



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 and Finance Committees**

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Fiscal Year 2009 Executive Budget

Good afternoon Chairs Gonzalez and Weprin and members of the Juvenile Justice and Finance Committees. Thank you for the opportunity to be heard on the Department's Fiscal Year 2009 Executive Budget. 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.

Trends

Total admissions to detention decreased to 3,993 from 4365 between July 1, 2007 and March 31, 2008. Police admits continued to drive admissions, and constitutes 56 percent of total admissions during this period. Average length of stay in secure and non-secure detention was 28 days, as it was during the same period last year, with an average daily population of 419, which is a decrease from 442 during the same period last year.

The number of youth in detention with mental health issues remains a challenge. Youth receiving mental health and psychiatric services in detention grew to 82 percent between July 1, 2007 and March 31, 2008 and analysis of Department data shows that these youth typically have longer stays in detention. However, the Department's Collaborative Family Initiative (CFI), has helped to significantly reduce the length of stay among these youth by enrolling them and their families in services at organizations that will provide them and their families with services needed to support them in their communities.

Much progress has been made since Mayor Bloomberg announced the City's various juvenile reform efforts last year. In fact, the combination of the City's juvenile reform efforts—the restructured Alternatives to Detention (ATD) programs, the use of the Risk Assessment Instrument (RAI) by the Family Courts, and at DJJ, programs such as CFI and the Release to Parent Initiative, have led to a slight decrease in overall detention usage. At the same time, we've noted less usage in non-secure detention as these reforms have translated into more options for Family Court Judges.

Another promising development in juvenile detention usage in the City is the recent announcement of weekend arraignment for juvenile delinquents arrested in the City. This new practice will ensure that youth who are ineligible for release with a Family Court Appearance Ticket will have an opportunity to be presented before a judge 365 days a year.

Fiscal Year 2009 Budget

The Department's Fiscal Year 2009 overall budget is \$132.3 million, which supports a \$60.4 million payment to the State for city youth sentenced to State custody. The Department's operating budget is \$71.89 million, a slight increase. It reflects continued funding of \$1.3 million for CFI, and an increase of \$232,000 to continue the Department's LIFE Transitions initiative for the entire year. This program was formerly called the Workforce Life Skills Initiative, and is a part of the Mayor's Center for Economic Opportunity.

The current success of the City's Juvenile Justice reform initiatives prevented the need to expand non-secure detention (NSD) capacity and afforded the Bloomberg Administration an opportunity to reduce NSD capacity by proposing the closure of two group homes in Fiscal Year 2009. As a result, the City's plans for the expansion of NSD with the Hegeman facility are no longer needed. The Department has also identified one group home for closure, with a second to be identified during Fiscal Year 2009. These closures will help the Department to meet the City's PEG and sustain the two percent cut imposed by the New York State Office of Children and Family Services (OCFS).

As you know, the State's preliminary budget called for the elimination of the State match to localities for detention services. The Department was among several other organizations that raised awareness about the impact of these cuts. While the measure was ultimately defeated in the State Assembly and the State Senate, OCFS implemented a two percent cut across the board for all social service agencies.

DJJ Reform Efforts

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, 22% of youth referred to the program have been released by the Judiciary to CFI. We are pleased that CFI is being continued in Fiscal 2009 at \$1.3 million and look forward to sustaining this successful program. In addition, the CFI Interim

Report, a detailed analysis of the progress made during the first year of the program, has been released.

In 2007, the Department introduced the Release to Parent Initiative, and we are pleased with its progress. As part of this initiative, youth arrested by the police on nights, weekends and holidays are released to their guardian with a Family Court Appearance Ticket (FCAT), consistent with the constraints specified within the Family Court Act and State OCFS regulations.

Since October 30, 2007, youth arrested by the police on nights, weekends and holidays are brought to the Bridges Juvenile Center for intake assessment including release. As part of the Release to Parent Initiative, the Department reviews a youth's charges and prior court involvement to discern whether they are eligible for release. If it is determined that a youth is eligible for release with an FCAT, staff contact the youth's guardian to arrange for them to pickup their son or daughter from Bridges.

To help support released youth and their families, as well as other youth with short stays in detention, the Department is developing several tools as part of the Reentry Supports Program, to help parents better understand and navigate the Family Court. These tools will include various guides, multimedia tools and a curriculum for working with youth and residents, using funds appropriated to the Department by the Juvenile Justice Committee.

The Department's LIFE Transitions program, which is part of the Mayor's Center for Economic Opportunity, is a new and exciting program aimed at helping

youth in detention overcome the cycles of poverty and delinquent behavior. It began on March 22nd at the Horizon and Crossroads Juvenile Centers and community sites are now open in Brooklyn and the Bronx.

The goal of the program is to create and/or increase attachment to school and the community, enabling youth to see the possibilities before them and create others through investing in themselves. DJJ is partnering with two organizations, the Center for Community Alternatives in Brooklyn and Good Shepherd Services in the Bronx. This program is critical as youth in secure detention are the ones likely to go on to state placement and so, their reentry is inevitable. This LIFE Transitions program also includes juvenile offenders, whose cases are decided before the adult courts; this cadre of youth make up a significant portion of the secure detention population and they also need to be invested in.

Programming

One of the goals of the Department's in-detention programming is to introduce youth to activities that they can continue to 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 Lesbian, Gay, Bisexual, Transgender and Questioning youth.

The support the Department receives from the Juvenile Justice Committee has been instrumental to its efforts to strengthen in-detention programming. To date, the Department has allocated \$1,278,960 to fund several programs using the Juvenile

Justice Committee's Fiscal Year 2008 allocation. These programs included a resource program for parents, education advocacy services, gang and violence prevention programs, a swimming workshop at John Jay College and creative arts expression workshops.

Conclusion

While we are pleased that the many programs that are having a significant impact on detention reform are earmarked for continuation in the Department's Fiscal Year 2009 budget, challenging fiscal times ahead may have an effect on the City's reforms.

The City is working to introduce legislation to receive equitable funding from the State on non-mandated detention services. This effort is important—a dedicated stream of funding for juvenile justice programming in New York City would ensure that services and programs aimed at reducing detention usage are effective and institutionalized.

It is also important to continue to work with the Judiciary to increase use of the various tools and programs that are part of the City's reform efforts. The widespread and routine use of the RAI and ATDs to decide juvenile delinquency cases by the Judiciary in the Juvenile Justice System could have further effect on the City's detention population.

In 2009, the Department will continue its efforts to engage the community in the City's juvenile justice reform efforts. This summer, the Department plans to host a

second community forum in the Bronx, to engage stakeholders to become more involved to meet the needs of youth returning to the community.

I hope it is clear from today's testimony 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.