Legislation Details (With Text)

File #:	Res 0008-2018	**Version:** *	**Name:**	Require a sponsoring agency seeking to establish a limited secure placement facility in a particular community district, under the close to home initiative, to notify and provide such district with an opportunity for notice and comment.
Type:	Resolution		**Status:**	Filed (End of Session)
			In control:	Committee on General Welfare
On agenda:	1/31/2018			
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Title: Resolution calling upon the New York State legislature to pass, and the Governor to sign, legislation to amend the Social Services Law to require a sponsoring agency seeking to establish a limited secure placement facility in a particular community district, under the close to home initiative, to notify and provide such district with an opportunity for notice and comment.

Sponsors:

Indexes:

Attachments: 1. Res. No. 8, 2. January 31, 2018 - Stated Meeting Agenda, 3. Hearing Transcript - Stated Meeting 01-31-2018, 4. Minutes of the Stated Meeting - January 31, 2018

Date	Ver.	Action By	Action	Result
1/31/2018	*	City Council	Introduced by Council	
1/31/2018	*	City Council	Referred to Comm by Council	
10/30/2019	*	City Council	Re-referred to Committee by Council	
12/3/2020	*	City Council	Re-referred to Committee by Council	
12/31/2021	*	City Council	Filed (End of Session)	

Res. No. 8

Resolution calling upon the New York State legislature to pass, and the Governor to sign, legislation to amend the Social Services Law to require a sponsoring agency seeking to establish a limited secure placement facility in a particular community district, under the close to home initiative, to notify and provide such district with an opportunity for notice and comment.

By Council Member Barron

Whereas, Close to Home is a juvenile justice reform initiative launched by New York State Governor Andrew Cuomo in 2012 to keep youth close to their families and community; and

Whereas, Pursuant to Close to Home, New York State Social Services Law ("SSL") section 404 permits the New York City Administration for Children's Services ("ACS") to oversee custody of New York City youth

adjudicated as juvenile delinquents, who are deemed by Family Court as needing placement other than in a secure detention facility, in limited secure placement ("LSP") facilities and non-secure placement facilities ("NSP") in New York City; and

Whereas, The New York City Department of Investigation ("DOI") released a report on Wednesday April 13, 2016, detailing the arrests of four overnight staff members from a Brooklyn NSP facility in connection with a 2015 incident where three juveniles absconded, and later raped and robbed a woman in Manhattan; and

Whereas, The DOI report identified several systemic management and oversight deficiencies by ACS, including inadequate policies and procedures for the monitoring of safety and security at all Close to Home locations; and

Whereas, Close to Home has been implemented in two phases, with phase I including the roll out of NSP facilities in 2012; and

Whereas, ACS testified at a hearing of the New York City Council's Committee on Juvenile Justice held on April 14, 2016, that phase II of Close to Home, including the roll out of LSP facilities, began in December 2015; and

Whereas, Young people who are placed into an LSP facility by a Family Court judge typically present higher risks than those who are placed in an NSP setting, so that LSP facilities require more restrictive security features to ensure the safety of residents, program staff, and local communities; and

Whereas, Given the content of the DOI report, there is reason for community members to be concerned about the establishment of an LSP facility in such community; and

Whereas, SSL section 404 further allows ACS to enter into contracts with authorized agencies to operate and maintain such LSP facilities; and

Whereas, The New York State Mental Hygiene Law ("MHL") section 41.34 relates to site selection of

community residential facilities for the disabled; and

Whereas, Pursuant to MHL section 41.34, when a sponsoring agency has selected a site for a community residential facility for the disabled, the agency must notify the municipality of the specific address of the site and the type of community residence, among other things; and

Whereas, Pursuant to MHL section 41.34, once the municipality has been notified about the site proposal, the municipality has 40 days to approve of the site, suggest one or more suitable sites, or make an objection to the site; and

Whereas, Close to Home sites are residential facilities focused on rehabilitation, and communities should have the same opportunity for notice and comment as required for community residential facilities for the disabled; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State legislature to pass, and the Governor to sign, legislation to amend the Social Services Law to require a sponsoring agency seeking to establish a limited secure placement facility in a particular community district, under the close to home initiative, to notify and provide such district with an opportunity for notice and comment.

BG/WJH
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12/27/17
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