

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON GENERAL WELFARE
COMMITTEE ON JUVENILE JUSTICE

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December 18, 2009
Start: 1:21 pm
Recess: 4:35 pm

HELD AT: Council Chambers
City Hall

B E F O R E:

BILL DE BLASIO
Chairperson, General Welfare

SARA M. GONZALEZ
Chairperson, Juvenile Justice

COUNCIL MEMBERS:
Council Member Maria Del Carmen Arroyo
Council Member Gale A. Brewer
Council Member Julissa Ferreras
Council Member Helen D. Foster
Council Member G. Oliver Koppell
Council Member Jessica S. Lappin
Council Member Darlene Mealy
Council Member Kenneth C. Mitchell
Council Member Annabel Palma
Council Member James Sanders, Jr.
Council Member Thomas White, Jr.

A P P E A R A N C E S [CONTINUED]

Bill de Blasio
Opening Statement
Chairperson
Committee on General Welfare

Bill de Blasio thank you's:
Sara Gonzalez
Juvenile Justice Committee
Maria Arroyo
Gale Brewer
Lisette Camilo, Counsel, Juvenile Justice
William Hongach, Policy Analyst, Juvenile Justice
Migna Taveras, Policy Analyst, General Welfare
Molly Murphy, Counsel, General Welfare
Jackie Sherman, former Counsel, General Welfare

Sara M. Gonzalez
Opening Statement
Chairperson
Committee on Juvenile Justice

Sara Gonzalez thank you's:
Lisette Camilo, Counsel, Juvenile Justice
William Hongach, Policy Analyst, Juvenile Justice
Migna Taveras, Policy Analyst, General Welfare
Molly Murphy, Counsel, General Welfare
Those who attended the hearing

Gilbert Taylor
Deputy Commissioner
Family Court Legal Services
New York City Administration for Children's Services

Eric Stevenson
Committee Clerk
Committee on Juvenile Justice

Leslie Abby
Executive Director
Juvenile Justice Initiative
New York City Administration for Children's Services

A P P E A R A N C E S [CONTINUED]

Naomi Greenberg
Parent of Max Greenberg
Participants
Blue Sky Juvenile Justice Initiative Program

Written statement:
Darlene Pender
Participant
Blue Sky Juvenile Justice Initiative Program

Sylvia Rolands
Director
Blue Sky Juvenile Justice Initiative Program

Thomas Bennett Pender
Participant
Blue Sky Juvenile Justice Initiative Program

Alfred Siegel
Chairperson
Subcommittee on Reentry and Alternatives to Placement
Governor's Task Force on Transforming Juvenile Justice
Deputy Director
Center for Court Innovation

Curtis Still
Program Director
IPAS

Peter Trevisano
Assistant Program Director
Intensive Preventive Aftercare Services
Juvenile Justice Initiative Program
Catholic Guardian

Carol Fisler
Director of Mental Health Court Programs
Center for Court Innovation

A P P E A R A N C E S [CONTINUED]

Kendra Hurley
Co-author of paper
A Need for Correction, Reforming New York's Juvenile
Justice System

Danielle Marchione
Director
Communications and Government Relations
Citizen's Committee for Children of New York

Called but did not testify:

Kate Davidson
Blue Sky Juvenile Justice Initiative

Grayson Mahar
Participant
Catholic Guardian IPAS program

Gladys Sosa
Participant
Catholic Guardian IPAS program

Michi Furuji
Children's Defense Fund

Debra Irons
Correctional Association of New York

Sharissa Smith
Community Juvenile Rehabilitation for Youth

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3 [START 1001.MP3]

4 [No content]

5 [END 1001.MP3]

6 [START 1002.MP3]

7 FEMALE VOICE 1: Today's date is
8 December 17, 2009. This is a Joint Hearing,
9 General Welfare and Juvenile Justice and it's
10 recorded by Eddie Rento Coriasco.

11 [END 1002.MP3]

12 [START 1003.MP3]

13 [Gavel banging]

14 SERGEANT AT ARMS: Quiet please.

15 CHAIRPERSON DE BLASIO: Good
16 afternoon. This Joint Hearing of the General
17 Welfare Committee and the Juvenile Justice
18 Committee is called to order. I'm Council Member
19 Bill de Blasio. I want to thank everyone for
20 being here and apologize for late start. And let
21 me start by wishing everyone Happy Holidays and
22 say that for me this is an important hearing
23 because of the subject matter but it's also
24 bittersweet 'cause it's the last hearing that I'll
25 get to chair as Chair of the General Welfare
Committee.

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3 And it has been an extraordinary
4 experience. And it's been a great honor to work
5 with my colleagues in the Council, with the staff,
6 with so many advocates to do some real work to
7 make the City better. And it's also shown me
8 through personal experience how important the
9 process of oversight and encouraging public
10 examination of what our City agencies are doing
11 and offering ideas and alternatives how powerful
12 that process can be. So it's been a very, very
13 gratifying experience and I want to thank everyone
14 who supported me along the way.

15 I'm going to, first of all, I want
16 to, from the perspective of today, thank my
17 colleague Sara Gonzalez who I've worked with on so
18 many issues but thank her as Chair of the Juvenile
19 Justice Committee and thank the Committee for
20 agreeing to hold this Committee hearing jointly.
21 And I want to thank the members of the Council who
22 are present including Maria Arroyo and Gale Brewer
23 and thank them for their presence today.

24 I want to thank all the staff who
25 put together today's hearing including Lisette
Camilo and William Hongach of the Juvenile Justice

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3 Committee and Migna Taveras and Molly Murphy of
4 the General Welfare Committee. I want to thank
5 Migna and Molly for their extraordinary work that
6 they've done with the Committee over the last few
7 years. And the incredible hard work that has
8 taken--

9 COUNCIL MEMBER BREWER:

10 [Interposing] [Applauding]

11 CHAIRPERSON DE BLASIO: --thank you
12 Gale Brewer. I'm going to join--come on, give
13 them a round of applause.

14 [Applause]

15 CHAIRPERSON DE BLASIO: It's not
16 easy to be in public service. But thank you for
17 the hard work, the long hours, the incredible
18 commitment. And we are joined by my previous
19 Counsel on the General Welfare Committee who got
20 it all started, Jackie Sherman, thank you for your
21 wonderful contributions in making all this
22 possible and teaching me how to be a Committee
23 Chair along the way.

24 Now today we're here to talk about
25 a juvenile prison system that is broken and is
failing to live up to its two primary

responsibilities: keeping the public safe and
taking care of and rehabilitating young people.

There's been a lot of attention on this issue in
recent weeks and it's well deserved.

There are better and less expensive
alternatives to juvenile prisons that have proven
to be extraordinarily successful but these
alternatives need more resources to we can ensure
that young offenders are not sent into the
juvenile prison system where they will have far
less hope of getting a second chance at life.

When a child or a teenager commits
a crime it's our responsibility to give them a
chance to learn from their mistakes and to create
a better future for themselves but right now New
York is simply giving up on these youth. A report
released on Monday by the Governor's Task Force on
Transforming Juvenile Justice confirms the
disturbing conditions in New York's juvenile
prisons.

Instead of being rehabilitated,
youth are more likely to commit crimes after
leaving. According to State data from 1999, 75%
of all youth released from State custody between

1
2 1991 and '95 were rearrested within 3 years of
3 their release.

4 These prisons are expensive, on
5 average the State spends an incredible \$210,000
6 per year to house a youth in prison. And there is
7 an extreme racial disparity. African American and
8 Latino youth represent only 44% of New York's
9 total population but comprise over 80% of all
10 youth--the total youth population I should say but
11 comprise over 80% of all youth in the State's
12 facilities. In addition youth in the prisons face
13 serious educational challenges. The median age of
14 the youth in these facilities is almost 16 yet
15 one-third of these young people read at a 3rd grade
16 level.

17 Now we know there are other ways to
18 approach juvenile justice to give young offenders
19 hope for a better future and save money for the
20 taxpayers. And one of those is ACS' Juvenile
21 Justice Initiative. ACS has shown a tremendous
22 leadership through its JJI program which aims to
23 keep youth out of institutional placements, to
24 reduce the length of stay for those who are in
25 placement, and to reduce recidivism.

3 The problem is that as demand
4 increases JJI can't serve all of those who are
5 eligible and recently youth have been turned away
6 from the program due to capacity issues which
7 means they end up at risk of placement in a prison
8 setting that they don't need to be in. And this
9 is not only bad policy it's also not fiscally
10 responsible.

11 JJI costs only \$17,000 per youth
12 per year, again far less than the \$210,000 it
13 costs to put the youth into a juvenile prison.
14 And here's a little comparison, 12 youth could be
15 served by JJI for the cost of just 1 bed in prison
16 for a year. JJI has also been successful in
17 reducing recidivism. During its first year only
18 35% of youth in the program were rearrested
19 compared to 75%, again, of youth who came out of
20 the juvenile prisons.

21 There's no justice in a juvenile
22 prison system that gives up on youthful offenders.
23 And when children and teenagers make terrible life
24 decisions they need to learn how to make better
25 ones in the future instead of repeating their
mistakes again and again. Our juvenile justice

2 system should foster hope instead of creating
3 criminals.

4 And so for me this is an example of
5 exactly why the City Council and the legislative
6 process, the oversight process matters because
7 here is a working positive alternative that isn't
8 getting the attention it deserves, that needs to
9 be front and center in all of our budget
10 discussions coming up at the City and State level.
11 And we're holding this hearing to make sure that
12 happens.

13 And with that I turn to my
14 colleague Chair Sara Gonzalez.

15 CHAIRPERSON GONZALEZ: Thank you
16 Chair, Councilman Bill de Blasio. I just want to
17 also congratulate you on this new incredible
18 endeavor as Public Advocate because you have
19 certainly served incredibly wonderful in respect
20 to so many issues especially in General Welfare,
21 ACS and a lot of other issues especially during
22 the budget process. You were very instrumental.
23 I just would like to wish you well.

24 CHAIRPERSON DE BLASIO: Thank you.

25 CHAIRPERSON GONZALEZ: And thank

3 you today for partnering. This is a very
4 incredible and important issue. Good afternoon.
5 My name is Sara M. Gonzalez and I'm chair of the
6 Juvenile Justice Committee. Today we will be
7 conducting a Joint Oversight Hearing with the
8 Committee on General Welfare regarding ACS'
9 Juvenile Justice Initiative.

10 Before I begin I wish to thank
11 Chair de Blasio, again, for this Joint Hearing and
12 I also would like to thank the staff that worked
13 to prepare this hearing, Lisette Camilo and
14 William Hongach from the Juvenile Justice
15 Committee and Molly Murphy and Migna Taveras in
16 the General Welfare Committee. It's never
17 redundant when we thank them because I think
18 they're so incredibly significant. Thank you.
19 Finally I would also like to thank all of you for
20 attending today's hearing.

21 It is clear that the State's
22 juvenile justice system is broken. Too many
23 children are being removed from their families and
24 are being placed in State institutions that are
25 far away from their communities and support
systems. Many of these children enter placement

2 and serious issues ranging, actually, from mental
3 health issues, troubled family histories, trauma,
4 drug and alcohol problems, they are being placed
5 in State institutions that are not addressing any
6 of their needs. Incarcerating youth without
7 addressing their problems does nothing to equip
8 them to fully function in society upon their
9 release.

10 As a result recidivism rates are
11 extremely high for these young people and they
12 continue to cycle through the juvenile justice
13 system and later through the criminal justice
14 system as adults. I commend Governor Paterson for
15 his efforts to improve the State's juvenile
16 justice system and for creating the Task Force on
17 Transforming Juvenile Justice that recently issued
18 its recommendations on how to improve the State
19 juvenile justice system.

20 The comprehensive list of
21 recommendations is outlined in a most welcome
22 recognition of the existing problems as well as
23 the best solutions for changing the direction of
24 the statewide system. I was pleased to see that
25 the work being done by my Committee and the New

2 York City Department of Juvenile Justice serves as
3 a model for positive improvements that should be
4 implemented statewide.

5 From oversight hearings about
6 conditions facing LGBTQ youth in detention, safety
7 of adolescents in City jails and problems facing
8 youth with mental health needs in detention to
9 providing millions of dollars in funding for
10 progressive initiatives such as the collaborative
11 family initiative, comprehensive discharge
12 planning and alternative to detention program, the
13 Juvenile Justice Committee and the City Council as
14 a whole have proven to be effectively proactive
15 when it comes to youth who find themselves as part
16 of the juvenile justice system.

17 Today we examine a program that's
18 an example of one of the recommendations of the
19 Task Force issued, the Juvenile Justice
20 Initiative, an alternative to placement program
21 and an after-care service program for placed
22 children, JJI seeks to prevent or to reduce a
23 child's time in placement within a State facility.
24 For children that have been placed it offers them
25 intensive services to ease the transition into

2 their communities. The program works to reduce
3 recidivism and to teach children and their
4 families how to prevent behaviors that lead to a
5 child's involvement with the juvenile justice
6 system.

7 As children are still developing,
8 they have a tendency to deviate from their
9 characters and at times make poor choices that
10 often results in their involvement in the juvenile
11 justice system. We need to offer these children
12 the opportunity to get back on track and to help
13 them become contributing members of society.

14 Incarceration is not the answer.
15 The programs like JJI and other therapeutic models
16 my Committee and the Council as a whole have
17 supported, like it, are great examples of superior
18 ways to address our children's pressing needs.
19 And I also would just like to take a moment to
20 welcome Council Member Maria del Carmen Arroyo who
21 is a member of the Juvenile Justice Committee and
22 I don't see...

23 CHAIRPERSON DE BLASIO: We did not
24 announce Julissa Ferreras. But we are always
25 aware of her presence and thankful.

2 [Off mic]

3 CHAIRPERSON GONZALEZ: And Gale
4 Brewer.

5 CHAIRPERSON DE BLASIO: Did we
6 forget Annabel? I could never--I apologize
7 Annabel. We welcome Annabel Palma of the Bronx,
8 the conscience of the New York City Council.

9 Okay. We thank you very much Chair
10 Gonzalez and now we'll call our first panel,
11 Leslie Abby, Executive Director of the ACS
12 Juvenile Justice Initiative; Gilbert Taylor,
13 Deputy Commissioner of ACS; and I think we have a
14 representative from Juvenile Justice or not? To
15 answer questions. Okay. If we have questions.
16 Good. We welcome your testimony. Thank you.

17 [Pause]

18 MR. GILBERT TAYLOR: Good afternoon
19 Chair de Blasio and Chair Gonzalez and members of
20 the General Welfare and Juvenile Justice
21 Committees. My name is Gilbert Taylor and I'm the
22 Deputy Commissioner for Family Court Legal
23 Services at the New York City Administration for
24 Children's Services. I appear before you today
25 with Leslie Abby, our Executive Director for ACS'

3 Juvenile Justice Initiative. We would like to
4 take this time and opportunity to provide you with
5 an overview of the Juvenile Justice Initiative as
6 it's administered through our agency.

7 As the Council is aware, Children's
8 Services is the City's child welfare agency
9 responsible for protecting children and
10 strengthening families. We aim to fulfill this
11 mission by providing a range of services to
12 vulnerable families including child protection,
13 foster care, preventive services and subsidized
14 childcare and Head Start.

