

NYSAN

NEW YORK STATE AFTERSCHOOL NETWORK

THE STATE OF YOUTH JUSTICE IN NEW YORK:

*An Overview of the Juvenile Justice System
across the State*

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The New York State Afterschool Network (NYSAN) is a public-private partnership of organizations throughout the state dedicated to increasing the quality and availability of after-school, summer and expanded learning opportunities. NYSAN coordinates state, regional, and local partners around a common agenda focused on systems construction, policy development, and capacity building. The network connects practice with policy across the afterschool, expanded learning, and youth development fields by bringing together stakeholders who include public agency leadership, elected officials, program providers, leaders from the nonprofit sector, members of the philanthropic community, intermediary organizations, capacity building providers, and researchers.

The juvenile justice system in New York State is a complex system that crosses numerous fields and government agencies. There are a huge variety of programs that target justice-involved youth, many of which could benefit from the resources and youth development expertise that the Expanded Learning Opportunities (ELO) field has to offer. Equally, many of these programs can offer valuable experiences and practices to the ELO field itself. Seeking to improve coordination between these two fields, NYSAN has developed this overview of the juvenile justice landscape across the state for the benefit of the ELO field. NYSAN has been encouraging ELO providers to consider ways in which they might work with the juvenile justice system in their area, including joining their Regional Youth Justice Teams.

In order to facilitate a more informed discussion between these fields, NYSAN has compiled information from a wide range of juvenile justice experts. This document offers a general overview of the juvenile justice landscape, including key terminologies, information on changes to the system, and examples of existing programs that bridge ELO and juvenile justice approaches. It will allow ELO providers to more effectively engage with questions about the juvenile justice system and to consider where they might fit into this sphere.

Contents:

System Overview: A basic overview of the juvenile justice system that includes descriptions of commonly used terms, diagrams of how the youth move through the system, and basic information about program types.

Recent Initiatives: An overview of recent efforts to reform the system.

Funding: Details about the funding streams available to juvenile justice programs across the state.

Example Programs: Profiles of model programs already working at the intersection of the ELO and juvenile justice systems.

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This workgroup met over the phone to discuss the project and offer feedback on this overview.

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JUVENILE DETENTION ALTERNATIVES INITIATIVE (JDAI)

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SYSTEM OVERVIEW

WHO ARE THE YOUTH IN THE SYSTEM?

The juvenile justice system in New York State categorizes youth offenses by severity of crime and by age. Age is a particularly complicated factor in New York's criminal justice system, because the age of criminal responsibility –the age that a person can be tried as an adult for a crime – was lowered from 18 to 16 by the Juvenile Offender Act of 1978. As a result, New York remains one of only two states in the nation that is legally obligated to prosecute and incarcerate 16- and 17-year-olds as adults. New York is also legally obligated to prosecute youth age 13, 14, or 15 who commit serious offenses such as violent crimes (called juvenile offenders, see below) as adults. These youth are held in secure facilities until they turn 16, when they can be transferred and incarcerated in adult prisons.

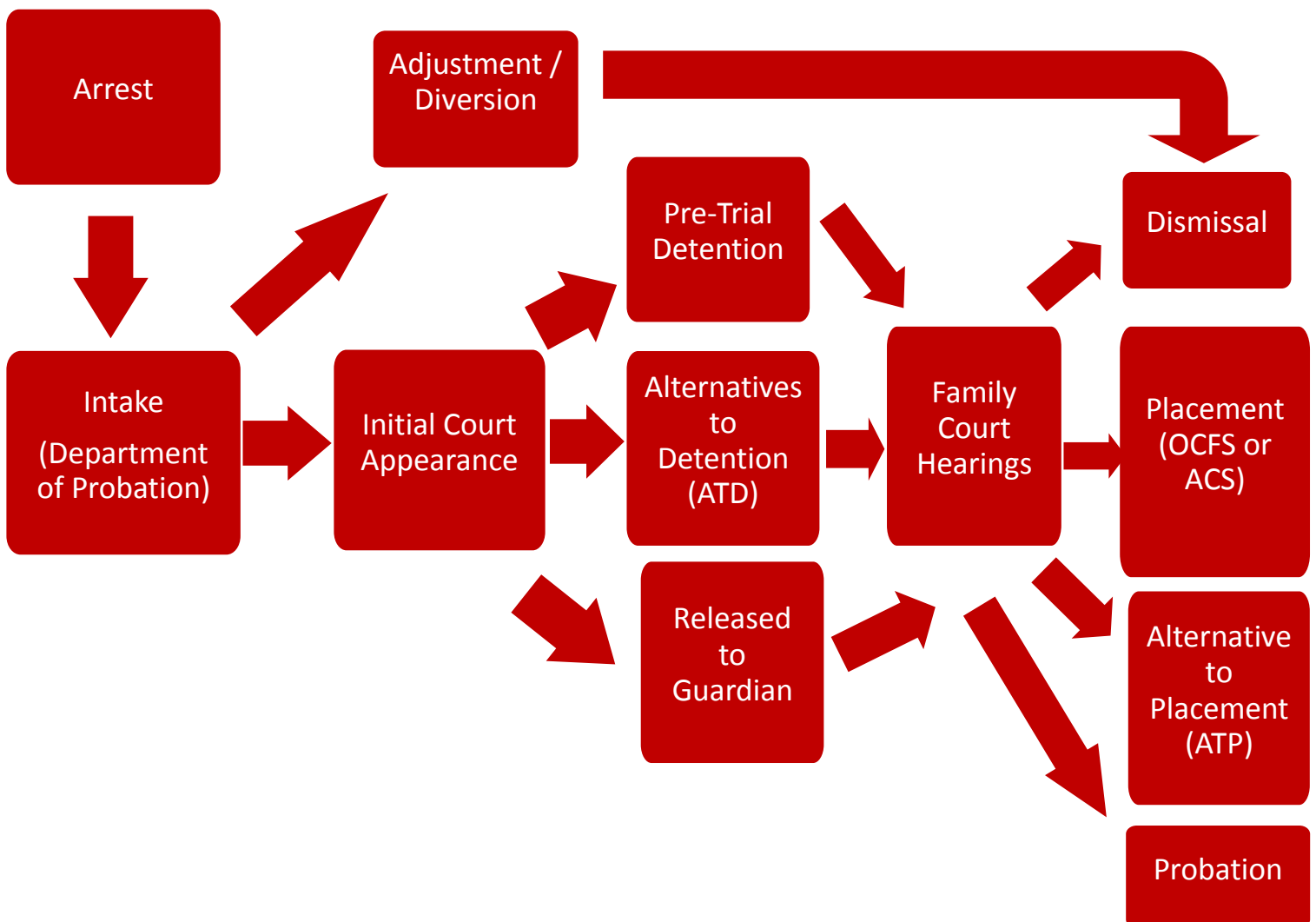
The categories of youth in the system are:

