

1 COMMITTEE ON JUSTICE SYSTEM JOINTLY WITH COMMITTEE  
CRIMINAL JUSTICE 1

2 CITY COUNCIL  
CITY OF NEW YORK

3 ----- X

4 TRANSCRIPT OF THE MINUTES

5 Of the

6 COMMITTEE ON JUSTICE SYSTEM JOINTLY  
7 WITH THE COMMITTEE ON CRIMINAL  
JUSTICE

8 ----- X

9 December 3, 2019  
10 Start: 10:11 a.m.  
11 Recess: 1:12 p.m.

12 HELD AT: Council Chambers - City Hall

13 B E F O R E: Rory Lancman,  
14 Chairperson for Committee on  
Justice System

15 Keith Powers,  
16 Chairperson for Committee on  
Criminal Justice

17

18 COUNCIL MEMBERS:

19 Andrew Cohen  
20 Laurie A. Cumbo  
21 Farah N. Louis  
22 Alan N. Maisel  
23 Deborah L. Rose  
24 Ritchie J. Torres

22

23

24

25

2 A P P E A R A N C E S

3 Jordan Stockdale  
4 Deputy Director for Close Rikers in the Mayor's  
Office of Criminal Justice

5 William Barnes  
6 Assistant Chief in the New York City Department  
7 of Correction

8 Sara Hemmeter  
9 Acting Deputy Commissioner for the Division of  
Youth and Family Justice at the New York City  
10 Administration for Children Services

11 Charles Parkins  
12 Deputy Associate Commissioner for Detention  
Services with ACS

13 Chatodd Floyd  
14 Director of Intergovernmental Affairs for the  
Mayor's Office of Criminal Justice

15 Nancy Ginsburg  
16 The Legal Aid Society

17 Stacey Kennard  
18 Team Leader and attorney at the Bronx Defenders,  
19 part of the Adolescent Defense Project

20 Brenda Zubay  
21 Social Work Supervisor at Brooklyn Defender  
Services

22 M. Mena  
23 Policy and Budget Analyst at the Citizens'  
24 Committee for the Children of New York

25 Julia Davis  
Children's Defense Fund

2 A P P E A R A N C E S (CONT.)

3 Kate Rubin  
4 Director of Policy at Youth Represent

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

2 CHAIRPERSON LANCEMAN: [GAVEL] Good morning  
3 everyone. I call this hearing to order. It's good  
4 to see some familiar faces from yesterday's tour.

5 I'm Council Member Rory Lancman; Chair of the  
6 Committee on the Justice System and I want to welcome  
7 everyone to this joint hearing with the Committee on  
8 Criminal Justice Chaired by Council Member Keith  
9 Powers on the Implementation and Expansion of the  
10 States Raise the Age Legislation. Particularly as it  
11 relates to the detention of juveniles.

12 We are joined by Council Member Farah Louis from  
13 Brooklyn and I know that other Council Members will  
14 be joining us throughout the rest of the hearing.

15 October 1<sup>st</sup> marked the second and final phase of  
16 implementation of Raise the Age. Which includes a  
17 sweeping set of changes to how the courts, detention  
18 and probation deal with youth in the criminal justice  
19 system.

20 Generally speaking, the new laws bring New York  
21 State in line with the rest of the country in  
22 recognizing that children must be treated differently  
23 from adults. All 16 and 17 year old's whose cases  
24 would have gone through the adult criminal justice  
25

2 system will now either be sent directly to family  
3 court or to the youth part of Supreme Court.

4 As we will hear the Implementation of Raise the  
5 Age has coincided with a meaningful decline in  
6 arrests and criminal court cases citywide, including  
7 among youth. Additionally, a variety of plans exist  
8 to keep youth out of detention while their cases are  
9 pending. Nonetheless, youth oriented facilities  
10 exist to provide appropriate forms of detention when  
11 it is deemed necessary.

12 When it comes to detention, the Raise the Age  
13 transition has been challenging. We saw the  
14 Department of Corrections placement of Correctional  
15 Officers from adult facilities in a juvenile facility  
16 at Horizon even though DOC's methods of dealing with  
17 adult populations was one of the main reasons that  
18 Raise the Age required the removal of youth from  
19 adult facilities in the first place.

20 And as a consequence, we have the report of the  
21 Federal Monitor appointed under the Nunez Settlement  
22 in 2015, which found that staff use of force  
23 increased even though youth on youth violence  
24 remained about the same.

Specifically, the monitor's October 28, 2019 report found 440 uses of force between October 2018 when the changeover at Horizon began and June of 2019. Including 228 injuries to youth or staff at Horizon.

ACS's own data is very troubling. At Horizon, use of force dipped slightly in the first quarter after the changeover but has risen both quarters since. Fights have remained flat, meaning there has not been progress in reducing the number of fights that occur at Horizon.

At Crossroads, use of physical restraints has increased each quarter and fights spiked dramatically in the last quarter. We know that ACS has yet to hire the hundreds of youth development specialists who services and expertise are necessary to fully replace DOC personnel at Horizon.

Council Member Powers, Louis and I were given the opportunity to visit the Horizon facility yesterday to see firsthand the improvements that have been made or attempted to be made in the areas of programming, infrastructure and health services. We are also aware ACS is seeking permission to bring some of the adolescent offenders currently detained at Crossroads

2 in Brooklyn to Horizon in the Bronx and it would be  
3 helpful to hear more about that plan.

4 I'll just say a word about the Close to Home  
5 program. For those youth who have been adjudicated  
6 to require some form of placement, ACS administers a  
7 program called Close to Home. It is designed as an  
8 alternative to the statewide system that used to send  
9 children to geographically isolated institutions far  
10 from the city. It includes non-secure and limited  
11 secure placements and an after care program and it  
12 represents an innovative approach to juvenile  
13 justice. We look forward to hearing more about the  
14 Close to Home program today.

15 Finally, we will consider Legislation sponsored  
16 by Council Members Rafael Salamanca of the Bronx and  
17 Alicka Ampry-Samuel of Brooklyn, Intro. 1628. This  
18 is a data collecting and reporting bill that will  
19 allow the public and the Council to easily find and  
20 understand demographic information about the  
21 population of all juvenile justice facilities and the  
22 conditions inside them. We look forward to hearing  
23 from ACS, the Department of Corrections, the Mayor's  
24 Office of Criminal Justice, Public Defender  
25 Organization, service providers and other

2 stakeholders on how we can continue to improve  
3 outcomes for the children whom Raise the Age was  
4 intended to help.

5 With that, I would invite the Co-Chair of this  
6 hearing, Council Member Keith Powers to make a  
7 statement.

8 CO-CHAIR POWERS: Thank you to Chair Lancman and  
9 good morning. Thank you everybody for being here  
10 today. My name is Keith Powers; I am the Chair of  
11 the Committee on Criminal Justice.

12 I want to thank Chair Lancman for holding this  
13 joint hearing today on Implementation of Raise the  
14 Age. I want to thank all the folks who were able to  
15 give us a tour yesterday and were able to join us and  
16 answer questions.

17 As Chair of the Committee overseeing the  
18 Department of Correction, particularly in just today  
19 in exploring the conditions at Horizon Juvenile  
20 Center, which we were there yesterday and it is  
21 jointly operated by ACS and DOC. I mean, just to  
22 hear from the Department of how the facility is  
23 running with one year implementation of Raise the  
24 Age, what's working and what needs improvement. As  
25 we know and has been mentioned, there have been



1  
2 several notable trends in the use of force of Horizon  
3 that we will be asking about today as well as many  
4 recommendations in terms of staffing, policies around  
5 room confinement and classification. I hope to hear  
6 today from the Department that the Department is  
7 carrying out those recommendations. While I'm happy  
8 to hear that there have been some improvements on  
9 stabilization in violence.

10 I'm interested to learn what steps the DOC and  
11 ACS plan to take to continue to reduce violence  
12 moving forward. We also know that several variances  
13 to the Board of Correction minimum standards have  
14 been granted to Horizon over the years, including a  
15 variance on minimum standards pertaining to  
16 correspondence, dry cells, nurseries and law  
17 libraries. I would be interested today in hearing  
18 more about the criteria of guiding some of those  
19 variances and about ACS's long term plan to ensure  
20 that all children in custody get appropriate  
21 services.

22 So, thank you to all today. I want to  
23 particularly thank my staff for helping to put  
24 together today's hearing and looking forward to  
25 hearing testimony from the Administration.

1  
2 With that, I'll turn it now back to Chair  
3 Lancman.

4 CHAIRPERSON LANCMAN: Alright, let's swear  
5 everybody in and we can get started. Raise your  
6 right hand. Do you swear or affirm the testimony you  
7 are about to give is the truth, the whole truth, and  
8 nothing but the truth?

9 PANEL: Yes.

10 CHAIRPERSON LANCMAN: Terrific. Have you decided  
11 amongst yourselves an order to present? Go, proceed.

12 JORDAN STOCKDALE: Good morning Chair Lancman,  
13 Chair Powers, Council Member Louis. My name is  
14 Jordan Stockdale and I am Deputy Director for Close  
15 Rikers in the Mayor's Office of Criminal Justice.

16 Thank you for the opportunity to testify today.  
17 Chatodd Floyd, MOCJ's Director of Intergovernmental  
18 Affairs, is here with me as well to answer questions.

19 New York City has long been a supporter of  
20 treating 16 and 17 year old's more appropriately  
21 within the juvenile justice system and applauded the  
22 State for its passage of Raise the Age in April of  
23 2017. This important reform came amid a rapidly  
24 shrinking juvenile justice system and success builds  
25 on ongoing efforts to treat young people fairly and

2 appropriately in New York City. Following broader  
3 trends in the criminal justice system, from 2014 to  
4 2018, the number of 16 and 17 year old's in custody  
5 dropped 55 percent, and the number of children in  
6 juvenile detention dropped 65 percent, even as our  
7 overall crime rate continued its downward trend.

8 Since the state passed the Raise the Age  
9 legislation April 2017, the Mayor's Office of  
10 Criminal Justice began leading a planning process  
11 with the participation of relevant city agencies, the  
12 courts, District Attorneys, Public Defenders and non-  
13 profit providers. As part of this effort, our office  
14 formed working groups focused on Court Processing,  
15 Programming and Diversion, Data Analytics and  
16 Facilities. Central to this work was a recognition  
17 of key values That anchored our implementation of  
18 Raise the Age:

19 One, fairness; Justice outcome for 16 and 17 year  
20 old's should improve following the implementation of  
21 Raise the Age, not worsen.

22 Two, safety; That we should detain or incarcerate  
23 children no more than absolutely necessary.

24 Incarceration is not an appropriate response for  
25

1 children with challenging needs who have no place to  
2 go.  
3

4 Continuity; whenever possible ensure continuity  
5 of defense counsel, court of record, and  
6 prosecutorial agency.

7 Lastly, speed; remove appropriate cases from the  
8 Superior Court Youth Part to the Family Court system  
9 in a swift and timely manner.

10 Fewer kids arrested, fewer kids in detention, and  
11 safer streets, this is the story of Raise the Age.

12 While arrests of young people have declined  
13 precipitously throughout the administration, since  
14 Raise the Age was passed, we've seen even great  
15 declines. As detailed in our recent report, in the  
16 first 9 months of Raise the Age, misdemeanor arrests  
17 of declined by 61 percent and 17 year old's 32  
18 percent. Felony arrests declined by 21 percent  
19 during the same time period for 16 years old's.  
20 Moreover, the average daily population of youth ages  
21 17 and under in adolescent or juvenile detention  
22 facilities declined by 30 percent. Again, in the  
23 same time period.

24 Over the past two years we have worked to prepare  
25 for the Implementation phases and to make system

1  
2 improvements to our facilities necessary for  
3 effective implementation of the law. As you know,  
4 prior to October of 2018, the City moved all 16 and  
5 17 year old's out of jails on Rikers Island and into  
6 Horizon, a facility specialized for juveniles and  
7 adolescents. From that point onward, all 16 and 17  
8 year old's detained in New York City have been housed  
9 in Horizon or Crossroads, the city's two age  
10 appropriate facilities dedicated to this purpose, or  
11 in non-secure detention.

12       The Raise the Age legislation also created new  
13 court processes. As of October 1, 2019, 16 and 17  
14 year old's arrested on misdemeanor charges for  
15 offenses occurring on or after that date,  
16 automatically go to Family Court. Those who are  
17 charged with felonies, as well as individuals under  
18 16 years of age charged with specific serious  
19 felonies, are arraigned in the new Youth Part in  
20 Superior Court of each borough. Youth Part judges  
21 received specialized training in adolescent  
22 development from the Office of Court Administration.  
23 In order for a case to remain in the Youth Part, a  
24 District Attorney must demonstrate the extraordinary  
25 circumstances exist that should prevent the removal

1 of the case to Family Court. While a case is pending  
2 in the Youth Part, a judge will decide whether to  
3 release the youth with no conditions, set bail, place  
4 that person under community supervision or remand.  
5 If, after a finding of guilt, the judge imposes a  
6 sentence of incarceration, the young person will  
7 serve the sentence locally or at an OCFS facility.  
8 The development of this entire new court system with  
9 accompanying court processes required significant  
10 coordination among the courts and numerous city  
11 agencies. It is notable that during the first year  
12 of Raise the Age, approximately 80 percent of  
13 children deemed adolescent offenders arraigned in the  
14 Youth Part were removed to Family Court.

15  
16 Young people designated as juvenile delinquents  
17 JD's, those with cases in Family Court, now must  
18 include 16 and 17 year old's who previously moved  
19 through the adult court system. Department of  
20 Probation staff interview youth charged in family  
21 court to determine if the case may be resolved early  
22 through a process known as adjustment. When a case  
23 is adjusted, it can be permanently sealed if the  
24 young person abides by certain conditions set up by  
25 the Department of Probation. If it is not adjusted,

1  
2 the case is referred to Law Department, which acts as  
3 the prosecutor in the case, investigates the  
4 allegations against the young person, and then  
5 decides whether to proceed with the juvenile  
6 delinquency charges in Family Court.

7       Since the passage and implementation of Raise the  
8 Age, these judicial decisions can be made outside of  
9 the confines of a court's daytime hours, with courts  
10 available in nights, weekends and holidays. If after  
11 a plea or finding, a Family Court judge enters a  
12 formal finding that a youth is a JD, a juvenile  
13 delinquent, the judge must consider a disposition of  
14 the case that represents the least restrictive option  
15 consistent with the needs and best interests of the  
16 youth and the community. A key difference between  
17 the adult system is that a finding of juvenile  
18 delinquency does not result in a criminal conviction.  
19 Rather, the goal of the juvenile process in Family  
20 Court is to ensure that the final disposition of the  
21 case meets the needs and best interests of the young  
22 person as well as the community's need for  
23 protection.

