kids in both the Adult and the
11 Juvenile system in New York City and we are strong
12 advocates for Raise the Age. We also oppose DOC's
13 presence at Horizon, but we fully and vigorously
14 support Raise the Age and we do not want to see it
15 delayed. We think it's frankly overdue, and we don't
16 think that there's a justification for delay at this
17 point. We think that the Council has a pivotal role
18 in overseeing implementation, and we think that the
19 essential things to be looking for down the road are
20 that the youth are not being penalized once they've
21 been moved under Raise the Age in any way, shape or
22 form, either through the criminal process, the
23 juvenile process or in the facilities themselves, but
24 we think it, this performance is overdue and we don't
25 think that it should be delayed, and we don't think

2 that the culture of Rikers Island should be a
3 justification [bell] for delay. So, what needs to
4 happen is reform on Rikers Island. As you know,
5 we're counsel for litigation. Reform needs to happen
6 on Riker's Island and reform needs to happen in the
7 Juvenile Justice system and the--the--the Correction
8 Union and the--the--the attachment to that culture of
9 brutality should not be a justification for delaying
10 this essential reform.

11 JULIA DAVIS: Hi. I'm Julia Davis with
12 Children's Defense Fund. I want to reiterate that
13 we've heard about some enormous progress that the
14 city has made. I want to just highlight that for a
15 moment. We've seen enormous decreases in the number
16 of young people on Rikers, the number of young people
17 in our juvenile system. We've heard a lot about the
18 planning and preparation here. I think it's critical
19 that as you move ahead, you have a data bill, you
20 have a way to evaluate and look at what's happening
21 inside the facilities. So, we make sure as we
22 implement this law we're able to course correct as we
23 go. My testimony also outlines some very specific
24 areas that we want to be looking at including
25 incidents in the facilities, response to those

2 incidents, how long young people are in those
3 settings and what happens to them while they are
4 there, and that includes all of the settings that
5 we're talking about, and the older kids going into
6 the existing settings. I think that as you continue
7 to watch what's happening here it's important to note
8 that the impact of correction officers is something
9 that we are all sensitive. What we've seen in terms
10 of the litigation shows that we cannot continue along
11 this course for the long term. We must have the
12 solution before 18 months with regards to staffing
13 with the YDS staff in these facilities. We cannot
14 continue to be in this limbo land not knowing exactly
15 what will happen. So, we need to see that resolved,
16 and we need to see a faster pace of the appropriate
17 staff being in these settings. Thank you. [bell]

18 CHAIRPERSON KING: Thank you. Thank you
19 all for your testimony. I appreciate your much, and
20 our final panel consists of Kerry Lowell and Ashley.
21 Ashley, I don't know what you wrote here. Ashley.
22 Ashley is in the house Ashley Super, Sawyer-Sawyer.
23 There we go. Just two. [background comments, pause]
24 That's it. This is the last panel. [background
25 comments, pause] And if Exalt is in the room? Is

2 Exalt here? Who is representing Exalt today? Is it
3 Dominique Perry? You left one of your young people?
4 I ask them to come and join us in the final panel.
5 Danisha, Danisha? Where is she?

6 FEMALE SPEAKER: She's coming.

7 CHAIRPERSON KING: This is our last panel
8 of today's committee hearing. Please introduce
9 yourself for the record, and we'll start right with
10 Ms. Soya

11 ASHLEY SAWYER: Good afternoon now. I
12 will—you have my written testimony and I will refer
13 to it. My written testimony—well first, let me just
14 introduce myself. My name is Ashley Sawyer. I'm an
15 attorney, and I'm also the Director of Policy and
16 Government at Girls for Gender Equity, and our focus
17 is on supporting young people particularly sis and
18 trans girls of color and gender non-conforming young
19 people. In addition to that, I had experience as an
20 attorney representing young people while I was at
21 Youth Represent who were incarcerated on Rikers
22 Island ages 16 to 24. I saw first hand, I was in
23 their housing units, and I saw first hand some of the
24 brutality that they experience while there, and I'm
25 happy to speak off line more about that. What I—in my