15 In New York State and in the
16 country there is significant overlap between the
17 child welfare system and the juvenile justice
18 system. In fact 80% of the families served by our
19 Juvenile Justice Initiative have an active child
20 welfare case with our agency at the time of
21 enrollment in the program and have a history with
22 the child welfare system as well. Many of these
23 families struggle with service needs that must be
24 addressed before meaningful clinical treatment can
25 begin.

The Juvenile Justice Initiative

3 provides services to youth who have been
4 adjudicated a juvenile delinquent in Family Court.
5 Juvenile delinquents commonly referred to as JDs
6 are youth under the age of 16 who have been
7 arrested for committing criminal acts and who have
8 been prosecuted in Family Court.

9 Once a young person has been
10 adjudicated a juvenile delinquent in Family Court,
11 he or she faces a range of dispositional options
12 including a term of probation supervision or
13 placement outside of his or her home. When youth
14 are placed, they are most often placed into the
15 custody of the New York State Office for Children
16 and Family Services, either in a State-run
17 facility or in a privately operated facility.

18 Research with juvenile delinquents
19 demonstrates that youth who remain in the
20 community and receive intensive therapeutic
21 services achieve better outcomes than those sent
22 to out-of-home placements. In 2006 Children's
23 Services recognized a need for a preventive
24 program within the agency to address the myriad
25 needs of families whose lives are touched by both
the child welfare and juvenile justice system.

3 Children's Services developed the
4 Juvenile Justice Initiative to support the
5 statewide reduction of the number of delinquent
6 youth being placed into residential facilities.
7 Shortened lengths of stay for those youth who are
8 placed in residential care, reduced recidivism and
9 improve individual and family functioning. As a
10 result JJI's services not only impact a young
11 person's juvenile justice involvement but they
12 also address the child welfare challenges that
13 often drive a youth to delinquent behavior.

14 JJI is part of the Children's
15 Services ongoing commitment to reduce our reliance
16 on institutionalized care while protecting and
17 empowering youth and families in times of crises.
18 With JJI, young people who have committed
19 delinquent acts receive the supervision and
20 support they need to change their life
21 trajectories. The therapeutic interventions
22 utilized by JJI are considerably less expensive
23 than out-of-home placements.

24 JJI costs on average \$17,000 per
25 youth, 37% of which is paid by New York City and
63% of which is paid by New York State.

2 Placements in privately operated facilities cost
3 approximately \$140,000 per youth, fully paid by
4 New York City. Placements in the State-run OCFS
5 facilities cost as much as \$210,000 per youth
6 which is split evenly between the City of New York
7 and the State of New York.

8 The Juvenile Justice Initiative
9 consists of two components. First is the JJI's
10 Alternative to Placement program, the ATP provides
11 intensive, evidence-based alternative to placement
12 for young people who have been adjudicated
13 juvenile delinquents. Second, our JJI's aftercare
14 services called the Intensive Preventive Aftercare
15 Services or IPAS; IPAS provides evidence-based
16 reentry services for youth returning from
17 privately operated juvenile placement facilities
18 as well as intensive oversight for each individual
19 placement with the goal of shortening lengths of
20 stay to an average of seven months.

21 On an annual basis JJI serves
22 approximately 300 youth and their families across
23 all five Boroughs in its ATP program. The pool of
24 youth considered for the ATP program are those for
25 whom the court has directed that an exploration of

2 placement be completed to assess whether the young
3 person should be placed outside of his or her home
4 in private placement facilities. Children's
5 Services JJI staff located in each Borough assess
6 youth for acceptance into the program based on a
7 number of criteria including the willingness and
8 the ability of the young person and his or her
9 family to participate in treatment.

10 Children's Services JJI staff also
11 testify in court about the appropriateness of JJI
12 services as an alternative to placement for a
13 particular young person. All youth involved with
14 JJI have been recommended for placement but
15 receive a term of probation instead. The
16 condition of probation is to comply with JJI's
17 services. Thus all youth in JJI would have been
18 placed into a facility if JJI were not available.

19 JJI's ATP program utilizes two
20 therapeutic modalities, multi-systemic therapy,
21 commonly referred to as [skip in audio] MST and
22 Blue Sky. Both address the known causes of
23 antisocial behavior comprehensively at youth,
24 family, peer, school and community levels. And
25 with MST treatment is relatively short-term and in

1
2 most cases it lasts approximately six months.

3 This treatment intervention takes
4 place in the home, the school and in the
5 neighborhood of the young person and his or her
6 family. Central to the treatment are intensive
7 weekly therapy sessions in the home with the
8 parent and the young person. With MST caregivers
9 are critical to achieving favorable outcomes for
10 their adolescents. Therefore MST focuses on
11 empowering caregivers and utilizing or changing
12 the natural environment of the young person
13 including family, peers and other systems in which
14 the youth come into contact to change the young
15 person's behavior.

16 The therapy works with families to
17 gain self-sufficiency so that they can better
18 handle problems and delinquent behaviors once
19 treatment is concluded. ACS contracts with four
20 providers for these services including the Jewish
21 Board of Family and Children Services, SCO Family
22 of Services, Little Flower Children Services and
23 the Child Center of New York.

24 [Pause]

25 In addition Children's Services is

2 currently administering a pilot of the Blue Sky
3 model which is operated by New York Founding and
4 utilizes the MST model just described as well as
5 functional family therapy, FFT, and
6 multidimensional treatment foster care, MTFC. The
7 three models are provided as an integrated
8 continuum of services. And families start in one
9 model but if behavior modification is not working
10 or safety issues arise, they may switch to a
11 different model.

12 FFT takes place over an intensive
13 three to five month period and includes up to 30
14 1-hour therapeutic sessions. FFT has three phases
15 which it implements sequentially. These phases
16 are: first, engaging and motivating youth and
17 their families; second, developing and
18 implementing long-term behavior plans for each
19 family member; and finally, strengthening
20 families' capacities to utilize community
21 resources.

22 Through multidimensional treatment
23 foster care, MTFC, a young person who has been
24 adjudicated a juvenile delinquent is placed with a
25 specially trained foster family which becomes

1
2 alongside a family therapist part of the young
3 person's therapeutic treatment team. For six to
4 nine months MTFC parents who have a 24 hour a day,
5 7 day each week access to program support, carry
6 out an individualized program that sets clear
7 rules, expectations and limits to manage behavior.
8 The foster parents provide a daily report which
9 relays information about the youth's behavior to
10 the treatment team and ensures that the MTFC
11 program is being implemented correctly.

12 Simultaneously the youth's family
13 receives intensive therapy and parenting skills
14 designed to teach them how to provide consistent
15 discipline, supervision and encouragement. The
16 goal is to prepare parents for the return, for
17 their child's return home while increasing
18 positive relationships in the family. Upon
19 return, the family then receives MST until the
20 family and the youth are able to show sufficient
21 progress.

22 The founders and developers of MST,
23 FFT and MTFC chose JJI and New York City to be the
24 first-ever site for piloting the Blue Sky
25 therapeutic modality. Now that the model has

1 proven to be viable on the ground, Children's
2 Services is planning with New York Founding to
3 conduct a 4-year long randomized clinical trial of
4 the modality. The Blue Sky developers will not
5 permit this innovative program to be disseminated
6 to any other jurisdictions before the pilot is
7 completed and demonstrates its long-term
8 effectiveness.
9

10 All three of the treatment models
11 used by the Juvenile Justice Initiative, MST, FFT
12 and MTFC have been cited as model programs for
13 delinquency prevention by the US Surgeon General
14 and the Office of Juvenile Justice and Delinquency
15 Prevention. And they're utilized in 400
16 jurisdictions throughout the world.

17 The second component of the JJI
18 program is the intensive preventive aftercare
19 service known as IPAS which includes evidence-
20 based therapeutic treatment services for young
21 people returning from private delinquency
22 placements and a reduction of length of stay for
23 youths to seven months. ACS contracts with
24 Catholic Guardians Society and Home Bureau to
25 provide FFT services. Currently these aftercare

2 services are being provided to 75 young people and
3 their families in the Bronx and in Manhattan. And
4 we have plans to expand citywide to a total of 200
5 slots in 2010.

6 A critical element of JJI's
7 aftercare program is our collaborate work with our
8 partner agencies: OCFS, Catholic Guardian, our
9 preventive providers and the private placement
10 agencies. This cross-system collaboration
11 represents one of the largest juvenile justice
12 systems reforms in New York City history and a
13 unique effort by Children's Services to bring
14 together the multiple systems involved in serving
15 youth in the juvenile justice system to address
16 the family dysfunction that is one of the root
17 causes of delinquent behaviors.

18 Beginning on Day One of a young
19 person's placement, ACS, OCFS, Catholic Guardian
20 and the private placement agency communicate on a
21 regular basis to thoughtfully plan for the young
22 person's release and to address any barriers that
23 would prevent the release and cause the youth to
24 languish in an institution. The therapeutic
25 modality provided to young people involved in

JJI's aftercare program is the same FFT model as I described earlier as part of JJI's ATP services.

In its first three years of operation JJI's outcomes in various domains have either stayed steady or have improved. Thanks to your joint efforts with OCFS to set targets on admissions of JDs in private facilities, the number of private placements has declined as both the juvenile justice system and the child welfare system look to community-based therapeutic intervention alternatives like JJI for these young people. Therefore enrollment in JJI's ATP program has steadily increased and 2009 looks to be our highest utilization year yet.

Work for all cohorts of ATP youth examined there has been a roughly 35% re-arrest rate during treatment with more than one-third of the re-arrests being for low level offenses such as Metro Card bending, graffiti and trespassing.

JJI IPAS programs have been steadily growing as well. In 2008 75 youth were enrolled in FFT for aftercare, of these 10 were rearrested at some point during treatment but only 2 were re-incarcerated, resulting in a 2.5% re-

1
2 incarceration rate during [skip in audio]. The
3 overall completion rate for FFT aftercare is
4 approximately 70% which is on target with FFT
5 national goals.

6 Through Children's Services
7 Juvenile Justice Initiative we are working
8 collaboratively across the child welfare and the
9 juvenile justice system in New York State to
10 provide quality services to our juvenile
11 delinquency population and to avoid placement
12 whenever possible. As the Council may be aware
13 JJI is one example of efforts that are underway
14 through the City and the State to strengthen
15 outcomes for young people involved in the juvenile
16 justice system.

17 Children's Services in close
18 collaboration with the City's Department of
19 Juvenile Justice has been working closely with the
20 New York State Office of Children and Family
21 Services as part of Governor Paterson's Task Force
22 for Transforming the New York State Juvenile
23 Justice System to assess the quality of the
24 State's juvenile justice system.

25 Earlier this week the Task Force

2 issued a report offering a wide array of
3 recommendations for reducing the use of
4 institutional placements and expanding
5 alternatives for juvenile delinquents as well as
6 ways to improve the support and services provided
7 to young people in State custody and upon release.

8 We believe that expanding the JJI
9 approach offers the State the opportunity to
10 dramatically reduce juvenile placement rates. New
11 York City's overarching efforts to reform the
12 juvenile justice system over the past four years
13 have involved a myriad of partners working
14 collaboratively to unpack and reinvasion a system
15 [skip in audio]. Our work has focused on
16 increasing public safety, reducing recidivism and
17 saving money. New York City's smart and
18 collaborative method has allowed us to keep more
19 young people in their communities through
20 alternative to detention and placement programs.

21 Bringing our tested and proven
22 local approach to youth in State facilities offers
23 a chance to cut juvenile placement rates in half,
24 just as we have done in New York City. We look
25 forward to working with our State partners to

3 implement the Task Force's recommendations.

4 I would like to thank the Council
5 for the opportunity to speak with you today about
6 Children's Services Juvenile Justice Initiative.
7 We are very proud of the innovative and ground-
8 breaking work that we have underway in the City
9 and the State to address the underlying issues
10 that lead our City's young people towards
11 delinquent behavior. And we look forward to
12 receiving the Council's input on this important
13 work. We will now take your questions. Thank
14 you.

15 CHAIRPERSON DE BLASIO: Thank you
16 Commissioner, much appreciated. Before we go to
17 questions, I know the Juvenile Justice Committee
18 now has a quorum. So I'm going to turn to Chair
19 Gonzalez.

20 CHAIRPERSON GONZALEZ: Thank you
21 Council Member Bill de Blasio. It is my privilege
22 today to hold a vote on Resolution 1930.

23 [Pause]

24 CHAIRPERSON DE BLASIO: Yeah, we're
25 going to hold off questions for a moment so you
guys can do the vote on the item that you need to

3 cover--

4 CHAIRPERSON GONZALEZ:

5 [Interposing] Okay.

6 CHAIRPERSON DE BLASIO: --just
7 going to give you a moment. My apology to our
8 witnesses. It will just take a moment.

9 CHAIRPERSON GONZALEZ: Thank you.
10 I also want to welcome Council Member James
11 Sanders from our Committee on Juvenile Justice and
12 Council Member Kenneth Mitchell.

13 It is my privilege today to hold a
14 vote on Resolution 1930 calling on the US Senate
15 to pass the Juvenile Justice Delinquency and
16 Prevention Act, the JJDP. The JJDP will provide
17 much needed Federal funding for programs that
18 prevent delinquency as well as programs that
19 reduce crime and recidivism among youth. The
20 guiding principle of the JJDP is that the
21 juvenile offender should be treated differently
22 than adult offenders, given their disposition as
23 children and potential for rehabilitation.

24 The JJDP has received bipartisan
25 support for the past 30 years. Furthermore the
JJDP supports states and localities in their work

2 towards reducing the disproportionate
3 representation of youth in institutional placement
4 within juvenile justice systems. Today's New York
5 Times editorial supported passage of the JJDPA.
6 That's just for reference. We must do all we can
7 to prevent adolescents from becoming incarcerated.
8 The JJDPA helps us do that. Oftentimes minds of
9 adolescents can be quite vulnerable and easily
10 derailed from becoming productive contributors to
11 our society. We must all work together to ensure
12 that adolescents in both the juvenile and criminal
13 justice systems are properly protected and given
14 the tools they need to overcome the issues that
15 lead them to be involved in either system. I urge
16 my colleagues to vote yes.

17 [Pause]

18 CHAIRPERSON GONZALEZ: Roll call.
19 It's my first time.

20 MR. ERIC STEVENSON: Eric
21 Stevenson, Committee Clerk. On Reso 1930,
22 Gonzalez.

23 CHAIRPERSON GONZALEZ: Aye.

24 MR. STEVENSON: Sanders.

25 Council Member SANDERS: Sanders

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votes yes.

MR. STEVENSON: Mitchell.

COUNCIL MEMBER MITCHELL: I vote
aye.

MR. STEVENSON: The motion stands
at 3 in the affirmative, no negative, no
abstentions, the motion carries.

CHAIRPERSON GONZALEZ: Thank you.

CHAIRPERSON DE BLASIO: Thank you
Chair Gonzalez and congratulations on this
important piece of legislation.