24       While the passage and implementation of Raise the  
25 Age has been a remarkable achievement for the City of

1  
2 New York and we're continuing to see positive impacts  
3 of the law, we continue to work on issues as they  
4 emerge. At MOCJ, we've worked diligently over the  
5 past months to address these issues and make  
6 necessary system improvements in response. For  
7 example, we worked with NYPD, Office of the Court  
8 Administration, District Attorneys, Probation and Law  
9 Department to reduce the time between arrest or  
10 arraignment and to find another entrance point for  
11 the Bronx Youth Part, and to help implement the newly  
12 enacted Accessible Magistrate Removal Law.

13       The work continues each and every day and is the  
14 result of the ongoing collaboration among system  
15 partners throughout the city to realize the goals of  
16 Raise the Age. Raise the Age has undoubtedly led to  
17 fewer youth being arrested, fewer youth being  
18 detained and better, more youth-centric conditions  
19 for the smaller number of youth that are in our  
20 custody.

21       I would like to thank all the advocates who  
22 fought for years for this reform. This work is  
23 possible because of your efforts.

24       Thank you for this opportunity to testify today.  
25 I'd be happy to answer any questions.



1  
2 WILLIAM BARNES: Good morning. Good morning  
3 Chair Lancman, Chair Powers and members on the  
4 Committee on Criminal Justice and the Committee on  
5 the Justice System. My name is William Barnes, and I  
6 am an Assistant Chief in the New York City Department  
7 of Correction.

8 I appreciate this opportunity to update the  
9 Council on the Department's effort to support Raise  
10 the Age mandate and discuss our transition our of  
11 Horizon Juvenile Detention Center. The Department  
12 remains committed to providing a safe and stable  
13 environment for all those who live at and work at  
14 Horizon and are proud to support ACS as they take  
15 over the primary responsibility for the safety and  
16 security of our young people at the Horizon facility.

17 Horizon opened its doors on September 27, 2018  
18 and has always been jointly administered by the  
19 Department and ACS per the RTA. This has been an  
20 important and strategic partnership that enabled the  
21 Department to ensure the safety of youth and  
22 supporting ACS in its operations. Prior to the  
23 transfer of adolescents to Horizon, the Department  
24 oversaw important renovations to the building itself  
25 that aimed to create an overall deinstitutionalized

1  
2 feel within the facility. Throughout this renovation  
3 process, the Department regularly liaised with the  
4 State Commission on Corrections OCFS, in order to  
5 achieve operational compliance in accordance with  
6 state guidelines.

7 Since beginning joint operations, Horizon offered  
8 the Department an opportunity to support our young  
9 people in our care in a manner more consistent with  
10 their developmental needs. In accordance with  
11 juvenile justice best practices, Horizon provides  
12 detained adolescents with living quarters that  
13 resemble a more home-like setting rather than an  
14 adult institutional facility. The correction  
15 officers who staff Horizon have dedicated themselves  
16 to learning new practices, but also have been working  
17 hard to support ACS in creating a safe and secure  
18 environment for the young people in our care. For  
19 example, the officers received extensive training on  
20 the new Raise the Age policies, they were all trained  
21 on PREA, which is the Prison Rape Elimination Act  
22 standards for youth offenders' population and have  
23 all received thorough training on Safe Crisis  
24 Management.

3 Following thirteen months of joint operations,  
4 the Department will largely transfer out of Horizon  
5 in December of this year and remain solely to provide  
6 perimeter security and manage the control room. The  
7 Department will also maintain an adolescent response  
8 team that will respond only to incidents involving  
9 pre-RTA youth. The Department is prepared to  
10 maintain staffing in this manner until the last pre-  
11 RTA youth leaves Horizon, which we are aiming for the  
12 early fall of 2020. Following this departure, the  
13 Department will continue to support security  
14 operations at Horizon through annual inspections as  
15 required by the Raise the Age law.

16 In preparation for the transfer, the Department  
17 began working with ACS Youth Development Specialists,  
18 also called YDS, as early as June of this year. As  
19 part of this engagement, the Department coordinated  
20 with ACS to transfer knowledge on best practices and  
21 lessons learned throughout the operation of the  
22 facility over the past year. Since then, the  
23 Department has ceded operational control of  
24 residential halls to ACS in gradual manner beginning  
25 in September.

2 As part of the transition plan, the department  
3 staff assigned to Horizon have been transitioning to  
4 other posts on a rolling basis. There will be no  
5 layoffs as a result of the Department's transition  
6 out of Horizon and upon returning to the post at our  
7 adult facilities, Correction officers will receive  
8 refresher training in adult core correctional best  
9 practices.

10 The Department is committed to ensuring the  
11 safety and wellbeing of the youth housed at Horizon.  
12 DOC and ACS undertook this historic unprecedented  
13 reform efforts over the course of just 18 months,  
14 with no blueprint and though we have tried to plan  
15 for a seamless transition as possible at every step  
16 of the way, there was always the understanding that  
17 there would be challenges.

18 The next phase of the transition out of Horizon,  
19 which will involve a significant reduction in DOC  
20 staff and presence at the facility, I would like to  
21 thank Warden Pressley and all of the offices and non-  
22 uniform staff assigned to Horizon for their tireless  
23 efforts, for their dedication to the young people in  
24 their care. And after more than a century of  
25 treating 16 and 17 year old's as adults, we are all

1  
2 now part of a monumental shift in correctional  
3 practice in the New York City that will benefit young  
4 people for generations to come. Thank you for your  
5 hard work and for your service.

6 Council Member Power and Council Member Lancman,  
7 and Members on the Criminal Justice Committee, thank  
8 you for the opportunity to testify before you this  
9 morning. I will now turn to my colleagues at ACS to  
10 continue the Administration's testimony.

11 CHAIRPERSON LANCMAN: Thank you, before you  
12 start, let me just mention that we've been joined by  
13 the Majority Leader Laurie Cumbo from Brooklyn and  
14 Council Member Andy Cohen from the Bronx.

15 Oh, sorry, Council Members Debbie Rose from  
16 Staten Island and Carlina Rivera from Manhattan.

17 SARA HEMMETER: Thank you. Good morning Chairs  
18 Lancman and Powers and Members of the Committee on  
19 the Justice System and Criminal Justice. I am Sara  
20 Hemmeter; the Acting Deputy Commissioner for the  
21 Division of Youth and Family Justice at the New York  
22 City Administration for Children Services. I am  
23 joined today by Charles Parkins, Deputy Associate  
24 Commissioner for Detention.

1  
2 I am very pleased to be testifying before you  
3 today about ACS and our implementation of Raise the  
4 Age. While long overdue, as of October 1<sup>st</sup> of this  
5 year, we have officially raised the age of criminal  
6 responsibility to 18 years old. All newly arrested  
7 16 and 17 year old's are now treated as juveniles in  
8 the justice system.

9 It has been an honor to be at ACS working  
10 collaboratively with so many partners during the  
11 planning and implementation of Raise the Age. ACS  
12 and DYFJ have made significant strides to improve the  
13 lives of children and families involved in the  
14 juvenile justice system, with a special focus on  
15 keeping young people strongly connected to their  
16 communities. Through our collaboration with numerous  
17 city partners including the NYPD, Probation, the  
18 Department of Education, the Department of Correction  
19 and the Mayor's Office of Criminal Justice, as well  
20 as the City Council, advocates and providers, we have  
21 improved the prospects of justice-involved youth  
22 while enhancing public safety outcomes for everyone.

23 ACS Detention; ACS, along with our partner  
24 agencies and City Hall, engaged in extensive planning  
25 and implementation efforts to be ready for both the

2 first phase of Raise the Age Implementation for the  
3 16 year old's and the second phase of Raise the Age  
4 Implementation for 17 years old's. In anticipation  
5 of Raise the Age Implementation, ACS completed  
6 renovations to our detention facilities, while adding  
7 extensive programming, educational and vocational  
8 options for older youth. We also ensured that we  
9 would have the necessary capacity for juvenile  
10 delinquents, Juvenile Offenders and Adolescent  
11 Offenders and created a new job title, Youth  
12 Development Specialist or YDS. ACS was ready for  
13 Raise the Age Implementation.

14 Horizon Juvenile Detention Center has been  
15 certified as a specialized juvenile detention center,  
16 which has housed the 16 and 17 year old youth who  
17 transferred from Riker's Island on October 1, 2018,  
18 and any 17 year old youth charged with crimes between  
19 October 1, 2018 and September 30, 2019 who were  
20 ordered to be detained. Our oversight agency, the  
21 Office of Children and Family Services, refers to  
22 these youth as pre-Raise the Age youth, because while  
23 they are housed in a juvenile facility, they are  
24 still being prosecuted as adults in the court system

1  
2 As required by law, ACS and the Department of  
3 Correction have been collaboratively operating  
4 Horizon. Prior to the October 1, 2018 effective  
5 date, 93 youth transferred from Riker's Island to  
6 Horizon. Since last October, no juvenile has been  
7 detained at Riker's Island. Newly arrested 17 year  
8 old's, who were still prosecuted as adults for the  
9 past year, have also been detained at Horizon. ACS  
10 has housed 419 unique pre-Raise the Age youth at  
11 Horizon this past year. As of October 31, 2019,  
12 there were 40 pre-Raise the Age youth at Horizon,  
13 only two of whom were part of the original 93 youth.

14 To ensure proper staffing of both Crossroads and  
15 Horizon, ACS has been aggressively recruiting, hiring  
16 and training multiple classes of YDS.

17 To date, ACS has hired over 600 YDS. ACS worked  
18 with the Department of Correction and the unions to  
19 develop a phased plan to introduce YDS to Horizon  
20 over a period of six months. Starting April 2019, we  
21 began by bringing YDS supervisors to Horizon to  
22 observe operations. We intentionally assumed  
23 responsibility for direct care in multiple stages, so  
24 that the transition would be seamless and orderly for  
25 both the youth and the staff. As of today, there are



2 170 ACS YDS at Horizon, managing all ten halls. ACS  
3 assumed full management of the final hall on November  
4 15, 2019. ACS is on track to assume primary  
5 operational control of Horizon by January 2020.

6 Some of the Rikers youth and pre-Raise the Age  
7 youth, can still be detained at Horizon until October  
8 1, 2020. Until all of those youth leave the  
9 facility, or turn 18 years old, DOC will need to  
10 remain on-site in some capacity as required by the  
11 State. As a result, after January 2020, there will  
12 be a small contingent of DOC Officers on-site  
13 performing limited functions related to safety and  
14 security.

15 As of October 21, 2019, 17 year old's are also  
16 now treated as juveniles in the justice system. This  
17 means that if they are arrested and brought to court,  
18 their cases are handled either in Family Court or the  
19 Youth Part of Supreme Court. If they are detained as  
20 a juvenile delinquent, they are now housed at  
21 Crossroads. For now, any newly charged and detained  
22 juvenile delinquent, juvenile offender, or adolescent  
23 offender is detained at Crossroads.

24 While the population of pre-Raise the Age youth  
25 at Horizon is rapidly decreasing, we anticipate that

2 the population at Crossroads will continue to  
3 increase for the foreseeable future, as it is the  
4 only secure detention or specialized secure detention  
5 facility for newly detained youth. In preparation,  
6 ACS is in the process of having some halls at Horizon  
7 certified by the State to be specialized secure  
8 detention or SSD, and thus able to house adolescent  
9 offenders. The halls we are seeking to have  
10 certified as SSD will be separate from where the pre-  
11 Raise the Age youth are housed. Ultimately, once all  
12 of the pre-Raise the Age youth leave Horizon in the  
13 coming months, we will have more flexibility to house  
14 detained youth closer to their homes and communities  
15 in the two secure detention facilities given that one  
16 facility is in the Bronx and the other is in  
17 Brooklyn. This will also give us greater flexibility  
18 with regard to population separation for safety  
19 purposes.

20 Youth at Horizon and Crossroads attend school on-  
21 site at DOE Passages Academy, and they have access to  
22 extensive offerings of vocational training and ACS's  
23 large array of contracted programming, as well as on-  
24 site health and mental health services, all of which  
25 is intended to provide the therapeutic and

2 educational interventions that improve the youths  
3 wellbeing and life outcomes.

4 This past summer, youth at Crossroads and Horizon  
5 participated in the Department of Youth and Community  
6 Development's Summer Youth Employment Program, which  
7 enabled them to work, earning \$15 an hour, during the  
8 summer for up to 25 hours per week in the facilities  
9 and then in the community, post-release.

10 ACS has a wide variety of programming available  
11 for youth in detention. This includes Cure Violence  
12 credible messenger programs, Carnegie Hall music, and  
13 various art programs. ACS has a chaplain at both  
14 detention facilities and all youth can participate in  
15 religious services and individual ministry. One of  
16 our newest offerings is Sprout by Design, an urban  
17 farming program at both Horizon and Crossroads as  
18 well as come of our Close to Home placement programs.  
19 At the detention sites, youth have gardens and learn  
20 how to make healthy snacks using fresh produce from  
21 the garden.

22 Providing youth in detention with daily  
23 opportunities for large muscle exercise and space for  
24 recreation is essential. All youth of both  
25 facilities have the opportunity for outdoor

2 activities. The outdoor space at Crossroads is  
3 complete, and includes basketball courts, grassy  
4 areas, sprinklers for hot days, and space for other  
5 outdoor recreation activities. As has always been  
6 the case, youth at Horizon are able to access the  
7 interior courtyard and the patios in the housing  
8 units. In April, a temporary outdoor basketball  
9 court was completed, and in August, a permanent full-  
10 size basketball court was also completed. There is a  
11 large grassy area now available at Horizon, which the  
12 youth at Horizon were able to use for the Turkey  
13 Bowl, a flag football tournament on Thanksgiving.

14 The youth who are placed in detention are often  
15 among the highest needs youth in the City and have  
16 experienced various traumas prior to detention.  
17 Through our partnership with New York City Health and  
18 Hospitals, youth receive comprehensive psychiatric,  
19 psychological and behavioral health services  
20 delivered by skilled clinicians from Bellevue  
21 Hospital and Correctional Health Services.

