

**City Council Hearing**  
**Juvenile Justice and General Welfare Committees**  
**Testimony by Laurence E. Busching**  
**New York City Administration for Children's Services**  
**September 15, 2010**

Good afternoon Chair Gonzalez, Chair Palma and members of the Juvenile Justice and General Welfare Committees. I am Laurence Busching, Executive Deputy Commissioner for the Division of Youth and Family Justice at the New York City Administration for Children's Services (ACS). Joining me today is Nina Aledort, Assistant Commissioner for Program Services at the Department of Juvenile Justice (DJJ). I would like to thank the committees for providing us with the opportunity to discuss the merger of Children's Services and the Department of Juvenile Justice, and about the services available to youth in detention.

**ACS/DJJ Merger**

As the Council will remember, the merger of ACS and DJJ was announced by Mayor Bloomberg in January 2010. Through this integration, New York City has the unique opportunity to build upon our juvenile justice reform efforts to date and leverage our expertise in both the juvenile justice and child welfare systems to strengthen outcomes for court-involved youth. Our primary goals are to maintain public safety while reducing recidivism, and to provide the best care possible for court-involved youth while helping them to succeed in their education, personal lives and careers. Through the merger, the City also aims to better target the use of detention by developing more family and community-

based interventions aimed at strengthening family relationships and promoting public safety.

Since January, DJJ and ACS have been operating as two separate agencies under the leadership of Commissioner John Mattingly. In July, our administrative operations were integrated in order to build efficiencies and begin development of a more closely-aligned system. In order to continue to build on these efforts, we are asking the City Council to pass legislation that will make DJJ a part of ACS under the City Charter and will integrate the agencies' budgets. Chairs Gonzalez and Palma introduced Intro 195 in April which will do just that and we are eager to see it pass for several reasons.

First, the merger will help us to enhance the care, supervision and services provided to young people in detention, particularly those who are also involved with the child welfare system. More than 60 percent of young people admitted to detention have had some previous contact with ACS. Youth in foster care stay in detention longer on average than youth who are not. By aligning the work of ACS and DJJ, we will be able to better serve these young people by streamlining casework and permanency planning across both systems. And, better addressing the immediate and long-term needs of dual jurisdiction youth will contribute to our public safety and youth development goals.

In addition, there are several administrative reasons behind the merger, including maximizing efficiencies that will help to streamline some of the most basic functions of detention. Examples of this include the purchase of clothing and food for youth in detention, and standard repairs and maintenance of our facilities. The merger will also facilitate our efforts to synthesize the two agencies

administrative policies and procedures. For example, it will help us to further overhaul our disciplinary system so that our process is more standardized, timely, fair and effective. In sum, the merger will help us to make the operations of our detention sites more efficient and will remove unnecessary obstacles to providing high quality of custody and care.

### **Update on Detention Reform**

The integration of DJJ and ACS brought the operational areas of DJJ – namely the secure and non-secure detention (NSD) facilities – into ACS’s newly created Division of Youth and Family Justice. The other central parts of the Division are ACS’s Family Assessment Program, an intervention for families seeking help in managing their children’s behavior, and the Juvenile Justice Initiative, which provides evidence-based treatment for youth found to have committed an act of delinquency. These three program areas represent a continuum of approaches and care for families and communities struggling with youth behavior and success in our less intensive interventions can have an impact on the need for more intensive ones.

In June, ACS announced the release of a strategic plan for the Division. Some of the key objectives of this plan include improving the quality of experience for young people in detention, addressing the needs of youth and families involved in multiple service systems, and increasing information sharing and collaboration with stakeholders.

A key to the success of bringing these program areas together will be the creation of a practice and culture that maximizes opportunities to coordinate our work in supporting struggling youth and their families. Creating that culture and

practice requires significant planning, coordination and information-sharing throughout the Division. To move that effort forward, in late June we held a retreat for Division leaders where we learned more about each others' work, began more fully defining the Division's values, goals and mission, and further developed plans for achieving the objectives of the strategic plan. Several working groups were created to tackle major issues and challenges facing the Division. For example, a workgroup was formed to enhance communication within the Division, both top-down and across operational areas, to ensure that staff have all the information that they need to carry out their job and further our mission. Improved communication was identified as a crucial need as our staff work at many different sites, have different educational and professional backgrounds and networks, and have different means of communication. As an illustration, for line staff at our detention facilities, there is no agency email. So, while examining our communication processes, we decided that the best way for us to communicate with the juvenile counselors in our facilities about the merger and changes occurring in the agency was for me to visit during the roll call sessions at the start of their shifts and to hear their questions and comments.

We also created a workgroup dedicated to strengthening cross-system communication and collaboration to better address the needs of youth and families involved with both the child welfare and juvenile justice systems. This includes encouraging case specific information-sharing for staff working with youth in detention who have child welfare needs. The workgroup is also evaluating potential community-based alternatives to detention and placement specifically geared for youth served by both systems. Child welfare and juvenile justice systems across the country are struggling to better coordinate and plan for dually-involved youth and we are learning from their experiences and building

on our own strengths. Our workgroup brings together leaders in program areas from throughout DJJ and ACS and we are currently in the process of hiring a Director of Juvenile Justice Permanency Planning – a newly created position - who will facilitate these efforts. Our work with the youth and families who are involved in both systems, speaks most directly to the rationale for the merger of ACS and DJJ.