Okay now resuming on--

CHAIRPERSON GONZALEZ:

[Interposing] We just want to leave it open for--

CHAIRPERSON DE BLASIO:

[Interposing] We'll leave the roll open--

CHAIRPERSON GONZALEZ: --Council
Member--yes--

CHAIRPERSON DE BLASIO: --okay
great.

CHAIRPERSON GONZALEZ: --thank you
all. Thank you.

CHAIRPERSON DE BLASIO: Resuming on
the questioning of the witnesses. As you know

3 Commissioner, I have had times over the last eight
4 years where I've been critical of ACS and I think
5 I have established clearly a willingness to say
6 when I think your policies are not correct or when
7 I think there's a better job that could be done.

8 So I think it's quite ironic that
9 at my last hearing I'm actually here to say you're
10 doing something really well. But I am. The fact
11 is ACS is doing something innovative and important
12 but we have an interesting challenge now of trying
13 to make sure we actually reach all the young
14 people we could reach.

15 And of course, with the Department
16 of Justice and with the State Commission having
17 pointed out the problems with the juvenile prisons
18 that focus, that desire for change is only as good
19 as the alternatives we provide and making them
20 actually available to young people. So this
21 hearing is both to understand the model that
22 you've developed but also to ask the simple
23 question why we can't get more young people to
24 benefit from it.

25 So just very simply, and I know
Chair Gonzalez and my colleagues have questions so

3 I'll just do this quickly, I mean I understand
4 that there are young people who qualify and would
5 benefit from JJI but who cannot access it, is that
6 a true statement?

7 MR. TAYLOR: It's true to say that
8 we have limited capacity. It's true to say that
9 we are all wanting to do the same thing in terms
10 of doing right by all young people who are
11 involved with the juvenile justice system. So
12 there are limitations in terms of how many people--
13 how many young people we can actually serve at
14 any one time.

15 CHAIRPERSON DE BLASIO: Did you get
16 a law degree?

17 MR. TAYLOR: Yes I did--

18 [Laughter]

19 CHAIRPERSON DE BLASIO: Okay. I,
20 you know, I didn't know that about you until about
21 a minute ago--

22 [Laughter]

23 CHAIRPERSON DE BLASIO: --then it
24 became very, very clear. I thank you for your
25 very exacting answer but again to put it in plain
English, there are young people who would benefit

3 who cannot participate in the program 'cause you
4 don't have the capacity, is that true?

5 MR. TAYLOR: I'm going to actually
6 have my Executive Director Leslie Abby respond to
7 your question because it's a very important one.

8 MS. LESLIE ABBY: So the number of
9 young people that we have not been able to serve
10 because of capacity issues really vary and it has
11 been varying from month to month. So it's, you
12 know, it really, one month should not be taken as
13 sort of--and extrapolated to the whole year. And
14 so we have been looking closely to see what the
15 trend is and to see if there is a, you know, need
16 to open more capacity.

17 And we're starting to have
18 conversations now with our partners to figure out
19 if there is a need for capacity what that actual
20 number is. We're also looking at different avenue
21 to expand capacity. There are RFPs coming out
22 that may be able to fund, state and federal RFPs
23 that are coming out that may be able to fund some
24 expansion. And we are also looking at private
25 funding as a way to add some slots to the program.

CHAIRPERSON DE BLASIO: I

1 appreciate your answer too but I don't feel like
2 I'm getting quite the clarity I'd like, so let's
3 just be clear. Obviously some young people are
4 being turned away and by saying turned away I'm
5 not saying you're happy about it, I'm saying some
6 young people quality, cannot access the program.
7 Why don't you give us a sense of the average
8 monthly numbers around the young people how could
9 be a part of the program but you don't have the
10 capacity for.
11

12 MR. TAYLOR: Well we estimate in
13 recent months that we've rejected on average,
14 citywide, about 28 young people each month because
15 of capacity. As Ms. Abby said, it's not a
16 constant number and it varies from month to month.
17 We're unable to say whether or not these young
18 people who we were not able to serve would have
19 even been eligible for JJI services. And we work
20 closely with our partners in the City to refer
21 young people who we are made aware of who we
22 cannot bring into the program, we work closely to
23 refer them to other alternative programs that
24 exist.

25 CHAIRPERSON DE BLASIO: I'm sure

3 you're doing your best under the circumstances but
4 I have to get to the core point here and our
5 wonderful audio visual--not audio, our wonderful
6 visual aid here next to the witness table points
7 out.

8 So I think your testimony reaffirms
9 the point that kids who go to prison end up with
10 much greater likelihood of recidivism. I think
11 your testimony reaffirms the point that the
12 comparison in terms of the cost is radical, about
13 12 times more costly to send a young person to
14 prison, let alone the human impact, the negative
15 human impact of going to prison rather than
16 staying in the community and staying in the home.

17 Now the pool, what we're basing
18 these statistics on is the pool of 900 young
19 people went to prison and about 400 who were in
20 JJI. Even if we accept your qualification that
21 maybe not every young person who applied or was
22 considered would have ultimately fit the program,
23 if you take your 28 a month and you extrapolate it
24 over a year, even being a little conservative,
25 over 300 young people.

So looking at these numbers, again,

3 you know, that would be a substantial change if
4 even a couple of hundred, 200, 300 young people
5 were moved out of prison into JJI, that would be a
6 very substantial impact on those young people. It
7 would be a great reduction in recidivism and a
8 huge savings to the taxpayer.

9 So it seems to me, I'm glad you're
10 looking for every possible resource but it seems
11 to me that we as a legislature, looking at the
12 City budget, and the State legislature should be
13 wondering whether the money right now being
14 utilized isn't misplaced, whether the money going
15 to the prison system wouldn't be better utilized
16 going to a JJI model.

17 So the bottom line I'm hearing from
18 you is there is a regular reality sadly that young
19 people are turned away. Is there a waiting list?
20 Is there some kind of mechanism for knowing if a
21 space becomes available how someone might actually
22 be slotted into it?

23 MS. ABBY: You know, we're in
24 regular contact with our provider agencies and the
25 other important point I think what you're
highlighting is the number's never static because

2 the kids are being discharged all the time. So if
3 we know that discharges are coming up we will
4 notify the parties in court that, you know, a
5 space might be available in a week or two and that
6 does happen.

7 But there are youth who--if we
8 don't know that a space is coming up we don't want
9 a youth waiting. Most of our youth are sitting in
10 detention. So they come from detention, so we
11 don't want youth waiting unnecessarily.

12 CHAIRPERSON DE BLASIO: But if our-
13 -I'm editorializing here, if our priorities were
14 perhaps more enlightened, you would have, the
15 world we'd like to have is if a young person
16 qualifies they can immediately go into the JJI
17 program. So right now, at best, even some that
18 qualify still have a waiting period of detention
19 before it that you don't have a choice always to
20 minimize because you don't have the capacity.
21 Okay. Let me turn to my colleague Chair Gonzalez.

22 CHAIRPERSON GONZALEZ: I just want
23 to continue along the lines of what Council Member
24 Bill de Blasio has said. How do we maximize and
25 can we maximize, we're talking about capacity but

3 how do we make it bigger and what do we, you know,
4 we're in a position in the hopes that the economy
5 of course will continue or hopefully will improve,
6 you know, what do we do to help you so that you
7 could do this more? That's the question. I mean-
8 -and also along the lines of that, what children
9 are not eligible?

10 MS. ABBY: So to take the second
11 question first, the modality, the therapies that
12 we offer are split by Borough. So the children
13 who live in the Bronx and Manhattan receive Blue
14 Sky. Children who live in Queens, Brooklyn and
15 Staten Island receive MST. Blue Sky, because it
16 does have three modalities under it, it also has a
17 psychiatrist on staff who is able to take a wider
18 array of youth, in particular youth with
19 psychiatric, serious psychiatric diagnoses.

20 The MST that we provide in the
21 other Boroughs does not have a psychiatric
22 component. We do, of course, all of the kids that
23 we take have some psychiatric diagnosis but there
24 are certain ones that are rule-outs, if you will,
25 for straight MST. So there is a group of kids in
those other Boroughs who have very, very serious

3 psychiatric diagnoses who we are not able to take.

4 The other categories of youth that
5 we're not able to take, we're not able to take a
6 youth who does not have a family resource. This
7 is a family-based program. And we do encounter
8 families who at the time that we're evaluating the
9 situation are either unable or unwilling to take
10 their youth back home.

11 Our staff work really tirelessly
12 to both convince families to take the kids back
13 home and also to find families where there's not
14 an apparent family member sort of stepping up and
15 willing to take the youth. This comes into play
16 often with youth who are already in the foster
17 care system. Some of them have spent time in
18 congregate care before their delinquent activity.

19 And so there's not an obvious
20 family member sort of stepping up. So we search.
21 We search. And we do find families. But there
22 are, you know, we have a few weeks to put this
23 together because the delinquency dispositional
24 proceeding is happening at the time that we're
25 doing this and so there's definitely family--
there's youth that we're not able to take because

1 of no family resource.

2
3 The largest category of youth
4 actually that we are not able to take or don't
5 take are youth who we don't consider to be
6 placement bound. So we are--try to remain very
7 strict in being an alternative to placement. And
8 if a youth is recommended for probation or for
9 enhanced supervision probation which is ESP,
10 unless there's some ACS involvement in which case
11 we want to work with that youth, but those kids we
12 don't want to take because we want to make sure
13 that they--we don't net-wide it, we don't offer
14 too much services for a youth who can really be
15 maintained on the street. There's, you know, some
16 demographic types of smaller issues but those are
17 the main categories of youth that we're not able
18 to take.

19 In terms of growing the program,
20 you know, resources are needed and resources are
21 scarce especially at this time and so we are
22 really, again, looking to all different avenues.
23 But I would point out something that was
24 highlighted in the Governor's Task Force report
25 which is the issue of reinvesting savings back

3 into localities.

4 The savings that are accruing from
5 reducing the use of residential care. And New
6 York State does not have a system for that. So
7 the cities, the localities will spend, can spend
8 and New York City and the City Administration has
9 done, you know, an amazing job laying out
10 basically an investment in reducing the use of
11 residential care but we're not seeing enough of
12 those savings being funneled back into the system
13 to grow the alternatives and to keep them going.

14 MR. TAYLOR: It's also worth
15 mentioning that our program was created from
16 reinvestment funds from our savings in foster
17 care. And we as an agency are facing very
18 challenging budget reductions for the current
19 fiscal year and the out years. But we have a
20 commitment from our Commissioner that our program,
21 this JJI program, will not be one of the programs
22 that's going to be cut. So we'll look at what we
23 have and certainly as Ms. Abby just described
24 trying to find every way in which we can perhaps
25 [skip in audio].

CHAIRPERSON GONZALEZ: I also just

1 want to quickly understand. You have an
2 instrument of some kind of protocol in respect to
3 citing a need, like a needs assessment. Because I
4 know you spoke about the Bronx and how it started
5 the program there. And I want to understand how
6 that came about.

8 MS. ABBY: The Bronx, I think
9 you're referring to IPAS. IPAS started in the
10 Bronx, it's the aftercare service is that what
11 you're asking?

12 CHAIRPERSON GONZALEZ: Right. And
13 also the modalities you said that you're doing--

14 MS. ABBY: [Interposing] FFT?

15 CHAIRPERSON GONZALEZ: Yeah.

16 MS. ABBY: In the Bronx. So the
17 aftercare program is really for the first time
18 we're providing aftercare to youth going to the
19 private facilities. OCFS does operate an
20 aftercare program but only for kids coming back
21 from the state-run facilities.

22 The youth who are going to the
23 private facilities which are paid for fully by the
24 City have never really had an aftercare component.
25 So we have instituted IPAS which is aftercare but

1
2 another key part of the IPAS program is that
3 reduction in the length of stay.

4 And we are reducing it to seven
5 months which is a timeframe that's based on
6 research showing, you know, that the benefits of
7 residential care really start to diminish after
8 about six months if there are any benefits they
9 will diminish after six months.

10 So in that program we rolled that
11 out and we are rolling that out Borough by
12 Borough. So we started in the Bronx in 2007 and
13 2008 we moved to Manhattan youth. And we have a
14 commitment from OCFS to start with Queens' youth
15 this February and hopefully to the rest of the
16 City by the end of 2010.

17 CHAIRPERSON GONZALEZ: Brooklyn.

18 MS. ABBY: Brooklyn, next is after
19 Queens--

20 CHAIRPERSON GONZALEZ:

21 [Interposing] Okay. I just also want to
22 understand. You stated that you need a
23 psychiatrist and then of course therapists and you
24 do have a psychiatrist now. And that would be
25 sort of where a lot of the resources need to be.

2 And I just want to understand that piece--

3 MS. ABBY: [Interposing] Okay. so
4 the Blue Sky modality which it's brand, you know,
5 it's a pilot, it incorporates in it psychiatric
6 services. MST is a modality that has sort of its
7 core version which is the original MST and it
8 actually now has some adaptations. And there's an
9 adaptation of MST for kids with psychiatric
10 diagnoses.

11 So Blue Sky is able to take,
12 because they have a psychiatrist on staff, youth
13 with, again, fairly severe psychiatric diagnoses.
14 Our other programs use the core MST that does not
15 have a psychiatrist on staff. The private funding
16 that we're seeking and that we're waiting to hear
17 about is actually to bring the MST psychiatric
18 adaptation to New York City and be able to serve
19 youth with those serious psychiatric disorders in
20 all five Boroughs.

21 CHAIRPERSON GONZALEZ: Okay. I
22 also just want to understand before I defer to my
23 colleagues, in respect to a child that's already
24 part of the modalities whichever it may be and the
25 parents are not or decide or somehow they're not

1
2 involved any more, what happens?

3 MS. ABBY: So we search for other
4 resources. If the parents, the person whoever the
5 youth is living with, is unable to care for the
6 youth for whatever reason, we--in fact, you know,
7 the modality is really--emphasize doing that
8 planning on Day One.

9 CHAIRPERSON GONZALEZ: Right.

10 MS. ABBY: So at the point that you
11 come to a crisis which is not an infrequent
12 happening with the kids that we're serving, we
13 actually have sort of the backup resources lined
14 up. We have had youth enter into foster care but
15 not many, you know, because really there was no
16 one else to turn to.

17 CHAIRPERSON GONZALEZ: What would
18 be an example of a backup, some kind of referral?

19 MS. ABBY: No, another relative or
20 family friend--

21 CHAIRPERSON GONZALEZ:

22 [Interposing] So there is Plan B.

23 MS. ABBY: There is Plan B, yes.

24 CHAIRPERSON GONZALEZ: Okay.

25 MS. ABBY: Very important part of

3 the modalities--

4 CHAIRPERSON GONZALEZ:

5 [Interposing] Okay.

6 MS. ABBY: --is figuring that out.

7 CHAIRPERSON GONZALEZ: Thank you.

8 I defer to Council Member Gale Brewer for
9 questions. Thank you.

10 COUNCIL MEMBER BREWER: Thank you
11 very much and congratulations on this program. I
12 was on the Board of Andrew Glover Youth Program
13 for about 20 years, so how is what you're doing
14 different from what they did when Judge Carrero
15 was in charge of the youth section of the adult
16 courts and also they took kids from Family Court.
17 How is it different from--what you're doing?