- PINS (Persons In Need of Supervision): A youth under the age of 18 who does not attend school, or who behaves in a way that is considered dangerous or out of control by a parent, guardian, police officer, school, or judge. PINS are generally charged with 'status offenses,' acts classified as violations because of the offender's status as a minor; such acts include truancy, running away, and underage alcohol consumption.
- Juvenile Delinquent: A youth over 7 and under 16 who commits an act that would be a crime if committed by an adult but is not deemed criminally responsible for his/her actions due to infancy. However, he/she will still be held accountable for his/her actions and will go through a court process in Family Court.
- Juvenile Offender: A youth aged 13, 14 or 15 who commits a serious crime and is assumed to be criminally responsible due to the serious nature of the offense. Juvenile Offenders are processed through the criminal court.
- Youthful Offender: Any youth who is convicted as a Juvenile Offender or is convicted of a crime committed between the ages of 16 and 18 may be eligible for consideration as a Youthful Offender. The court may grant a 'youthful offender finding' in substitution for a criminal conviction, thus reducing the sentence and sealing the criminal record.

THE COURT PROCESS FOR SYSTEM-INVOLVED YOUTH

The arrest and intake process for a youth depends on which of the above categories they fall under. Juvenile delinquents are processed through Family Court whereas juvenile offenders and youth aged 16 and over are processed through the Criminal and Supreme Court. The Family Court process is referred to as **adjudication**.

Family Court Process:



Arrest

If the youth is an alleged juvenile delinquent, the police can exercise discretion over whether to release him/her to a parent, release him/her with a ticket to appear in Family Court, or take him/her to the county's local Department of Probation for intake.

Intake

At intake, an intake officer, who works for the Department of Probation, interviews the young person about the alleged crime, school attendance, and living situation. The intake officer also interviews the arresting officer, the complainant/victim, and the parents or caregiver of the young person.

The intake officer then administers a Risk Assessment Instrument, either the RAI or DRAI (see section on detention reform below) to determine whether to recommend admitting the youth to a detention facility, enrolling him/her in an Alternative-to-Detention programs (ATD), or simply releasing him/her with mandatory check-ins until the Family Court date. Alternatively, the intake officer can decide to adjust the case and divert it from Family Court entirely, recommending instead a community-based program or similar community intervention.

Initial Court Appearance

Before this appearance the youth will be assigned a lawyer if he/she does not already have one. The youth submits either an admission or denial of responsibility (the equivalent of pleading guilty or not guilty) and the judge decides whether to detain or release him/her while the case is pending.

Fact-Finding Hearing

Lawyers present evidence and the judge decides whether the youth committed the act he/she is charged with.

