



New York City
Department of
Juvenile Justice

**Testimony of Neil Hernandez
Commissioner
New York City Department of Juvenile Justice**

before the

**New York City Council's
Juvenile Justice Committee**

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Fiscal Year 2009 Preliminary Budget and Mayor's Fiscal Year 2009 Preliminary
Management Report

Good morning Chairs Gonzalez and members of the Juvenile Justice Committee. Thank you for the opportunity to be heard on the preliminary Fiscal Year 2009 budget for the Department of Juvenile Justice. I am Neil Hernandez; Commissioner of the agency. Joining me is Judith Pincus, First Deputy Commissioner, Jacqueline James, Deputy Commissioner for Administration and Policy, and Herman Dawson, Deputy Commissioner for Legal Affairs and General Counsel.

Trends

During the first four months of this fiscal year, the Department's average daily population decreased by 14 percent, from 461 to 398. Total admissions to detention remained relatively stable, however police admissions constituted 67 percent of all juvenile delinquent admissions during this period. The average length of stay decreased by four days from 31 to 27 days. This is partially a result of the success of the Collaborative Family Initiative (CFI), which has helped to decrease the lengths of stay of youth with mental health and psychiatric needs in detention, who typically have longer stays. In addition, the Department has continued its regular communication with the Judiciary and other juvenile justice stakeholders to provide information on residents' length of stay.

DJJ Reform Efforts

Addressing mental health needs among the Department's detention population remains a challenge; the number of youth with mental health needs in detention increased to 83 percent during the first four months of Fiscal Year 2008. The Department remains deeply committed to enhancing services for youth with mental health needs, and has continued to advance this goal through the CFI. To date, 31% of youth referred to the program have been released to CFI.

While the Department has been working to ensure that the mental health needs of youth in detention are met, we have also doubled our efforts to ensure that the front end of detention works in sync with the reform efforts, by sending low-risk youth home more quickly. On October 30, 2007, the Department began assessing police admits for possible release to a parent or other authorized custodian with a Family Court Appearance Ticket (FCAT), consistent with the constraints specified within the Family Court Act and NYS OCFS regulations. Since the Department implemented this policy change, 6% of police admits have been released to their parents.

The Department recognizes the importance of community partnerships to achieving positive outcomes for court-involved youth. In Fiscal Year 2008, the Department hosted two events to keep the community abreast of and involved in the City's juvenile reform efforts. In July 2007, the Department hosted a successful forum to engage community stakeholders to participate in the development of the

Workforce Lifeskills Initiative, which is part of the Mayor's Center for Economic Opportunity. On November 1, 2007, the Department hosted a forum at Crossroads Juvenile Center for a group of religious and community leaders. More than 30 organizations attended. Several of these organizations have continued a dialogue with the Department on ways to bring their unique programming to youth in detention, and support children upon their release to the community.

Medical Services

As I previously testified, over the past two years, the Health and Hospitals Corporation provided medical services to youth in detention as the Department searched for a new medical services provider. On March 1, 2008, The Floating Hospital took over the provision of medical services for youth at the Department's secure facilities and group homes. The Floating Hospital has more than 100 years of experience in New York City, providing quality care to low income New Yorkers. After a deliberative search process, the Department chose the organization. The transition is running smoothly.

Programming

One of the goals of the Department's in-detention programming is to introduce youth to activities that they can pursue once they are released to their communities. At the same time, the Department has worked diligently to ensure that these programs are gender-specific and support youth with other needs, such as LGBTQ youth.

The support the Department receives from the Juvenile Justice Committee has been instrumental in our efforts to strengthen in-detention programming. To date, the Department has spent \$632,960 to fund several programs using the Juvenile Justice Committee's Fiscal Year 2008 allocation. In the remainder of this fiscal year, several programs are in the pipeline to utilize the remaining \$646,040 in funding; including a resource program for parents, education advocacy services, a mentoring program for youth, and gang and violence prevention programs.

In particular, the Department has earmarked \$300,000 for a reentry program, which we began developing with the support of the Juvenile Justice Committee. The concept of this program is to develop resources and tools to help youth and their families navigate the early phases of juvenile justice system processing. The program's two main goals are to ensure that:

- Every youth receives information about the court process and hearings, and what is appropriate behavior and comporment. This would be done through the development of a court guide, and other multi-media outreach materials.
- Every family with a youth in detention is educated on how to navigate the court process, including expected parental behavior through multi-media, a multi-lingual court guide, and Internet tools. The development of universal neighborhood-based resource guides that would give youth and families the

names of appropriate recreation, health and educational resources in their communities.