18 MS. ABBY: Well I'm not familiar
19 with the model that Andrew Glover uses. I know of
20 the program but I don't know what model they use.
21 We are only using what's called evidence-based
22 modalities which are modalities that have been
23 researched.

24 The three that we use have been
25 researched for more than two decades using really
the gold standard of research which is randomized

3 clinical trials like a medical trial where, you
4 know, take a pool of kids, toss a coin, half go to
5 this service, half go to the usual services and
6 then you compare going out and in fact MST has
7 done comparisons 21 years out to see what outcomes
8 are.

9 In all of the research that's been
10 done on the three modalities that we use, they
11 have shown better outcomes in various domains:
12 incarceration rates, arrest rates, you know, other
13 type of issues pertaining to this. So I don't
14 know what the model is. The other component of
15 the evidence-based models is our services are all
16 home-based.

17 So the families do not need to go
18 anywhere to receive services. The therapists go
19 to their home. And there's also a very strict
20 quality assurance mechanism in all of the
21 modalities that we use. So to become an MST
22 program you can't actually just sort of hang up a
23 shingle and call yourself MST.

24 You need actually a contract with
25 MST headquarters which is stationed down in South
Carolina at the Medical University of South

2 Carolina and contract with a consultant, a
3 clinical consultant who actually on a weekly basis
4 reviews cases and reviews whether the therapists
5 are adhering to the model.

6 And I've been in this field roughly
7 for a long time; I've never seen quality assurance
8 like this. The therapists are actually given
9 points down to the second decimal point--

10 COUNCIL MEMBER BREWER:

11 [Interposing] Wow.

12 MS. ABBY: --whether they're
13 adhering to the model. And if they are not then
14 improvement plans are made and if improvement
15 doesn't happen, they're asked, actually, to leave
16 the team because they're not really providing the
17 model that we want to provide.

18 COUNCIL MEMBER BREWER: Well
19 that's--okay I didn't realize that--

20 MS. ABBY: [Interposing] Yes. So
21 it's--

22 COUNCIL MEMBER BREWER: --second
23 question. That's helpful. What's the role of the
24 judges? I'm most familiar with criminal court and
25 the role that ATI provided in criminal, not as

1 familiar with family.

2
3 So how does that work? Are they
4 overseeing? Do they, in the criminal court with
5 Glover, at that point, the judge who was in charge
6 of the youth division would literally talk to
7 Glover in frequent--on a weekly basis as to status
8 because nobody wants recidivism and when you're
9 sending young people with a major criminal
10 background to an ATI, you're taking a bit of a
11 risk. So how does that--how do the judges play a
12 role in what you're doing? Do they oversee? Do
13 they--just so I--

14 MS. ABBY: [Interposing] Yeah. So
15 the judges, all of our youth are on probation.
16 The condition is to comply with JJI. So we have a
17 close relationship with probation and some judges
18 monitor the performance of the youth requiring
19 reports or post-dispositional appearance and
20 others don't, so it depends on the judge.

21 COUNCIL MEMBER BREWER: Okay. The
22 other question I have is how do you recruit the
23 families? Because having been a foster care
24 family myself, I'm familiar with some of these
25 issues. How do you recruit these particular

3 families from the neighborhood, all those issues?

4 MS. ABBY: We receive our referrals
5 through the court. So when the judge orders
6 what's called an exploration of placement on a
7 delinquency case, that basically is asking the
8 Department of Probation to find out which private
9 facility will accept the youth for placement.

10 JJI and also Esperanza which is a
11 probation-funded alternative to placement are also
12 on the list. So the private placement facilities
13 and our two programs receive the paperwork on the
14 youth and we start from there.

15 COUNCIL MEMBER BREWER: And is any
16 of this online, done technologically or is it all
17 paper? In terms of all of these services and so
18 on and so forth, without being specific.

19 MS. ABBY: I--

20 COUNCIL MEMBER BREWER:
21 [Interposing] Because my friends who are family
22 court judges complain about the lack of
23 technology--

24 MS. ABBY: [Interposing] Oh.

25 COUNCIL MEMBER BREWER: --all day
long. So I'm just wondering if any of this is

1
2 computerized. I have a lot of friends who are
3 family court judges.

4 MS. ABBY: It's--

5 COUNCIL MEMBER BREWER:

6 [Interposing] And they complain all day long.

7 MS. ABBY: Well I'm happy to say
8 that ACS set us up when we first started with
9 receiving all faxes into our computers so all the
10 paperwork comes directly into our computers and
11 we're able to email all of the information once a
12 child is enrolled--

13 COUNCIL MEMBER BREWER:

14 [Interposing] Okay.

15 MS. ABBY: --to our provider
16 agency.

17 COUNCIL MEMBER BREWER: Two other
18 questions. This report that Jeremy Travis did is
19 obviously phenomenal, mostly because Jeremy Travis
20 did it. But how does--I haven't read it but if
21 he's got his name on it, it's good enough for me.
22 But how does what's coming out of this impact
23 anything that you're doing in terms of this report
24 that just came out?

25 MR. TAYLOR: I think it supports

3 our methodology. It supports the premise of the
4 program as we've developed it. It supports that
5 there is a need for alternative to placement
6 programs. And all in all it's definitely
7 reconciling with the direction in which we as an
8 agency are going to work with young people who are
9 part of the juvenile justice system.

10 COUNCIL MEMBER BREWER: Okay. Just
11 in terms of prevention, I know this is not what
12 exactly this is about today but for the last two
13 years I've almost given up but not completely, I
14 tried to get Department of Education, Mental
15 Health, State and City--anybody who could to put
16 more culturally-based sensitive mental health
17 programs into schools.

18 It's really hard. There's no money
19 for it. It doesn't happen. Is that something
20 that you think would help prevent individuals
21 getting into the system in the first place? Is
22 that something that you're even looking at or not?
23 We don't want young people to end up in detention
24 at all obviously and sometimes it's hard for them--
25 -there's no place to go. There are very few
mental health programs in the public schools right

2 now.

3 MR. TAYLOR: I think culturally
4 competent programs, especially those addressed to
5 monitor or work with particularly young people who
6 have mental health issues would definitely be a
7 benefit.

8 I think that it would certainly
9 help to stem the tide of some behaviors that might
10 then be deemed delinquency. We as a program area
11 are not actively working in that particular with
12 DOE but we would clearly support any work that
13 could be done in that area.

14 COUNCIL MEMBER BREWER: Well I just
15 suggest that at some point the young people are
16 going to go back to school, I assume, with
17 whatever family. And if there's not such program,
18 I don't know what's going to happen. I'm throwing
19 that out as something to think about. It is not--
20 it's a real need and not there. Okay. Thank you
21 very much Madam Chair.

22 CHAIRPERSON GONZALEZ: Thank you.
23 We just want to take a pause to continue the vote
24 from Resolution 1930. Council Member Mealy.

25 MR. STEVENSON: Councilwoman Mealy.

1 COMMITTEE ON GENERAL WELFARE and 57
COMMITTEE ON JUVENILE JUSTICE

2 COUNCIL MEMBER MEALY: Aye.

3 MR. STEVENSON: Vote now stands at
4 4 in the affirmative, no negative, no abstentions.

5 [Pause]

6 CHAIRPERSON GONZALEZ: I'm going to
7 leave the vote open for 30 minutes. Thank you.
8 Continue. Council Member Sanders. Oh I'm sorry,
9 it's Council Member Julissa.

10 COUNCIL MEMBER FERRERAS: good
11 afternoon. I have, excuse me, I actually have a
12 question when it comes to the Blue Sky and the
13 MST, is there a cost difference in the two
14 programs?

15 MS. ABBY: I believe there is; off
16 the top of my head I don't know the exact number
17 difference though between the two, the \$17,000 is
18 an average across the City for our services.

19 COUNCIL MEMBER FERRERAS: And
20 that's for the service of the MST or is it a
21 combination of either, depending on what Borough
22 you're in?

23 MS. ABBY: I'm sorry, I don't
24 understand the question.

25 COUNCIL MEMBER FERRERAS: The Blue

2 Sky initiative or program, pilot program that you
3 have, you said it's specific to the Bronx and
4 Manhattan.

5 MS. ABBY: That's correct.

6 COUNCIL MEMBER FERRERAS: So. If--
7 I'm trying to see if there's a higher cost in--
8 with the hopes that someday it will be expanded to
9 the outer Boroughs or the other Boroughs.

10 MS. ABBY: Um-hum.

11 COUNCIL MEMBER FERRERAS: And I
12 wanted to know if that would change the number in
13 cost for services because this one has the three-
14 prong and it seems like it's a little bit more
15 complex, especially since you have the
16 psychiatrist that's onboard on this program, is
17 there a difference in cost when we're talking
18 about numbers.

19 MS. ABBY: I believe there is
20 actually, the Director Blue Sky is here and is
21 planning to testify and can probably speak more to
22 the exact numbers.

23 COUNCIL MEMBER FERRERAS: Okay.

24 MS. ABBY: So I'm not sure.

25 COUNCIL MEMBER FERRERAS: And then

3 my other question is in particular, I'm a Council
4 Member from Queens, and one of the issues that
5 I've seen and this was something that I had to
6 work with in particular a young man in my
7 District, is when you go and do the evaluations of
8 the families and the homes, how much of the living
9 environment is taken into account?

10 Because I find, well in this one
11 case, you know, it was a family of five living in
12 a studio apartment. So if we're talking about
13 providing therapy and providing all these great
14 resources that the programming does, I imagine
15 that someone who has their own bedroom would
16 probably assimilate a little different and how
17 much of that, how do you change or how does your
18 decision whether you're going to keep or keep this
19 client in your program, how much of that is
20 impacted by their living arrangements?

21 MS. ABBY: You know, I would say
22 that one of sort of the beauties I think actually
23 of the way JJI was designed is that it is actually
24 offered as a preventive program which is helpful
25 for a number of reasons. But it means that, you
know, we are not only able to but required to

3 address the sort of substantive needs as well of
4 the family from a sort of child welfare and safety
5 perspective if you will.

6 So we are looking at those issues
7 when, you know, our providers are in the homes and
8 we are, as I said, they are required to be helping
9 the families address, for example, if it was a
10 housing issue, they would address the housing
11 issues.

12 All three modalities and I think
13 the reason--one of the reasons why they are
14 successful is what they really are about teaching
15 actually self-sufficiency and not actually doing
16 things for families but helping families, first by
17 hand-holding and then by teaching and then letting
18 them go do it for themselves. So the therapist
19 would be working alongside the family to figure
20 out how to access services or benefits if you will
21 to address the situation as, you know, you
22 described.

23 COUNCIL MEMBER FERRERAS: Okay.

24 MR. TAYLOR: That, in and of
25 itself, would not be an exclusion in terms of
preventing the young person from being able to

2 participate in our program.

3 COUNCIL MEMBER FERRERAS: Okay.

4 And then if you could just very briefly explain to
5 me is a JJI representative present in court when
6 this person's being assigned to you or do you
7 recommend--what's the process? What happens in
8 court?

9 MS. ABBY: Yes. So the ACS staff
10 are in court on every court date leading up to the
11 release of the youth back to the community out of
12 detention and into JJI. There are occasions where
13 we have decided to accept a youth and the
14 prosecutor is not in agreement with that plan and
15 so the case will go to a dispositional hearing and
16 our staff will testify in court as to how JJI will
17 be able to service the family and protect the
18 community.

19 COUNCIL MEMBER FERRERAS: Okay.

20 Thank you.

21 CHAIRPERSON GONZALEZ: Thank you.

22 Council Member Sanders.

23 COUNCIL MEMBER SANDERS: Thank you

24 Madam Chair. Forgive me if I ask any question
25 that has been raised. As you know I was chairing

2 a hearing across the street.

3 How much is the total JJI budget?

4 [Pause]

5 MS. ABBY: It's a \$9 million?

6 What? \$9 million initiative.

7 COUNCIL MEMBER SANDERS: As a
8 Council Member from Queens, of course, I'm a
9 little curious. We love blue skies in Queens.

10 [Laughter]

11 COUNCIL MEMBER SANDERS: We need
12 more of them. How do we get? How do we go blue?
13 Everyone's going green, we want to go blue. How
14 do we go blue in Queens?

15 [Off mic]

16 COUNCIL MEMBER SANDERS: And in
17 Brooklyn, great place Brooklyn.

18 [Laughter]

19 MS. ABBY: Well--

20 COUNCIL MEMBER SANDERS:
21 [Interposing] How do we get psychiatrists?

22 MS. ABBY: --I should say that I
23 think what--the big issue though, as I said, we
24 have identified and identified, you know, as early
25 as last spring is the inability to take those

2 youth with the serious psychiatric diagnoses. And
3 it was in the late spring that we actually
4 submitted our proposal for private funding exactly
5 for that service. And the target will be the
6 Boroughs of Blue Sky is not in, since they're
7 already able to take those kids and so primarily
8 actually it'll be Queens, Brooklyn, and Staten
9 Island served if we were to get that grant.

10 COUNCIL MEMBER SANDERS: I just
11 wanted to encourage you. We need psychiatrists in
12 Queens also--

13 MS. ABBY: [Interposing] Okay
14 [chuckling].

15 COUNCIL MEMBER SANDERS: Thank you
16 very much.

17 MS. ABBY: Thank you.

18 COUNCIL MEMBER SANDERS: Thank you
19 Madam Chair.

20 [Pause]

21 CHAIRPERSON GONZALEZ: Thank you.
22 Council Member [off mic].

23 COUNCIL MEMBER PALMA: Thank you
24 Madam Chair. Council Member Sanders started to
25 ask the question I want, that I wanted to ask,

3 which was Blue Sky is not in Brooklyn, Queens and
4 Staten Island, correct? So what happens to those
5 youth now if they have serious psychiatric
6 problems like they're just left without services?

7 MS. ABBY: So just to clarify, all
8 of the youth actually that we take into JJI have
9 psychiatric diagnoses. These come from the mental
10 health studies that are done as part of the
11 juvenile delinquency case. There are a small
12 group of, you know, very, very high level
13 psychiatric diagnoses that we are not able to take
14 currently because we do use just the standard MST.
15 And we have, you know, highlighted the need for
16 MST psychiatric adaptation in those Boroughs.

17 If we are not able to take a youth,
18 we will discuss with both the law guardian and the
19 prosecutor and, you know, other programs, the
20 possibility of other programs that are available
21 in the community so, you know, there's an array of
22 other services that are available to those youth
23 that the defense attorneys can kind of propose to
24 the court.

25 COUNCIL MEMBER PALMA: Do you have
a list of all the other programs that are

2 available that may service those high levels of
3 people, you know, youth with psychiatric?

4 MS. ABBY: We can get back to you
5 with that.

6 COUNCIL MEMBER PALMA: And I'm
7 curious to know when will the success of Blue Sky
8 be evaluated?

9 MS. ABBY: Well we have been
10 working to launch the randomized clinical trial
11 which is a very complicated project. And we're
12 hoping to do so soon. And then it takes a while.
13 We need about more than a year to recruit enough
14 youth into the trial to make it scientifically
15 valid. And then they need to complete their
16 services and then we need to study them a year
17 after completion. So we're hoping that the trial
18 will be done around 2014.