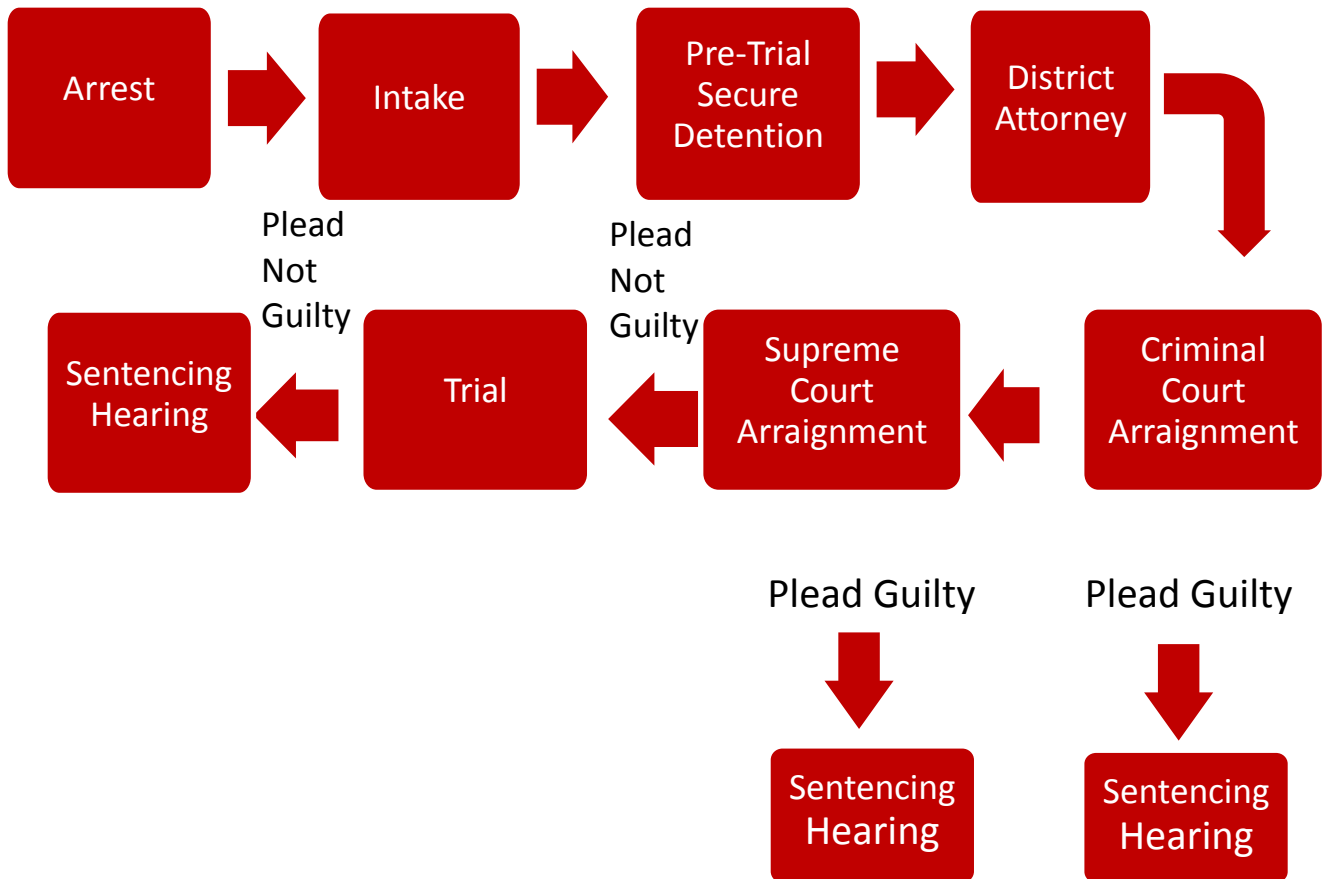
Dispositional Hearing

The judge determines the disposition, which is the equivalent of the sentence, for the youth. Options include: Probation or supervision, Alternative to Placement (ATP), placement in an OCFS facility (or, in New York City, an ACS facility), or release with no conditions (See below for more information on the range of dispositional options).

Dismissal

If at any point during the proceedings the youth is determined not responsible for the acts of which they are accused then the case will be dismissed.

Criminal Court Process:



Intake

If the youth is an alleged juvenile offender or if he/she is 16 or older then he/she is prosecuted as an adult in New York. After arrest, the youth is brought in for intake and processing, and may be admitted to detention to await the case, or the case may be eligible for adjustment. If the case proceeds, it is filed with the Criminal Court rather than the Family Court (although in some cases the Family Court process can be used rather than Criminal Court for juvenile offenders).

Criminal Court Arraignment

The youth enters his/her plea of guilty or not guilty. If the youth pleads not guilty the case is transferred to a grand jury who decides if there is sufficient evidence to put the youth on trial. If the grand jury finds sufficient evidence, they vote for an indictment and the youth is then transferred to Supreme Court.

Supreme Court Arraignment and Trial

The youth undergoes another arraignment at the Supreme Court, followed by a trial, which determines his/her guilt.

Sentencing Hearing

The judge determines the sentence for the youth. It is at this point that the court may grant a “youthful offender” finding.

Dismissal

As with Family Court, if at any point the youth is found not guilty of the crime for which he/she is accused then the case will be dismissed.

Resources:

- For a more complete description of both the Family and Criminal Court system see: <http://www.nycrimecommission.org/pdfs/GuideToJuvenileJusticeInNYC.pdf>
- For a visual illustration of the Family Court process see: http://www.courtinnovation.org/sites/default/files/comic_book.pdf

PROGRAMS FOR SYSTEM-INVOLVED YOUTH

Detention

Detention in the juvenile justice field refers to housing youth in a custodial facility while their case is open. Under New York's new policies regarding detention, detention should typically be reserved for youth who are deemed to be at a high risk of failing to appear at court or of reoffending before their court appearance. Risk in New York City is determined using a Risk Assessment Instrument (RAI), developed in conjunction with the Vera Institute of Justice. The rest of the state began using a similar Detention Risk Assessment Instrument (DRAI) in July 2013. Low-risk youth are usually released back into the custody of their family or guardian while mid-risk youth are often referred to alternative to detention (ATD) programs.

Alternatives to Detention (ATD)

ATD programs are designed for youth who are at mid-risk of reoffending before their court appearance or of failing to appear at court. There are a wide variety of ATD programs, but the focus is on allowing youth to remain in their communities instead of being held in a detention facility while they await their court appearances.

See the section on Detention Reform for some examples of the variety of ATD programs currently in operation.

Placement

Placement refers to facilities that youth are sent to after they are adjudicated responsible (meaning, after the court officially charges them for wrongdoing). These facilities are generally run by the Office of Children and Family Services (OCFS). However, under the Close to Home initiative, New York City is assuming responsibility for non-secure and limited secure facilities for New York City residents through the Administration for Children's Services (see below). These facilities are categorized in three ways:

Non-Secure facilities provide for youth adjudicated as **juvenile delinquents**.

Limited Secure facilities provide a more secure setting for youth adjudicated as **juvenile delinquents or youthful offenders**; they may also be used for youth previously placed in secure facilities as the first step in transitioning back to the community.

Secure facilities provide the most controlled and restrictive facilities for **juvenile delinquents, juvenile offenders or youthful offenders**.

The complete list of OCFS placement facilities is below:

Secure Facilities:

Brookwood (Columbia County)
Columbia (Columbia County)
Goshen (Orange County)
MacCormick (Tompkins County)

Limited-Secure Facilities:

Industry (Monroe County)
Finger Lakes (Tompkins County)
Taberg (Oneida County)
Highland (Ulster County)

Non-Secure Facilities:

Staten Island (Richmond County)
Bronx (Bronx County)
Brooklyn (Kings County)
Brentwood (Suffolk County)
Lansing (Tompkins County)
Middletown (Orange County)
Red Hook (Dutchess County)

Alternatives to Placement (ATP)

These programs allow youth adjudicated responsible to remain in their communities, under supervision, during their sentence. They were developed to address the negative effects on youth of traditional placement and the excessive costs of maintaining OCFS facilities.

These programs focus on addressing the underlying issues that brought the youth into contact with the justice system--such as substance abuse, mental illness, and/or family dynamics.

ATPs are often run in conjunction with the Department of Probation and the youth enrolled also receive normal probation services.

See the section on Placement Reform for some examples of ATP programs.

Probation

Rather than sending a youth adjudicated responsible into placement, a judge may opt to place them on probation. During probation the youth lives at home but is assigned a probation officer who works with him/her to ensure that he/she can return successfully to the community and avoid re-arrest. Probation services are often coordinated with an ATP program.

