



New York City

Department of

Juvenile Justice

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

**before the**

**New York City Council's  
Finance and Juvenile Justice Committees**

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**Tuesday, May 8, 2007  
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**City Council Chambers  
City Hall  
New York, NY**

**Oversight Hearing on Proposed Executive Expenses, Revenue, Capital &  
Contract Budgets and CD-XXXIII & CD-XXXIV Programs for Fiscal Year  
2008**

Good afternoon Chairs Gonzalez and Weprin. Thank you for the opportunity to be heard on the Fiscal 2008 Executive Budget for the Department of Juvenile Justice. I am Neil Hernandez; Commissioner of the agency. Joining me is Judith Pincus, First Deputy Commissioner, and Herman Dawson, Deputy Commissioner for Legal Affairs and General Counsel.

## **FY 2008 Budget**

I would like to begin by discussing Fiscal Year 2008 allocations and Fiscal Year 2007 allocations that will continue through next year.

Allocations for Fiscal Year 2008 will continue to support the agency's enhancement of human services, sustain 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.

Allocations for Fiscal 2008 include \$1.3 million to continue the Collaborative Family Initiative (CFI), a discharge planning program that provides reentry supports to youth in detention with known mental health issues and their families. In January of this year, the Department was allocated \$527,250 to launch a workforce, educational attainment and life skills pilot project as part of The Mayor's Center for Economic Opportunity which will be utilized throughout the remainder of Fiscal Year 2007 into Fiscal Year 2008, and \$256,000 to enhance our case management functions through the addition of new managerial and supervisory-level case management staff.

## **Trends**

Overall, admissions to detention grew from 1,662 to 1,798 during the first four months of 2007, an 8% increase, while at the same time, there was a 3% decrease in the number of admissions for girls.

As reported in our Preliminary Fiscal Year 2007 testimony, during the first four months of the fiscal year, the Department's average daily population increased from 415 to 461, an 11% increase. This is attributable to a one-day increase in the court processing time for youth in detention, which rose from 30 to 31, and an increase in police admissions when the family courts were closed.

Lengths of stay for youth in secure detention fell from 17 to 15 days. At the same time, lengths of stay in non-secure detention rose from 31 to 38 days, which was significantly impacted by the time it took to process a youth's case and drove up the agency wide number of processing days, as noted earlier. Conversely, lengths of stay in secure detention may have fallen because adult courts are processing cases faster. More specifically, youth with cases in the Supreme and Criminal Courts had their lengths of stay drop from 24 to 21 days on average during the first four months of the fiscal year.

In response to these changes, on March 5, 2007, the Department implemented a "Days in Detention Report" which is being generated daily for each resident appearing before a Family Court judge to highlight the time a youth has spent in detention. Our expectation is that this strategic measure will have a positive impact on court processing.

## Discharge Planning

The Department remains committed to increasing positive outcomes for youth in detention by strengthening discharge planning, preventing placement of low-risk youth into detention, decreasing lengths of stay, enhancing health and mental health services and bolstering programs for all youth in detention.

The Department releases close to a thousand youth with a discharge plan each year. Of these youth, approximately 300 are identified as having medical issues, approximately 600 are identified as having mental health needs, and the remaining youth are prepared discharge plans for general case management needs such as referrals to substance abuse, LGBTQ-specific and recreational programs.

In particular, the Department is deeply committed to enhancing services for youth with mental health needs, and has made positive strides towards this goal with the launch of the Collaborative Family Initiative (CFI). Consistent with national trends, approximately 68% of admitted youth to detention have been identified with mental health needs and these youth spend more time in detention than youth without identified mental health issues. In fact, these youth spent 68 days on average in detention, as compared with the average of 27 days for the entire 2006 fiscal year.

As discussed recently with the Council, CFI is a discharge planning and community reentry program intended to ensure continuity of mental health care for youth that have a broad spectrum of mental health needs, with a sub-focus on the needs of girls.