22 DYFJ uses the New York City Model within our secure  
23 detention system. Adapted from the nationally  
24 recognized Missouri Youth Services Institute or MYSI  
25 model, the New York City Model is a therapeutic

1 approach for working with youth in the juvenile  
2 justice system. Facilitated small group interactions  
3 are at the core of this group process model and  
4 include components of positive youth development and  
5 cognitive behavioral therapy to help youth make  
6 positive and long-lasting changes in their thinking  
7 and behavior. In addition, we continue to train our  
8 staff on Safe Crisis Management and have expanded our  
9 contract with the developer to include monthly on-  
10 site trainings for staff to practice and apply de-  
11 escalation skills to safely manage conflict.  
12

13 Close to Home: In 2012, the State and City  
14 partnered to create Close to Home, New York City's  
15 juvenile justice placement system where adjudicated  
16 juvenile delinquents are placed in residential  
17 programs near their homes, schools, and communities.  
18 Our Close to Home non-secure and limited-secure  
19 placement residence are located at 30 sites  
20 throughout the city and in Dobbs Ferry and are run by  
21 seven nonprofit provider agencies. Close to Home is  
22 grounded within a child welfare framework, and all of  
23 our providers are deeply experienced in serving the  
24 complex needs of our youth.  
25

2 Despite raising the age of criminal  
3 responsibility for 16 year old's last October, ACS  
4 has seen a decline in the Close to Home census.  
5 Close to Home placements declined 43 percent in the  
6 first 9 months of Raise the Age. As of November 25,  
7 2019, there were 101 youth in Close to Home placement  
8 with an additional 40 youth on aftercare where they  
9 continue to be supervised by ACS and the provider but  
10 are at home in the community.

11 ACS currently contracts for 294 beds in Close to  
12 Home. With 17 year old's adjudicated as Juvenile  
13 Delinquents now eligible for Close to Home, we expect  
14 to see the census start to increase. We are working  
15 with MOCJ to monitor this situation closely, and  
16 ensure we have sufficient capacity.

17 All Close to Home programs offer structured  
18 residential care for youth in a small, supervised,  
19 and home-like environment. In contrast to  
20 traditionally larger juvenile placement facilities,  
21 Close to Home programs have been intentionally  
22 designed to ensure participation in program while  
23 preserving the safety and security of youth, staff,  
24 and the community.

1  
2 Close to Home allows for work to occur  
3 simultaneously with the youth, the family and the  
4 community to ensure that factors that led to the  
5 juvenile justice system involvement are addressed  
6 before the youth returns to the community. In  
7 partnership with the Department of Probation, ACS has  
8 adopted a Risk Need Responsivity framework and an  
9 evidence-based assessment tool, the Youth Level of  
10 Service or YLS, to guide our intervention and ensure  
11 we reduce the likelihood to recidivate.

12 Each Close to Home program is required to  
13 implement an evidence based therapeutic program model  
14 that serves as the primary mechanism of behavioral  
15 support. Through the chosen program framework, youth  
16 address their interpersonal relationships,  
17 communication skills and emotional regulation.

18 Having youth close to their families allows for  
19 the inclusion of the youth's family at every level of  
20 intervention. In Close to Home, we use family team  
21 conferencing as we believe it is critical to engage  
22 the youth's family in all decisions and challenges  
23 the youth may be facing. Before youth are discharged  
24 home, they and their family must have demonstrated  
25 readiness for reunification. Youth returning to the

2 community receive aftercare supervision from their  
3 Close to Home provider.

4 The goal of Close to Home aftercare is to build  
5 on the skills youth acquire while in placement and  
6 help develop a network of support that will allow  
7 them to succeed in the community. While in  
8 placement, youth form positive, trusting  
9 relationships with carrying adults. These  
10 relationships are critical to facilitate each youth's  
11 growth, skill development and progress as they learn  
12 new ways to thinking and changing their behaviors.  
13 On aftercare, residential providers build on these  
14 existing relationships with youth, along with their  
15 broader agency resources and relationships with  
16 community based organizations, to supervise youth in  
17 the community with support from ACS, to ensure that a  
18 youth's need are met.

19 Intro. 1628-2019 amends the Juvenile Justice  
20 quarterly and annual data reports for detention and  
21 Close to Home to include additional components, many  
22 of which are related to Raise the Age.

23 ACS appreciates the City Council's interest in  
24 amending the data report to include data points  
25 specifically related to raising the age of criminal



responsibility. The proposed legislation includes some data elements ACS does not have access to, would change the reporting requirement to be monthly which would be incredibly onerous for ACS and also includes some disaggregation requirements that are too small for ACS to be able to report on due to confidentiality.

In addition, the proposed bill includes data reporting requirements for the Department of Probation and MOCJ, which ACS cannot speak to. However, ACS is committed to maximum transparency with the Council and the public about our juvenile justice programs and we look forward to discussing the proposed legislation more thoroughly with the bill sponsors so that we can update the current reports to include Raise the Age in a meaningful and helpful manner.

Thank you for the opportunity to discuss ACS's efforts to implement Raise the Age. ACS is looking forward to continuing to work with the city agencies, the City Council, the providers, the advocates, the state, and most importantly, the youth and their families to both strengthen the juvenile justice

1 system and reduce the number of justice involved  
2 youth.  
3

4 We are happy to answer your questions.

5 CHAIRPERSON LANCMAN: Anyone else? Okay, I want  
6 to focus on a couple of areas and then turn it over  
7 to my colleagues. Let's start with the numbers. You  
8 know, we visited the facility, we visited Horizon  
9 yesterday and speaking for myself, I was very  
10 impressed with the dedication and the professionalism  
11 of the staff, both ACS, Department of Corrections,  
12 the really important people and the people on the  
13 ground and I thought the description that we were  
14 given of the programming that's available and meeting  
15 the - I think we met actually the Assistant Principal  
16 at the school. It gave me personally a lot of  
17 confidence that everyone is really trying to do the  
18 right thing.

19 And of course, it's easier to that as the  
20 population has continued to decline. With that said,  
21 you recall that I asked very pointedly what the  
22 numbers were, what the metrics were, particularly as  
23 they relate to violence, use of force, fights, etc.,  
24 and our colleague Council Member Louis was very  
25 interested in issues related to the programming and

1 the education opportunities and perhaps she'll touch  
2 more on that.

3  
4 But the statistics that we were able to put  
5 together including some that were released either  
6 this morning or last night, are not good and I want  
7 to review them with you and you can tell me, someone,  
8 what you make of them.

9 So, at Horizon, use of physical restraints in  
10 detention on youth in custody, which is a fancy way  
11 of saying use of force, in the first quarter that the  
12 transition occurred, which would have covered October  
13 2018, there were 155 use of force incidents reported.  
14 That was the first quarter, it's a transition, we all  
15 know that it was not the smoothest transition in the  
16 history of transitions.

17 The next quarter, the numbers got better. This  
18 would be FY'19, the third quarter, covering the  
19 period January through March of 2019. There were 99  
20 incidents of use of force, down from 155. That's  
21 good, but then the next quarter, covering April  
22 through June of 2019, the number was up to 133.

23 The most recent quarter which was posted I'm told  
24 9 a.m. this morning, covering July through September  
25 of 2019, the number is up to 181. Going in the wrong

2 direction in dramatic fashion. Another metric,  
3 fights, the quarter in which the transition occurred,  
4 there were 109 fights. The three subsequent quarters  
5 including the quarter whose information was released  
6 this morning, have been 71, 70 and 71. Down from  
7 109, that first tumultuous quarter, but no measurable  
8 progress in reducing the number of fights.

9 So, what can you tell us and this is consistent  
10 with the Federal Monitors reporting, which I alluded  
11 to in my opening statement. So, when it comes to use  
12 of force at Horizon based on the Department of  
13 Corrections, oh, excuse me, I think ACS's own  
14 reporting, the numbers going in the wrong direction  
15 and when it comes to fights, no progress seems to be  
16 being made.

17 So, who would like to respond to that and tell me  
18 what's going on?

19 WILLIAM BARNES: Let me take a piece of that the  
20 Because the transition has been - there's a big story  
21 to it in terms of the monumental change that our  
22 agencies went through to do this.

23 So, the first piece you mentioned was the 155,  
24 right. The incidents when we first moved in were  
25 generally driven by our first month at Horizon. We

2 set to create Horizon to have less of an  
3 institutional field and anything an adolescent would  
4 find on Rikers Island. However, some of those things  
5 just weren't appropriate for the group that moved in.  
6 Right, windows that you could see through created  
7 issues in our corridors, school chairs that were not  
8 connected to the ground turned into weapons. So,  
9 those are things and how we moved the youth through  
10 the hallways of a new building, you know, we had to  
11 adjust our practices. So, you know, that was a big  
12 driver of our incidents right up front.

13 We made drastic improvements right away, which  
14 you know, attributed to those decreased and then over  
15 the summer, you know, our first summer without school  
16 but also, had a very challenging group of individuals  
17 in custody at Horizon. 17 youth all having ten or  
18 more incidents each driving 225 incidents from those  
19 just 17 youth and trying to implement new strategies  
20 and behavioral plans to address those and we've been  
21 working hand and hand with the Federal Monitor and  
22 our state oversights to figure out a new behavioral  
23 plan that I think is going into effect just shortly  
24 with Strive Plus, which I can let my ACS colleagues  
25 talk about, but certainly, recently as we go through

2 a new transition in turning the housing areas over to  
3 ACS, you know, we are going through yet another  
4 testing period of the facility and the staff and the  
5 youth and incidents do happen as a result of those  
6 transitions.

7 UNIDENTIFIED: Good morning and thank you. My  
8 colleague is absolutely correct.

9 CHAIRPERSON LANCMAN: I met you yesterday but  
10 just introduce yourself, because you haven't  
11 testified yet.

12 CHARLES PARKINS: Thank you. I am Charles  
13 Parkins; I'm the Deputy Associate Commissioner for  
14 Detention Services with ACS.

15 So, as I was mentioning, my colleague is  
16 absolutely correct around youth responding to changes  
17 and challenges in an environment like this. So, it's  
18 our job to adjust to those changes and respond in  
19 such a way to reduce the number of incidences their  
20 occur.

21 What we have seen is that we have provided a  
22 number of programs and implementations in place to  
23 address behaviors as they come about. A number of  
24 the incidents that occur are a small percentage of  
25 the youth who have some significant challenges and

1  
2 require additional attention. So, typically, many of  
3 our incidents are provided by a few youth who have  
4 some challenges.

5 We've implemented strategies around STIVE, which  
6 is our behavioral management system which provides  
7 both positive incentives and holds youth accountable  
8 for their behavior, in such a way that they can earn  
9 rewards that are meaningful and appeal to them to  
10 guide that. And I think much of the success that we  
11 have seen has been around youth who value those  
12 rewards and have bought into the system. But there  
13 are youth who have different values and we have to  
14 adjust our system to account for those.

15 So, it's a constant balancing that we're doing to  
16 manage those types of behaviors.

17 CHAIRPERSON LANCMAN: The problem is, it seems  
18 just from the data, where you have use of force for  
19 the last quarter, ending in September, double 181,  
20 double almost the amount of force that was used in  
21 that first full quarter that Horizon was transitioned  
22 over. And so, I'm not either a juvenile or adult  
23 corrections professional, but the data seems to say  
24 that the way that you are — one of the ways that you  
25 are adjusting is a dramatic, dramatic increase in the

2 amount of force, use of force incidents used against  
3 the detainees. And so, I can't - I don't have  
4 metrics for - maybe you do, but you know, how many  
5 detainees are participating in this program or that  
6 and its effect on creating a more stable, safe  
7 environment. But I do have metrics for how many  
8 times the institution used force - use of physical  
9 restraints in detention on youth in custody and it is  
10 a dramatic increase.

11 So, I look at this and I'm like, well this is an  
12 institution where they're kind of roughly cracking  
13 down on the youth there to maintain order. Neither  
14 of your responses really address that. I don't know  
15 what you can say to address it because the numbers  
16 are what they are, unless I'm missing something.

17 CHARLES PARKINS: I don't know that you're  
18 missing something here. I think it's important to  
19 understand the context of what we do provide for  
20 youths. So, we have our YDS, who have been slowly  
21 going into these facilities and taking over units  
22 starting in August, but you know, we have the  
23 responsibility to make sure that the facility is safe  
24 for the youth and we do so through a variety of  
25 different ways. As I discussed earlier, having a



2 solid behavior management system in place is one of  
3 those ways, but we also provide other skills and  
4 techniques that our staff have to learn.

5 CHAIRPERSON LANCMAN: Let me put it this way,  
6 okay.

7 CHARLES PARKINS: Sure.

8 CHAIRPERSON LANCMAN: The data is what the data  
9 is. The number of use of force incidents are what  
10 they are. What would you say is the main failure or  
11 shortcoming or gap, whatever gloss you want to put on  
12 it, in all the other things that you do, all the  
13 other wonderful things that you do that is resulting  
14 and there being a need to use force as often as the  
15 data says that you must?

16 WILLIAM BARNES: Council Member you are right,  
17 the numbers do reflect an increase in use of force.  
18 I want to state for the record that the Department  
19 has a use of force policy in which force is always  
20 the last resort and when it needs to be applied, it  
21 should be applied in a manner that's as least  
22 restricted as possible. But I think it's important  
23 to understand that force is not always necessarily  
24 linked with a violent act. In fact, the vast  
25 majority of times where staff is using force, it can

2 be simply just pushing or guiding one youth away from  
3 another youth. That is under our guidelines a use of  
4 force. I think sometimes people – I think the more  
5 important question you had Councilman was why is the  
6 force necessary? So, if there's fighting, what is  
7 causing the fights? What's driving the numbers of  
8 the fights. Is it you know, a security risk group  
9 connotation to it? Is it a poor impulse control,  
10 secondary to a mental health need? Those are the  
11 driving factors that cause fights and that which  
12 cause sometimes staff to have to intervene.

13 But speaking strictly to the numbers of the force  
14 as you said, we have a fiduciary responsibility to  
15 prevent staff – oh, I'm sorry, incarcerated  
16 individuals from harming each other. So, if there is  
17 a fight about to happen and it's escalating and we're  
18 doing verbal, interpersonal communications skills to  
19 try to de-escalate that and it's about to go down, if  
20 an officer simply puts his arm on a youth and pulls  
21 it away –

22 CHAIRPERSON LANCMAN: I get it and I understand.

23 WILLIAM BARNES: I think it's important to  
24 understand that although I'm disputing that there is  
25 a large number that you have pointed out. I think

1 it's extremely important the two salient points.

2 One, the driving factor for use of force is related  
3 to a disproportionate small number of residents that  
4 were responsible for a majority of those force  
5 incidents, and we've worked very closely with Health  
6 and Hospital, CHS, ACS to develop plans to address  
7 and attenuate their concerns.  
8

9 And that other segment of that Councilman is that  
10 force is not always linked to someone just refusing a  
11 direct order and staff you know, putting them against  
12 a wall and cuffing them. Of course, that's force,  
13 but the majority of the time is where we are  
14 literally pushing people apart, separating people and  
15 then we have no injuries to staff or residents and  
16 that is still a use of force that must be  
17 investigated.