A separate workgroup is currently developing plans to close the Bridges Juvenile Center. The Council will remember that we laid out several strategies that will help us to accomplish this through the City's detention reform action plan released in June titled, "Building on Success: Next Steps in New York City Detention Reform." The workgroup is monitoring and building on these efforts to ensure that once Bridges is closed, we will maintain sufficient capacity to detain youth when our in-care numbers are at their peak. In order to close Bridges at the earliest opportunity, we need to ensure that our two other secure detention facilities, Crossroads and Horizon, are able to function at full capacity when that becomes necessary. At Crossroads, we discovered construction work that needed to be completed before closing Bridges and have moved to accelerate this work so that it can be completed within the next several months. As this work is completed, we will be able to reduce the number of youth in Bridges and then discontinue housing youth there altogether.

We would also like to take this opportunity to update the Council on two exciting new programs currently being launched that permit youth in detention to be assessed and, with judges' approval, moved out of detention to intensive community-based supervision and services. The first, called Way Home, was launched last month by the nonprofit agency, New York Foundling, and serves

families in the Bronx and Manhattan. NY Foundling provides foster care and preventive services and is the agency that operates Blue Sky, which is part of Children's Services' Juvenile Justice Initiative. Families who are identified by the court as eligible for this program first participate in a Family Team Conference in the detention facility in which the youth resides. At the conference, the family and the provider agency collaboratively determine an initial permanency and safety plan. This highly successful family conference model is used throughout Children's Services in child welfare cases. This is the first time that it is being used in a juvenile justice setting in New York City. If the court finds the assessment and plan acceptable, the young person is then released from detention to reside in their home. The family receives an evidence-based service proven to have good results with delinquent youth and their families called, "Brief Strategic Family Therapy." The therapy is provided by Foundling therapists and lasts approximately 12 weeks. Way Home currently has three participants and has capacity to serve 12 families at any given time.

The second new alternative is a detention step-down program to be operated by Boys Town New York that we expect to launch in November 2010. The program will begin in Brooklyn and Queens and will eventually expand city-wide. Boys Town has tremendous expertise on which to draw, as they are currently a provider of non-secure detention and the organization has implemented detention step-down programs in other jurisdictions nationally. The new Boys Town program will target youth who are remanded to non-secure detention by a judge due to a violation of probation conditions or a violation of conditions imposed by another, less intensive alternative-to-detention program. The youth and family will be assessed in a Boys Town NSD facility for program eligibility. If permitted by the court to be enrolled, the young person will then be released

home with therapeutic services provided by Boys Town to the youth and family, as well as a high level of supervision. In their first few weeks in the program, it is expected that the youth will be visited by Boys Town staff on a daily basis. We anticipate the program will enhance public safety, promote youth development and reduce the need for detention.

### **Detention Services and Programs**

As stakeholders, I know that the council members and advocates in the room understand that, despite our efforts to reduce the number of youth placed in detention, there will still be young people who the court determines need to spend time in either secure or non-secure detention. As the agency responsible for overseeing the detention system, it is our responsibility to make sure that we are providing the best and safest care possible to these young people for the time that they are in our custody.

New York City has benefited from strong leadership at DJJ who have ensured that our facilities are managed within their capacity and provide essential services such as accredited education, medical and mental health services, and other programs. Nevertheless, we are continuing to do more to ensure that detention, when needed, is an opportunity for encouraging positive change. Through the integration of the juvenile justice and child welfare systems we are leveraging all of our resources to meet this goal.

This year, we entered into a new contract with Hope Care Medical Counseling Services to provide on-site mental health services to youth in secure and non-secure detention. This contract continues to build on the infrastructure investment made by DJJ in medical, dental, psychiatry and mental health

services over the past five years. The contract is based on the National Commission on Correctional Health Care standards, and improvements to services include face-to-face clinical interviews with all youth who remain in detention after day six and increased coverage at the school for youth in non-secure detention. We also continue to utilize the Massachusetts Youth Screening Instrument which helps detention staff to assess the mental health needs of youth upon admission.

The Floating Hospital continues to provide medical and dental services to residents. Improvements in care include opening a school-based health care provider at the non-secure detention school in the Bronx, which allows for more efficient and less disruptive provision of medical services to the majority of youth in non-secure detention.

When it comes to programs within our facilities, youth in DJJ have the opportunity to experience a wide array of New York City's programs and community organizations. Some highlights from this year include collaboration with Carnegie Hall's musical connections program that allowed youth to work with professional musicians to compose and produce original music, culminating in live performances in secure and non-secure detention. This program is being showcased by Carnegie Hall as an exemplary collaboration between government and art promoting organizations and we look forward to continuing to make this opportunity available to youth in detention in the coming year. The Department also created a program that introduced basic concepts of conservation and green energy to residents, and included presentations from local community organizations and government partners. We continue to identify new opportunities for programs that focus on building connections for youth with

positive community-based programs, increasing youth capacities, and introducing new leisure activities.