CFI begins when a youth with identified mental health needs is referred to the Department's Discharge Planning Unit to plan for appropriate aftercare services once they leave DJJ. Best-practice reentry planning begins while youth are in custody, and families are the primary support and access point for youth to receive the services they need once they return to their communities.

DJJ discharge planners reach out to parents and guardians of youth in detention to explain the program and the benefits of CFI and to refer the family to community-based services to begin the enrollment process. Once consent is received, families are referred to the CBO best suited to their needs. Department staff continue to work with the CBO and families of youth in detention until the youth is released. Upon release, the youth and his/her family continue to receive services from the CBO for a minimum of 90 days.

Some early data on CFI participants:

- To date, 20 youths have been released and are receiving services in their communities.
- Over 60 families and youth are currently engaged in CFI as the Department strives to fill 100 slots.
- Almost half of all releases to the program occurred in the past three weeks as a result of greater volume of enrolled families and the Department's increased presence at resident's scheduled court appearances.
- 1/5 of CFI youth released are female, which is consistent with juvenile justice involved girls having a higher concentration of mental health needs.

- 38% of youth released to CFI were previously housed in Non-Secure Detention.
- In the case of several residents, there was clear evidence that without the intervention of CFI, these youth would have been placed out-of-home in State operated facilities.

Early indication is that CFI, like our continued collaboration with the Administration for Children's Services on its Juvenile Justice Initiative, will likely result in decreases in the lengths of stay for youth in detention involved in these programs. Readmissions to detention are currently at 43% and have continued to decrease since Fiscal 2002. The Department anticipates that our commitment to CFI will help to strengthen our ability to prevent readmits to detention for engaged youth and help to refine discharge and aftercare services that are appropriate, and community-based.

### **Case Management Supervision**

In Fiscal 2008, the Department will continue to strengthen case management. Last fiscal year, the Department utilized more than \$438,000 to support the addition of 13 caseworkers to coordinate the services youth receive in detention, including maintaining contact with families and ensuring compliance with service mandates. For next fiscal year, the Department has been allocated funding to add four case management staff, including three supervisors and one director, to oversee the services these caseworkers have been providing. Our steadfast attention to case management presents an opportunity for the Department to ensure that youth in detention receive attention to all their needs.

### **City Council Funding**

The Department utilized nearly half of the \$1.279 million in funding received last fiscal year from the Committee to roll out the Collaborative Family Initiative. The remaining portion was used to support special programs, such as the \$601,179 in contracts awarded to over 12 community-based organizations to provide a range of services for youth in the Department's care through the end of fiscal year 2007. These programs include arts programs (such as creative writing, theater, poetry and arts workshops), life skills, leadership, sports leadership, conflict resolution and violence prevention programs. In addition, these many offerings include programming especially geared to meet the needs of girls in detention, in keeping with the agency's efforts to increase gender specific programming.

### **Center for Economic Opportunity**

In 2007, the Department began planning for implementation of an educational attainment and workforce development initiative as part of the Center for Economic Opportunity. The goal of this project is to introduce youth in detention to opportunities, skills and resources intended to reconnect them with the educational and workforce mainstream. Studies show that educational achievement and poverty reduction are linked, and our youth are especially vulnerable to the pitfalls associated with lack of education and marketable skills.

In February 2007, the Department conducted focus groups with youth in detention and with formerly detained youth to inform the program design. These discussions confirmed that educational connection, learning about community-based programs and how to access them and learning about educational opportunities were paramount to our youth.

We anticipate that we will partner with community-based organizations to provide services as part of the initiative by fall 2007. The pilot will begin in two of our secure detention facilities, Horizon Juvenile Center in the Bronx, and Crossroads Juvenile Center in Brooklyn. We look forward to discussing this initiative with the Committee as we move forward in the planning process.

## **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. As outlined in our testimony today, we are moving forward into the new fiscal year with a continued focus on discharge planning and a renewed emphasis on case management. 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.