19 COUNCIL MEMBER PALMA: Wow.

20 MS. ABBY: Yeah.

21 COUNCIL MEMBER PALMA: That's a
22 long time. But in the interim you're expecting to
23 get a grant to be able to expand Blue Sky
24 throughout the three Boroughs?

25 MS. ABBY: Not Blue Sky but create

2 the MST psychiatric adaptation for those Boroughs.

3 COUNCIL MEMBER PALMA: Okay. Thank
4 you Madam Chair.

5 CHAIRPERSON DE BLASIO: Thank you,
6 now Council Member Mealy.

7 COUNCIL MEMBER MEALY: Good
8 afternoon. Since Blue Sky is not in Brooklyn, I
9 can't say that much. But I was wondering what
10 exposure does the judges have with the training or
11 what programs do y'all have when they are sending
12 the youth to different programs, are they aware of
13 your programs? Are they trained to know exactly
14 what programs would best suit the youth?

15 MR. TAYLOR: Well we've spent a lot
16 of time with the family court judges educating
17 them in terms of what's available through the
18 Juvenile Justice Initiative. This was actually at
19 the inception of when the program began to let
20 them know that we would be readily available to
21 receive these youth.

22 COUNCIL MEMBER MEALY: All
23 Boroughs.

24 MR. TAYLOR: All Boroughs. And
25 we've continued to do so on a regular and ongoing

3 basis. So we've met with the judges who preside
4 over juvenile delinquency cases as well as with
5 the administrative judges of the family courts and
6 all of the supervising judges and we've told them
7 who we are, what we have available and have
8 received really their feedback in terms of their
9 working and they're referring young people to our
10 program as well. So there's been a lot of
11 information sharing and a great deal of messaging
12 to the court as well as to all stakeholders in
13 family court about our program.

14 COUNCIL MEMBER MEALY: So what kind
15 of titles do you have available now in your
16 program? Do you have supervisors, social workers,
17 family workers? Do you have any of those
18 positions vacant right now? Counselors?

19 MS. ABBY: In ACS, our staff are
20 really handling just the sort of assessment and
21 referral and enrollment process--

22 COUNCIL MEMBER MEALY:
23 [Interposing] That's it.

24 MS. ABBY: --we contract out. Yeah
25 we contract out to actually provide the services
with five nonprofit agencies.

2 COUNCIL MEMBER MEALY: So what
3 nonprofit agencies are connected with you?

4 MS. ABBY: The provider of Blue Sky
5 is the New York Founding. The providers of MST
6 are SCO Family of Services, Little Flower Children
7 Services, Jewish Board and Child Center of New
8 York. And then on aftercare, our provider of FFT
9 is Catholic Guardian Society and Home Bureau.

10 COUNCIL MEMBER MEALY: Do you have
11 any local providers helping you in the
12 neighborhood that you're servicing?

13 MR. TAYLOR: We don't really have
14 affiliations with community-based organizations
15 right now--

16 COUNCIL MEMBER MEALY:
17 [Interposing] Why?

18 MR. TAYLOR: Well--

19 COUNCIL MEMBER MEALY:
20 [Interposing] 'Cause to me the community-based
21 organization would best know how to serve the
22 community. Have you ever thought of that?

23 MR. TAYLOR: Well to the extent
24 that our preventive providers that Leslie Abby
25 just listed have ongoing relationships with CBOs

2 and to the extent that they reconcile with what
3 the model is in terms of MST and FFT, they would
4 certainly be welcome to participate in working
5 with these children and their families. I would
6 also say--

7 COUNCIL MEMBER MEALY:

8 [Interposing] They would be welcome to work with
9 them.

10 MR. TAYLOR: Of course. But--

11 COUNCIL MEMBER MEALY:

12 [Interposing] So why haven't y'all partnership?

13 MR. TAYLOR: Well it goes back to
14 the integrity of the MST model and the FFT model
15 and the actual delivery of the service and with
16 the level of specificity that Ms. Abby had laid
17 out, there are certain requirements in terms of
18 who can be an MST provider and who can be an FFT
19 provider. And these agencies that we've listed,
20 they have positioned themselves to get formal
21 approval to provide this very specific and unique
22 evidence-based, tested service.

23 COUNCIL MEMBER MEALY: But you're
24 trying to say now that the local CBOs have not
25 went through that testing to be specifically for

3 that counseling but if they do not know about it
4 how can they go and even apply?

5 MS. ABBY: If I can add one issue.
6 One of the main tenets of all three is the
7 importance of what they call pro-social
8 activities. These are activities where
9 delinquency is the exception rather than the norm.
10 So typically services for juvenile delinquents,
11 actually group juvenile delinquents together,
12 right? That's typically how we offer services to
13 youth.

14 The modalities have shown and
15 research has shown that that actually has the
16 opposite effect usually. And that the best way to
17 kind of counter delinquent behavior is to get kids
18 involved with other kids who are not committing
19 delinquent acts. And so every team working with
20 every youth is working to get kids involved in
21 pro-social activities, that's a main tenet of all
22 of the modalities. And so partnering with
23 community-based organizations to get involved in
24 the treatment that way.

25 COUNCIL MEMBER MEALY: I still
don't see why you can't deal with the local CBOs.

1
2 Even give them an opportunity. I know in
3 Brownsville, in my District, it is working where
4 we have community-based organizations have turned
5 young people around, that instead of
6 incarceration, we are working hand in had with the
7 DA's Office and the children are working in the
8 community center.

9 So some of them have social
10 problems and mental problems. But if they're in an
11 environment that they know people love them,
12 things change. So some of these local CBOs who
13 know our young people in our communities should
14 have an opportunity to be a part of this process
15 and should be opened up to the program or learn
16 how to get these grants the same way or go through
17 that tedious process to see how they can apply for
18 these applications. Because it's all about our
19 youth no matter what we say.

20 And if something is working, we
21 should work towards that to make it better 'cause
22 our whole objective is to save our youth, any
23 means possible, with me. So I hope that we can
24 start thinking about that. I will look into it
25 'cause I know two programs in the local community

1
2 in Bedford-Stuyvesant and Brownsville that can
3 handle these situations.

4 And if they're not part of the
5 solution, I know they're not part of the problem,
6 so if they're part of the solution, let's all come
7 together as one. That's what we're here for, is
8 it not? I can't hear you.

9 MR. TAYLOR: It is.

10 COUNCIL MEMBER MEALY: Okay, thank
11 you so much. Thank you.

12 CHAIRPERSON GONZALEZ: Council
13 Member Mealy, I just also want to say that, you
14 know, I clearly understand where Council Member
15 Mealy's coming from. There are a lot of
16 organizations and institutions within our
17 Districts that probably began grass roots but
18 today have the capacity and respect to, whether
19 it's psychiatrists or whatever the need is, so I
20 think that it would work if at some point you
21 looked maybe to collaborate in some way soon, you
22 know, with the different District.

23 I think they would be instrumental
24 and I do hear in respect to the modality and the
25 manner in which this particular initiative is run

1 that, you know, it necessitates different
2 techniques and treatment. So, you know, maybe
3 they may not be equipped. So that's the other
4 question. Are they? So that's something that we
5 could probably continue to talk about. Thank you.
6

7 CHAIRPERSON DE BLASIO: Thank you
8 very much. We want to thank this panel. We
9 appreciate your testimony--

10 COUNCIL MEMBER PALMA:

11 [Interposing] Thank you Chair.

12 CHAIRPERSON DE BLASIO: --and
13 appreciate your good work--

14 COUNCIL MEMBER PALMA:

15 [Interposing] Before you--

16 CHAIRPERSON DE BLASIO: Wait, too
17 quick. Council Member Palma.

18 COUNCIL MEMBER PALMA: I'm going
19 to--

20 CHAIRPERSON DE BLASIO:

21 [Interposing] See I call her the conscience of the
22 New York City Council, this is what I get for it.

23 COUNCIL MEMBER PALMA: Just quickly
24 before you leave, I'm interested in knowing if is
25 ACS working in these programs to link any youth to

1
2 like any working programs or are you having
3 conversations with DYCD to create some sort of
4 employment programs for the youth?

5 MS. ABBY: Again to the extent
6 that, you know, it will qualify and this would as,
7 you know, a pro-social activity, yes. And we were
8 very involved with linking youth with summer youth
9 employment program. So a lot of our youth took
10 part in that program as well.

11 COUNCIL MEMBER PALMA: Summer youth
12 alone and nothing like long-term--

13 MS. ABBY: [Interposing] No. I,
14 you know, it's a very--I don't know the programs
15 exactly, you know, that are frequently utilized.
16 I mean the plans for the families are, and I think
17 again the beauty of the modality is they're very
18 individualized so I don't--it's--I'm not sure, I
19 don't know overall but, you know, what programs we
20 have linked families to but certainly after school
21 activities, work related activities, these are
22 all--would fit into the category of pro-social
23 activities. And so there's always a focus on
24 getting kids into sort of productive out of school
25 time.

2 COUNCIL MEMBER PALMA: Thank you.

3 Thank you Mr. Chair.

4 CHAIRPERSON DE BLASIO: Council
5 Member with your permission, I'd like to go to the
6 next panel now [chuckling]. Thank you. So thank
7 you to this panel. Thank you for the good work
8 you're doing. We want to work closely with you to
9 try and promote this model and bring a little
10 rationality to government and put our energy in
11 this very productive direction. So thank you and
12 Happy Holidays to you.

13 MS. ABBY: Thank you.

14 CHAIRPERSON DE BLASIO: We're going
15 to just change our panels' timing around a little
16 bit. So please bear with us everyone 'cause we
17 have some folks who I know have very limited time.
18 So the next panel will be Naomi Greenberg, Thomas
19 Bennett Pender, Dr. Sylvia Rolands, and Katherine
20 Davidson.

21 [Pause]

22 CHAIRPERSON DE BLASIO: I think we
23 need one more chair.

24 [Pause]

25 CHAIRPERSON DE BLASIO: Okay. Who

2 would like to go first? Take any seat you want,
3 it's all very informal [chuckling]. We don't
4 stand on ceremony here at the New York City
5 Council. Please go ahead. Introduce yourself.

6 [Pause]

7 CHAIRPERSON DE BLASIO: Is that on?
8 Try again.

9 MS. NAOMI GREENBERG: My name is
10 Naomi Greenberg. I'm here today to share with you
11 the story of Max, my 15-year old son. Blue Sky
12 JJI enabled us to restructure his life and mine in
13 a way which will forever be felt by us both. Max
14 is a sweet and sensitive young man but he went
15 through a very rough patch. Blue Sky was able to
16 fix our problems and get us going in the right
17 direction.

18 It all started about four years ago
19 when Max began middle school. First I noticed
20 he'd become anxious. Then his near perfect school
21 performance started going down. Certain issues at
22 home that were not Max's fault contributed to the
23 problems. I tried many things. I spoke with his
24 school principal. I tried getting Max counseling
25 at several prominent institutions. We were turned

3 away from one family institute and after only four
4 weeks, terminated by yet another. Shortly after
5 that Max got arrested for smoking pot and was
6 given a year of probation.

7 I'm going to leave out the details
8 but my numerous and near frantic attempts to get
9 Max help didn't work. In February of this year
10 Max was arrested for pushing me into a wall as a
11 result of an argument that got out of control.
12 Although his probation was about to end, this
13 terrible moment was a violation and the judge
14 remanded him to juvenile detention.

15 We embarked on over two months of
16 court appearances during which time he stayed in
17 detention, missed school and the ice hockey that
18 had helped to center him. It seemed that he would
19 never come home. Then Max and I got lucky. The
20 judge suggested that we look into Blue Sky JJI,
21 saying that this could be an alternative to
22 placement.

23 I tried to stay positive but I had
24 doubts. Yes, my experience with programs and
25 organized family therapy had been far from good.
The thought of having Max placed in residential

3 treatment was horrible. And I knew that time was
4 running out. I'm so pleased to report that Blue
5 Sky JJI accepted Max into its program of intensive
6 family counseling. This program works and it
7 really worked for us.

8 With the help of two dedicated
9 therapists from Blue Sky we finally got the family
10 therapy that had been eluding us for so long. We
11 were able to have that therapy in our apartment in
12 the same place where things had gone wrong. The
13 Blue Sky program gave us tools to communicate
14 correctly, to disengage and to deal with issues
15 constructively. I think that what was so special
16 was that the problems had begun there and the
17 treatment took place there. I can honestly say
18 that the techniques Max and I learned were almost
19 tailor-made to our circumstances.

20 In retrospect we might have had to
21 go to those other institutions that hadn't worked
22 for years to obtain the same help we received from
23 Blue Sky in a little over four months. It's also
24 possible that those institutions might have been
25 unable to help because there was no way they could
have grasped the severity of the problems that had

2 catapulted Max into the judicial system and made
3 me powerless over his life and needs.

4 I should add that Max worked hard
5 at this. He's a good kid. And I'm very proud of
6 him. But the Blue Sky JJI program and its
7 supervising therapist, Kate Davidson, were the
8 catalyst or as Reggie Jackson would say, the straw
9 that stirred the drink.

10 It's clear that without Blue Sky
11 JJI, Max's life would have taken a very bad turn.
12 I cannot thank everyone enough for their tireless
13 efforts, perseverance and dedication. Most
14 important, although all those other institutions
15 failed miserably, Blue Sky was able to succeed in
16 a system which is almost hardwired to fail. Even
17 though I am a very private person I wanted to tell
18 our story in the hope that Blue Sky JJI might
19 continue to help other families in seemingly
20 hopeless situations.

21 CHAIRPERSON DE BLASIO: Okay.

22 Thank you very much. Who would like to go next?

23 Okay.

24 MS. SYLVIA ROLANDS: Thomas' mother
25 had to leave and she left her testimony and she

3 asked that I read it--

4 CHAIRPERSON DE BLASIO:

5 [Interposing] You can move the microphone closer
6 toward--yeah, or move yourself to the microphone--

7 MS. ROLANDS: [Interposing] Okay.

8 CHAIRPERSON DE BLASIO: --or
9 whatever you like.

10 MS. ROLANDS: Okay. I'm Sylvia
11 Rolands. I'm the Director of JJI Blue Sky. And
12 Darlene's testimony begins: Having JJI workers
13 come to my house was a lifesaving experience for
14 both my son, our family and myself. My son had
15 been in therapy since he was six years old but had
16 never responded until Carrie and Kate from JJI
17 showed up at our house.

18 There is nothing like working with
19 therapists and case workers in one's own
20 environment. We, the clients, were ourselves
21 because we were in the comfort of our own
22 environment and the workers really saw for
23 themselves how we truly interact with one another.
24 I believe it made for a more realistic change to
25 acknowledge that what we were facing and what we
were doing incorrectly. The services were mild at

3 first with therapy sessions a few times a week.

4 And once we opened our lives and showed our
5 vulnerability the sessions became more intense.

6 My son was able to regain his life
7 back and did so while being free and not locked up
8 in a juvenile facility. They were so good to us
9 that we looked forward to their visits each week.
10 This--I think Thomas snickered so I don't think he
11 did.