18 CHAIRPERSON LANCMAN: I understand that not every  
19 use of force is a use of force. Right, I get it and  
20 excepting both for the sake of argument and I have no  
21 reason not to accept that it's true that you only  
22 force as a last resort. My question then is, why is  
23 the other things that are going on in the facility,  
24 the programs, the strategies, etc., what about them  
25 is not working or that needs to improve so that there

1  
2 are fewer use of force incidents each quarter rather  
3 than more?

4 And I don't know that that is an answer that the  
5 Department of Corrections can provide, but you know.

6 What is the ACS stuff not working that the  
7 Department of Corrections folks have to do their  
8 thing.

9 CHARLES PARKINS: So, I think over the scope of  
10 time that we have here, there's been a variety of  
11 programs that have been put in place. So, we follow  
12 the same trends that you do as we look at data and we  
13 respond accordingly in an effort to address those  
14 issues and get ahead of them as the youth change and  
15 youth involved.

16 I think one of the important metrics here also is  
17 that the injury data associated with these types of  
18 incidents is very, very low. You know, it's  
19 important for us to get involved early and -

20 CHAIRPERSON LANCMAN: Sorry, just so I  
21 understand. The injury data associated with use of  
22 force incidents.

23 CHARLES PARKINS: Correct, correct. So, the  
24 injuries that resulted in fights or the injuries that  
25 resulted from a use of force, it's very low and is

1  
2 incredibly important data to contextualize the  
3 incidents as they occur. Our involvement early on,  
4 which sometimes does result in a use of force or a  
5 physical restraint in the ACS world, is an effort to  
6 reduce the chance that a youth is injured.

7 SARA HEMMETER: I would also just like to say  
8 that you know, as we are looking at these numbers as  
9 well, we have put in a number of things to address -  
10 help its staff address these issues, such as coaching  
11 and we have a new MYZEE[SP?] coach, which is the  
12 evidence based model that brings the whole team  
13 together to process with the youth things that are  
14 happening to try to prevent these incidents from  
15 becoming incidents in the first place. And then  
16 addressing it once incidents also occur.

17 So, as we are looking at this as well, we are  
18 thinking about what are the other things that we can  
19 do to drive those numbers down. STRIVE is one of  
20 those things that Chuck talked about but also, the  
21 coaching for the staff. The evidence based model  
22 coaching, we have supervisors who are also getting  
23 coaching as well, so that we can try to drive these  
24 numbers down as well.

2 CHAIRPERSON LANCMAN: Alright, well, you know,  
3 the numbers are what the numbers are and they are  
4 heading in the wrong direction. They've been heading  
5 there for you know, two full quarters, which is six  
6 months.

7 Let me ask you about Crossroads, same issue.  
8 This is ACS data; use of physical restraints in  
9 detention in detention on youth in custody. Which I  
10 understand at Crossroads is a little different from  
11 how it's measured at Horizon, but either way, every  
12 quarter since the transition to Horizon, at  
13 Crossroads has seen an increase in the "use of  
14 physical restraints in detention on youth in  
15 custody." From 226 in the quarter when the  
16 transition occurred to 247 the next quarter, 357 the  
17 quarter after that, 396 the last quarter and there  
18 ending September 19<sup>th</sup>. And then, I'll just note  
19 also, fights and altercations between youth in  
20 custody for the last quarter ending September 19<sup>th</sup>,  
21 it jumped to 100 from the prior quarters being 15 and  
22 39 and 53.

23 So, we didn't visit Crossroads, we weren't able  
24 to have that time yesterday. What's going on there?

3 CHARLES PARKINS: We have some of the same issues  
4 at Crossroads as we do with Horizon. It's a very  
5 similar population of youth, with a growing increase  
6 number of individuals in a changing population, on a  
7 daily basis at times.

8 Again, we're moving forward with our heavy hiring  
9 practices to get a large number of YDS available.  
10 We're providing a large retinue of training to those  
11 staff, so that they can respond to the youth. We're  
12 providing supportive services to our supervisory  
13 staff, such as the MYZEE coaches, such as building  
14 coaching competency to support an environment so  
15 staff can respond to the youth, but we do have a  
16 growing population as well, that is a changing  
17 population. We could have ten youth come in today  
18 and ten youth leave tomorrow. And, as my colleague  
19 mentioned earlier, often times the number of  
20 incidents that we have are represented by a very  
21 small population of the youth.

22 CHAIRPERSON LANCMAN: I would get that, if we're  
23 talking about a one quarter bump, I would get that  
24 but at Crossroads, we're talking about every single  
25 quarter, it is continuing to go up. Every  
institution has to deal with a small number of

1  
2 detainees or inmates as the case maybe who cause more  
3 problems. You know, in my own Council District, a  
4 small number of constituents that take a lot of my  
5 time, let's put it that way. You have to figure out  
6 a way to manage it and deal with that, and it just  
7 seems like that's not occurring because the numbers  
8 are going - at Crossroads, it's like month after  
9 month, the wrong direction.

10 CHARLES PARKINS: Well, we do look at the data in  
11 two different ways. What you're seeing now is more  
12 of the trend data that we could look back on and see  
13 how we did or see how trends worked. But most of our  
14 work comes in, our daily huddles, right. Our  
15 reviewing of the youth in real time, with a multi-  
16 disciplinary team approach with education, with  
17 mental health, with medical services, with all the  
18 partners at the table reviewing the behaviors of the  
19 individual youth and working on individual behavior  
20 plans to address the serious behaviors and sometimes  
21 non-serious behaviors representing what actions occur  
22 on a daily basis. It's a constant management issue  
23 to be able to identify triggers for youth. Who are  
24 coming in with trauma, who have had years and years  
25 of experiences that have you know, led to their



1  
2 current behaviors and in a few short days, we are  
3 trying to diagnose those issues, identify those  
4 triggers, develop plans to address to those behaviors  
5 and ensure that we're not placing youth in a unit  
6 where they may have a problem with another youth and  
7 we have to then change them and move them to another  
8 youth hall where we have to make sure those same  
9 problems don't exist with different youth.

10 So, we use the real time data in terms of what's  
11 happened in the previous hours to develop plans to  
12 safely manage youth.

13 CHAIRPERSON LANCMAN: Alright, I had other topics  
14 but this one took a lot of time, so Council Member  
15 Powers.

16 CO-CHAIR POWERS: Thank you, thanks, I'm going to  
17 spend just a couple minutes because I do want to  
18 allow my colleagues to ask some questions and then  
19 I'll come back and follow up, but just picking up  
20 where Council Member Lancman left off, so I will  
21 extend his time.

22 You know, just on use of force for a second, and  
23 this is just a kind of ongoing issue that I have is,  
24 it's downplayed when the numbers are bad often and  
25 when it starts trending in the right direction, we

1  
2 hear it celebrated as sort of reduction use of force.  
3 I'm not isolating this to anybody who's sitting here,  
4 it's just a constant, it seems like when it's bad, we  
5 define use of force and I understand, it's not all  
6 bad. Occasionally it's necessary to separate people  
7 from fights and it does not always represent use of  
8 force in a way that the words might lead one to. But  
9 it does seem often, it's interpreted the way that the  
10 agencies decide to interpret it, depending on which  
11 way that number is going, but the number is going up.  
12 ACS is taking control and sort of moving into these  
13 facilities and as that's happening, we're seeing the  
14 numbers go - but I think we'd all still agree, it's  
15 the wrong direction for one reason or another in the  
16 wrong direction.

17       So, we all agree there's a problem, the numbers  
18 lay that out. Give us the game plan for the next,  
19 let's say if Council Member Lancman and I and other  
20 colleagues are here in a year having another hearing,  
21 what is the game plan between now and in the  
22 following year to improve those numbers? What are  
23 the measures at ACS and for the time being DOC and  
24 MOCJ and all agencies here are going to put in place  
25 what programs or services, staffing, tell us what is

1 the plan moving forward and what should we be  
2 expecting for our next conversation about Raise the  
3 Age implementation for improving the direction of the  
4 use of force numbers?  
5

6 SARA HEMMETER: So, I think we've talked about  
7 some of the programs and things that were are putting  
8 in place to address this issue and to improve the  
9 practice within our facilities. We mentioned our  
10 STRIVE program, which is the behavioral management  
11 program for youth to hold youth accountable and  
12 making sure that all staff who are working with the  
13 youth are familiar with this program and using the  
14 program effectively to hold youth accountable for  
15 their behaviors and also, for good behaviors and bad  
16 behaviors.

17 So, that's one thing, we have also as I  
18 mentioned, have coaches for both staff and for our  
19 managers or supervisors to work with them one on one  
20 on issues related to how their interacting with staff  
21 and to ensure that best practices are being  
22 implemented with the youth within the facility.  
23 Chuck mentioned the daily huddle, which I think is an  
24 extremely important part of our practice where we are  
25 talking as a team with mental health, with education,

1 with the YDS who are on the halls to address  
2 behaviors and come up with behavior plans on a daily  
3 basis for youth.  
4

5 We have also extended our contract with JKM,  
6 which is our safe crisis management provider to work  
7 with staff also, to work with them on de-escalation  
8 techniques so that use of force does not need to  
9 happen on such a regular basis that they are using  
10 those techniques and making sure that that is  
11 happening within the facility as well. I also think  
12 in both of our facilities, the programming that we  
13 offer to youth is essential to keep youth active and  
14 not idle, so that they are engaged and working  
15 towards something so that when they get out of the  
16 facility there is a certificate or a job or something  
17 like that they can look forward to.

18 So, I think we're looking at this on multiple  
19 fronts to work with staff to work with the youth and  
20 also with the families engaging them a well. So, I  
21 think we're looking at this holistically in terms of  
22 how we're trying to address this.

23 WILLIAM BARNES: To further add to this, over the  
24 next year, I think one of the challenges that we've  
25 had is we've been moving staff from Crossroads to

1 Horizon, so in large groups which has created  
2 challenges in terms of destabilizing our treatment  
3 teams that exist on individual units to create  
4 opportunities and to cover units at Horizon.  
5

6 So, over the next year we should see those teams  
7 stabilize, our success in working with youth is about  
8 building relationships and they're able to better do  
9 that when they have the same staff working with them  
10 on a regular basis.

11 We should see a reduction in that movement, which  
12 would help with hopefully reflect in those numbers as  
13 well.

14 CO-CHAIR POWERS: Okay, I just will add that, I  
15 think that both Council Member Lancman and myself and  
16 the colleagues are looking at how to fix the problem.  
17 We're not here to be bad guys, we're highlighting  
18 what I think are concerning numbers but do want to  
19 help fix the problem. It will be in budget  
20 discussions and other things, so if you kind of  
21 enter into the new year and I think we are both  
22 invested, all invested in trying to improve the  
23 direction of those numbers and I understand that the  
24 numbers aren't always reflective of what it feels  
25 like, but if they are going in that direction, they

1  
2 are going the wrong direction and I think we would  
3 want to be helpful to that. Whether it is about  
4 programs and resources and things like that.

5 Can we just talk about use of force and I'm going  
6 to ask one more question and then I'm going to hand  
7 it off, but just on use of force, you said some are  
8 about gentle breaking up fights and separating  
9 people, can you tell us how many incidents of the 440  
10 and the injuries sustained, I think, was 228 injuries  
11 sustained. How much could be classified as  
12 separation or gentle breaking up of fights?

13 WILLIAM BARNES: So, for the Department of  
14 Corrections, a use of force categorizes in three  
15 categories. So, in Class A use of force is where  
16 there is either a serious injury to a staff member or  
17 to an incarcerated individual. A Class B use of  
18 force is any injury.

19 So, even if handcuffs were applied and there was  
20 some redness to the wrists, that's still an injury.  
21 So, that's a B and C would be where there is no  
22 injuries to staff or residents. So, as you said,  
23 breaking up two individuals from fighting, I think as  
24 you said, I believe that the mission of the Council  
25 and all the agencies here is to have safe environment

1  
2 for our youths and to have them in a facility that  
3 promotes the dignity of the individuals.

4 I think that the most important thing is what is  
5 causing these incidents, as I think you pointed out,  
6 about programming and idleness abatement and  
7 redirecting negative behavior. So, we're not having  
8 to use force, right.

9 I wanted to briefly touch on issues that again, I  
10 would have to say from a maceral level, why sometimes  
11 incidents in any setting go up. I can say that it's  
12 important to recognize the city has been working to  
13 redirect non-violent offenders from coming to or  
14 having to go and be incarcerated and unfortunately,  
15 DOC has been charged with caring for individuals who  
16 have a higher propensity for violence and that could  
17 be attributed to their affiliation with security  
18 risks groups, you know, locally termed as gang  
19 affiliation. Or increased populations that have  
20 significant mental health challenges. And as you  
21 said, you know, it's easy to point out a problem but  
22 solution-wise, the department is working very closely  
23 with CHS and we've created something called a PINSS  
24 meeting which stands for Persons in Need of  
25 Supervision and Support. And somethings we've never

2 done before but basically get into a room with the  
3 mental health professionals, medical professionals  
4 with custody of different persons who is in charge of  
5 that particular facility and we talk about at risk  
6 youth, or at risk incarcerated individuals and we try  
7 to come up with a real meaningful plan to address why  
8 there is this behavior.

9 In regards to force in it of itself, the  
10 department is transitioning in a culture change of  
11 how we look at force and I can say that we don't get  
12 allocations of force, because we are hypersensitive  
13 in transparency in reporting it. So, even if we  
14 separate two individuals, we're calling that force.  
15 Whereas, not having someone saying hey, you know, I  
16 think force was used. You know, we look at every  
17 single incident.

18 CO-CHAIRPERSON POWERS: I think we appreciate  
19 that and I know that we had this discussion outside  
20 of juvenile system as well in terms of what force.

21 You mentioned three different categories, A,B,  
22 and C. Do you have the numbers, back to the question  
23 of how many are categorized for A,B and C?  
24  
25



2 WILLIAM BARNES: Yeah, so, from October through  
3 about September 2019, in terms of youth on youth  
4 fights that resulted in a serious injury -

5 CO-CHAIRPERSON POWERS: Let's do use of force,  
6 that was the question about use of force.

7 WILLIAM BARNES: So, you can't really categorize  
8 it that way exactly, because the use of force could  
9 involve a staff or someone in custody and so, that is  
10 out. That would be something we'd have to follow up  
11 with you to break it down like that. But in terms of  
12 fights with youth in custody, there have been about  
13 ten from the number you cited and for staff, about  
14 three.