Aftercare

Aftercare is programming provided to youths discharged from placement to facilitate their successful reentry back into the community. Its purpose is to provide targeted services for specific needs that the youth may have, including healthcare, mental healthcare, academic tutoring and linking the student back to an appropriate school.

The youth's custodian, either OCFS or the Local Department of Social Services, generally provides aftercare. Aftercare planning should generally begin on the first day of placement with home assessments, family visits, and pre-registration for school once the youth is released. The varying levels of aftercare depends on the level of supervision needed; the most secure level of aftercare includes a 30 day period of electronic monitoring to enforce curfew, while the most basic level consists of meetings once a week and check-ins about school, a job if applicable, medical appointments and curfew.

Many of the more recent ATP programs, especially those under Close to Home (see recent initiatives below), also include an aftercare component. Such programs are aimed at helping youth to transition safely back into their community, and work to connect youth with community programs that can serve their needs.

School Re-entry

As of 2000, as part of the Safe Schools Against Violence in Education (SAVE) legislation, the court processing the youth is required to provide notification of the adjudication to the Designated Educational Official (DEO) for that youth's school. The DEO position is determined by the school district. There may be an individual DEO for each school or only one for the entire district.

The information provided to the DEO may only be used to aid with the execution of the youth's educational plan, school adjustment and re-entry, and coordination of the student's participation in community programs. It is not included on the youth's permanent school record and is destroyed when the youth is no longer enrolled in that school district.

Restorative Justice and Youth Courts

The principle of restorative justice is to have a young person confront the impact of their misconduct and take positive action to make recompense to the community. Examples of programs that use a restorative justice model are peer circles, mediation groups, and youth courts.

Restorative justice programs often serve as diversionary programs that prevent youth from having to go through a family court process. They provide an alternative sentencing method for justice-involved youth who have committed less serious crimes.

Youth Courts

Youth Courts are programs based on a restorative justice model where youth confront the impact of their crimes before a court of their own peers. The youth court trains youth to act as jurors, judges and attorneys in order to handle real-life cases involving their peers. In many cases, rather than using the terms prosecutor and defense lawyer the youth court utilizes the terms community advocate and youth advocate instead.

The formats of individual youth courts may vary, but they typically handle low level offences such as vandalism, fare evasion, truancy, and minor assault. Youth courts aim to have young people to take responsibility for their actions and repay the community. To this end youth courts utilize sanctions such as community service or writing letters of apology. Many youth courts also seek to link youth with needed services such as tutoring, mentoring, or anger management classes.

In 2010 the Center for Court Innovation (CCI) produced a report with best practice recommendations for youth courts. The report also contains an appendix with data taken from youth court programs across the state. See the CCI report here:

http://www.courtinnovation.org/sites/default/files/Youth_Court_Manual1.pdf

For an example of a youth court program, please see the section on “Example Programs” at the end of the document.

Resources:

- For a juvenile justice continuum of services database see: <http://www.nysjjag.org/JJContinuumWeb/JJContinuum.jsp>
- Department of Criminal Justice Services (DCJS) 2011 annual report on the state of the juvenile justice system; contains statistics on juvenile justice in New York State: <http://ocfs.ny.gov/main/rehab/OJRP%20DATA%20Presentation%2005-15-2012.pdf>
- For a snapshot of Juvenile Justice statistics in the state from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) see: http://www.school-justicesummit.org/resources/data/ny_ojjdp.pdf
- For a directory of OCFS run detention facilities in the state see: <http://ocfs.ny.gov/main/publications/Pub1160%20Facility%20Directory%20of%20Juvenile%20Detention%20Facilities.pdf>

- For a database containing juvenile justice model best practices:
<http://www.ojdp.gov/mpg/Default.aspx>
- CCI Recommended Practices for Youth Courts:
http://www.courtinnovation.org/sites/default/files/Youth_Court_Manual1.pdf
- For more information about youth courts across the state see the Association of New York State Youth Courts website at see: <http://nysyouthcourts.org/>

RECENT INITIATIVES

The Juvenile Justice Advisory Committee (JJAG)

JJAG is a board of juvenile justice experts from across New York State that works in conjunction with the Division of Criminal Justice Services (DCJS) to administer New York's juvenile justice and delinquency prevention plan. They also administer federal funding from Title II formula grants and Title V Incentive grants (see below) in conjunction with DCJS via an RFP process.

JJAG created a Strategic Planning Action Committee (SPAC) to work on juvenile justice issues across the state. SPAC is a group of staff from the Governor's Office, DCJS, and OCFS, initially facilitated by non-profit consulting group FSG. They are working to implement reforms to the juvenile justice system in order to accomplish their four goals:

1. Assure Quality System Governance, Accountability and Coordination - Create and support structures at the state and local level that ensure coordination and accountability for achieving system goals;
2. Implement an Effective Continuum of Services Based on Best Practices - Effectively assess, serve and treat youth in evidence-informed and appropriate services close to their homes, fostering family and community engagement and positive outcomes for youth;
3. Collect and Share Data to Make Information-Driven Decisions and Policy - Share and analyze qualitative and quantitative data to guide service provision, decision making, and system-level reform and policy; and
4. Accountability of System and Organizations Within the System.

To this end, SPAC has worked to create a series of Regional Youth Justice Teams and also to create a database of programs working in Juvenile Justice.

The Regional Youth Justice Teams

These teams will act as a liaison between regional and state policy makers and will provide a venue for local communities and city, county, and state agencies to engage in communication and planning around juvenile justice issues. Each of NYSAN's Regional Networks has provided a contact to discuss local involvement. There are currently Regional Youth Justice Teams for all economic development regions of the state except the Mohawk Valley and the Southern Tier.

Juvenile Justice Services Database

As part of their work, SPAC has created a juvenile justice services database. This database contains information on programs across the state, collected via survey. The database has a variety of search filters, including geographical and demographic, that can be used to find

specific programs. Programs that work with youth anywhere on the spectrum between arrest and aftercare/reentry are included as well as programs that strictly focus on prevention.