12 This type of treatment is needed
13 because it really can save children from
14 themselves first and second from being locked up
15 in a facility where the confusion they are going
16 through can make them more isolated from society,
17 angry, and keep them away from their homes and
18 loved ones. From experience I can honestly say
19 that without JJI our family would have remained in
20 turmoil and probably still trying to recover
21 today.

22 On a more positive note, my son
23 since JJI has done a major reversal with his life.
24 He has remained free from being institutionalized,
25 has stayed out of trouble with the law, and is now
in college and doing well. This we owe to the

3 dedication of JJI and Thomas and we and we are
4 forever grateful.

5 MR. THOMAS BENNETT PENDER: Hi. My
6 name is T. J. and I was a patient in JJI.

7 CHAIRPERSON DE BLASIO: Wait a
8 minute; give us your whole name for the record.

9 MR. PENDER: Oh. Thomas Bennett
10 Pender. Sorry. I was admitted into this service
11 during the time at Horizon. I was not sure at
12 first whether I should go, go through with this
13 but I did. It was hectic at first but I got used
14 to it. This service really helped me with my
15 social, family and communication issues. I
16 thought that I had no other way to get peoples'
17 attention but to act out.

18 But I see that now there are other
19 ways to be noticed in a nice, calm way. This
20 service can really help children and adults to
21 understand other methods of communication and
22 discipline. I couldn't have gone through all of
23 my other--my old problems without this service. I
24 am very happy that I was admitted into this
25 service.

I learned so much self-control and

3 how to give back. I don't know where I would have
4 been if it was not for the service. I believe
5 that me and my family would still be fighting and
6 arguing about what I had done and how this could
7 have all been avoided.

8 But due to the help of Kate
9 Davidson and Carrie my mom and I know live in a
10 communicative and understanding household. I am
11 going to college and I'm in my second semester.
12 I'm very grateful for their services because
13 without their help I don't think I could have
14 become the person that I am today.

15 CHAIRPERSON DE BLASIO: One more,
16 would you like to? [Chuckling]. No? Let me ask
17 you, Thomas. First of all we really appreciate
18 your testimony because, you know, we're trying to
19 help figure out how to do this better and how to
20 help young people in need.

21 But it only works if we hear from
22 people who have actually experienced things and
23 can teach the lessons from their own experience.
24 And so to the entire panel I say thank you but I
25 want to thank you in particular 'cause it's not an
easy thing to come out in public and talk about a

1
2 difficult time in your life.

3 So I admire that and I appreciate
4 that. And I think it will help other people that
5 you did this. So that's--I think in the spirit of
6 the season, you're doing something very valuable
7 and important 'cause you're helping others.

8 When you thought, as all this was
9 unfolding, about your future, was it fair to say
10 at some point you thought there was a chance you
11 might end up in a juvenile prison?

12 MR. PENDER: Yes.

13 CHAIRPERSON DE BLASIO: What did
14 you think about what that would mean for you and
15 how were you preparing yourself? What did you
16 think that would mean for your life?

17 MR. PENDER: Well apparently that
18 would be not really good for me as in educational-
19 wise 'cause if I didn't have the service right
20 now, before, I would probably still be in a
21 Horizon juvenile facility or in foster care all
22 over again. So for them to help me see my
23 differences and how I can improve my acting and
24 behavior and communication with my family, I can
25 do it also in the outside world as in friends and

2 teachers, as I can too.

3 You know, I think that's it.

4 CHAIRPERSON DE BLASIO: And just a
5 couple of quick things. Did you--but when you
6 looked at the, you know, had to ponder what it
7 might be like to be in an institutional setting
8 did you feel like, you know, did it make you feel
9 hopeless? Did it make you feel like there'd be
10 harder times sort of getting your life together
11 going forward?

12 MR. PENDER: Yeah. During the time
13 in detention I would spend almost every day
14 writing notes of how I could have made a better
15 decision than what I've done. But when I'm in
16 there I'm like... I feel alone, like no one's really
17 listening.

18 The kids in there don't really have
19 most of the same problems so I'm all by myself. I
20 tried to talk to the staff; they just act like
21 your friends. But if--when you have somebody to
22 talk to and talk about your problems, it relieves
23 a whole bunch of weight off your shoulders as in
24 Kate Davidson had done for me.

25 I don't know what I--

2 CHAIRPERSON DE BLASIO:

3 [Interposing] No that's all right. That's very
4 helpful. And now you're in college.

5 MR. PENDER: Yes.

6 CHAIRPERSON DE BLASIO: What do you
7 feel about your future?

8 MR. PENDER: Huh. It turned into a
9 drastic downfall into a new beginning for me right
10 now. This is an exciting moment for me to be in
11 college 'cause in my family, my biological family
12 has never been to college. So I'm like one of the
13 first people in my whole family to go to college.

14 [Applause]

15 MR. PENDER: Thank you. I'm just
16 wondering what I should do, like my major.

17 [Laughter]

18 MR. PENDER: [Chuckling] 'Cause I'm
19 not really sure--

20 CHAIRPERSON DE BLASIO:

21 [Interposing] That's why--

22 [Laughter]

23 MR. PENDER: --of myself. I tried
24 business management but it's kind of complicated
25 so I switched to theater. I'm into acting.

2 CHAIRPERSON DE BLASIO: But you
3 feel like things are moving in the right
4 direction?

5 MR. PENDER: Yes. Definitely.

6 CHAIRPERSON DE BLASIO: Excellent.
7 Well thank you again. It's very powerful to hear
8 your story and I think you're a great example of
9 someone who got his life together with the help of
10 a lot of good people.

11 MR. PENDER: Yes.

12 CHAIRPERSON DE BLASIO: But again I
13 hope this will be a good example of, you know, the
14 direction we should go in to help other young
15 people. So thank you to this panel. Thank you
16 very much.

17 MR. PENDER: Thank you.

18 CHAIRPERSON DE BLASIO: Okay. We'd
19 like to welcome Council Member Helen Diane Foster.
20 And now our next panel, we'd like to call up Al
21 Siegel, the Co-Chair of the Governor's Task Force
22 on Reforming Juvenile Justice.

23 [Pause]

24 MR. ALFRED SIEGEL: Hello? So
25 first I'm not the Co-Chair. I wouldn't want to

3 misrepresent myself. I am a member of the Task
4 Force and the Chair of the Subcommittee on Reentry
5 and Alternatives to Placement. So. The Chair was
6 Jeremy Travis as was noted earlier. Anyway good
7 afternoon Chair Gonzalez, Chair de Blasio, members
8 of the Committee. Thank you for inviting me to
9 testify today. And as an aside, Chairman de
10 Blasio, I want to commend your wisdom on selecting
11 Jackie Sherman as your counsel. At the Center we
12 have yet to come to grips with that but we'll get
13 even at some point. I promise you.

14 I am--

15 CHAIRPERSON DE BLASIO:

16 [Interposing] Did your counsel say it was okay to
17 say that in a public place on record?

18 MR. SIEGEL: She's no longer our
19 counsel so.

20 CHAIRPERSON DE BLASIO: Okay
21 [laughing]. Welcome.

22 MR. SIEGEL: Good. My name is
23 Alfred Siegel and I am the Deputy Director of the
24 Center for Court Innovation, a nonprofit
25 organization that works in partnership with the
courts, government and communities to promote

3 public safety, aid victims, and encourage public
4 confidence in justice.

5 We do this by designing and testing
6 problems-solving strategies that address issues
7 like substance abuse, domestic violence, mental
8 illness, homelessness, and juvenile delinquency
9 that fuel high court case loads and negatively
10 affect quality of life in our City's
11 neighborhoods.

12 The Center has had the distinct
13 pleasure of working closely with many of you over
14 the years on many important issues. But today I
15 come before you not in my capacity as the Center's
16 Deputy Director but as was mentioned before as a
17 member of the Governor's Task Force on
18 Transforming Juvenile Justice. Working under
19 Jeremy Travis, the Task Force Chair, I served as
20 the Chair of the Subcommittee on Reentry and
21 Alternatives to Placement.

22 As you undoubtedly know, we've
23 distributed copies of the Task Force's report. It
24 was issued earlier this week. It's entitled
25 Charting a New Course: a Blueprint for
Transforming Juvenile Justice in New York State.

3 The Task Force report issues a clarion call for
4 wholesale reform. To the dismay of the Task Force
5 members, we found that although New York has
6 always been a leader in driving many of the
7 groundbreaking changes in the justice system's
8 response to crime over the past two decades, New
9 York State has been woefully late to the game when
10 it comes to enlightened juvenile justice reform.

11 Unlike many states, New York has
12 continued to pursue a policy that has resulted in
13 the removal of far too many young people from
14 their homes, their families, their schools, and
15 their communities for reasons unrelated to public
16 safety. And as an aside I was struck by the two
17 case studies we just heard.

18 They were very moving; JJI is doing
19 remarkable work with both Blue Sky and its other
20 programming. But what was fascinating to me is
21 that we were listening to the stories of two young
22 people who were at risk of being removed from
23 their homes for issues that were essentially
24 wholly unrelated to public safety.

25 They had to do with their family
situations and difficulties that they may have

3 been having in navigating their daily lives but
4 they were not public safety risks. And as the
5 report highlights that is the most striking aspect
6 of the delinquency system. That kids are being
7 removed from the system for reasons that are not
8 public safety risk related but have to do with
9 social circumstances often well beyond their
10 control.

11 Anyway. The State's network of
12 private placement facilities, a combination of
13 juvenile prisons and private group homes, has
14 become, over time, the justice system's default
15 solution to challenges posed by children with
16 social service needs. Rather than addressing
17 these needs in the community, New York has locked
18 children up, shipped them to remote locations
19 around the State, failed to provide the needed
20 services and then released them back to their
21 communities wholly unprepared to resume life on
22 the outside.

23 Just this past August the US
24 Department of Justice issued a scathing report
25 documenting abuses in four State-run placement
facilities. The report confirmed what many people

3 feared was the case but were hoping was not so.
4 DOJ reported, the report documents wide scale
5 physical abuses of inmates. Moreover DOJ found
6 there to be a shocking failure to provide needed
7 services to the young people housed in those
8 facilities.

9 That failure was all the more
10 profound because as the report noted many young
11 people had been placed precisely by the courts
12 because the courts felt that was where they could
13 get the services they needed. And in fact as that
14 report documents those services were not available
15 to those young people. And that was particularly
16 the case as it related to mental health services.

17 The State agency responsible for
18 operating these facilities, the Office of Children
19 and Family Services, has chosen not to contest
20 DOJ's findings and under the exceptional and
21 inspiring leadership of its Commissioner Gladys
22 Carrion, has adopted the DOJ recommendations for
23 reform as well as the recommendations of the Task
24 Force.

25 The DOJ report coupled with the
Task Force's findings points to a crisis in the

3 State's juvenile justice system that we must
4 confront. While the cost of placement is obscene,
5 the Chair mentioned before the \$210,000 figure,
6 what is not damning is not the cost, it is that we
7 are paying so much to fail so miserably.

8 The overwhelming majority of
9 children returning from placement find themselves
10 back in the system within a few years. The most
11 comprehensive recidivism study of youth coming out
12 of placement was completed ten years ago. That in
13 and of itself is shocking. There hasn't been a
14 comprehensive report on these kids for ten years.

15 A recent longitudinal study of
16 those kids, those kids who failed at a 75% rate
17 finds that now, 10 years later, by the age of 28,
18 89% of the boys and 81% of the girls had been re-
19 arrested. That means we're seeing these kids in
20 the juvenile justice system and then of course
21 we're seeing them over and over again in the
22 criminal justice system.

23 The Task Force met over a period of
24 15 years. Our charge was to look at the backend
25 of the system from the point after a young person
has been found responsible for delinquency and the

3 court is considering the disposition in the case.

4 We did not examine police arrest practices,
5 probation intake policies, presentment agency
6 prosecution determinations, the court's
7 adjudication process, or the utilization and
8 availability of alternatives to detention.

9 Although each of those elements factor mightily
10 into the course of events that bring young people
11 to the point of disposition.

12 Our work culminated in the
13 formation of 20 recommendations, which taken as a
14 whole, offer a comprehensive prescription for the
15 system's transformation. The recommendations fall
16 into five categories: fundamentals of reform;
17 shifting to a system that relies on community-
18 based services; rethinking institutional
19 placement; ensuring successful reentry; and
20 creating an accountable and transparent system.

21 I'm going to skip around a little.
22 You have my written testimony. I don't want to
23 bore you to tears. But I do want to highlight
24 some of the key findings of the Task Force and its
25 recommendations.

A key component of the Task Force's

1 Blue Print for Change is that institutional
2 placement be reserved only for those young people
3 who pose a significant public safety risk. And
4 that no child be placed simply because of social
5 service needs that a judge believes cannot be met
6 in the community. The Task Force recommends that
7 this risk-based approach be embodied in a
8 legislative change to the State's Family Court Act
9 that specifically reserves placement for children
10 who pose public safety risks and for whom no
11 community-based alternative exists to adequately
12 mitigate that risk.
13

14 We recommend that the State and its
15 counties develop and expand alternatives to
16 placements such as the outstanding models we
17 already have in the City, JJI and Esperanza. Most
18 significantly we recommend that the State close
19 unneeded facilities and that it redirect resources
20 from those facilities to the communities and the
21 kids who need them.

22 There must be a commitment to
23 invest in community-based alternative programming
24 and to supporting research and testing to develop
25 new models for use in addressing the many issues

3 affecting young people and their families.

4 Regarding placement itself, the
5 Task Force visited models around the country, most
6 notably those in Missouri, which has been a leader
7 in enlightened placement reform. We visited the
8 facilities in and around St. Louis and Kansas City
9 and they represented different approach. What
10 they demonstrated was that young people if they
11 must be placed, should be placed closer to home in
12 smaller, nurturing environments, the location of
13 placement should be tied to the young person's
14 risks and needs after the completion of a
15 comprehensive assessment. And services within
16 facilities including educational instruction and
17 mental health services must be dramatically
18 upgraded. Foremost, staff in the facilities need
19 to be culturally competent, highly trained, and
20 appropriately compensated.

21 The Task Force spent considerable
22 time and attention examining the reentry process.
23 Given the woeful recidivism rates that we cited
24 earlier, it should come as no surprise that we
25 found that the reintegration process is hardly a
process at all. More than half of the children

3 placed from New York City go into private
4 contracted group homes. Most of those children,
5 but for the few enrolled in the program that
6 Leslie Abby described earlier administered by JJI,
7 receive no aftercare services whatsoever. Those
8 coming out of the State operated facilities
9 nominally receive such services but they are
10 wholly inadequate.

11 Aftercare must be a priority and it
12 must be available to all returning young people.
13 Regarding reentry, the Task Force recommends that
14 time in placement must be limited. In most
15 instances to no more than six months. What the
16 research has told us over and over again is taking
17 kids out of their homes doesn't do them any good.
18 Taking them out of their homes and leaving them
19 away from their homes for longer periods of times
20 exacerbates the problem.

21 The researchers told us that kids
22 who were in for six months don't do well when they
23 come out but they do no worse than the kids who
24 come out 12 months later. So we're spending an
25 extravagant amount of money and we're not seeing
the results we would like to see.

