

**New York City Council
Committees on Juvenile Justice and
Fire & Criminal Justice Services**

**Oversight Hearing: New York City
Department of Probation's Role in
the Juvenile Justice System**

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Testimony Presented By

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Chairperson Gonzalez, Chairperson Crowley and Members of the Council: Thank you for giving me the opportunity to address the Council. I want to share with you CASES experience in the Family Court and the work that we do with the Department of Probation.

Before I address those issues I want to acknowledge on behalf of the City's Alternative-to-Incarceration (ATI)/Reentry Coalition the support that we receive from the Council. The members of the Coalition are the Center for Community Alternatives, the Center for Employment Opportunities, the Fortune Society, EAC/TASC, the Legal Action Center, the Osborne Association, the Women's Prison Association, and the Center for Alternative Sentencing and Employment Services (CASES), of which I am the Deputy Director for Strategic Planning and Analysis. We deeply appreciate the Council's steadfast support for ATI and Reentry programs and for being strong advocates for our City's youth. We know that this is a very difficult year for the budget but our work protects public safety and saves money for the City and we are asking for your support in this year's City Budget

Today I wish to reaffirm our support for the City's leadership in calling for an overhaul of New York's juvenile justice system, share some data that demonstrate the effectiveness of CASES' Choices alternative-to-detention (ATD) program for youth adjudicated in Family Court, describe how we have worked in partnership with the Department of Probation as members of the continuum of community-based services for justice-involved youth, and provide an update on the expansion of our ATD program under a contract from the New York State Office of Children and Family Services (OCFS).

We support Mayor Bloomberg's proposal to transfer the responsibility of juvenile justice services from the State to the City. This "re-alignment" of the juvenile justice system will improve public safety, yield better outcomes for youth and generate significant cost savings. Whether control of the system is placed with the City or kept with the State, we strongly support the idea of a locally-operated system that keeps youth connected to their communities and families, and minimizes the disruption to their education.

CASES' Choices ATD program illustrates just how successful this model can be. Through this program, we provide community supervision and after-school programming for youth facing juvenile detention while their cases are pending in Family Court. Since the program began in 2007, over 400 youth have been diverted to the program. The average re-arrest rate for program participants was 50 percent lower than predicted by their risk level at intake. Furthermore, only 8 percent of participants were ultimately placed in state custody at case disposition. We are able to deliver these outcomes at a fraction of the cost of detention: juvenile detention costs \$739 per youth per day¹ while Choices ATD costs only \$46 per youth per day.

¹ City of New York, *Mayor's Management Report, Preliminary Fiscal 2011*, February 2011.

CASES is pleased to count on our strong working relationship with the Department of Probation in providing the appropriate level of community supervision for justice-involved youth. To date, the Choices ATD program has enrolled 36 youth stepped-down from Probation's Intensive Community Monitoring (ICM) level of supervision, accounting for approximately 9 percent of all intakes. ICM is the highest level of community supervision available within the City's graduated system of sanctions. Generally, youth are stepped-down from ICM once they have successfully completed 60 days in the program, or sooner, at the judge's discretion. ICM also accepts youth from Choices ATD that fail to comply with the program, such as missing curfew, getting arrested or failing to attend school regularly. To date, the Choices ATD program has stepped-up 53 youth to ICM (approximately 14 percent of all closed cases). CASES is also pleased that Probation is increasingly using the adjustment process to divert youth away from the juvenile justice system before charges are ever filed. In 2010, the Department of Probation adjusted 3,779 cases, a 22 percent increase over the prior year².

We will collaborate even more closely with Probation through an expansion of the Choices ATD program under an OCFS contract, which begins on May 1st. The new program will allow us to accept youth that have violated probation or are at-risk of violating probation rather than sending them to juvenile detention centers. We are currently in the process of working with Probation to define which youth are appropriate for the program and to establish referral protocols. In addition to expanding the population it serves, Choices ATD will offer an array of new services, including evidence-based mental health interventions; teen pregnancy interventions; after-school programming such as fitness classes, tutoring, and a daily meal service; connections to ongoing community-based services for youth and families following program completion; and legal education and other wraparound services, including family benefits counseling and assistance resolving school suspension proceedings.

In conclusion, we urge the Council to continue to promote the use of alternatives-to-detention for those youth that are best served in their communities. It is the best policy option to promote the long-term success of court-involved youth and ensure community safety. We stand ready to work in partnership with the City to continue to advance this work. Once again, thank you for giving me the opportunity to share our views on these issues.

² New York City Mayor's Office of the Criminal Justice Coordinator, *NYC Juvenile Justice Monthly Indicators*, December 2010.