



New York City

Department of

Juvenile Justice

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

before the

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

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**Monday, April 28, 2008  
1 PM**

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

**Oversight: Implementation of DJJ's Release to Parent Initiative**

Good morning Councilmember Sears and members of the Juvenile Justice Committee. I am Herman Dawson, Deputy Commissioner and General Counsel at the Department of Juvenile Justice. Joining me is Nina Aledort, Assistant Commissioner for Program Services and Christopher Fisher, Assistant Commissioner for Strategic Planning. We are pleased to have an opportunity to share with you the progress we've made on our Release to Parent Initiative.

### **The Release to Parent Initiative**

Police admissions to detention increased by 10.2% during the first four months of Fiscal Year 2008, as compared to the same period during Fiscal Year 2007. In response, over the last year, the Department has launched several efforts to divert youth from the system and reconnect them back to their communities and families. However, we remain challenged by the steady stream of youth entering the system on nights, weekends and holidays. Research shows that the longer youth stays in detention, the more likely they are to continue in delinquency or to be placed in a state facility. To divert low risk youth from further involvement with the juvenile justice system, the Department instituted the Release to Parent Initiative.

The Release to Parent Initiative began on October 30<sup>th</sup>, 2007. On that day, the Department began exercising its ability to issue Family Court Appearance Tickets (FCATs) to youth arrested by the police and brought to

detention on nights, weekends and holidays, consistent with the State Office of Children and Family Services regulations and the Family Court Act. Also, the Department met and consulted with the Police Department, the Law Department and other stakeholders in developing the release criterion.

Youth arrested by the police on nights, weekends and holidays are brought to the Bridges Juvenile Center for intake. As part of the Release To Parent initiative, the Bridges intake team 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, a member of the intake team will contact the youth's guardian to arrange for them to pickup their son or daughter from Bridges.

Since October:

- 1,378 youth have been screened for possible release
- 1,122 were screened ineligible for release
- 256 youth were deemed eligible for release
- 31 percent of youth eligible for release were sent home
- All youth released returned for probation intake the next day court was in session

Of the youth eligible, but not released:

- 100 youth were not released because their parent or guardian could not be reached. Analysis of our data shows that it is more difficult to reach parents at night. 75% of these youth were admitted to detention between the hours of 10:00 p.m. and 6:30 a.m.
- 56 youth were not released because their parents or guardians were unwilling to pick them up from Bridges.
- 21 youth were not released because their guardians were unable to pick them up, their guardians did not have proper identification or because they did not want to be released.

The 79 youth released were arrested for various offenses, including theft, criminal mischief, marijuana offenses, and trespassing. They came from all five boroughs:

- 31 (39%) were from the Bronx
- 26 (33%) were from Brooklyn
- 10 (13%) were from Queens
- 9 (11%) were from Manhattan
- 3 (4%) were from Staten Island

### **Next Steps**

The Department is working to incorporate the Risk Assessment Instrument (RAI), created by the Vera Institute for Justice in conjunction with

the Criminal Justice Coordinator's Office and other juvenile justice stakeholders into its release decision-making process. With the incorporation of the RAI, the Department will ensure that the front door of detention mirrors the front doors of the Family Court, which currently has the RAI available to make detention decisions.

The RAI objectively assesses the probability of a youth's not returning to court as directed and the likelihood of his or her engaging in further delinquent activity while released. Accordingly, the RAI, in conjunction with other information, will ensure detention usage is not reduced at the expense of public safety; rather, its utilization will ensure that the Department's intake team objectively assesses youth and their risk to the community. We also expect that the implementation of the RAI into the Department's release decision making process will help to reduce minority contact and their further entrenchment within the juvenile justice system.

Last fall, the Department held several briefings with various stakeholders on the Release to Parent initiative. To date, senior staff have met with assigned panel attorneys, judges, advocates, including the Correctional Association of New York and The Legal Aid Society, and the State Office of Children and Family Services. We have also garnered support in the community. At a forum last November in Brooklyn with religious and community-based providers we

introduced the Release to Parent Initiative and asked for support. We are planning a second forum in the Bronx for this summer.

The Release to Parent initiative is poised to have a significant impact on admissions to detention. By using an evidence-based, objective decision making tool to assess and release youth, we will be helping to ensure that youth detained are truly those for whom detention is the only appropriate option.

### **The Reentry Support Program**

The juvenile justice system and the Family Court process can be complex and intimidating to youth and families. In addition, very little comprehensive information on juvenile justice processing exists, and much of it is steeped in abstract legal concepts. As a result, youth and families can benefit from a post release support program. The Department recently began developing the Reentry Support Program, in partnership with John Jay College to develop tools to help youth and families navigate the juvenile justice system and connect them to community-based resources. This program will ensure that:

- Every youth receives information about the court process and hearings, and what is appropriate behavior and comportment. This would be done through the development of a court guide, and other multi-media outreach materials.

- Every family with a youth in detention will be educated on how to navigate the court process, including expected parental involvement through multi-media, a multi-lingual court guide, and internet tools. The program will also incorporate the development of a universal neighborhood-based resource guide that will give youth and families the names of appropriate recreation, health and educational resources in their communities.

The Reentry Support Program is intended to demystify the Family Court process by developing guides and using multi media resources that use straight forward and easy to understand language. The program also has the potential to bring about more positive outcomes for court involved youth and their families. In fact, other localities have had success with similar initiatives, such as Santa Cruz, California, which experienced a drop in its detention population after implementing an analogous program. During the development of its program, Santa Cruz officials learned that many parents failed to attend court hearings because they didn't know how their involvement affected their child's case. Last year, the Department held focus groups with youth and DJJ direct care team members, which revealed similar attitudes. We thank the Juvenile Justice Committee, through the leadership of Chair Gonzalez, for its support of this new program.

I am happy to take your questions at this time.