In concert with the themes of the merger, DJJ has invested significant resources into bolstering the capacity and focus of case management for youth in detention. In 2010, a number of staff were reassigned from the disbanded Discharge Planning Unit to the case management team. The team continues to work with youth and families to prepare for reentry, including the creation and dissemination of reentry plans that are sent home for youth who are returning to the community after staying in detention for longer than 10 days. Case managers have received training in working with LGBTQ youth, recognizing depression and suicide, on the reentry process and availability of community resources, and on working with families. This year we expect to continue to expand on skills training for staff with an increased focus on care and case planning for young people in detention.

We are fortunate to have an ongoing partnership with the New York City Department of Education (DOE), which operates Passages Academy for all youth in secure and non-secure facilities. ACS and the DOE continue to work together to ensure that, through Passages, young people remanded to detention have access to high quality educational services. Youth now attend school on the first day that they are in detention and are able to accrue credits that transition with them when they return to schools in the community. In the last academic year a larger number of youth were promoted to the 9<sup>th</sup> grade while at Passages, and the school district has made credit accumulation and transition the key focuses of the educational program for the coming year.

We are working with the Advisory Committee of our Resident Advocacy Program (RAP) to enhance the community's role in the oversight, direction-setting and engagement in our facilities. We are encouraging the Committee to strengthen its leadership and membership and to better define their role in advising ACS leadership on conditions in detention. We will also engage community leaders, family members and youth themselves to become more involved in youths' lives while in detention and to support the youth and their family upon the youth's release. These efforts will help us to obtain greater insight about what works and does not work in detention and to build upon the services and care provided in detention.

Within detention, our management team has formed several working groups to focus on some key issues regarding the quality of service delivery to youth in detention and their families, including enhanced programming, classification of youth, behavior management, and orientation for residents and families. In addition to the monthly meetings that are held with the operational staff of the all the non-profits providing non-secure detention services, we are also instituting a quarterly meeting with the executive leadership of the providers to strengthen communication and explore ways to enhance treatment and services for young people in non-secure detention.

We are reviewing the policies, procedures and training curricula used by staff in our detention facilities to align our practice with nationally recognized best practices and are identifying training curricula for direct child care staff that goes beyond mandated safety training and focuses on positive youth development. We are developing a comprehensive LGBTQ policy based on work underway at ACS and OCFS that will include guidelines for care when a young person in

detention identifies as LGBTQ to better support staff in addressing the unique challenges that these young people may face.

We are also evaluating internally, and with the help of national experts, the use of search, restraint and room confinement procedures to ensure that we are providing for the safety of detained youth through the most appropriate and safest methods possible. In our continued effort to ensure the safety of our residents and staff, we have also begun an upgrade to the network of cameras in secure detention. In the coming months, we will increase the placement of cameras in Crossroads and Horizon by 165 cameras, more than doubling the number of cameras in these two sites and enabling us to monitor facilities more thoroughly.

In order to monitor the effectiveness of our efforts to enhance practice throughout detention, we are building upon DJJ's monthly GOALS meetings in which operational managers from all facilities meet to review performance data and discuss specific case issues. We are working to model the GOALS meetings based on the success of ACS's ChildStat initiative and similar agency programs and to increase the opportunities for frontline managers to troubleshoot issues. These sessions allow us to share information across operational areas and to learn from one another's experience. After identifying operational issues within our facilities, facilities managers are tasked with developing remedial plans to address these issues and are supported in carrying out these plans. We invite any council members who are interested in observing a GOALS session to reach out to us to attend a meeting.

## **Conclusion**

I hope that my testimony today has provided a clear picture of the City's commitment to meeting our juvenile justice reform goals. We will continue working with our partner agencies across the City and with all of our stakeholders to strengthen our system's capacity to assess risk and provide appropriate interventions for court-involved youth, to maintain public safety while minimizing system involvement, and to strengthen youth and families through evidence-based, cost-effective alternatives to detention or residential placement where appropriate.

Through the merger of Children's Services and the Department of Juvenile Justice, we have a unique opportunity to leverage existing and new resources and partnerships to assess and, where needed, improve the conditions that youth experience while in detention. We look forward to continuing to work collaboratively to build upon our success in strengthening practice in detention and providing for better outcomes for court-involved youth.

The Council has a critical role to play in this phase of our reform by passing legislation that will formally merge the Department of Juvenile Justice with Children's Services. I would like to thank Chair Gonzalez and Chair Palma for introducing a bill, Intro 195, that will help us to accomplish this. We hope that the Council will consider the progress that has been made and the tremendous amount of work that we have underway, and move swiftly to support our efforts by passing this legislation. We will now take your questions.