1 testimony the written testimony you'll see that we
2 are fully in support of any efforts to address the
3 sentencing of young people who were already sentenced
4 prior to Raise the Age was being implemented, but in
5 reference to today's comments, we just want to
6 emphasize the ways that girls in particular and young
7 people are harmed by having the same Rikers culture
8 replicated in juvenile facilities. Girls in Rikers
9 we—I'm sure you saw the investigative reporting that
10 was recently released about the rate of rape and
11 sexual assault at Rosie's. GGE is a leader in the
12 conversation around sexual assault. We're the home
13 of the #Me Too Movement, and we want to make sure
14 that young people who have been affected by the
15 criminal legal system or the juvenile legal system
16 are not forgotten in our responses to sexual assault
17 and gender based violence. It is incredibly
18 important that anyone staffing a facility with young
19 people has the training and the skill and the care to
20 appropriately respond to young people who have
21 experienced sexual trauma in their past, and are
22 keeping young people safe. We understand that
23 juvenile facilities period are not a safe place for
24 young—safe places for young people, but that becomes
25

2 even more exacerbated when you bring the culture from
3 Rikers to a juvenile facility, and it puts our young
4 people at great harm. Thank you for your time and I
5 look forward to continuing this conversation.

6 CHAIRPERSON KING: Thank you.

7 DARLENE PERRY: I would just like to
8 share my testimony. Hello, members of the New York
9 City Council, and Chairman King. Thank you for the
10 opportunity for me to testify today. My name is
11 Darlene Perry. When I was 13 my mom kicked me out and
12 I had to adapt to New York and survive. I grew up in
13 foster care. I had no idea what foster care was.
14 So, I would follow what everyone else would do not
15 knowing that it will lead to some serious trouble and
16 I would have to deal with the consequences. At 16 I
17 was introduced to Rikers facility and Horizon
18 Juvenile Detention Center. I felt like I had no one
19 in my corner or on my side. No one really wanted to
20 hear any excuses for my behavior whatsoever under any
21 circumstances especially the fact that I was in
22 foster care. So, I sucked it up and I did whatever I
23 was told to do and I had to do. As I'm sharing these
24 traumatic details with you all today, I'm not looking
25 for any sympathy or any tears, but because of this.

2 If Raise the Age was in effect around the time that I
3 grew up, I honestly would have dealt with life
4 differently, but that is my past and today we are in
5 the present. I think [bell] that raising the age is
6 very important so that no young people have to
7 experience what I've been through. It's not fair to
8 be young and end up in hazardous places. When you
9 are young, you are still growing, and you need proper
10 guidance, and high risk facilities are running the
11 chances for young people to succeed. A big reason I
12 was successful is that when I was on probation, I was
13 able to get help from the program that gave me
14 education and an internship. I did so well with the
15 internship that I was offered an additional chance to
16 stay after my time was done. I think that is very
17 important for youth like me because finding jobs can
18 be very stressful. I was introduced to a program
19 called Exalt Youth in 2013, and man, did it change my
20 life. Exalt believed in me from the very first day,
21 and seeing something in me that I did not. The super
22 saw it. I remember my first, my teacher from the
23 program sat me down one day and asked me what was
24 going on, and I was afraid to open up because I felt
25 embarrassed and I was afraid I would be judged.

2 Let's not forget the fact Exalt Youth is a judge free
3 zone and I could be myself as a lesbian around them.
4 Exalt has helped me in so many ways. They became my
5 family in a short time, and that means a lot to me
6 because when I was young, I would never, ever put my
7 trust into anyone. I would stay there late most days
8 and do homework, and received support with my job,
9 and wait a minute. Let's not forget the fact that
10 Exalt provides Metro Cards and placement with paid
11 internships that would typically lead to permanent
12 employment. Exalt teaches the youth about body
13 language, clothes and dressing appropriate for job
14 interviews and anything else that you can name. I
15 honestly do not know what I would do without them.
16 Now, at the age of 21 today I am in college full
17 time. I'm passing all of my classes. I'm working two
18 jobs, and I will be mentoring young girls who are on
19 probation because that's something I truly believe
20 and that's my passion. Everything that I know today
21 is because of Exalt Youth, and they can have my heart
22 any day due to the fact that they were complete
23 strangers and they helped me find myself again. To
24 this very day when I go to visit Exalt, I feel like a
25 completely new person in a good way. I hope the City

