

City Council Executive Budget Hearing
Testimony by John B. Mattingly
New York City Department of Juvenile Justice
May 17, 2010

Good afternoon Chair Gonzalez, Chair Recchia and members of the Juvenile Justice and Finance Committees. I am John B. Mattingly, Commissioner of the City's Department of Juvenile Justice (DJJ) and the Administration for Children's Services (ACS). Joining me today is Laurence Busching, Executive Deputy Commissioner for ACS's Division of Youth and Family Justice, and Jacqueline James, Deputy Commissioner for DJJ's Administration and Policy. I would like to thank you for providing us with the opportunity to discuss the Executive Budget for DJJ and to update you on the integration of DJJ into Children's Services.

ACS/DJJ Integration

I would like to start by updating you on the process that ACS and DJJ have underway to bring the administrative operations and organization of these two agencies together. Through this integration, New York City has the unique opportunity to build upon our juvenile justice reform efforts to date and leverage the expertise in both the juvenile justice and child welfare systems to strengthen outcomes for court-involved youth. Our primary goals in this integration are to maintain public safety while reducing recidivism, and to provide the best care possible for court-involved youth

while helping them to succeed in their education, personal lives and careers.

Since January, DJJ and ACS have been operating as two separate agencies under my management as we work to bring the administrative and executive functions of the agencies together. I would like to thank Chair Gonzalez, as well as Chair Palma of the General Welfare committee, for introducing a bill that will formally merge the two agencies under the City Charter. This legislative change is a critical step in our efforts to integrate the two agencies and we look forward to seeing it pass. The combined expertise of the child welfare and juvenile justice agencies will help the City strengthen family-focused permanency planning for young people and their families as soon as they enter the juvenile justice system, and to develop a focused strategy for each young person to place him or her on the path toward school, work and successful adulthood. Also, the merging of the agencies will help in reducing the use of detention and expensive upstate placements by developing more family and community-based options aimed at achieving better outcomes for youth and families.

After this integration, the operational areas of DJJ - namely the secure and non-secure detention facilities - will function as a separate division within ACS, called the Division of Youth and Family Justice. This division will also include ACS's Juvenile Justice Initiative and Family Assessment Program. Laurence Busching, the Executive Deputy Commissioner for the

Division of Youth and Family Justice, who joined Children's Services on March 1, is currently overseeing this integration. We also currently have a search underway to hire a new Associate Commissioner for Detention who will help us to oversee both secure and non-secure detention and implement the vision of the Division of Youth and Family Justice. In addition, we are developing a workgroup made up of staff from throughout the Division to help us to formally shape and define the Division's mission, vision and values.

On April 9th, we held the first meeting of our Advisory Board. The Board is made up of about 40 prominent representatives from leading national juvenile justice reform organizations, labor, advocates, government agencies, the City Council and the community. The Board heard presentations and reviewed statistics on the work of the Division and offered bold and constructive suggestions on how we can best advance our work. I would like to thank Chair Gonzalez for agreeing to participate on the Board and we look forward to her joining us as we work with the Advisory Board to identify ways to build upon our system reforms.

With input from the external Advisory Board and internal workgroup, we are developing a strategic plan to guide us in expanding upon the continuum of services and supports available to court-involved youth and their families. Through this continuum we are seeking to reduce the use of detention when possible, provide the best care possible for youth who do

come into detention, and expand the availability of aftercare services. We are expanding the uses of our assessment tools, as well as New York City's continuum of community-based alternatives to detention and developing new programs. We are assessing the programming within detention to ensure that young people are receiving appropriate educational, mental health and recreational services and that we are effectively planning with youth to prepare them to leave detention. We anticipate the release of our strategic plan at the end of June and we expect that implementation of this plan will take place over the following 12 months. As we move forward, we will keep the Council and our various stakeholders abreast of our progress and we will solicit input at every step of the way.

Through the integration, the City is leveraging the child welfare system's continuum of services for young people with special needs. We are also expanding the availability of research-driven programs like the models utilized in ACS's Juvenile Justice Initiative, where therapy is provided to family members in the home to strengthen the parent or caretaker's ability to provide structure and guidance for youth and improve problem solving of family members. In addition, we will seek to develop specially trained foster family services for young people who have no family members available to supervise them so that they can receive treatment in a home environment and develop long-term connections with a stable, caring adult.

The integration will also help the City to leverage the expertise in both agencies to begin planning for youth involved with the foster care and juvenile justice systems from the time of their arrest and throughout their involvement with the City's juvenile justice system. As the Council is aware, there is significant overlap in the populations served by DJJ and Children's Services - many of the young people served by DJJ and their families have had previous involvement with ACS, either as the subject of an abuse and neglect report, as someone who has stayed in foster care, or because the family has received support services.

We are pleased to report that the City will soon have several new alternative-to-detention programs available to serve court-involved youth. New York Foundling and the Center for Court Innovation will launch a 21-day respite program in Staten Island to provide an option other than detention for youth who are experiencing difficulties with their families to address the behavior leading to court involvement in order to help them work through the issues that would otherwise prevent them from returning home. NY Founding will also begin a Family Team Conferencing program, tentatively called Way Home, designed to work with youth when they enter detention to link them to a parent or responsible adult and facilitate reentry into the community while providing in-home therapeutic services.