The database can be found at: <http://www.nysjjag.org/JJContinuumWeb/JJContinuum.jsp>

Detention Reform

In recent years there have been significant reforms to detention services, with an increased emphasis on referring youth to alternative services. The recidivism rates of youth entering detention are high – in 2009, studies showed that 49.4% of youth in detention were readmitted – and there is significant evidence that detention disproportionately affects youth of color from low-income neighborhoods. In 2008, 95% of youth entering detention in New York were Black or Latino.

To address these issues, various reforms have been implemented to increase the use of ATD programs. The Vera Institute of Justice's Center on Youth Justice has been working to provide alternative detention services in New York City, while, more recently, the Juvenile Detention Alternatives Initiative (JDAI) has been authorized to run pilot programs in six counties across the state (Nassau, Orange, Albany, Onondaga, Monroe, and Erie).

The Vera Institute of Justice- Center on Youth Justice (CYJ)

The work of the CYJ in New York City has been twofold. First, they worked with government officials to create and implement a Risk Assessment Instrument (RAI), which is used to determine the eligibility of youth for ATD services. Second, they worked to create a continuum of community-based alternatives to detention for youth who do not pose a high risk of failing to appear at court or reoffending before their court appearance.

Risk Assessment Instrument (RAI)

The Vera Institute's RAI was created using empirical studies to determine what factors most contributed to a high risk of reoffending. It categorizes youth as high, medium, or low risk. Low-risk youth are usually released with no supervision, medium-risk youth are released into alternative to detention programs, and high-risk youth are recommended for detention.

Continuum of Alternative to Detention Services

The alternative-to-detention services recommended for implementation in New York City by the Vera Institute are divided into three levels of varying supervision:

- Community Monitoring – Provided by nonprofits: Involves curfew checks and phone check-ins. Youth can only remain in community monitoring for 60 days.

- After-School Supervision – Provided by nonprofits: Site-based from 3pm to 7pm. Provides tutoring, recreation and community-service centers serving each of the 5 boroughs. Youth can only remain in the program for 60 days. After-School Supervision may be provided by the same nonprofit as community monitoring. Youth can be stepped down from After-School Supervision into Community Monitoring, allowing them to remain in the system for 120 days. The After-School Supervision Providers are:
 - BronxConnect- Bronx
 - Center for Alternative Placement Sentencing and Employment Services- Manhattan
 - Center for Community Alternatives-Brooklyn
 - Center for Court Innovation- Queens and Staten Island
- Intensive Community Monitoring – Provided by the New York City Department of Probation. Probation officer provides frequent check-ins.

Juvenile Detention Alternatives Initiative (JDAI)

A partnership between the Annie E. Casey Foundation and local and state governments, the Juvenile Detention Alternatives Initiative was launched in 1992 and focuses on juvenile detention as an entry point for reform, aiming to reduce overreliance on secure detention and incarceration for youth.

JDAI promotes changes that:

- Reduce reliance on secure confinement;
- Reduce racial bias in confinement; and
- Increase fiscal efficiency and decrease overall system costs.

In July 2012, Governor Cuomo authorized pilot JDAI programs in six counties in New York: Nassau, Orange, Albany, Onondaga, Monroe, and Erie.

These pilot sites will complete additional training and conduct site assessments and interviews with the Annie E. Casey Foundation. These interviews will be carried out with a wide variety of community, government, judicial and education stakeholders in each county.

The JDAI has produced its own Risk Assessment Instrument called the Detention Risk Assessment Instrument (DRAI). New York State began to use the DRAI in July 2013, although New York City will continue to use the Vera RAI. The use of the DRAI aims to reduce disproportionate minority contact (the disproportionate number of minority youth who come into contact with the juvenile justice system from arrest/intake to confinement) through standardizing how youth are processed and how their risk is determined.

Placement Reform in New York City

Close to Home

Close to Home is a juvenile justice reform implemented through the 2012-2013 State Budget, and is designed to help keep youth from New York City system closer to their home communities while they are under the care and supervision of the juvenile justice system. A collaborative effort between New York City and New York State, Close to Home ensures more appropriate placements for youth who come from New York City in an effort to increase efficiency and effectiveness and reduce costs.

Under this initiative, New York City youth currently placed in OCFS limited-secure and non-secure facilities are being moved to voluntary agencies overseen by the Administration for Children's Services (ACS), which will handle educational, mental health, substance abuse, and other service needs. When fully implemented, the initiative will require juvenile delinquent youths from New York City, whom the Family Court has determined need placement in other than secure settings, to be placed with the New York City ACS.

The initiative started with youth in non-secure settings in the fall of 2012, and will move to youth in limited secure-settings in 2013.

The initiative does not impact any youth placed in the State's secure facilities. Additionally, after the initiative is fully implemented, OCFS will continue to maintain non-secure and limited secure facilities for youth who are from the rest of New York State and in need of those levels of care.

Close to Home will:

- Allow youth to be closer to their communities and families during a mandated placement, which makes the transition process after placement easier, while holding young people more accountable, and reducing recidivism significantly.
- Reduce costs, as the average Alternative to Placement (ATP) program costs \$20,000 per youth per year, while it costs about \$260,000 to house a youth in an OCFS facility.
- Reduce the size of OCFS, as control over non-secure and limited-secure placements for New York City youth is given to ACS, which is run by the City.

In March 2013 the Legislature rejected a proposal by Governor Andrew Cuomo to implement Close to Home across the rest of the state.

Juvenile Justice Realignment

In order to facilitate the Close to Home Initiative, the New York City Department of Probation and the Administration for Children's services have been undergoing a process of realignment that aims to create a continuum of probation and ATP services in the city.

Probation services will be divided into three levels:

1. Probation Level 1: One meeting per month for first six months and referral to needed services. Also two collateral meetings or phone calls per quarter.
2. Probations Level 2: Two meetings per month for the first six months and referral to needed services. Also six additional meetings per quarter (phone calls or field visits). At least one Home visit.
3. Probation Level 3: Begins with six personal and eight collateral contacts per month, with the potential to gradually decrease contact levels over time.

