



New York City

Department of

Juvenile Justice

**Testimony of Herman L. Dawson, Esq.
General Counsel and Deputy Commissioner for Legal Affairs
New York City Department of Juvenile Justice**

before the

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

**Wednesday, November 14, 2007
1 PM**

**Committee Room
City Hall
New York, NY**

**Oversight: Implementation of DJJ's Anti-Discrimination Policy and the
Impact on Detained LGBTQ Youth.**

TESTIMONY OF THE NEW YORK CITY DEPARTMENT OF JUVENILE JUSTICE
BEFORE THE NEW YORK CITY COUNCIL'S COMMITTEE ON JUVENILE JUSTICE
OVERSIGHT HEARING ON THE IMPLEMENTATION OF DJJ'S ANTI-DISCRIMINATION
POLICY AND THE IMPACT ON DETAINED LGBTQ YOUTH.

November 14, 2007

Good morning Chair Gonzalez and members of the Juvenile Justice Committee. I am Herman Dawson, General Counsel and Deputy Commissioner for Legal Affairs at the Department of Juvenile Justice, and joining me today is Nina Aledort, Assistant Commissioner for Program Services. We appreciate the opportunity to share with you an update on the steps the Department has taken to protect lesbian, gay, bisexual, transgender and questioning (LGBTQ) youth from potential discrimination.

Policy and Staff Training

As you know, the Department added an Anti-Discrimination provision to the Agency Standard of Conduct in 2005 to ensure that staff are held accountable for discriminatory behavior against youth, which includes youth that self-identify or may be perceived as LGBTQ. In addition, the agency implemented a specific Anti-Discrimination of LGBTQ youth policy and procedure, which was promulgated in February 2007. The Anti-Discrimination policy prohibits all forms of harassment and discrimination by residents, employees, contractors, volunteers and visitors. Also, as part of the policy, data collection measures for discriminatory actions against youth and disciplinary

measures for those who violate the provisions of the policy are maintained, to ensure that the Department has a record of discrimination when it arises and works to rectify these situations in a timely fashion. Finally, the policy includes several safeguards and affirms the Department's commitment to ensuring resident safety and dignity, as well as the physical and emotional well being of youth that self-identify as or may be perceived as LGBTQ.

Since our last meeting, the Department's Staff Education and Training Unit began including an overview of the Department's Anti-Discrimination policy on LGBTQ youth, as part of its new employee training. In addition, early last year, Agency Trainers, Case Managers and Discharge Planners attended an LGBTQ workshop at the Queens and Bronx Family Courts followed by several members of the Department's management team in November 2006.

With this additional training, and the policy relating to LGBTQ youth, we believe we are cultivating an environment that is safe and sensitive to the needs of LGBTQ youth.

LGBTQ Services Update

Over the last six months, the Department has strengthened its commitment to LGBTQ youth. The Department recently joined a statewide

working group with the Office of Children and Family Services and advocates on LGTBQ issues. We also required our mental health provider to undergo training in working with LGBTQ youth. In addition, this fiscal year, utilizing City Counsel funding, the Department will begin a series of new training sessions for management staff on LGBTQ issues.

The Department has conducted special workshops led by community-based organizations for girls within the Department's care, as issues relating to sexuality surface regularly in girls' dorms. Boys, on the other hand, are typically less comfortable discussing these issues in a group setting, so they generally work with counseling staff on a one-to-one basis, if appropriate and/or requested. The Department also has a special support dorm for youth that desire a more supportive setting. In special support dorms, the staff to resident ratio is reduced and youth receive special counseling and support for their varied needs.

As part of our discharge planning model, the Department works to ensure that youth with special needs in detention receive referrals to appropriate programs post-detention, including youth who self-identify as LGBTQ. For example, our office of Discharge Planning Services, if and when appropriate, refers LGBTQ youth to community-based providers who specialize or have programming for their needs. Earlier this year, the Department referred a resident who expressed an interest in transitioning to

the HOTT program at the Callen-Lorde Community Health Center; a program well known for services for youth who identify as LGBTQ. In addition, the Department's Collaborative Family Initiative, which is a family-focused community-based mental health program, includes a provider with programming for LGBTQ youth.

Moving forward, the Department looks forward to a continued dialogue with the Council, community organizations, and other stakeholders within the Juvenile Justice System, to ensure that detained youth who identify as LGBTQ continue to be provided with the necessary safeguards and supports while in the Department's care.

I would be pleased to take your questions at this time.