1
2 We recommend that planning for
3 reentry must start immediately at the time of
4 disposition. It's not a surprise that kids are
5 coming home. We know they're coming home. Why do
6 we want until they go upstate before we start
7 planning for what's going to happen to them when
8 they come back? And that process for planning
9 must engage a variety of stakeholders but most
10 specifically the family members so that they can
11 be prepared to reunite with their children.

12 To ensure that young people receive
13 the academic credits they have earned in
14 placement, we recommend that the State's
15 Department of Education accredit OCF facilities as
16 their own school district. Nothing could be more
17 frustrating to a young person than to go upstate,
18 earn school credits, come back to the schools
19 system here and around the State and have those
20 credits disregarded because they didn't meet
21 certain standards that local school boards have
22 established. We need to work out that problem.

23 Lastly, the Task Force recommends
24 that the system commit itself to collecting and
25 analyzing data relative to the conditions of

3 confinement and to the results of placement for
4 individual young people in confinement. Each
5 facility, be it a private or State operated
6 facility, must adhere to established performance
7 measures and contract requirements.

8 As an aside again, what was very,
9 shocking about our study was that more kids from
10 the City go into private facilities than into
11 State operated facilities. Those facilities, the
12 private ones, may or may not be wonderful
13 facilities. The simple truth of the matter is we
14 don't know. There are no contract standards
15 currently. There are no measurements to assess
16 their performance. And what we do know is that
17 the kids who do come out of those privates do,
18 unfortunately, as badly as the kids coming out of
19 the State operated facilities.

20 So what the Task Force recommends
21 and emphasizes is that there needs to be a system
22 of accountability and transparency and that OCFS
23 cannot operate its system at arm's length, it must
24 be an aggressive, vigorous monitor of the services
25 it contracts for. And to do that and to help OCFS
do that, the Task Force recommends the

3 establishment of an independent, external
4 oversight body that will monitor and report on
5 OCFS' policies and practices.

6 Both the DOJ and Task Force reports
7 underscore the urgent need for reform. Both
8 reports shine a laser light focus on a system that
9 is long overdue for a complete overhaul.

10 Importantly, despite all I've said today, we
11 should not lose sight of the many positive
12 developments that have taken place over the last
13 few years and that auger well for the future.

14 Among those, many of which have
15 been actively supported by the City Council, are
16 the establishment of the City's risk-based
17 alternative detention program, the Department of
18 Juvenile Justice's collaborative family
19 initiative, the alternative placement programs JJI
20 and Esperanza and a new one you're going to hear
21 about that is going to operate in Queens in a few
22 minutes, Quest Futures, and several upstate
23 programs that have helped to dramatically reduce
24 reliance on placement in those communities.

25 We must seize upon the momentum
generated by these initiatives and the two

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COMMITTEE ON GENERAL WELFARE and 101
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recently issued reports. We believe that the Task Force lays out a comprehensive outline going forward. And that if implemented the proposed reforms will propel New York to the forefront of the nation's jurisdictions in the establishment of thoughtful, effective and safe juvenile justice policies.

I thank you for inviting me today. And I'd be delighted to answer any of your questions.

CHAIRPERSON DE BLASIO: Thank you very much and thank you for the work you did on this Commission. I know 15 months is a long time but I think the results was very powerful.

MR. SIEGEL: Well thank you. We're proud of the report but in truth nothing we reported on was a surprise. And we think that there's a lot of work to be done but we know what that work is.

CHAIRPERSON DE BLASIO: Two quick questions and my colleague may have questions as well. I keep hearing Missouri, I have to ask, why Missouri? What caused Missouri--

MR. SIEGEL: [Interposing]

3 Interesting, right?

4 CHAIRPERSON DE BLASIO: --to
5 surpass us and obviously a lot of other places in
6 terms of its level of innovation.

7 MR. SIEGEL: Well I suppose the
8 simple answer is that there was a top-down
9 commitment at all reaches of government to do
10 something about a system that was a failure. And
11 they spent an inordinate amount of time
12 researching and developing models. This goes back
13 several decades. This isn't something that simply
14 happened recently.

15 They took a very thoughtful
16 approach. They committed resources to hiring
17 researchers and social scientists to develop
18 models that were youth development models that
19 were designed to enhance and enlighten the young
20 people and their families. But again if you look
21 at what they've done, it's common sense in action.
22 You take a kid and you send them 500 miles away
23 from home, families aren't going to be able to
24 visit those kids.

25 Kids aren't going to be--case
managers aren't going to be able to communicate

3 with those parents and those schools. They built
4 facilities close to where kids live. And they
5 engaged the parents from the moment the kid comes
6 into the system. There are case managers assigned
7 to those kids and those families throughout the
8 life of the placement and well into the time that
9 those kids come back from placement.

10 And one of the things that they do
11 that we've recommended in the Task Force report is
12 they use something called day placement where kids
13 remain at home but during the course of the day go
14 to State-run schools where they receive an
15 inordinate amount of social services and then
16 continue to engage the families during the course
17 of placement.

18 It's a logical and legally
19 obtainable goal in New York. New York State has
20 the ability to do that now. And that's a very
21 natural step-down from out-of-home placement to a
22 day placement. And as the Task Force reports
23 indicates, it's a model we want to replicate. New
24 York doesn't need to be so proud that it can't
25 steal good ideas from other states. You know?

CHAIRPERSON DE BLASIO: We would be

3 honored to.

4 MR. SIEGEL: Exactly.

5 CHAIRPERSON DE BLASIO: Now just
6 the other question. So I understand your answer
7 to say Missouri had reached a point of crisis.
8 The crisis focused attention and thank god the
9 attention was sustained from the highest levels of
10 government. Now meanwhile back in New York State,
11 your work and the Commission's work, the
12 Department of Justice's actions on the federal
13 level, I think this is a moment of unusual focus.

14 MR. SIEGEL: Yeah.

15 CHAIRPERSON DE BLASIO: Long
16 overdue. So, you know, if not now, when, for us
17 to get to that critical mass point to actually
18 make these changes? So here's the question. What
19 can New York City, the City government of New York
20 be doing right now to start implementing the Task
21 Force's recommendations?

22 MR. SIEGEL: Well that's a great
23 question. Let me take it a little bit from a
24 different angle because New York City being a
25 locality as opposed to the State has within its
ability to work with kids at the front end of the

1
2 system, right? Yeah, as I mentioned our Task
3 Force looked at the backend of the system.

4 And New York has done great work
5 with alternatives to detention. If you can keep a
6 kid out of detention, you know, we've done a lot
7 to keeping him out of placement. It's a straight
8 trajectory. If you're in detention, you're far
9 more likely to go into placement. So we need to
10 expand the work that we've done through the
11 Council's support and the support of the Mayor, to
12 work on alternatives to detention.

13 We need to take it even further
14 back. Kids come into the system having been
15 arrested. At the precinct level there are
16 opportunities for diversion, meaningful diversion.
17 At the probation intake level where probation has
18 the legal authority to divert cases through the
19 adjustment process. We need to beef up adjustment
20 services so that kids will get meaningful
21 interventions but that will keep them out of the
22 formalized system.

23 So those are things that the City
24 can control in and of itself. It doesn't require,
25 you know, legislative changes on the part of the

3 State. It obviously involves commitment of
4 resources but that can happen. With respect to
5 the Task Force's recommendations itself, well you
6 heard today about JJI and Blue Sky and Esperanza.

7 And to a certain degree you're
8 going to hear about Quest Futures. You know, I
9 don't believe family court judges are mean-
10 spirited. I don't believe they're not
11 intelligent. I believe that when they place kids
12 it's because they genuinely believe that they
13 don't have alternatives at their ready to call up
14 on that they find are reliable, comprehensive and
15 responsive to the needs of young people.

16 If we build it, they'll use it. I
17 believe that. And if you speak to family court
18 judges that's what they'll tell you. As part of
19 the Task Force's work we interviewed them and
20 asked them. In some situations, if a young person
21 is appropriate for JJI, why is it in some
22 situations you won't use JJI and you'll still send
23 a kid to a placement facility.

24 And they'll tell you sometimes that
25 one of the reasons is that they don't know that
the family is capable of meeting all the

1 obligations that JJI imposes. Well we need to
2 find a solution to that because again it shouldn't
3 be that placement is dictated by the fact that the
4 family has deficits.
5

6 It should be simply and solely
7 because he's a public safety risk. And I think we
8 need to invest in enhancing all of the placement
9 models--alternatives to placement models we have.
10 We need to work with the State and other
11 localities around the State to ensure that as
12 Commissioner Carrion is closing facilities that
13 those resources don't fall into the general budget
14 but get redirected to the localities where kids
15 are coming into placement from.

16 CHAIRPERSON DE BLASIO: Thank you
17 very much. Chair Gonzalez.

18 CHAIRPERSON GONZALEZ: Well Mr.
19 Siegel, I just want to thank you for your
20 commitment. I mean we have worked on a lot of
21 different things and your work with the Center,
22 the Court Innovation programs, like I don't even
23 want to begin to say how incredibly well that
24 works in our communities and our communities in
25 New York City. But I wonder, with the

3 government's Task Force, do you see any continuity
4 or any--do you feel optimistic about following up?
5 Is there any plan to do so?

6 MR. SIEGEL: Well I am cautiously
7 optimistic, you know, we live in turbulent
8 budgetary times. But if you read the report and
9 if somebody reads it with an open mind it's a
10 prescription for savings. So we're not
11 necessarily requesting that a commitment of mega-
12 resources to make this happen, we're saying let's
13 be smarter about how we use our resources.

14 We've met with the Governor. He's
15 expressed his support for the work of the Task
16 Force. We've met with a number of state
17 legislators already who have committed to trying
18 to start the process of implementing these
19 reforms. I know we have the support of the City
20 Council at least I'm assuming that.

21 And I think there's a lot of work
22 that's already been done, a lot of foundation work
23 that's been laid for the types of reforms we
24 outlined here. So obviously it isn't over until
25 it's over, as a famous Yankee once said, but I
think we're on the road and we now have at least a

3 blueprint for reform to work off of.

4 CHAIRPERSON GONZALEZ: Well I have
5 to tell you I'm incredibly excited because I've
6 always been very passionate about the children of
7 this City. I clearly understand that without them
8 we don't have a future.

9 And so therefore I do want to thank
10 you and I want to thank Council Member Bill de
11 Blasio because today's been a very, very exciting
12 hearing. And moving thoughts to the future I
13 think that I was right on target. We certainly
14 need to focus closer on our children. And I thank
15 you.

16 MR. SIEGEL: Well thank you.

17 [Pause]

18 CHAIRPERSON GONZALEZ: Next panel
19 please. Grayson, I can't read this. Mathar
20 [phonetic]? Grayson Mathar, Gladys Sosa, Curtis
21 Still and Peter Trevisano. Please step forward,
22 state your name for the record. Thank you.

23 [Pause]

24 CHAIRPERSON GONZALEZ: And Council
25 Member Jessica Lappin has just joined us.

[Pause]

1 COMMITTEE ON GENERAL WELFARE and 110
2 COMMITTEE ON JUVENILE JUSTICE

3 MR. CURTIS STILL: Excuse me. My
4 name is Curtis Still. I'm the Program Director
5 for IPAS. Our families are not present. I don't
6 know if there was confusion in terms of getting
7 here. We do have their testimony if you would
8 like us to read that.

9 [Pause]

10 MR. PETER TREVISANO: Hello. Peter
11 Trevisano [phonetic], Assistant Program Director
12 for Catholic Guardian's IPAS JJI. First client,
13 there's three of them. First client was charged
14 with the criminal sale of narco drug. Prior to
15 his involvement with IPAS and Lincoln Hall, the
16 young had a long history of truancy. In
17 functional family therapy sessions, he stated to
18 his therapist that he hated school and did not
19 like going once he started the fifth grade.

20 The youth also stated that he often
21 hid information from school and his social
22 struggles from his parents because he did not want
23 to disappoint the family. The youth additionally
24 received individual and group counseling while at
25 Lincoln Hall but still felt these feelings to hide
the information from the family.

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3 During the FFT treatment, the youth
4 worked with the therapist and his parents to
5 improve their relationship and had credited with
6 his family that the keys to his success would be
7 to form positive communication and relationships.
8 The family together was able to identify the
9 importance of their communication pattern and
10 relational dynamics as it applied to their overall
11 stability and success.

12 The therapist shares that the youth
13 is a very goal oriented and has social ambitious
14 and spirituality. He stated the youth had stated
15 that he's interested in law enforcement and peer
16 advocacy. He's currently working as a member of a
17 peer advocacy program at CUNY Prep and may be
18 working as an extern in an upcoming film called
19 Hector Goners. I don't know what that is.

20 The next client is somebody that I
21 personally was a therapist on the case. I called
22 the parent with permission to provide this
23 information. The youth was charged with criminal
24 sale of a controlled substance in the third
25 degree. Prior to his involvement with IPAS and
Lincoln Hall the family had difficulties with

1
2 communication and problem-solving challenges as
3 well as the youth struggling with curfews and
4 associating with negative peers.

5 During my treatment sessions with
6 the family, they identified skills to address
7 communication and problem-solving barriers. A
8 variety of skills were implemented to address
9 these challenges such as each family member having
10 the opportunity to provide brief and specific
11 feedback to each other, both positive and
12 constructive, about an even to concern; staying in
13 present when discussing an event and focusing on
14 one issue at a time as opposed to bringing up
15 everything in the past; lastly processing two to
16 three options for resolutions of an event to agree
17 on.

18 The family demonstrated this
19 ability and the ability to take a timeout if
20 things got too overwhelming and either resume
21 later or involve other resources/family supports
22 to assist in resolutions. I'm proud to report on
23 my follow-up with Ms. Sosa that she reported that
24 the youth has been consistent in the skill sets
25 with her, more consistent with his curfew, and

3 lastly, has refrained from associating with those
4 peers whom she felt were of negative influence.

5 Lastly, Ms. Sosa reported that the
6 youth is currently seeking a vocational or trade
7 school program since he's over 17 and interested
8 in obtaining employment.

9 The last client was charged with
10 possession of a firearm. Prior to his
11 participation in the IPAS program the family has
12 some communication challenges due to the youth's
13 attempt to establish independence and lessen the
14 burdens on his mother from withholding this type
15 of information.

16 During treatment the family
17 identified barriers that needed to be addressed.
18 The family developed communication and negotiating
19 skills to address these barriers and improve their
20 relationship. The family was also able to
21 identify their relationship and between a healthy
22 and stable home environment and relational
23 dynamics how it would help them move forward.

24 Since completing FFT the therapist
25 followed up with the family and they report that
they continue to maintain the changes that they

3 had made in treatment. Additionally Ms. Mathan
4 [phonetic]--well you said her name, that's okay,
5 Ms. Mathan has reported that she's satisfied with
6 the relationship between the youth and herself.
7 The family continues to do well and the family has
8 reported improvements in the home as well as
9 relationships outside the home.