In addition there will be three new ATP programs as well as the previously existing Juvenile Justice Initiative (JJI) program.

These programs are:

- Juvenile Justice Initiative (JJI) - in-home therapeutic programming for youth.
- Pathways to Excellence, Achievement and Knowledge (PEAK) - day and/or evening programming for youth who have become disconnected from school as well as services corresponding to the appropriate level of Probation. PEAK is currently running in two schools; one in Brooklyn and one in the Bronx.
- Advocate Intervene Mentor (AIM) - provides participants with an advocate who offers structure and guidance and will work to connect youth with community resources.
- Every Child Has an Opportunity to Excel and Succeed (ECHOES) - uses a life coaching model to create a positive relationship between the youth and an adult to increase social and emotional competencies.

For more information on these programs see page 29 of this document:

http://www.nyc.gov/html/acs/downloads/pdf/cth_NSP_Plan_final.pdf.

Age of Criminal Responsibility

Raise the Age Campaign

Raise the Age is a campaign run by several advocacy organization in New York including the Correctional Association and the Center for Community Alternatives.

The goal of the campaign is for the age of criminal responsibility in New York to be raised to 18, in keeping with the rest of the country (barring North Carolina).

More information can be found on their website: <http://raisetheageny.com/>

Adolescent Diversion Program

The Adolescent Diversion Program is initiative started by Chief Judge Jonathan Lippman and the Center for Court Innovation. It began in 9 pilot counties across New York in January 2012.

The program created an array of dispositional alternatives for judges dealing with the cases of 16 and 17 year old adolescents in criminal court. The program aims to provide age-appropriate services for these youth. By co-operating with the program and its rehabilitative services, youth who opt-in can receive a sentence with no jail-time. Youth receive an Adjournment in Contemplation of Dismissal (ACD); this means that after six months if they comply with the conditions set by the judge the record of their crime will be sealed.

The program has had some success in lowering the re-arrest rate amongst those who had committed felonies in the pilot counties.

School-Justice Partnerships

The New York State Permanent Judicial Commission on Justice for Children has led a number of projects focusing on school-justice partnerships.

New York City School-Justice Partnership Task Force: Keeping Kids in School and Out of Court

The taskforce focused on the negative impact of exclusionary school discipline policies. Recent research from Texas, Cincinnati, and Chicago has shown that students who are suspended are less likely to graduate and more likely to face involvement in the juvenile or criminal justice systems. Moreover, the use of arrests by New York City school safety officers put more than 880 students directly into the juvenile or adult justice system between July 2011 and June 2012, typically for minor offenses.

The task force aimed to promote emerging strategies to reduce the number of children entering the New York City justice system through exclusionary school discipline approaches. The taskforce was chaired by former Chief Judge of the State of New York and Chair of the Commission, Judith Kaye and co-sponsored by the Commission, Skadden Arps, and Advocates for Children of New York (AFC).

The task force produced a report and recommendations that considered policies and practices that promote safe, respectful and supportive learning environments; reserve the use of punitive measures – including school suspension and mandatory arrest – for the most egregious cases; and address the substantial over-representation of students receiving special education services and children of color in exclusionary school discipline practices.

For the full report see: <http://www.nycourts.gov/ip/justiceforchildren/PDF/NYC-School-JusticeTaskForceReportAndRecommendations.pdf>.

National Summit on School-Justice Partnerships

Judge Kaye also convened a national summit for top state justice and education officials and their partners to promote practices and policies that could help children succeed in school and reduce the number of children involved in the juvenile and adult court systems.

The summit was held March 11-13, 2012, in New York City. The reports and materials presented at the summit can be found at: <http://www.school-justicesummit.org/>

New York State Summit

Following the national summit, the Commission hosted a New York State Summit. This summit took place at Hofstra Law School. More information about the summit is available on their website: <http://law.hofstra.edu/news/events/events/2013/04/nyssummit.html>

Regional Summits

There will be a number of school-justice summits held across the state, in the coming months, Participation in these summits is by invitation only. If you are interested in attending please contact Nora Niedzielski-Eichner at neichner@nysan.org for information on who to contact.

Oct 18: New York City

Nov 22: Long Island

December 11: Mid-Hudson

April TBD: Buffalo

April TBD: Syracuse

School Discipline

In addition to the work of the Permanent Judicial Commission on Justice for Children, conversations about the connection between school discipline policies and youth's likelihood of juvenile justice or criminal justice system involvement are taking place around school safety, socio-emotional learning, Positive Behavior Interventions and Supports (PBIS), and chronic absence reduction campaigns.

Buffalo Public Schools Code of Conduct

Following public pressure after a student death from a drive-by-shooting while he was out of school on suspension, the school board of Buffalo Public Schools implemented an updated Code of Conduct on April 23, 2013 that drastically limited the use of suspensions from school for minor offenses. This new initiative is aimed at keeping students safe and in school, and replacing suspension when possible with a system of intentional interventions for behavior infractions. The changes were sought by a coalition including the Advancement Project, the Alliance for Quality Education and Citizens Action of Western New York.

For the full Buffalo Public Schools Code of Conduct 2013-14, see:

<http://www.buffaloschools.org/files/filesystem/Code%20of%20Conduct%204.18.13.pdf>.