15 CO-CHAIRPERSON POWERS: Three serious injuries  
16 your talking about.

17 WILLIAM BARNES: The staff over the first year.

18 CO-CHAIRPERSON POWERS: Over staff and ten to  
19 individuals?

20 WILLIAM BARNES: Yeah.

21 CO-CHAIRPERSON POWERS: I think Council Member  
22 Lancman in his questioning had mentioned I think the  
23 stats that he was talking about were - I think  
24 stability is some of the fighting, although still  
25 we'd like to see that obviously drop lower, initial

2 spike and a lowering, but the use of force incidents  
3 were going up and I think it doubled. I think, if  
4 I'm correct, from hearing his numbers.

5 So, I think we were looking for an explanation of  
6 the use of force and the categorization of some as  
7 separating people, not closing an injury, others as  
8 potentially more serious.

9 WILLIAM BARNES: So, I want to be as transparent  
10 as possible. I have some data as it pertains to A,B,  
11 and C use of force, but that would be reflective of  
12 use of force solely by Department of Correction staff  
13 with residents to Horizon. So, I don't want to give  
14 the Council any misinformation that is not  
15 representative of a cumulative number.

16 CO-CHAIRPERSON POWERS: You mean not Crossroads?

17 WILLIAM BARNES: Let's just say if there was YDS  
18 intervention, I don't want to give you a number and I  
19 don't want to seem that I'm being disingenuous.

20 CO-CHAIRPERSON POWERS: I understand, okay, I  
21 appreciate that.

22 WILLIAM BARNES: But, you know, just in the  
23 interest of trying to address what you are asking.  
24 So, in the month of November for Department of  
25 Correction use of force, there was zero Class A uses

2 of force, there were three Class B uses of force and  
3 there were eight Class C uses of force and zero  
4 allegations of force.

5 CO-CHAIRPERSON POWERS: There was eleven uses of  
6 force in November? Is that what we're saying and  
7 zero, three, and eight.

8 WILLIAM BARNES: For Department of Correction and  
9 youth at Horizon, not counting any YDS intervention  
10 and I provided these numbers, just, I want it to be  
11 you know, as transparent as possible.

12 CO-CHAIRPERSON POWERS: I appreciate the  
13 transparency. Does ACS have numbers for their staff?

14 CHARLES PARKINS: We don't have that information  
15 available today, but we'd be happy to provide it.

16 CO-CHAIRPERSON POWERS: Okay, I'm going to stop  
17 there and Council Member Lancman has to run to a  
18 vote. I'm going to hand it over to Council Member  
19 Louis, Council Member Cohen and then Council Member  
20 Rose. Thank you for the answers.

21 COUNCIL MEMBER LOUIS: Good morning. Thank you  
22 Chairs Lancman and Powers for organizing this  
23 oversight hearing. We're just going to continue the  
24 narrative now of excessive force.

2 One of my questions was answered but I want to go  
3 a little bit more in depth. How are services of the  
4 Cure Violence organizations being utilized to de-  
5 escalate the incidents of excessive force.

6 So, I heard JKM was one of the organizations  
7 used.

8 SARA HEMMETER: Sorry, JKM is the safe crisis  
9 management that deal with using restraints, not cure  
10 violence.

11 COUNCIL MEMBER LOUIS: So, how are Cure Violence  
12 organizations utilized to assist with incidents of  
13 excessive force to de-escalate.

14 WILLIAM BARNES: So, we have providers that come  
15 in to help provide some crisis de-escalation and  
16 worked with our staff and worked with the youth to  
17 get them to talk about these issues to help reduce  
18 the propensity for violence in the facilities.

19 So, we are using providers to do this but it's  
20 one of the tools being used to help address  
21 behaviors. There's other tools that we use as well,  
22 really trying to engage youth, keep them occupied,  
23 keep them interested by developing robust programs,  
24 that they might be interested as well and that has  
25 draw backs as well. We have youth who have never

2 experienced certain programs who are now a little  
3 afraid or you know that their interest might not be  
4 there and we have some that are developing interests.  
5 So, it's really trying to have a large cod ray of  
6 services for kids that are across the spectrum in  
7 terms of engagement to help stabilize them and make  
8 them safer when they are in our custody.

9 COUNCIL MEMBER LOUIS: For those that don't feel  
10 safe, how many incidents of excessive force used on  
11 the youth that were injured, prevent them from  
12 actually attending school or participating in  
13 program? Do you have a number?

14 WILLIAM BARNES: I don't know that I have that  
15 information but I can follow up, but to clarify, you  
16 want to know -

17 COUNCIL MEMBER LOUIS: How many incidents of  
18 excessive force?

19 WILLIAM BARNES: How many incidents of excessive  
20 force.

21 COUNCIL MEMBER LOUIS: Force that caused injuries  
22 in students and prevent them from attending school?

23 WILLIAM BARNES: Preventing them from going to  
24 school. I can follow up on that.

2 COUNCIL MEMBER LOUIS: Yeah, if we could have  
3 that number, that would be great. How many hours are  
4 provided for therapeutic and behavioral services for  
5 youth?

6 Yesterday, we went on a tour and it appeared, I  
7 heard in conversation that some youth were  
8 experiencing depression, lost from family. So, how  
9 many hours are being provided for therapeutic  
10 behavioral services and how does STRIVE help with  
11 that?

12 WILLIAM BARNES: There's two - so, STRIVE is the  
13 more broad token economy system that's used to guide  
14 youth around specific behaviors. They earn points  
15 for demonstrating safety or respect throughout the  
16 day and the day is broken up into multiple  
17 components. Those points then are awarded to them in  
18 those moments and at the end of the day, they are  
19 totaled up and that allows them to move to different  
20 levels within the STRIVE system. Each level within  
21 the STRIVE system allows the youth to have greater  
22 access to different privileges or rewards that they  
23 might find to be high value and of course, that value  
24 is different for every youth.

2 Your question regarding mental health service or  
3 behavioral health services, I can find out if we have  
4 some minimum numbers that are applied across the  
5 board for you in terms of hours, but they are highly  
6 structured to the individual, so that each  
7 individuals needs are being met and as you can  
8 imagine, some have a greater need than others. And  
9 we have a large variety of services for mental health  
10 using health sources as well as Bellevue to provide  
11 psychologists, psychiatrists, and mental health  
12 counselors to be able to meet those needs.

13 COUNCIL MEMBER LOUIS: Alright, that will be  
14 helpful if we got those numbers. Thank you.

15 CHAIRPERSON LANCMAN: Thank you, Council Member  
16 Rivera.

17 COUNCIL MEMBER RIVERA: Thank you so much. Thank  
18 you. A couple of questions, for LGBTQ, TGNC/NB  
19 youth, typically, we've seen special housing units,  
20 but how do you support those who identify?

21 WILLIAM BARNES: Youth are able to be placed  
22 where they identify on housing units whereas they  
23 identify.

24 COUNCIL MEMBER RIVERA: Also, in the testimony,  
25 ACS, you mentioned, through your partnership with New

2 York City Health and Hospitals, youth receive  
3 comprehensive psychiatric, psychological and  
4 behavioral health services delivered by skilled  
5 clinicians. What does that look like and how do you  
6 use those sessions and that information to help build  
7 out your programs and services?

8 CHARLES PERKINS: I'm sorry, could you repeat the  
9 question, I apologize.

10 COUNCIL MEMBER RIVERA: Sure, it says that you  
11 offer comprehensive psychiatric health services. And  
12 so, when we're talking about youth and their  
13 development and how they identify, how does that  
14 inform your programs and services and the way that  
15 you keep your facilities?

16 CHARLES PERKINS: Sure, so we have - we work  
17 directly with Bellevue and we have some training  
18 that's provided, target training, that's provided  
19 directly to staff and to youth to help kind of bridge  
20 those gaps. Inform the staff on how to provide  
21 adequate services to youth with specific needs and of  
22 course, you know, the basis of all our working with  
23 kids is just constant communication and engaging and  
24 building a rapport and a relationship with the youth.  
25 So, they feel comfortable to have those conversations



2 with us, so they feel safe and we can meet those  
3 needs.

4 COUNCIL MEMBER RIVERA: In the Close to Home  
5 mentioned, you know, one of the things that I think  
6 we have commented on was trying to get our hands on  
7 the data and we understand that's actually a piece of  
8 legislation that we're hearing to help us with some  
9 of this data and statistics and some of this  
10 information but I want to ask specifically about  
11 Close to Home and the family component and how they  
12 participate.

13 So, you mentioned in your testimony, the youth  
14 forms positive trusting relationships with adults.  
15 So, can you tell us how many of those young people  
16 have supportive family networks. I imagine not all  
17 of them have family that they can talk to, which is  
18 heartbreaking. And how do you also facilitate that  
19 cultivation of trusted relationships, especially I'm  
20 curious about Law enforcement and those interactions.

21 SARA HEMMETER: So, there's a couple of things I  
22 think in that question. The first is the family  
23 engagement and Close to Home, we start working with  
24 the family immediately. And in fact, when a young  
25 person is placed in Close to Home, our intake team is

2 doing an assessment and gathering all the paperwork  
3 in terms of the probation reports and any mental  
4 health evaluations that are done on the youth.

5 And a transition meeting is scheduled before that  
6 young person is placed in Close to Home. That  
7 includes the family and the youth in that conference,  
8 so that everyone has an understanding of where the  
9 youth is going. What the process is, how long they  
10 might be there and then, as I mentioned in the  
11 testimony, we have family teen conferences throughout  
12 the live of a case. There are six required family  
13 teen conferences throughout a Close to Home case  
14 including the transition conference but also, before  
15 release there is also a transition conference. The  
16 family is invited to all of those conferences and  
17 participating in them as much as possible. We  
18 schedule that conference around the families  
19 availability. There are also other conferences, if  
20 something happens in a facility, there are other  
21 conferences that are held as well that include the  
22 families. So, the family is integral to the Close to  
23 Home placement for the youth.

24 As far as permanency, which I think is what you  
25 were getting at in terms of youth who do not have

1 family. In calendar year 2018, out of 167 youth, 77  
2 percent of those youth were released to a parent or  
3 family member. We are always trying to find an adult  
4 that a young person can be released to, if it is not  
5 a parent, is there somebody else who can be involved?  
6 Who wants to be involved with that young person.  
7

8 So, for the young people who do not have that, it  
9 is sad for those youth and we do what we can to try  
10 to encourage relationships – other relationships that  
11 the youth may have but some of those youth do go to  
12 foster care.

13 COUNCIL MEMBER RIVERA: Thank you for that  
14 statistic, because you know, for these young people  
15 who are pretty much I guess determined by a judge to  
16 enter the ACS system, they go into a shelter system  
17 that often leaves them vulnerable to repeat offenses.  
18 And so, what investments are being made by ACS to  
19 ensure that this population is being supported in the  
20 community and that they diverted away from the kind  
21 of activity that can lead them to becoming further  
22 justice involved once they turn 18? And I ask,  
23 because in my own district, I have ACS facilities;  
24 one young adult system managed by Good Shepard whose  
25 been doing it for years and they love their work.

2 And we want to ensure that the community understands  
3 how much support these young people need.

4 So, if you can just address that for me and we  
5 haven't gotten to the NYPD component, so if you could  
6 also - this is my last question Chairs, thank you for  
7 being gracious with time.

8 With adolescent arrests now resulting in more  
9 dismissal and releases, how are your agencies working  
10 with NYPD to ensure that youth are being diverted  
11 away from criminal justice involvement without  
12 incarceration and again, how are you cultivating the  
13 relationships between these youth and NYPD  
14 considering their history?

15 SARA HEMMETER: So, in terms of our collaboration  
16 with NYPD and MOCJ, can probably talk to this a  
17 little bit as well. There's regularly scheduled  
18 meetings that happen between city agencies; NYPD, the  
19 Department of Probation, ACS, the courts that come  
20 together and discuss Raise the Age implementation but  
21 other things as well, including diversion services  
22 that the NYPD provides, that Probation provides, that  
23 ACS provides.

24 So, there is that constant collaboration among  
25 agencies that is happening. We have leadership

2 programs for youth and we have that in detention and  
3 also in Close to Home, where we are talking about the  
4 relationships that young people have with others in  
5 their community that can include the NYPD as well and  
6 so, there's often a lot of work that's happening in  
7 terms of individual with the youth, but also on an  
8 agency level.

9 CHATODD FLOYD: And hi, my name is Chatodd Floyd,  
10 I'm the Director of Intergovernmental Affairs for the  
11 Mayor's Office of Criminal Justice.

12 Building off of what my colleague said, MOCJ in  
13 coordination obviously with the Council with respect  
14 to the CTRA reforms has sort of led to a precipitous  
15 drop in the number of arrests of youth as well as  
16 detention particularly related to marijuana offenses  
17 as well as theft services.

18 And also, we know that NYPD has sort of been  
19 towards issuing juvenile reports in lieu of arresting  
20 youth, which also results in the significant decline  
21 in detention at our facilities.

22 So, as long as we are continuing that good work,  
23 we can kind of continue to see drops and not related  
24 to NYPD, MOCJ has expanded supervised release to  
25 cover all youth for every number of charges beginning

2 this summer, or rather last summer and so, that has  
3 sort of given judges confidence not to increase  
4 detention as well.

5 COUNCIL MEMBER RIVERA: And that's great. We  
6 want to make sure that we're also supporting those  
7 programs and services that have been so critical to  
8 making sure young people have support. I just want  
9 to ask about if you know, the numbers are going down  
10 and we want to move away from for example, DOC being  
11 staffed at the Horizon facility by I think it's  
12 September 2020, correct? Even though that's already  
13 a six month delay but I know you're working hard.

14 I read a story in the city that said that capital  
15 dollars continue to go into the Horizon personnel  
16 facility. And if we're planning on DOC not to be  
17 slated to work - to be there by September 2020, it  
18 kinds of sends a signal that maybe the Department of  
19 Corrections are going to continue to be present.

20 So, is there a transition plan for that departure  
21 and can you speak to any capital investments that  
22 have been currently been made? And thank you again  
23 to the Chairs.

24 WILLIAM BARNES: Yeah, so the Department has been  
25 working on a transition plan with ACS for months now

2 and it began in mid-August when we started bringing  
3 out the first cohort of DOC officers and supervisors.

4 By the end of this calendar year we'll have the  
5 majority of staff of DOC staff, out of Horizon.

6 There will be around 40 staff there from January on  
7 through the time when the last pre-RTA youth will be  
8 there, but that's a small group working on three  
9 tours, so at most, there might be about ten DOC  
10 personnel in the building at any given time after  
11 January. In terms of the capital dollars.

12 SARA HEMMETER: So, the capital funds that have  
13 been allocated to detention, I'm not sure what was  
14 referenced in the city article that you're referring  
15 to but there were improvements that needed to be made  
16 at the facilities in terms of hardening the facility,  
17 putting in anti-ligature beds and things like that.