2 Council will do everything that you guys can to make
3 sure that youth like me get to have programs that
4 will help them succeed in everyway possible. Thank
5 you all for taking your time out to listen to my
6 testimony and it truly means a lot to me. [applause]

7 KERRY LOWE: On the behalf of Friends of
8 Island Academy, I want to thank the committee of
9 Juvenile Justice for the opportunity to address you.
10 My name is Kerry Lowe and I'm here representing
11 Friends of Island Academy. Originally, I was a youth
12 in Friends and now I'm a full-time staff member.
13 Friends is a non-profit organization founded on the
14 school floors of Rikers. At that time, you know, the
15 city held about 23,000 per night on Rikers, which
16 35,000 were young people between the ages of 156 to
17 18. I was arrested and sent to Rikers a half a year
18 ago. Yet, I was trying to just think of a thousand
19 ways, you know, just to get out of jail, and I
20 changed my life and I met an advocate there name
21 Kevin. We were in the housing area where he
22 introduced me and was telling me about Friends. They
23 started asking me questions about my life, you know,
24 my family, my future goals, something that no one
25 else really had done. He came back, you know, again

2 and again and gave me his card and told me, you know,
3 keep in touch with him when I got out of prison. A
4 few weeks later I was released, and found Kevin's
5 card and was just trying to get a job. [bell] He
6 was coming to my court dates and just became someone,
7 you know, I could talk to. On my second court date,
8 you know, he introduced to Max. He's a mitigation
9 specialist for Friends. He was there to advocate for
10 me in court, and it felt like perfect timing because
11 when I had to be in court I was told that I would
12 have to take three years, and I just lost it. I was
13 on the verge of, you know, just arguing with my
14 lawyer until Max stepped in and cooled me down
15 mitigating the situation. Soon after I started
16 coming to the Friends site in Harlem and I met Aaron
17 and Gene on the site, and the list goes on of people
18 who have just been there supporting me along the way.
19 For me, it made me really feel like I belonged.
20 Growing up in Harlem, I didn't really have much of a
21 family. Connecting with Kevin and Max, they opened
22 up just a whole new network of people who were there
23 to support me in what I needed. Since I first met
24 Kevin, I started a full-time job via Friends, and
25 I've been able to provide for my family. I started

2 college this fall, and I'm majoring in sociology.
3 When kids leaving custody have no plans or assistance
4 with discharge, no personal development and public
5 safety, you know, just compromised. Youth requires
6 safe and secure housing, school assistance, mental
7 health care, fundamental life skills, and since
8 belonging the opportunity to achieve and engage.
9 Over the last year with New York City funds, we have
10 been able to scale our model and do what is called
11 Youth Re-entry Network. The Network is—come from a
12 system—well, is a system of—of—is developed just for
13 advocating. You know, focusing initially on those
14 who are 16 and 17 years old, which triggered youth
15 admissions to Rikers. The network is a comprised
16 system and take house—housing discharge planning, re-
17 entry support, which belongs with the youth and young
18 adults 16 to 21 admitted to Rikers and it's basically
19 how they met me while I was in Rikers. Since the
20 network started Friends, youth advocates and people
21 like Kevin, I've engaged in over 2,500 young people
22 [bell] ages 16 to 21, and of those, 1,020 16 and 17-
23 year-olds. So, for the most part, it's just people
24 like me, you know, young. Of those we engaged in
25 custody, 1,927 young people have been released in

2 which 821, are 16 and 17-year-olds. I would not be
3 sitting in front of you today testifying at the City
4 Council hearing if wasn't for people who believed in
5 me. I would not be in college if it wasn't for those
6 people, those advocates, those counselors who
7 believed in me. I would not have a full-time job if
8 it wasn't for those people who believed in me. If
9 the system is going to change [bell] in ways for, you
10 know, things to just work for kids who are 16 and 17,
11 we have to make sure that every single kid has an
12 advocate, has a counselor, has someone there while
13 they're at Horizons and Crossroads that they can go
14 to and talk to.