Resources

- For a Juvenile Justice continuum of services database see:
<http://www.nysjjag.org/JJContinuumWeb/JJContinuum.jsp>

Detention Reform

- For more information about detention reform initiatives see:
http://www.correctionalassociation.org/wp-content/uploads/2012/05/CAnews_winter2010w.pdf
- For detailed information on reforms by the Vera Institute of Justice see: Jennifer Fratello, Annie Salsich, Sara Mogulescu. April 2011. *Juvenile Detention Reform in New York City Measuring Risk Through Research*: <http://www.vera.org/pubs/juvenile-detention-reform-new-york-city-measuring-risk-through-research-0>

Placement Reform

- For an FAQ on the Close to Home Initiative see:
http://www.ocfs.state.ny.us/main/rehab/close_to_home/faqs.asp
- For more information on ACS plans for Close to Home see:
http://www.nyc.gov/html/acs/downloads/pdf/cth_NSP_Plan_final.pdf
- For more information on Adolescent Diversion Programs see:
http://www.courtinnovation.org/sites/default/files/documents/ADP_FINAL.pdf
- For ATP and other programs in New York City see the Department of Probation website:
<http://www.nyc.gov/html/prob/html/family/family.shtml> and
http://www.nyc.gov/html/prob/html/young_men/young_men.shtml

Age of Criminal Responsibility

- For more on the Raise the Age Campaign see: <http://raisetheagency.com/>

School-Justice Partnerships

- Keeping Kids in School and Out of Court, full report:
<http://www.nycourts.gov/ip/justiceforchildren/PDF/NYC-School-JusticeTaskForceReportAndRecommendations.pdf>
- The Alliance for Quality Education, Solutions Not Suspensions Campaign:
<http://www.ageny.org/solutions-not-suspensions/>.

- Advancement Project, Ending the Schoolhouse to Jailhouse Trace Campaign: <http://safequalityschools.org/>.
- Citizen Action of Western New York: <http://citizenactionny.org/category/regions/western-new-york>.
- The Public Interest Projects: Just and Fair Schools Fund: <http://www.publicinterestprojects.org/funds-projects/partner-and-collaborative-funds/just-and-fair-schools-fund/>.
- For information on the New York State Summit: <http://law.hofstra.edu/news/events/events/2013/04/nyssummit.html>
- For a website with a collection of materials and reports from the National School-Justice Partnerships Summit see: <http://www.school-justicesummit.org/>

FUNDING

Supervision and Treatment Services for Juveniles Program (STSJP)

This is a state program that funds local services for at-risk youth, juvenile delinquents, PINS, and juvenile offenders, in order to divert them from detention or residential placement.

Services that may be reimbursed using this fund include but are not limited to those that:

- provide or facilitate support for youth with mental health disorders, substance abuse problems, or learning disorders that place the youth at-risk for detention or residential placement, or return to detention or residential placement;
- provide temporary respite care;
- provide family therapy or support, or explore alternative housing options for youth who are at risk of detention or residential placement due to the absence of an available home;
- provide post-release support to a youth in the community; and
- reduce arrest rates or recidivism.

\$8,376,000 in funds was made available for FY 2013-14

- \$7,876,000 to counties for supervision and treatment services; and
- Remaining \$500,000 to the JDAI.

Counties are eligible to receive 62% State reimbursement for STSJP expenditures up to their capped STSJP disbursement amount, net of any available federal funding. They will receive 49% State reimbursement of their eligible detention services expenditures up to their capped detention services distribution amount.

Office of Juvenile Justice and Delinquency Prevention (OJJDP) Title II Formula Grants Program

Title II formula grants are federally-funded grants that support state and local projects for the development of more effective programming in the area of juvenile delinquency and programs to improve the juvenile justice system.

Priority is given to programs involved in: alternatives to detention, compliance monitoring and deinstitutionalization of status offenders, disproportionate minority contact, jail removal, and separation of juveniles from adult inmates.

In FY2012 New York State received \$1,131,798 in Title II Formula Grants.

Title II funds were most recently used for a **Juvenile Justice Reentry Consortium Technical Assistance RFP**. See: <http://www.criminaljustice.ny.gov/ofpa/pdfdocs/2013-juvenile-reentry-rfp-final.pdf>

This RFP is part of collaboration between DCJS and the Juvenile Justice Advisory Group (JJAG) that seeks to increase the effectiveness of the juvenile justice system. The goal is to create a

Juvenile Reentry Consortium to tackle problems facing youth as they return to their communities post-adjudication. To this end, DCJS is providing funding for a technical assistant to coordinate counties and work towards the creation of the Juvenile Reentry Consortium.

Title V Incentive Grants Program for Local Delinquency Prevention

More commonly known as the **Community Prevention Grants Program**, this is the only OJJDP program dedicated solely to prevention. Grants are administered to localities (unit of local government but not counties) via a competitive RFP process, with applications reviewed by JJAG.

Localities must utilize a research-based framework to determine their own priority areas based on risk factors and protective programs. The grantee must match 50% of the federal funding they receive.

New RFP's will be issued when DCJS has determined that more funds are available than necessary to refund existing Title V grant programs.

Resources

- Check here for new DCJS RFPs: <http://www.criminaljustice.ny.gov/ofpa/newrfp.html>
- Check here for information on any OJJDP funding opportunities: <http://www.ojjdp.gov/funding/fundinglist.asp>

EXAMPLE PROGRAMS

Below are some examples of programs that are already doing work in the juvenile justice field that have youth development components and/or a structure related to ELO programs.

Brookhaven Youth Court		
<p>Program Overview</p> <p><u>Program Type</u></p> <ul style="list-style-type: none"> Brookhaven Youth Court is a diversionary youth court program. <p><u>Youth Served</u></p> <ul style="list-style-type: none"> The youth court hears cases from youth who are under the age of 16. Youth are first time offenders who have committed a misdemeanor. The youth court itself is operated by youth volunteers from high-schools across Brookhaven. <p><u>Program Details</u></p> <ul style="list-style-type: none"> Youth are diverted to the program, during intake, by the Suffolk County Probation Department. The court is for sentencing only, and so youth must admit guilt to be eligible for the program. Typical cases include shoplifting, criminal mischief, vandalism, and other misdemeanor offenses. 	<p>Program Overview (con'd)</p> <ul style="list-style-type: none"> Typical sentences include up to a maximum of 35 hours of community service, letters of apology, written essays, counseling with the Youth Court social worker, and jail tours of the Riverhead County Jail. Sentences also require that youth sit on the youth court jury at least once, and attend a one-time peer discussion group with a social worker. High-school students serve on the youth court as judge, jury, prosecutors, defense attorneys, and clerks. Before serving with the court, youth receive a 12 week training program, which covers a wide array of topics including operations of youth court, penal law, and sentencing issues. Training concludes with mock hearings to prepare youth for participation in court proceedings. Youth Court also has a Youth Board, consisting of long-term participants, who meet around four times a year. 	<p>Outcomes</p> <ul style="list-style-type: none"> The youth court provides participants with experience of the legal system. Youth also become familiar with the court system and learn about career opportunities in the criminal justice field. Offenders learn about career opportunities through the community services they perform. <p>Partners</p> <ul style="list-style-type: none"> The Youth Court is run in partnership with the Brookhaven Youth Bureau and the Boys & Girls Club of the Bellport area. The Youth Court receives referrals from the Suffolk County Probation Department. Youth who live in the Bellport area are often referred to the Boys & Girls Club for community service. Some youth may elect to continue attending Boys & Girls Club programming after their sentence is completed.
<p>Funding: The majority of the program is currently funded by the Bellport Boys and Girls Club with operating revenue coming from government funding, grants, fundraising, investment income, etc. The Town of Brookhaven Youth Bureau also provides approximately one third of the program’s funding.</p>		