18 That was kind of the first phase of the construction  
19 and then second phase of the construction, includes  
20 design for renovations to increase the programming  
21 space for youth and to address some of the building.

22 These buildings are old and so, it's to improve  
23 some of the functioning within the facilities.

24 COUNCIL MEMBER RIVERA: Thank you so much.

25 CHAIRPERSON LANCMAN: Council Member Cohen.

2 COUNCIL MEMBER COHEN: Thank you Chairs. Good  
3 morning, thank you for your testimony.

4 First, I had a question related to, I guess this  
5 goes to ACS, in your testimony, and forgive me, I  
6 just you know, I'm not knowledgeable about the  
7 confidentiality issues that you alluded to in  
8 reporting. Obviously, people in custody have a lower  
9 expectation of privacy than members who are not in  
10 custody, but I don't know what the issues are. You  
11 know, what do you think the challenges are in terms  
12 of confidentiality?

13 SARA HEMMETER: Right, so, specifically for the  
14 young people who are in Close to Home, those young  
15 people are governed by foster care regulations and  
16 so, there are confidentiality rules that apply in  
17 terms of social services law. And so, we cannot  
18 release information about those youth because of the  
19 small number of youth who are in those facilities,  
20 some of them are only six beds. By disaggregating  
21 the data, the way that the legislation is proposed,  
22 could potentially identify those youth and we are not  
23 able to identify those youth.

24

25



2 COUNCIL MEMBER COHEN: Are they sort of dual  
3 categorized in that they are in foster care and in  
4 custody or is it one or the other?

5 SARA HEMMETER: Well, the Close to Home  
6 legislation, the way that it was written, the young  
7 people are governed by foster care regulations as  
8 well.

9 Also, the secured detention facility and the  
10 specialized juvenile detention facility are also  
11 under the social services law. So, disaggregating  
12 those young people could potentially identify them as  
13 well.

14 COUNCIL MEMBER COHEN: So, for both.

15 SARA HEMMETER: Correct.

16 COUNCIL MEMBER COHEN: I understand. You know,  
17 one of the things in my experience and I think Chair  
18 Lancman made reference to it in terms of constituent  
19 service, that there are few constituents who will  
20 often occupy an enormous amount of our time, but that  
21 happens over and over again where I find if I go to a  
22 precinct council meeting, where there is one or two  
23 people who are really throwing a wrench in CompStat  
24 because there are just a couple of people and I know  
25 you've talked about the programs generally, but like

2 targeting – you know, I think you mentioned the  
3 number of 17 people in your custody who were causing  
4 a significant, statistical amount of the incidents.

5 I mean what strategies do we employ to deal with  
6 those people and I think that that could really maybe  
7 change the entire complexion of your stats if we  
8 understood it, or if there were specific strategies  
9 that identified these people early, so that we could  
10 avoid having to use force and you know, have  
11 strategies that I think are effective.

12 WILLIAM BARNES: So, we do identify those  
13 individuals as I mentioned earlier through our daily  
14 discussions. We actually have for internal reporting  
15 purposes, we also have a monthly report that we  
16 provide with youth with serious behavioral issues, so  
17 that we can work in developing individualized  
18 behavior management plans forward.

19 So, often times those small groups of individuals  
20 kind of don't work well within our larger behavior  
21 management plan as you mentioned.

22 So, we do target those individuals for  
23 individualized behavior management plans, identifying  
24 things that they value, that they want to see and  
25

2 that we can use to help encourage positive behaviors  
3 and more safe behaviors in our facility.

4 So, we work also closely with our mental health  
5 team in terms of working with those specific youth.  
6 So, it's definitely a multi-disciplinary approach.

7 COUNCIL MEMBER COHEN: So, you think that – and  
8 again, I understand that we want to use a use of  
9 force in its full context, but you think that those  
10 incidences would be higher without these  
11 individualized strategies and that these stats are  
12 the product of employing those individualized  
13 strategies?

14 WILLIAM BARNES: There's always room for  
15 improvement and we're always striving to improve.

16 COUNCIL MEMBER COHEN: Chairs, thank you very  
17 much.

18 CHAIRPERSON LANCMAN: Council Member Rose.

19 COUNCIL MEMBER ROSE: Thank you Chairs. The  
20 majority of these cases are not arraigned in Youth  
21 Parts, but instead in regular criminal court  
22 arraignments on nights and weekends, when the Youth  
23 Part is not session.

24 According to MOCJ's data, from the office of the  
25 court administration, only 32 percent of youth were

2 arraigned in Youth Part or youth arraigned in outside  
3 of the Youth Part, were more likely – and they were  
4 more likely to have bail set. Why is this number so  
5 low and why isn't the Youth Part active throughout  
6 the night and weekends, which seems to be forcing  
7 young people to go through the criminal court during  
8 these off session hours?

9 JORDAN STOCKDALE: Thank you for that question.  
10 Again, my name is Jordan Stockdale from the Mayor's  
11 Office of Criminal Justice.

12 It's important to note that the court system, the  
13 Office of Court Administration is separate from the  
14 city, separate from the Mayor's Office. So, the  
15 hours of when judges work is not determined by the  
16 city.

17 Two, night court as you described and court on  
18 the weekend, part of the reason why so many of the  
19 cases go to the accessible magistrate, is because the  
20 offenses occur during the weekend or at night and  
21 given the average arrest arraignment time, by the  
22 time that actually the youth is available for court,  
23 it's at nighttime.

24 COUNCIL MEMBER ROSE: So, then isn't this counter  
25 intuitive of what Raise the Age is supposed to be

1  
2 doing? And, if so, why haven't we looked at that and  
3 taking that into consideration? It seems to be  
4 having the exact opposite purpose of what we were  
5 supposed to achieving.

6 JORDAN STOCKDALE: So, there is room for  
7 improvement for more youth to go to the Youth Part,  
8 but when youth go to the accessible magistrate, which  
9 now can remove youth to family court. The very next  
10 day that the Youth Part is available, youth actually  
11 go there.

12 So, the accessible magistrate isn't making a  
13 determination, one. Two, 80 percent of the youth  
14 designated as adolescent offenders were moved to  
15 family court based on data from the first nine months  
16 of Raise the Age. So, youth are being treated as  
17 youth. We do want more youth to go to the Youth  
18 Part, without going to the accessible magistrate, but  
19 the accessible magistrate can remove cases and youth  
20 are being removed as appropriate.

21 COUNCIL MEMBER ROSE: But the arrests arraignment  
22 times for Raise the Age youth is much longer than the  
23 average, according to the advocates. It's often more  
24 than 24 hours, which is then further compounded by  
25 the fact that the police department doesn't have

2 facilities to detain you know, pre-arraigned youth.  
3 That often times young people are in prescinds and  
4 their handcuffed to chairs.

5 I mean, the stories are on and on and there's no  
6 private confidential spaces for them to talk with an  
7 attorney.

8 You know, what are we doing to address this?

9 JORDAN STOCKDALE: So, there's a few different  
10 parts to that question. One, I would like to say  
11 that according to NYPD data, the average arrest  
12 arraignment time for youth is actually less than the  
13 average adult arrest arraignment time and the adult  
14 time actually include misdemeanors where the youth  
15 does not.

16 So, according to NYPD data, in October, youth  
17 were arraigned within 17 hours and 17 hours and 9  
18 minutes was the average time. In November, it was 16  
19 hours and 25 minutes, so a decline. The adult  
20 citywide time for arrest arraignment was actually 18  
21 hours and 47 minutes.

22 So, on average, arrest arraignment time for youth

23 -

24 COUNCIL MEMBER ROSE: An hour difference.

2 JORDAN STOCKDALE: Right, is better than for  
3 adults. However, to your point, there are outliers  
4 and we are analyzing common trends within the  
5 outliers. So, to further reduce the amount of time  
6 youth are held pre-arraignment.

7 And so, this is an issue that the city thinks is  
8 important and we're working with OCA, NYPD, and all  
9 the relevant actors to ensure that we can continue to  
10 decrease the arrest arraignment time.

11 We have an example of doing that in the Bronx; I  
12 am happy to share.

13 COUNCIL MEMBER ROSE: So, if they can't bring a  
14 youth to arraignment by the regular detention  
15 facilities, where does that young person wait? Which  
16 is often 24 hours.

17 JORDAN STOCKDALE: So, the process is when a  
18 youth is arrested, they go to the precinct of the  
19 officer where they were arrested.

20 COUNCIL MEMBER ROSE: Exactly.

21 JORDAN STOCKDALE: Or where the crime occurred  
22 rather. Then, they go to central booking, after  
23 central booking, they generally wait in some area  
24 before they are called to arraignment, at which point  
25 they are arraigned.

2 COUNCIL MEMBER ROSE: So, they're waiting in the  
3 precinct, often times, you know, because there is no  
4 facility for them. They're handcuffed to a chair  
5 without access to have a private conversation or a  
6 confidential conversation with an attorney.

7 JORDAN STOCKDALE: So, there are special juvenile  
8 rooms within the various precincts where youth are  
9 and with respect to confidentiality in private space,  
10 we, the Mayor's Office built an interview booth in  
11 Manhattan, because we heard from defenders that there  
12 wasn't sufficient space. And so, we believe we  
13 solved the problem there.

14 There were discussions about Queens, sometimes  
15 not having the right procedures in place for  
16 confidentiality. We addressed that with the relevant  
17 agencies.

18 COUNCIL MEMBER ROSE: When you say you addressed  
19 it; how did you address that?

20 JORDAN STOCKDALE: So, again, in Manhattan, we  
21 got an interview booth. In Queens, we spoke with  
22 NYPD where the defenders felt that sometimes the  
23 police officers were too close to their clients  
24 during the interview process and we asked them not to  
25 be as close and I believe we solved that problem.



2 Again, if that is still a problem, the defenders  
3 can contact our office. They have our numbers and  
4 our emails and we would work to address that issue,  
5 but to my understanding, that is no longer an issue  
6 in Queens or in Manhattan.

7 COUNCIL MEMBER ROSE: I think that there needs to  
8 be something more finite decided in terms of  
9 boundaries, other than asking the officer not to  
10 stand so closely. That doesn't sound like you know,  
11 such a great response to the lack of confidentiality.  
12 And I just want ask about, you mentioned that young  
13 people were able to access the SYEP program. Is that  
14 open to all of the young people at Crossroad and  
15 Horizons or is there some criteria? And you also  
16 mentioned that it continue post release. Could you  
17 tell me how this works?

18 JORDAN STOCKDALE: So, I'm not sure that I have  
19 the specifics on how we identify individuals but we  
20 do have a process to allow youth -

21 COUNCIL MEMBER ROSE: Is it open to all of the  
22 young people at the facility?

23 SARA HEMMETER: Yes, it is. It's available to  
24 all young people in both Close to Home and Detention.

2 COUNCIL MEMBER ROSE: And what type of jobs are  
3 you giving them?

4 SARA HEMMETER: In detention -

5 JORDAN STOCKDALE: We did have a mural project  
6 that the kids worked on over the summer where they  
7 were able to work on a painting mural within the  
8 facility. I know that that was part of the Summer  
9 Youth Employment program.

10 COUNCIL MEMBER ROSE: Is this in cooperation with  
11 a community based organization or just within the  
12 facility?

13 JORDAN STOCKDALE: I would have to find out for  
14 you to see which parties were involved.

15 COUNCIL MEMBER ROSE: And, my last question is,  
16 you talked about - you said that with 17 year old's  
17 adjudicated as juvenile delinquents now eligible to  
18 Close to Home, we expect to see the census start to  
19 increase. We're working with MOCJ to monitor the  
20 situation closely and ensure we have sufficient  
21 capacity.

22 What are the anticipated numbers of increase are  
23 you trying to prepare for, and are we going to be  
24 able to meet that capacity?

25

2 WILLIAM BARNES: Just to clarify, you're speaking  
3 of the youth in Horizon's and Crossroads, correct.

4 COUNCIL MEMBER ROSE: Yes, the 294 beds in Close  
5 to Home.

6 WILLIAM BARNES: Oh, Close to Home.

7 SARA HEMMETER: So, we have been in conversations  
8 with MOCJ about projections based on the arrest rates  
9 that we've seen in the first year of Raise the Age  
10 and are continuing to monitor that, to ensure that we  
11 do have sufficient capacity in our Close to Home  
12 facilities. But we do have 294 beds as of today and  
13 if there is an increase, we anticipate that we will  
14 have sufficient capacity, but if we need more, that  
15 is what we are continuing to access with MOCJ.

16 COUNCIL MEMBER ROSE: How many of the 294 beds  
17 are now being utilized?

18 SARA HEMMETER: As of the testimony, it was 101  
19 but I believe its gone up a few since then. So, it's  
20 been around 100, 105.

21 COUNCIL MEMBER ROSE: And so, the projected  
22 number of increase that you're anticipating?

23 SARA HEMMETER: I don't have that number right  
24 now, but we can get back to you on that. I don't  
25 have it but we can get you that.

3 COUNCIL MEMBER ROSE: But is it safe to assume  
4 that we feel that we can accommodate an increase in  
5 the numbers that you're talking about are being  
6 projected?

7 SARA HEMMETER: Yes, we do.

8 COUNCIL MEMBER ROSE: Thank you Chair.

9 CHAIRPERSON LANCMAN: Majority Leader Cumbo.

10 COUNCIL MEMBER CUMBO: Thank you Chairs, and I  
11 was just looking at the testimony and it talked about  
12 providing youth in detention with daily opportunities  
13 for large muscle exercise and space for recreation is  
14 essential. All youth at both facilities have the  
15 opportunity for outdoor activities with basketball  
16 courts, grassy areas, sprinklers for hot days, and  
17 space for other outdoor recreation activities. So, I  
18 just wanted to focus in on that because I think it's  
19 fair to say that the majority of our youth involved  
20 in the system are Black and Latino, correct? Would  
21 you say that - has there been any really thought in  
22 terms of culturally specific programming in terms of  
23 the type of programming that would be relevant to  
24 Black or Latino youth outside of the physicality of  
25 the exercise and outdoor activity? Which is critical  
but there's also the strong ability for this

1  
2 opportunity and this space and time to be able to  
3 utilize that time to reconnect to their Afro and  
4 Latino base. Are there organizations that you  
5 partner with like, let's say in my community, we have  
6 organizations like EFA TIO[SP?], which are African  
7 Rites of Passage programs. We have programs such as,  
8 let's say the West Indian American Day Carnival  
9 Association. That teaches young people about their  
10 Caribbean heritage and their culture, and programs  
11 like in East Harlem, the Caribbean Cultural Center,  
12 African Diaspora Institute that really breaks down  
13 and shows that the heart of Latino culture is really  
14 based in African culture and maybe if African and  
15 Latino youth could see the connections between their  
16 African heritage and their Latino heritage, they  
17 would see themselves as one, versus there two groups  
18 of individuals.