15 CHAIRPERSON KING: We really appreciate
16 your testimony. It's powerful and we want to thank
17 you. We ran out of time on us. There's another
18 committee standing in the hallway to take into the
19 room. So, I want to hear from you quickly and share
20 a few words with us before we close.

21 My name is Danasia Latenay (sp?) Finch.
22 Hello, all members of City Council, Chairman and
23 guests. I'm here today to share my story and my
24 testimony. I'm going to keep it short and brief. My
25 fight for Raise the Age goes deeper than just the

2 legislation, but determines the future of our next
3 generation. It has been my honor to be fighting for
4 the freedom and rights of teenagers of New York City
5 for the last two years though people have been
6 working on this reform for two decades. During my
7 lifetime in New York City I was arrested constantly
8 between 13 and 16 where I was being involved at the
9 age of 13 and was sent to Rikers at age 15 going onto
10 my 16th birthday. Being incarcerated has its
11 effects on people causing trauma, PTSD, anxiety and
12 even depression. These are lifelong lasting
13 conditions causing people to harm themselves or
14 others and then continuing the cycle of
15 incarceration. We must all work together
16 collectively as a community to keep our kids home.
17 Given everyone has making—has made mistakes, and most
18 kids are arrested for minor crimes such as jumping—
19 jumping the turnstile, fighting or simply being at
20 the wrong place at the wrong time. After my arrest,
21 I was put on probation for a year, and then it was
22 extended and I was given a—a mandatory six-month
23 probation with cases, and that's when I was referred
24 to a more hands-on program called Exalt, and I stuck
25 with the program because of the curriculum and the

1
2 experience I gained in the internship as our open
3 opportunities to me that I probably wouldn't have-
4 wouldn't have been available to me. They opened a
5 new lane to the road I was driving down, and after
6 Exalt, I have enrolled into new school and
7 successfully completed high school, gotten
8 scholarships for the work that I have done, and I
9 have featured in the Huffington Post, and I have—and
10 I have been able to explore different career options.
11 My journey after my incarceration has begun, and I'm
12 working—and I'm looking forward to continuing life.
13 I'm studying liberal arts, advocating—advocating for
14 youth, and continuing to support Raise the Age,
15 programs like Exalt, work and benefit youth because
16 it is engaging, educational and most of all
17 inspirational. Thank you to—thank you to all of you
18 who support organizing these incentive Exalt cases
19 and for Fortune Society who you should continue to
20 support these organizations in their efforts to
21 create restorative justice. You should continue to
22 support kids of the future, you should continue to
23 support our youth, and all they have to offer the
24 world and that is it.

2 CHAIRPERSON KING: Thank you. Thank you
3 all for your testimony today, and thank you all for
4 joining us for today's committee hearing. We've
5 heard a lot of conversation today, and I'm going to
6 say to the administration, the unions, we've got to
7 figure out how to get this right the first time, and
8 if October 1st has to turn October 2nd, and as I
9 learn and just reading that if we need to comply with
10 October 1st to get people off Rikers I was told there
11 was a bar it's called Brun and C Bayne (sic) that can
12 possibly be used just so we can be in compliance with
13 getting our students off of Rikers. So, if that's
14 the case, that's another alternative because we got
15 to make sure the system that we put in place is a
16 system that's actually going to deliver what the
17 Raise the Age wants to deliver for our children. So,
18 thank you everybody for participating and looking
19 forward to continuing this conversation to getting
20 ready in two weeks. Thank you again. This is
21 adjourned. [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 September 25, 2018