New York Foundling and ACS recently met with Family Court judges from Manhattan and the Bronx to introduce them to the model and seek their feedback in implementing it. In our view, these models embody the promise of the merger by working to keep communities and youth safe through strengthening families. In addition, OCFS recently awarded grants to three community providers to offer alternative-to-detention programs in all five boroughs. City stakeholders will work with these programs to integrate these services into the existing citywide alternative-to-detention continuum.

FY11 Executive Budget

Through the Mayor's Financial Plan for Fiscal Year 2011, the City is working to reflect the ACS/DJJ integration in the budget. The Executive Budget for juvenile justice (excluding fringe benefits) in Fiscal Year 2011 is \$123 million, including \$114.5 million in City Tax Levy, and is proposed to be part of the Children's Services budget next year. The Council will remember that, in the January Plan, we had two PEG initiatives designed to assist us in aligning the DJJ budget with our goals for the integration of the two agencies.

First, we expect to reduce agency spending by more than \$2.8 million in City funds in Fiscal Year 2011 by merging the administrative and executive functions of DJJ into Children's Services. At the Department's Preliminary Budget Hearing on March 9, 2010, we explained the functional review that

we were conducting of DJJ divisions to identify areas where we could create efficiencies and integrate staff to effectively support the operations of our new integrated agency and meet our juvenile justice reform goals. We are now working to begin fully integrating the administrative functions of DJJ and will meet our June 30, 2010 deadline. In addition, we expect to save approximately \$5 million in City funds in the coming years by reducing the City's use of detention for young people involved with the juvenile justice system. The City will reinvest \$1.8 million from the savings in the January Plan to expand the availability of alternative-to-detention programs.

In the Executive Budget, we expect to save close to \$3 million in City funds in Fiscal Year 2011 by diverting 40 youth from OCFS placements into family-focused alternatives and mental health programs. We also anticipate a City savings of close to \$1 million as a result of the State's plan to right-size OCFS residential facilities by eliminating 180 beds. The City has also made the decision to discontinue the LIFE Transitions program, a Commission for Economic Opportunity (CEO) initiative designed to connect youth in detention with educational and job preparation opportunities, resulting in a reduction of approximately \$300,000 from DJJ's budget.

In Fiscal Year 2010, the Collaborative Family Initiative (CFI) was fully funded by the Council. Chair Gonzalez has been a critical ally in this

program. Throughout its history, CFI has been able to provide continuity of care and ongoing mental health, psychiatric and family-focused supports to 128 young people with mental health issues upon returning to the community from detention in the past two years. We recently shared a report developed by the Research and Evaluation Center at John Jay College of Criminal Justice with Chair Gonzalez and look forward to discussing possible options for continuing this program in the coming Fiscal Year as part of our continuum of services.

State Budget Issues

As New York City moves to integrate the juvenile justice system with child welfare practice, it is critical that we find additional ways to maximize our resources. This will enable us to expand the availability of community-based services as well as safely and gradually bring down the use of residential placements. While New York City plans to reinvest the savings made available through the City's reform efforts into our continuum of services, it is critical that we have a full partnership with the State in order to realize our vision for New York City's juvenile justice system.

I would like to thank Chair Gonzalez and Council member Lander for introducing a resolution urging the State to reduce the City's expenses on State-operated residential placements. I know that the Council is familiar with recent reports from the United States Department of Justice and the Governor's Task Force to Transform the Juvenile Justice system, which

illustrate the challenges of these state-operated facilities in achieving the quality of care and rehabilitation that we expect for our young people. The evidence is clear that community-based and family-based alternatives can produce more positive results for both the youth and the communities where they return. While our collaborative efforts with the State Office of Children and Family Services (OCFS) have been successful in reducing the number of youth sent to upstate placements, our expenses have continued to increase because the State has been unable to reduce capacity in these facilities. In effect, although the numbers of youth sent to these expensive and problematic upstate placements has declined, our bills have continued to climb.

Our goal is to develop a new method of billing for State placements based on the number of young people actually being served in these facilities. This will enable us to use the savings we should be receiving for having less youth in upstate placement to increase our investment in evidence-based alternatives-to-placement programs. In the coming weeks we expect to have conversations with the State on how we can realize these opportunities for reinvestment. We will keep the Council apprised of our progress on these discussions and we hope to have your continued support as we work with the State to identify a funding solution that is fair and helps New York City maximize our resources.

Conclusion

In summary, I would like to thank the Council for its leadership in our efforts to bring our juvenile justice system to the next level. I would particularly like to thank Chair Gonzalez and the Juvenile Justice Committee for their ongoing commitment to the work of DJJ and the young people we serve. We look forward to your continued support in our efforts to integrate DJJ with Children's Services, including the passage of Intro. 195, the proposed legislation that will formally merge the agencies.

I would also like to take this opportunity to thank all of our stakeholders for their support and partnership during this transition, including the staff at DJJ. Working together with our partners across the City and State, we have a unique opportunity to develop a continuum of services that will help us to meet the goals of our juvenile justice system - to provide better care and treatment to young people involved with our juvenile justice system, and keep communities safer by reducing reoffending.

We will now take your questions.

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: JOHN MATTINGLY, COMMISSIONER

Address: _____

I represent: ACS

Address: _____

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Appearance Card

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Date: _____

(PLEASE PRINT)

Name: Jacqueline JAMES

Address: _____

I represent: DJJ

Address: _____

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Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: LAURENCE BUSCHING

Address: _____

I represent: ACS

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