19 Are there programming to inspire them like that?  
20 Like, the film Harriet just came out, would that be  
21 something that they would see while their there?  
22 Would they be exposed to the autobiography of Malcolm  
23 X? Would they have those opportunities to reconnect  
24 in terms of their cultural identity? Because my  
25

2 opinion is, that's essentially what the issue is  
3 about.

4 Is that you have an entire race of people and  
5 particularly young people who are totally  
6 disconnected from their identity and the results are  
7 what we're seeing within these spaces.

8 CHARLES PARKINS: So, thank you for bringing that  
9 up and I agree with you, this is a topic that's kind  
10 of near and dear to us. You know, one of the  
11 programs that we were really excited to be able to  
12 bring on board was freedom school, and it's been  
13 hugely popular with the youth. It's a summer based  
14 program that's really identified specific topics that  
15 are culturally relevant to the youth around reading  
16 and poetry and really engaging the kids and  
17 motivating them to read. They have really bought  
18 into the program and have learned quite a bit. They  
19 have conversations around the books they read. I  
20 mean, they really, really, really get into the topics  
21 and the topics involved are often very much  
22 culturally relevant to the youth.

23 Additionally, as you mentioned, in terms of  
24 engaging the youth on outdoor activities, youth are  
25 able, we have a resident council in our facilities

2 and we work with the youth as well to develop  
3 programs that they are interested in and if we bring  
4 in a provider for example that the kids just really  
5 just don't really buy into, then we'll find a  
6 different provider for youth to participate with.

7 So, we have a number of different types of  
8 providers from the community to provide a variety of  
9 different opportunities for youth to engage in the  
10 large muscle exercise component to that is really  
11 around that specific topic around you know, exercise  
12 and moving around and just really kind of its health  
13 focused. But we have a large variety of other  
14 programs as well to stimulate the youth in different  
15 ways.

16 COUNCIL MEMBER CUMBO: There's the exercise of  
17 the physical body, but then there's also the exercise  
18 of your intellectual capacity and how do we  
19 strengthen young people in that way. And so, while  
20 that sounds like an interesting program, there are  
21 organizations that have been deeply entrenched in  
22 doing culturally competent work and are really based  
23 in it and who know it and if we don't want to just  
24 continue to have these types of same conversations,  
25 we ultimately have to do something very different.

2 And there are organizations like the Malcolm X  
3 Grassroots Movement. There are organizations all  
4 throughout the city that are really doing this work  
5 at a high level, everything from the No Pointer  
6 Foundation to the International African Arts  
7 Festival, the Central Brooklyn Jazz Consortium.

8 So, many organizations that our young people  
9 should be exposed to and if we connect them to who  
10 they are and their identity, in a really profound  
11 way, I think that we could start to have — because  
12 just to exercise their body is one thing. And  
13 exercising of the body is important but it's equally  
14 and even more important to exercise your intellectual  
15 capacity and exposure. And the ability for them to  
16 come out of a situation like this, understanding why  
17 they are in the state of affairs that they're in.  
18 How did the trans-Atlantic Slave Trade happen? How  
19 did colonization happen? And if they leave these  
20 facilities without knowing those things, than their  
21 going to come in equally as confused as when they  
22 left with no real tools of understanding how to  
23 change their current situation. Thank you.

24 CHARLES PARKINS: Thank you.



2 CHAIRPERSON LANCMAN: Just a couple of follow ups  
3 on Close to Home. What is the overall capacity?

4 SARA HEMMETER: 294 beds.

5 CHAIRPERSON LANCMAN: And how close are we to  
6 hitting that capacity?

7 SARA HEMMETER: We are at 101 today, or around  
8 there.

9 CHAIRPERSON LANCMAN: So, it sounds like you've  
10 got plenty of room, plenty of capacity to grow?

11 SARA HEMMETER: Yes.

12 CHAIRPERSON LANCMAN: Okay, and how many youth  
13 are currently at Crossroads?

14 WILLIAM BARNES: Today there are 74, I believe.

15 CHAIRPERSON LANCMAN: And do you have any  
16 projections for how that is going to grow?

17 WILLIAM BARNES: You know, we do have  
18 projections, I don't have them with me. They are  
19 projected to climb as the months go on, higher and  
20 higher and we have developed a plan that we've  
21 submitted to the state to move youth over to Horizon  
22 as well, adolescent offenders to help reduce that  
23 capacity issue.

24 CHAIRPERSON LANCMAN: Okay, and maybe you can get  
25 us that projection after the hearing?

2 CHARLES PARKINS: Yes, we have the projections  
3 with our MOCJ partners.

4 CHAIRPERSON LANCMAN: Good, alright.

5 CO-CHAIRPERSON POWERS: Just a few follow ups  
6 myself. We talked about this a little bit yesterday  
7 and I'm sorry if I missed anybody getting to  
8 questions on it but just for staffing purposes, we  
9 discussed the changeover from ACS to DOC. I think,  
10 and this is in your testimony, but I just want to  
11 clarify and have it on the record. Can you give us  
12 the time, like, expected timeline for when ACS will  
13 take over in full and steps in the process in terms  
14 of staffing, in terms of transition from ACS to DOC?

15 CHARLES PARKINS: So, currently, as of right now,  
16 we have YDS on every single living unit at Horizon,  
17 so the staff that are providing the daily supervision  
18 of the youth are ACS staff. We are assuming other  
19 points of control and we'll have full operational  
20 control of the building before the end of the year.

21 CO-CHAIRPERSON POWERS: This year?

22 CHARLES PARKINS: This year. Operational  
23 control, that doesn't necessarily mean that there  
24 won't be a DOC footprint, but we will have control of  
25 the building working with our DOC.

2 CO-CHAIRPERSON POWERS: And so, end of this year,  
3 DOC, the corrections officers will be on the  
4 perimeter providing security not in the housing  
5 units, is that correct to say? That's what your  
6 testimony said.

7 CHARLES PARKINS: They're doing that now.

8 WILLIAM BARNES: Yeah, so as of right now, there  
9 is no correction officers in any of the halls. It's  
10 completely run by ACS.

11 CO-CHAIRPERSON POWERS: So, what happens at the  
12 end of this year in the next three weeks? What is  
13 the change?

14 WILLIAM BARNES: So, okay, just to give you kind  
15 of a snapshot, the quick answer is that we will be  
16 doing the last control function for DOC will be the  
17 visit area, which we will then turn over to ACS in  
18 this month.

19 And then, our footprint will be further  
20 marginalized and we'll be conducting perimeter-tours,  
21 that Sally Port, the Control Room and ancillary tasks  
22 but we will have no interaction with the youths in  
23 the hall, except for the response team specifically  
24 for pre-RTA youths.

2 So, just to give you a snapshot Chairman Powers,  
3 as of today, we have 96 officers, 19 captains, 3 – it  
4 says Deputy Wardens, 1 Deputy Warden, 1 Warden.  
5 Within the month, that will be reduced to 44  
6 officers, 12 captains, and 1 Deputy Warden over 3  
7 tours.

8 So, as my colleague pointed out, there might only  
9 be eight to nine DOC staff members on hand at any one  
10 time between now and the end of the month.

11 CO-CHAIRPERSON POWERS: Understood, understood,  
12 and then when is the expected timeline when ACS has  
13 full operations? Not just what you have today and  
14 the transition but I think, you had stated October  
15 2020 is when you expect that. I think there is youth  
16 individuals that require DOC to continue to be there  
17 and is it fair to say October 2020 is the expected  
18 timeline for when those individuals leave and  
19 therefore DOC leaves as well, exits as well?

20 WILLIAM BARNES: Yeah, the last youth would  
21 theoretically age out by September 30, 2020.

22 CO-CHAIRPERSON POWERS: Because they turn 18?

23 WILLIAM BARNES: Correct.

24 CO-CHAIRPERSON POWERS: Okay, and I think in our  
25 budget hearings this year, DOC certainly not

2 individuals here, testified that it was February of  
3 2020 when they inspected that transition would  
4 happen. Can you explain the change in that opinion  
5 or if there's a distinction to make between what they  
6 said and what's the answer today? What that  
7 distinction is?

8 WILLIAM BARNES: It was because of the new  
9 admissions that came in, between the time of that  
10 testimony to the time that the gap here ended between  
11 the phase in of the 17 year old's and to Raise the  
12 Age.

13 CO-CHAIRPERSON POWERS: So, at that point and  
14 time, it was -

15 WILLIAM BARNES: Projected was February -

16 CO-CHAIRPERSON POWERS: That the last individual  
17 would have aged out in February of -

18 WILLIAM BARNES: Yeah.

19 CO-CHAIRPERSON POWERS: Okay, understood. I just  
20 wanted to ask about - there's a few BOC, Board of  
21 Corrections variances that apply I believe to Horizon  
22 including one around mail correspondence which has  
23 been raised to our attention about allowing, the BOC  
24 allowing for ACS to restrict mail correspondence, and  
25 can you explain the purpose of that BOC variance?

2 CHARLES PARKINS: Sure, this variance allows us  
3 to identify individuals with whom correspondence is  
4 permissible and limit correspondence only to those  
5 individuals based on the safety or security of the  
6 youth, the facility or consistent with a court order.  
7 The intention of all the variances is to ensure that  
8 we have a youth centered approach in working with  
9 youth at Horizon.

10 ACS has implemented this by identifying a list of  
11 individuals from whom the mail correspondence is  
12 prohibited or based on the safety or security of the  
13 youth. The facility and or consistent with existing  
14 court orders. This is consistent with ACS's juvenile  
15 detention model and under the system there is no  
16 restriction on the amount of correspondence or  
17 language use. Correspondence is never read by the  
18 facility staff unless youth request reading  
19 assistance and correspondence is opened in front of  
20 the youth to inspect for inappropriate contents such  
21 as paperclips, staples or pornography.

22 CO-CHAIRPERSON POWERS: How many individuals  
23 today have a restriction on their mail correspondence  
24 at Horizon?

2 CHARLES PARKINS: I do not have that information  
3 in front of me sir.

4 CO-CHAIRPERSON POWERS: Does anybody have that  
5 information?

6 SARA HEMMETER: We would have to get back to you  
7 on that.

8 CO-CHAIRPERSON POWERS: Okay, and the variances  
9 given to the agency to do it, it's not based on each  
10 individual, is that correct? You'd have to go get a  
11 variance every time if you want to restrict for a  
12 particular individual, is that correct.

13 CHARLES PARKINS: That is correct.

14 CO-CHAIRPERSON POWERS: That is correct. Is  
15 there a restriction on mail correspondence in the  
16 city jails?

17 WILLIAM BARNES: No, the same thing applies. The  
18 contents of any letter is opened up in front of the  
19 incarcerated individual and purely for contraband  
20 reasons.

21 CO-CHAIRPERSON POWERS: Okay, but so, just to  
22 clarify that answer, is there a difference between  
23 the juvenile facilities like Horizon and the city  
24 jails in terms of restrictions on mail correspondence  
25 for an individual?

2 JORDAN STOCKDALE: So, I can obviously speak with  
3 the Detention facilities on Rikers Island. The only  
4 time something would be restricted, would be  
5 that if it poses a security threat to the  
6 institution. So, for instance, if someone mailed  
7 someone a lock picking manual -

8 CO-CHAIRPERSON POWERS: But in that case, it's  
9 based on the package, not the individual, is that  
10 fair to say?

11 JORDAN STOCKDALE: Yeah, exactly.

12 CO-CHAIRPERSON POWERS: So, what is the  
13 difference? Why does one facility have - I'm open to  
14 hear why one is better than the other but why does  
15 one have individuals get restricted from receiving  
16 mail and correspondence and why where the other is  
17 about a particular item that might - we all agree.  
18 If there's a contraband in a package, we want it to  
19 be recovered.

20 I guess the question is, why is there a  
21 difference between these different facilities in  
22 terms of how mail is treated and how correspondence  
23 is treated.

24 SARA HEMMETER: Right, I think the simple answer  
25 is that these are young people and it's for their



2 protection. So, if there is an inappropriate adult  
3 that they are either sending mail to or receiving  
4 mail from, we don't want that to continue. So, our  
5 case management staff is working with the young  
6 people to come up with the list of people they can  
7 receive mail from, just like we do with visitation to  
8 make sure that the young people are protected who are  
9 in our care.

10 So, just can you elaborate on that? We've had  
11 questions about this, so I want to understand it,  
12 it's to protect an individual from receiving  
13 correspondence from an inappropriate adult, can you  
14 describe what that means in more detail?

15 WILLIAM BARNES: It could also be sending the  
16 correspondence. So, youth may have an order of  
17 protection or they may have codefendants that they  
18 can't communicate with. So, it's to kind of mitigate  
19 that communication.

20 SARA HEMMETER: I also, I mean, just the example  
21 that I can think of off the top of my head are young  
22 people who are trafficked and we don't want them to  
23 be corresponding with the people that they are being  
24 trafficked by. And so, I think, you know, in that  
25 instance we would not allow for that correspondence

2 to take place. So, for their protection, we would  
3 not allow that kind of correspondence.

4 CO-CHAIRPERSON POWERS: Is there an appeals  
5 process for that?

6 Oh, let me take a step back. Who makes a  
7 determination on that, what's the criteria.

8 SARA HEMMETER: So, we have a team of case  
9 managers who work individually with the youth and  
10 they are working with the youth and the family to  
11 make those decisions.

12 CO-CHAIRPERSON POWERS: Okay, and if somebody is  
13 put on that restricted correspondence, they can or  
14 cannot, they can appeal that?

15 WILLIAM BARNES: The restricted correspondence is  
16 not a status for an individual but it's a broader  
17 policy that would govern how we do correspondence for  
18 all the youth.

19 CO-CHAIRPERSON POWERS: For everyone.

20 WILLIAM BARNES: Correct.

21 CO-CHAIRPERSON POWERS: Not just an individual.

22 WILLIAM BARNES: Not individual youth. Certain  
23 individual youths may have certain restrictions that  
24 are related to them in their individual specific  
25 situation.

2 CO-CHAIRPERSON POWERS: Okay, understood. Okay,  
3 that's it for me. Thanks.

4 CHAIRPERSON LANCMAN: Did you have another  
5 question?

6 COUNCIL MEMBER CUMBO: I just wanted to know, do  
7 you all ever have a practice of bringing in specially  
8 invited guests, similar to a career day kind of  
9 scenario?