Carnegie Hall – Musical Connections (New York City, NY)

<p>Program Overview:</p> <p><u>Program Type</u></p> <ul style="list-style-type: none"> Musical Connections is run through the Weill Music Institute. The program offers songwriting and compositional workshops to youth involved in the Juvenile Justice System. Musical Connections also runs similar programs, as well as standalone concerts, in adult correctional facilities and healthcare settings. <p><u>Youth Served</u></p> <ul style="list-style-type: none"> Musical Connections works with youth in secure detention and non-secure placement facilities, and has recently begun working with youth on probation. <p><u>Program Details</u></p> <ul style="list-style-type: none"> Youth work with a group of professional musicians to write and record their own music. The level of youth involvement may vary from providing lyrics for a song, to helping compose and produce the whole piece, to performing the music in concert. The program can work with groups of differing sizes: it offers choral projects for larger groups (20-25) in detention settings, and song-writing projects when working with fewer youth (10-12). 	<p>Program Overview (con'd)</p> <ul style="list-style-type: none"> The program grants high-school elective credit through Passages Academy (DOE District 79) where applicable. <p>Partners</p> <ul style="list-style-type: none"> Programs always work with the staff at the facilities where programs are located. Runs programs at Crossroads Juvenile Detention Center and Horizon Juvenile Detention Center. Runs programs in ACS facilities that are part of the Close to Home initiative. Ran a program with youth on probation in conjunction with the Harlem Neighborhood Opportunity Network (NeON) and will run a similar program with the Bronx NeON this year. Works closely with WolfBrown on evaluation. Has also worked with Vera Institute of Justice. 	<p>Outcomes</p> <ul style="list-style-type: none"> Performances from the programs are uploaded to the Carnegie Hall YouTube channel: http://www.youtube.com/user/carnegiehall Projects culminate with concerts for family, friends, staff, and invited public. The final concert at the Harlem NeON had around 300 attendees. Commissioned a paper, from WolfBrown Associates, examining the impact of music programs in the Juvenile Justice field: http://wolfbrown.com/images/articles/May_the_Songs_I_Have_Written_Speak_for_Me.pdf. Awarded NEA Research Grant for work in detention settings. Report comes out June 2014. Additional downloadable resources available at carnegiehall.org/musicalconnections. Programs help youth to develop positive relationships with peers and adults, inspire creativity, and encourage lifelong learning through artistic growth.
<p>Funding: Carnegie Hall receives funding from ticket revenue; performance space rental revenue; contributions from individuals, corporations, foundations, and government agencies; and its endowment.</p>		

Center for Court Innovation (CCI) – Youth Justice Board

<p>Program Overview:</p> <p><u>Program Type</u></p> <ul style="list-style-type: none"> • Afterschool Program focusing on Juvenile Justice and Public Safety Issues. <p><u>Youth Served</u></p> <ul style="list-style-type: none"> • Works with a team of 15-20 New York City teenagers selected through a competitive application process. • Many participants have first-hand experience with the issues the program addresses, and all are willing to commit to a long-term project. <p><u>Program Details</u></p> <ul style="list-style-type: none"> • Two year project in which the team studies and aims to address a selected public policy issue. • Youth sign on to the project for the first ten months. • For the first year of the project youth conduct research on a select issue and publish recommendations to be presented to policy-makers and stake holders. 	<p>Program Overview (Con'd)</p> <ul style="list-style-type: none"> • Two month training period where members receive intensive training on research strategies, consensus building, listening, interviewing, and public speaking. • Youth conduct interviews, focus groups and site visits to construct a final report containing policy recommendations around the issue. • For the second year of the project youth work to implement their recommendations through working directly with officials at government agencies, piloting initiatives, and collaborating with stakeholder organizations. <p>Partners:</p> <ul style="list-style-type: none"> • CCI worked with the following organizations for interviews, inviting youth to give presentations, and supporting staff learning: Department of Education, Mayor's Taskforce on Truancy, Chronic Absenteeism and School Engagement, Probation, New York City Family Courts, Legal Aid, and Vera Institute of Justice. 	<p>Outcomes:</p> <ul style="list-style-type: none"> • Each project by the Board ends in a report, which outlines a series of policy recommendations to address the issues the board has tackled. • The latest report focused on chronic absenteeism and can be found at: http://www.courtinnovation.org/sites/default/files/documents/TruancyReport.pdf. • Alumni from the boards often continue to advocate for the implementation of board recommendations. • Many alumni remain citizen leaders, taking on leadership positions in their schools, interning with related organizations, and pursuing civic-minded activities in their communities. • The previous project included a partnership with the Center for Urban Pedagogy to produce a comic book detailing the arrest process for Juveniles: http://www.courtinnovation.org/sites/default/files/comic_book.pdf.
<ul style="list-style-type: none"> • Funding: CCI received funding from the following organizations: W. Clement & Jessie V. Stone Foundation, Center for Urban Pedagogy's Making Policy Public Program, Surdna Foundation, Cricket Island Foundation, Edward & Ellen Roche Relief Foundation, Taconic Foundation, New York State Unified Court System, U.S. Department of Justice, Twenty First Century Foundation, and New York City Council. 		