These tools would be designed to give families a road map to the court process, areas where they can positively influence their ability to obtain release and remain in the community, and information about where to go in the community for help. The Department will work closely with the Juvenile Justice Committee to continue the development of this joint initiative and thanks the Chair for her continued support.

Center for Economic Opportunity

As part of the Mayor's Center for Economic Opportunity, the Workforce Lifeskills Initiative is a new and exciting program aimed at helping New York City youth in detention to overcome the cycles of poverty and delinquent behavior.

The goal of the program is to create and/or increase attachment to school, higher education, and the community by opening and changing the minds of our youths to enable them to see the possibilities before them and create others through investing in themselves and the world around them. DJJ is partnering with two organizations, the Center for Community Alternatives in Brooklyn and Good Shepherd Services in the Bronx. The program began at Horizon and Crossroads Juvenile Centers on Saturday, March 22nd.

The Program is designed to:

- Help our youth gain a sense of attachment to education and to explore various careers and career expectations through a series of 12 workshops designed to carry them through a structured program
- Give weekly workshops that will speak to and inspire the aspirations, life-skills, and future work-paths of our youths
- Address the differing needs and interests of our youth by taking into account age and gender
- Eventually involve all of the young people in our care living in DJJ's long-term secure detention facilities
- While the program will start in the facility, it will continue in the Community. The same agencies and direct-care Providers who work with our youth in the facility will work with them in the community to provide other services.

FY 2009 Budget

The Department's Preliminary Budget for Fiscal Year 2009 continues to support the enhancement of human services, and the administrative functions that drive agency operations and promote the restructuring of the juvenile justice system as outlined by Mayor Bloomberg in his State of the City address last year.

Next year, the Department's \$73 million operating budget reflects a decrease of \$2.2 million, reflecting the utilization of the funding from the Juvenile Justice Committee, and for CFI, which was funded for one year.

The rest of the Department's budget supports payments the City makes to the State. This figure increased by \$3.2 million, reflecting adjustments by the Office of Children and Family Services (OCFS).

The Impact of the Proposed State Budget Cuts

The State's preliminary budget called for the elimination of the State match to localities for detention services. The Department is among several other organizations raising awareness about the impact of these cuts, including the New York State Association of Counties, the New York Public Welfare Association and the New York State Juvenile Detention Association. While it is encouraging that the State Assembly and the State Senate have introduced bills to reinstate this funding, it is important to highlight the services that would be in jeopardy if the budget is adopted with these cuts intact.

As Mayor Bloomberg highlighted during his January 28th appearance before the Legislature, the total impact of the proposed cuts is \$747 million, including a cost shift of \$48.8 million to the City through the elimination of the State's match for local detention services.

These cuts will severely limit the City's ability to staff its juvenile facilities and maintain appropriate services to keep them running smoothly. Overall, health, mental health and psychiatry services in the City's detention centers would be affected as well.

These services are currently responsive to the care needs of youth in detention.

However, the loss of reimbursement would precipitate the need to adjust to a level of services that would be insufficient to meet the minimum mandated State requirements and would not be fully responsive to meet the needs of youth in detention.

The City would also be required to shift funding away from programs that have had an impact on detention usage in New York City. For example, the Department's CFI, which has significantly impacted the length of stay of youth with mental health needs in detention, would be affected. CFI has also made a positive impact on outcomes for youth in detention with mental health needs, by building an infrastructure for youth and families to receive mental health and psychiatry services in the community.

Ironically, while the State proposal calls for a reinvestment in community-based programming, the State has not provided any investment for community-based alternatives to detention and/or community reentry and aftercare services to jointly prevent detention usage.

Conclusion

I hope it is clear from our testimony today that the Department of Juvenile Justice is committed to working both inside and outside detention with community-based partners and stakeholders to provide the best services available to youth in detention. We look forward to continuing our partnership with the Juvenile Justice Committee to bring much needed programs and services to youth in detention and

appreciate the Mayor's support of our strategic initiatives. I am happy to answer your questions at this time.