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Res. No. 816

Resolution in support of pending state legislation to reform New York State's juvenile justice system.

By Council Members Palma, Vann, Gonzalez, Halloran, Brewer, Ferreras, Fidler, Koslowitz, Lander, Mealy, Williams and Mark-Viverito

Whereas, Nearly seventy-five percent of youths in New York State correctional facilities are from the New York City area; and

Whereas, In September of 2008, Governor David Paterson created The Task Force on Transforming Juvenile Justice, which was responsible for developing and designing a strategic blueprint for transforming the juvenile justice system, including the examination of alternatives to institutional placement, ways to assist children's re-entry into the community, and redefinition of the conditions of confinement for juveniles across the state; and

Whereas, The task force made several recommendations, including: (i) making facilities more conducive to positive youth development and rehabilitation, (ii) establishing an independent, external oversight body to monitor and report on juvenile justice policies and practices, and (iii) reinvesting in community-based,

rehabilitative, treatment-focused services that could improve outcomes for youth and their families while also ensuring greater public safety; and

Whereas, In addition to supporting the task force’s findings, Governor Cuomo recognizes the need to reform New York State’s juvenile justice system and provide greater use of preventive services to generate better outcomes for children and families as well as deliver significant savings to the state; and

Whereas, There are several bills currently pending in the New York State Legislature that seek to address these recommendations and reform New York’s juvenile justice system; and

Whereas, A.4214, currently pending in the New York State Assembly, and companion bill S.64, currently pending in the New York State Senate, aim to reduce reliance on juvenile placement by encouraging localities to develop high quality alternative to placement programs; and

Whereas, A.4214/S.64 would establish a sixty-five percent reimbursement for these alternative programs, which reduce youth recidivism, provide meaningful life interventions, and drastically reduce the costs associated with incarcerating juveniles; and

Whereas, A.4292, currently pending in the New York State Assembly, and companion bill S.65, currently pending in the New York State Senate, seek to establish the Juvenile Justice Smart Investment Program (“JJSIP”); and

Whereas, The JJSIP would reinvest the savings that result from the closure of state operated juvenile facilities into community-based programs that provide services for at-risk and court involved youth, thus diverting such youth from institutional placement; and

Whereas, S.66, currently pending in the New York State Senate, seeks to prevent the unnecessary placement of youth in juvenile justice facilities; and

Whereas, S.66 would require judges to place a youth within that youth’s community, unless there are inadequate services available to avert placement or placement elsewhere is needed to protect the community;

and

Whereas, S.66 would significantly reduce juvenile placement in state run facilities and provide better alternatives for youth while continuing to shift New York away from a correctional approach to juvenile justice and more towards a therapeutic model; and

Whereas, A.4336, currently pending in the New York State Assembly, and companion bill S.67, currently pending in the New York State Senate, seek to establish a pilot program that would provide job and vocational skills training to youth who have been adjudicated juvenile delinquents or juvenile offenders while such youth are residing in New York State Office of Child and Family Services (“OCFS”) facilities; and

Whereas, A.4336/S.67 would provide youth with a combination of integrated support services as well as educational, vocational, and job skills training providing them with the proper foundation they need to become contributors to society; and

Whereas, A.5356, currently pending in the New York State Assembly seeks to authorize the Correctional Association of New York to act as an independent, external oversight body with unrestricted access to OCFS juvenile placement facilities; and

Whereas, The Correctional Association of New York would monitor and inspect residential juvenile detention facilities and would report incidents of wrongdoing to the commissioner of OCFS; and

Whereas, A.5356 would also authorize Prisoners’ Legal Services of New York to establish a Juvenile Justice Unit vested with the authority to represent youth placed in state residential juvenile detention facilities; and

Whereas, S.3076, currently pending in the New York State Senate, seeks to establish the “Peer Advocacy and Mentoring Program,” which would provide peer support, advocacy, and mentoring for youth in residential care; and

Whereas, S.3076 would instruct OCFS, in consultation with the New York State Office of Mental Health, to develop an effective peer advocacy and mentoring program to help ensure that troubled youth have

positive role models as they rehabilitate and transition back into their community; and

Whereas, A.1553, currently pending in the New York State Assembly, and companion bill S.3072, currently pending in the New York State Senate, would give youth living with mental illness access to Medicaid upon their discharge from a juvenile justice facility and ensure that their treatment plan continues uninterrupted for up to 60 days while Medicaid eligibility is determined; and

Whereas, A.1553/S.3072 would provide invaluable health care coverage for these youth, which is vitally important to their ultimate success in transitioning back into their communities; and

Whereas, These bills, currently pending in the New York State Legislature, address recommendations made by Governor Paterson's Task Force on Transforming Juvenile Justice; and

Whereas, Juvenile justice reform will not only yield better care for New York's youth involved in the juvenile justice system but will lead to a system that betters the future for our youth and New York State; now, therefore, be it

Resolved, That the Council of the City of New York supports pending state legislation to reform New York State's juvenile justice system.

WJH  
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