10 I'm saddened that they couldn't be
11 here today to share this with you in person
12 themselves.

13 CHAIRPERSON GONZALEZ: I want to
14 thank you for sharing this with us. And I just
15 want to ask you a question in respect to these
16 individuals. Has there been any other follow-up
17 from that period? I mean there's been some, you
18 know, actually two scenarios that were successful,
19 right, two. And the third one was rearrested? I
20 didn't--

21 MR. TREVISANO: No there was no re-
22 arrests in any of these three.

23 CHAIRPERSON GONZALEZ: Okay. What
24 is the follow-up like? Is there a follow-up after
25 this period?

MR. TREVISANO: What we offer with

3 the families, part of our interaction with them,
4 they had time left with the Office of Children and
5 Family Services. Once they expire if they
6 continue to work with us, it would be considered
7 voluntary because that's what they signed with
8 their conditions of release.

9 When we've worked with a family and
10 we have worked beyond their time with OCFS, we
11 have something in the modality of booster sessions
12 which means that if the family becomes off-track
13 and not able to utilize the resources or the skill
14 sets and things as you would say would spiral out,
15 they can have "booster" where we would go back and
16 revisit the skills. We've done this on a couple
17 of occasions.

18 CHAIRPERSON GONZALEZ: That's
19 excellent. You said that you're one of the
20 therapists, right?

21 MR. TREVISANO: Well I was recently
22 promoted to the Assistant Program Director but in
23 the therapist modality, I was the team lead and
24 the team lead also takes cases as well as
25 providing the supervision and working with the FFT
consultant.

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3 CHAIRPERSON GONZALEZ: Do you see
4 any barriers or anything as a therapist or having
5 that role? I mean in respect to dealing with the
6 youth and something that could change or--I mean
7 you don't have to share it here, I mean you should
8 but I'm saying if you don't, we could meet later.
9 I definitely would like to understand that.

10 MR. TREVISANO: I think since the
11 inception of the program the communication between
12 us and the collaborating parties have definitely
13 improved which the delivery of service has
14 improved. So I think when you first came, I think
15 putting different cultures in different
16 perspectives together cause challenges. However I
17 think as we've worked together and we've been able
18 to see successes together and people have become
19 comfortable and the belief as increased in the
20 ability of the model to work, I think that has
21 gone in a positive direction.

22 As far as home-base, and I will
23 tell you that prior to coming to this project I
24 worked in a clinic. I was actually one of the
25 clinicians at Bridges that I would do the
assessments on youth when they came in for safety

3 assessments. And I worked at Bronx Lebanon. And
4 where they would come to a clinic.

5 There was a parent here who
6 testified earlier about the different of the
7 therapist going in the home and I could tell you
8 there has been no better impact than going into
9 that person's dynamic and that person's life and
10 functioning to help them with their skill sets.
11 An office is very artificial. The home is where
12 they are. That's where they have to implement the
13 skill sets that you're trying and that's the
14 front-end right in the heart of it and that's
15 where real treatment would take place.

16 CHAIRPERSON GONZALEZ: I agree.
17 Thank you. anything else? Okay thank you. Then
18 ext panel please. Carol Fisler from Center for
19 Court Innovation; Michi Furuji from Children's
20 Defense Fund; and Kendra Hurley from Center for
21 New York City Affairs.

22 [Pause]

23 MS. CAROL FISLER: Is the mic on?
24 You want is in the order in which you called us?
25 Okay. Sure. Okay. I'm Carol Fisler [phonetic].
I'm the Director of Mental Health Court Programs

3 at the Center for Court Innovation and I thank you
4 for this opportunity to speak.

5 You've already heard a lot today
6 about the recent Task Force report and so I won't
7 repeat any of the things that were already said.
8 Alfred Siegel made references to the Quest Futures
9 program and my purpose in being here is to tell
10 you about a new program that we're about to
11 implement in Queens as an alternative to placement
12 that builds on a program we've been running for a
13 year that's an alternative to detention before
14 young people are adjudicated.

15 But before I say anything about
16 Quest Futures I really would like to, you know,
17 praise ACS and the JJI program for all of the
18 successes that they've achieved. It's very clear
19 that JJI has been very important as a
20 dispositional option that's available to family
21 court judges so that they can help young people
22 and their families develop skills and make
23 positive changes in their behavior to break the
24 cycle of juvenile re-offending.

25 One of the areas that the Council
Members asked a lot of questions about during the

3 testimony from people running the JJI program has
4 to do with the young people with serious
5 psychiatric disorders, serious mental health
6 problems. And that's really the population of
7 young people that Quest Futures is designed to
8 focus in on. As I'm sure you know, the incidence
9 of mental illness among youth in the juvenile
10 justice system is quite high.

11 The Department of Juvenile Justice
12 reports that, I think, 43% of all of the young
13 people in the City's detention facilities have--
14 are in need of mental health services. The Task
15 Force report says that OCFS reports that nearly
16 half of all the youth in OCFS custody have mental
17 health needs.

18 So what we've done in Queens is
19 design a pilot program that as currently
20 configured is focusing in on young people at the
21 earliest stages of the delinquency process, really
22 starting right after or as soon as possible after
23 the first court appearance. And it works as an
24 alternative to detention for young people with
25 mental health problems.

Following the issuance of the DOJ

3 report this last August, the Office of Court
4 Administration became very interested in expanding
5 the range of alternative to placement options at
6 the dispositional stage for young people with
7 mental health problems.

8 And we have just received
9 confirmation of funding from OCA to expand our
10 Quest Futures program in Queens and I wish our
11 Council Members from Queens were still here so
12 they could hear more about this but it's described
13 in the written testimony.

14 So what I'm going to do very, very
15 briefly is tell you some of the highlights of how
16 Quest Futures operates. And you'll understand now
17 that it's both this alternative to detention
18 before adjudication of the youth and then as a
19 means to keep them out of placement. Quest
20 Futures is at its core a case management and
21 family support program.

22 And that means that it's very, very
23 different from JJI which makes use of wonderful,
24 wonderful treatment modalities, MST, FFT, MFTC. I
25 do want to note, since you've heard some really
moving testimonials about the power, the

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3 effectiveness of MST, FFT, that it's very sad that
4 in New York City those treatment modalities are
5 really not available in our mental health system.

6 They've been made available through
7 the JJI funding for those young people who are in
8 the juvenile justice system. And I guess one
9 thing that maybe isn't directly within the purview
10 of the Committees represented here but, you know,
11 pass on to the, you know, the Mental Health
12 Committee that the whole City could benefit from
13 an expansion of this kind of resource.

14 What Quest Futures does is really
15 work to provide family court judges, probation
16 officers, lawyers, with more real meaningful
17 information about young peoples' mental health
18 disorders and then serve as a resource to the
19 families to help link them to the best services
20 that we can find within the community-based mental
21 health system.

22 So the core of the program is a
23 small team of clinicians, all Master's level and
24 above, working very, very intensely with the young
25 people with diagnosed mental health disorders but
also with the families looking at the totality of

3 the child and the family and all of the needs in
4 the context of home, school, and community. So it
5 doesn't just look at the child in the juvenile
6 justice system but kind of the whole complex.

7 I really have detailed in the
8 written testimony the different program elements
9 and I think I've hit the highlights there.

10 Let me just mention one or two
11 other things in addition to connecting young
12 people and their families to mental health
13 services, just as you've heard a lot about JJI
14 connecting kids to pro-social activities, we also
15 look for ways to engage them in tutoring programs,
16 recreational programs, after school activities,
17 employment programs. A big part of what our
18 clinical team does is really help to find
19 appropriate school placements. And that has been
20 very, very successful.

21 We offer a parent support group,
22 family psycho education programs for the parents,
23 so again, really trying to help the whole family
24 move forward. And then we do a lot of monitoring
25 and reporting so that for those kids who are
mandated to the program, reports are coming back

3 to the judges, going back to probation officers,
4 going back to attorneys.

5 And then our clinical team will
6 advise the court players on clinically appropriate
7 responses both when the kids are doing well and
8 when they're not doing so well.

9 The combined, new, expanded Quest
10 Futures program that again will be intercepting
11 kids at multiple points in the juvenile justice
12 system is set up to be able to work with 120 plus
13 kids per year. Again as a case management
14 program, we don't have the same kinds of capacity
15 caps as when you're actually delivering treatment.
16 We have a little bit more elasticity in terms of
17 how many families we can work with.

18 We just, again, roughly estimating
19 when we look at our total program budget for the
20 program we have operated and what we anticipate
21 now for the expanded program, we're looking at a
22 program cost of roughly \$6,000 per youth served
23 per year.

24 And again the big difference is
25 that I can't stress enough between, you know, the
costs on a program like JJI and like Quest

3 Futures, they're very different programs. We're
4 not actually delivering the treatment services.
5 You know, we're, again, doing family support and
6 case management.

7 So I'll just wrap up by saying that
8 what we'd like to ask of this Committee, the Quest
9 Futures program has been funded entirely so far
10 with one federal grant and a lot of private
11 foundation grants. We are now getting some
12 funding for the expansion from the New York State
13 Office of Court Administration.

14 The results to date of the kids
15 that we've been working with have been very, very
16 positive. We have now 14 months of experience
17 with the kids in the ATD program, all of those
18 kids who have been mandated, which is roughly 20%
19 of our kids, have been staying incomplete
20 compliance with the program requirements.

21 Some of the kids who are taking the
22 mental health case management services voluntarily
23 have had some problems in other areas. A couple
24 of them have been placed. But we've had half of
25 our program participants continue to stay in the
program on a voluntary basis after they've been

1
2 given dispositions of probations.

3 The families are very eager for the
4 help, very eager for the services. We've even had
5 a couple of families whose kids have been sent off
6 to placement facilities who've asked our case
7 managers to please help them during this period of
8 time that the kids are away.

9 So it's been very well received by
10 the judges, the lawyers, and the families. And we
11 are going to need to find a way that we can
12 sustain this program in Queens after the private
13 foundation funds begin expiring in 2010. And we
14 know that family court judges around the City are
15 very eager to see replications of this program
16 made available in other Boroughs.

17 And we've already begun discussions
18 with JJI about how we will coordinate our programs
19 as we now begin to offer the alternative to
20 placement services in Queens. There are more than
21 enough kids in the City, in the juvenile justice
22 system, who can benefit from these programs. The
23 programs are not in competition with each other,
24 they're just, you know, different kinds of
25 services to be reaching a larger pool of kids.

3 [Pause]

4 MS. KENDRA HURLEY: I'm Kendra
5 Hurley, one of the authors of this new report
6 which is called A Need for Correction, Reforming
7 New York's Juvenile Justice System. And it's
8 published by the Center for New York City Affairs,
9 the New School. And thanks for having this and
10 I'm probably going to make about two points 'cause
11 I'm trying to like stick to two minutes.

12 We and most everyone we spoke with
13 for this report are optimistic about alternative
14 to incarceration programs like JJI. They have
15 succeeded in keeping more than two-thirds of the
16 children they serve out of institutional
17 placements at least for the period in which they
18 enrolled. Recidivism rates for children who've
19 been incarcerated are so high that nearly everyone
20 involved is eager to try these alternatives.

21 But it's hard for family court
22 judges to recommend these programs without some
23 reservation because we don't know much about their
24 long-term effectiveness. Many of the alternative
25 programs in New York City today including JJI are
adaptations of national models that have bee

3 rigorously researched. But because these models
4 have been adapted for New York City the research
5 on their effectiveness in other states may or may
6 not be applicable.

7 We recommend that the State Office
8 of Children and Family Services, together with
9 private philanthropy, sponsor rigorous long-term
10 research on the effectiveness of these programs
11 looking at recidivism and re-arrest rates.

12 Family court judges will be much
13 more confident referring kids to the programs if
14 they are able to compare how well kids do in the
15 various alternative programs with how well they do
16 when sent to institutions.

17 Another finding in our report is
18 that programs like JJI should save the City money
19 because institutions are so expensive. But we
20 found the City's costs have actually increased in
21 recent years even though admissions to
22 institutions are way down. That's because of
23 flukes in the formulas that divide costs between
24 the City and State.

25 If a judge sends a youth to a
State-run facility, the cost is shared by the City

3 and the State. But if a judge sends a youth to a
4 residential treatment center run by a nonprofit
5 organization like Children's Village, the City
6 pays the entire cost. While the number of
7 children going to State facilities has decreased,
8 the number sent to private placements has gone way
9 up or actually has been increasing but the
10 percentage has gone way up.

11 That means costs to the City are
12 up. We recommend these formulas be changed with
13 the State picking up its fair share of costs.
14 Judges should make the best decision on where to
15 send a youth without bankrupting the City.

16 There are a whole bunch of other
17 recommendations we have in this report. Thanks
18 for your time and interest.

19 CHAIRPERSON GONZALEZ: Thank you.
20 Thank you. The next panel will be Danielle
21 Marchione, Citizen's Committee for Children, and
22 Sharissa Smith, Community Justice Rehabilitation
23 for Youth; and Debra Irons from, I can't read
24 this. Correctional Association of New York,
25 sorry.

[Pause]

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3 MS. DANIELLE MARCHIONE: All right.

4 Thank you. good afternoon. My name is Danielle
5 Marchione [phonetic]. And I'm the Director of
6 Communications and Government Relations at
7 Citizen's Committee for Children of New York, CCC.
8 CCC is a multi-issue child advocacy organization.
9 I'd like to thank Chair de Blasio and Chair
10 Gonzalez and members of the General Welfare and
11 Juvenile Justice Committee for holding this
12 hearing.

13 CCC commends ACS for developing the
14 Juvenile Justice Initiative and as you know this
15 alternative to placement model enables youth to
16 remain with their families and communities while
17 receiving the services they and their families
18 need with much more success and at a lower cost.

19 CCC offers the following
20 recommendations to strengthen JJI as well as the
21 City's larger core of youth services. We urge the
22 City to seek the services of an outside consultant
23 to conduct a vigorous evaluation of JJI.

24 CCC supports the recommendations
25 that payment for both types of placement be
equally shared by the State and localities. We

3 believe the City and the State must maintain and
4 enhance its resources for JJI and other
5 alternatives to detention, alternative to
6 placement, and alternative to incarceration
7 programs.

8 And even in this budget crisis,
9 normative youth programs such as after school
10 programs and summer youth employment must be
11 maintained because they provide youth with
12 positive experiences and prevent youth from coming
13 into contact with the juvenile justice system.

14 In closing I just want to say that
15 it's a shame that youth who could benefit from JJI
16 are not able to participate because it is full.
17 And we have a moral obligation not to send kids to
18 these facilities when we know they could be better
19 served safely in their communities. Thank you.

20 CHAIRPERSON GONZALEZ: [Skip in
21 audio] to close. And I just want to thank
22 everyone that attended this hearing today, a very
23 significant hearing. I'd like to thank all the
24 advocates and of course Council Member Bill de
25 Blasio and his staff and all our team here. So
thank you and we'll continue to work toward the

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betterment of juvenile justice in the City of New
York and the State. Thank you.

[Gavel banging]

[END 1003.MP3]

C E R T I F I C A T E

I, Laura L. Springate certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

A handwritten signature in cursive script that reads "Laura L. Springate". The signature is written in black ink on a light-colored background.

Signature Laura L. Springate

Date December 28, 2009