10 SARA HEMMETER: Yes, we do.

11 COUNCIL MEMBER CUMBO: What does that look like?

12 WILLIAM BARNES: We have a variety; we constantly  
13 have individuals coming in and out. I think recently  
14 over the summer we have the NBA Cares Day where we  
15 had some NBA individuals that were coming out and  
16 working with some of the youth.

17 We also have individuals that are in specific  
18 careers, like you mentioned that would come out and  
19 speak to youth about the benefits of those individual  
20 careers. So, we're constantly looking for  
21 individuals that will engage the youth and provide  
22 information to them for opportunities that they could  
23 be involved with.

24

25

2 So, I mean that is certainly a constant endeavor.  
3 Our program is very rich in terms of providing  
4 services to kids.

5 COUNCIL MEMBER CUMBO: Have you ever had members  
6 of the City Council come in and speak to the youth?

7 WILLIAM BARNES: Yeah, as I mentioned before, I  
8 think Freedom School also had a variety of  
9 individuals from across the city that would come in  
10 and speak with youth and read to them and participate  
11 in the Freedom School activities.

12 COUNCIL MEMBER CUMBO: That sounds good but that  
13 wasn't specifically what I was asking. Has anybody  
14 from this body been invited to speak to the youth  
15 specifically?

16 WILLIAM BARNES: I am being told yes.

17 CHARLES PARKINS: Council Member, they certainly  
18 have. I have know that the Council Members Ampry-  
19 Samuel as well as you know some of the senators who  
20 oversee Crossroad have certainly been invited to the  
21 Freedom School and those sort of celebrations, just  
22 last year and as well I believe Assembly Member  
23 Latrice Walker as well.

24 COUNCIL MEMBER CUMBO: So, I asked that just to  
25 say, invite us. I would be more than welcome and

2 more than honored and delighted to be able to come  
3 and I think I speak for many of my other colleagues  
4 that would welcome the opportunity, not just to go on  
5 tours and that sort of thing, but to actually be able  
6 to spend some real time with our youth to be able to  
7 share our stories and how we got to the positions  
8 that we got to and for them to see people that come  
9 specifically and directly from the same communities  
10 that they come from. So, I would certainly encourage  
11 you to see the City Council as a partner above and  
12 beyond this hearing because at a certain point you  
13 have to come out of the hearing, come out of the  
14 tours and you have to have that kind of one on one  
15 dialogue and conversation.

16 So, please know that I am more than willing to  
17 come and more than once in order to create a  
18 relationship to do that.

19 SARA HEMMETER: We would definitely welcome that.  
20 In both detention and our Close to Home facilities.  
21 I think it's important.

22 JORDAN STOCKDALE: And one quick second, this is  
23 semi of topic from your last question, but I do want  
24 to clarify the record based off of an earlier  
25 question by Council Member Rose, in regards to

2 Queens, we had worked with NYPD to actually be able  
3 to provide a private space for lawyers to be able to  
4 speak with their clients and not near the officers.  
5 The officers just sort of moved away from them, so  
6 they do have a private space and based off our last  
7 conversation with the Queens defenders, they are okay  
8 on that issue.

9 CHAIRPERSON LANCMAN: Alright, thank you all very  
10 much. Our next panel – let me also mention we've  
11 been joined by Council Member Daneek Miller from  
12 Queens.

13 Our next panel, the Legal Aid Society, Citizens  
14 Committee for Children of New York, Brooklyn Defender  
15 Services, Children's Defense Fund, Bronx Defenders  
16 and Youth Represent. One nice big closing panel.

17 Alright, good afternoon everyone. If you would  
18 all raise your right hand so we can get sworn in. Do  
19 you affirm or swear the testimony you are about to  
20 give is the truth, the whole truth and nothing but  
21 the truth?

22 PANEL: Yes.

23 CHAIRPERSON LANCMAN: Good, have you talked  
24 amongst yourselves about who would go first? Fire  
25 away, one second. So, we're going to try to do five

2 minutes each. If you really need to go over, you'll  
3 go over but we'd like to give us an opportunity to  
4 have time for questions. Thank you, please begin.

5 NANCY GINSBURG: Good afternoon, my name is Nancy  
6 Ginsburg; I'm here from the Legal Aid Society and I  
7 am joined by Christine Bella from our juvenile rights  
8 division. I'd like to highlight; we've submitted  
9 extensive testimony that I'm not going to read but  
10 I'd like to highlight two of the primary areas that  
11 we have touched on in our written testimony. The  
12 first being arrest to arraignment times.

13 Since the 1991 Court of Appeals decision  
14 requiring the arrest to arraignment time limited to  
15 24 hours, the city has struggled to reach this  
16 mandate. In the last few years, however, compliance  
17 has improved. Raise the Age brought a new challenge  
18 to this mandate as the state and city committed to a  
19 process whereas many youth as possible would be  
20 arraigned in the designated Youth Parts which are  
21 staffed by specially trained judges and court  
22 personnel.

23 As the government testified earlier in the  
24 planning phase of Raise the Age, there was a  
25

2 commitment by all city agencies NOCA, to ensure that  
3 this process went as quickly as possible.

4 In contrast to the rest of the New York State  
5 however, New York City still appears to be adhering  
6 to the historical 24 hour arrest or arraignment time,  
7 which leaves the majority of adolescents arraigned on  
8 Raise the Age criminal court dockets at night, rather  
9 than in the Youth Parts, which only operate weekdays.  
10 A report released by the New York State Raise the Age  
11 Implementation Task Force in August 2019, showed that  
12 adolescents were much more likely to be arraigned  
13 outside of the Youth Part necessitating an additional  
14 court appearance the next day in the Youth Part.  
15 Sixty-seven percent of youth were not arraigned in  
16 the Youth Part in New York City as compared to only  
17 37 percent of youth in the rest of the state.

18 A snapshot of our current open cases in the four  
19 largest boroughs show that in over 50 percent of our  
20 cases, clients were arrested at a time that would  
21 have allowed for an arraignment in the Youth Part but  
22 were instead arraigned in night court. All teenagers  
23 who are arrested during the late afternoon through  
24 the morning hours should simply be taken to the Youth  
25 Part the next day for arraignment.



2       Instead, currently, they are being held for the  
3 full 24 hour period for no apparent reason,  
4 occasionally longer, until the arraignment takes  
5 place in night court. The next day court appearance  
6 requires the youth to miss yet another day of school  
7 and forces the parent or guardian to miss an  
8 additional day of work and/or to have to make an  
9 additional day of childcare arrangements for other  
10 children in the home. The additional court  
11 appearance also raises the cost of the process for  
12 court personnel and other stakeholders who must again  
13 appear at the second, next day adjournment.

14       We have not been able to obtain definitive  
15 information as to the source of this delay in  
16 arraignment, whether it is driven solely by the NYPD  
17 or a combination of NYPD and prosecutorial delay.  
18 Whatever the source, the delay needs to be identified  
19 and remedied and we encourage the Council to inquire  
20 into this issue.

21       The other issue I would like to address is the  
22 issue of Conditions in detention and that has been  
23 gone into I think in some detail earlier in this  
24 hearing.

2 I would like to address the comment made earlier  
3 that there are teenagers who are getting cuffed for  
4 refusing a direct order. The kids in detention are  
5 16 and 17 years old. That is the age range of the  
6 kids in Horizon. They are 16 and 17 years old, and  
7 16 and 17 year old's often do not follow direct  
8 orders and in the world, they are handcuffed for not  
9 doing so. They are not handcuffed in school for not  
10 following direct orders. They are generally or  
11 should not generally be handcuffed on the street for  
12 not following direct orders and kids respond to  
13 aggression with aggressive behavior and then we spend  
14 a lot of time in these hearings asking why the kids  
15 behavior is leading to restraints and I guess what we  
16 always want to ask is, how are those restraints  
17 leading to aggression.

18 These facilities are particularly Horizon, is a  
19 much physically much smaller than RNDC. The officers  
20 were used to working in a much larger physical  
21 environment. The officers are on top of the kids all  
22 the time. They are escorted everywhere they go.  
23 They are in physical custody of adults, corrections  
24 officers.

1  
2           And so, that phenomenon of constantly having  
3 adults on top of you, we understand they are in  
4 custody and there's a reason why they are in custody  
5 but the relationship between officers and the kids  
6 and how that relationship is fostered, creates the  
7 environment in the building. And although there was  
8 a period of time, where corrections was really trying  
9 to focus on developing relationships between officers  
10 and the young people in their custody, I fear that  
11 over the last couple of years we have seen a  
12 retrenchment in that and we are hopeful that there is  
13 going to be a new recommitment to that, but this is a  
14 very real issue about having steady officers who  
15 these kids are used to seeing every day, who they  
16 have real relationships with and they can build  
17 trust. And if they can build those relationships,  
18 then they can build a healthy environment where we  
19 believe that you will naturally see incidents of  
20 aggression become reduced. Both on the part of the  
21 kids and the adults.

22           CHAIRPERSON LANCMAN: Thank you.

23           NANCY GINSBURG: Thank you.

24           STACEY KENNARD: Good afternoon Chair Lancman,  
25 Chair Powers and Members of the Committee. My name

2 is Stacey Kennard and I am a Team Leader and attorney  
3 at the Bronx Defenders, part of the Adolescent  
4 Defense Project specifically.

5 Thank you for the opportunity to testify before  
6 you today.

7 The Adolescent Defense Project is an  
8 interdisciplinary team consisting of criminal defense  
9 attorneys, social workers and an education attorney.  
10 Together we represent adolescent clients age 17 and  
11 younger who are charged as adults, primarily the  
12 young people who are charged with felonies as  
13 adolescent offenders and juvenile offenders.

14 ADP, the practices known attorney's and advocates  
15 are specialists in Raise the Age law and provide  
16 continuous representation for the young people  
17 charged with felonies as they are charged in criminal  
18 and Supreme Court and then as they are charged in  
19 family court.

20 The number of teens charged with felonies in the  
21 Bronx has been significantly reduced since the  
22 implementation of Raise of Age, but for young people  
23 who are still impacted by the criminal legal system,  
24 there's obviously significant room for improvement.

2 We've heard a lot about detention. I want to  
3 focus on detention today, which is an enormous  
4 concern for the Bronx Defenders as well, however, I  
5 want to talk more about what happens to young people  
6 before they are detained in my testimony. And we've  
7 raised a number of concerns additionally in our  
8 written testimony. I'll be focusing now on two  
9 specific areas.

10 First, the disproportionate rates of detention  
11 for young people who are also in foster care and  
12 secondly, stepping back, the NYPD mistreatment of  
13 youth who are in their custody between the time of  
14 arrest and arraignment.

15 So, first, with respect to crossover youth, as  
16 young people are known who have had contact with both  
17 the child welfare system and the juvenile justice  
18 systems. We have seen in our practice these young  
19 people being unfairly subjected to punitive detention  
20 as a direct or indirect result of being in foster  
21 care more frequently than we have seen our other  
22 clients subjected to detention.

23 For example, we've seen in Family Court  
24 delinquency proceedings, are children who are ordered  
25 detained by judges at the request of Corporation

2 Counsel specifically when ACS, which is serving as  
3 the young person's guardian, has not identified a  
4 foster care placement for the child. In our  
5 experience, young people in foster care are sometimes  
6 detained when young people who were living at home  
7 would have been paroled to their parents. In these  
8 instances, ACS will often treat detention in the ACS  
9 facilities effectively and when I say ACS facilities,  
10 I'm referring now to the detention facilities,  
11 Crossroads or Horizon or non-secure detention as  
12 though those detention centers are foster care  
13 placement.

14 And then they will simply stop looking for long-  
15 term and appropriate foster care placements for the  
16 young people.

17 Likewise, when our clients have been kicked out  
18 of a foster home, which is a circumstance obviously  
19 beyond their control, they are significantly more  
20 likely in Criminal or Supreme Court to have bail set  
21 and they are very likely in Family Court to be  
22 remanded to detention in delinquency proceedings.

23 The effect is that children who have already  
24 undergone the significant trauma of family separation  
25 and the experience of unstable housing are forced

2 into even more destabilizing and, as we've been  
3 discussing, dangerous settings.

4 The issue of punitive confinement of crossover  
5 youth, is not unique to Raise the Age or to 16 and 17  
6 year old's. Children in foster care were prosecuted  
7 in Family Court before passage of Raise the age.  
8 However, we do believe that this disparate treatment  
9 of crossover youth is likely only to worsen now that  
10 our clients in Family Court include 16 and 17 year  
11 old's in addition to younger children. And these  
12 older youth are more likely to be living  
13 independently by choice, or to be out of foster care  
14 placement because of a dearth of appropriate foster  
15 care homes, or to have been kicked out of their  
16 parents homes due to conflict, obviously a somewhat  
17 separate issue.

18 These are precisely the scenarios in which young  
19 people become more vulnerable to detention and  
20 placement in delinquency cases.

21 Now, I want to move going back to the NYPD. When  
22 Raise the Age legislation was passed, in recognition  
23 of the fact that adolescents are developmentally  
24 distinct from adults, particularly when it comes to  
25 brain development, additional requirements were put

2 in place for police officers in working with young  
3 people to for example, and the one thing that I want  
4 to focus on is that Raise the Age now requires that  
5 you charged as adolescent offenders or juvenile  
6 offenders are detained separately from adults.

7 This is a change that should theoretically  
8 improve the treatment of children in police custody.  
9 However, the actual treatment of our young clients in  
10 NYPD custody has been marked by systemic abuse and  
11 harm and this was noted earlier but we see our young  
12 clients routinely held overnight in juvenile rooms of  
13 NYPD precincts while awaiting arraignment. They're  
14 almost always to a person, handcuffed to a table or a  
15 bench continuously, denied beds to sleep on and  
16 provided usually with about one meal in what's often  
17 24 hours prior to arraignment and have restricted  
18 access to water and a bathroom.

19 This inhumane treatment of children in NYPD  
20 custody, while it may follow the letter of the law,  
21 clearly violate the spirit of Raise the Age. It's  
22 abusive and we ask that these issues be investigated  
23 and that steps be taken to ensure elimination of this  
24 practice.

25 CHAIRPERSON LANCMAN: Thank you.



2 BRENDA ZUBAY: Good afternoon, my name is Brenda  
3 Zubay; I am a Social Work Supervisor at Brooklyn  
4 Defender Services on our adolescent team.

5 I want to thank the Committees on the Justice  
6 System and Criminal Justice and in particular, Chair  
7 Lancman and Chair Powers for the opportunity to  
8 testify about the implementation and expansion of  
9 Raise of the Age.

10 BDS has a specialized adolescent representation  
11 team comprise of attorneys, social workers, and youth  
12 advocates that are working in our Supreme Court,  
13 Family Court and Criminal Court representing young  
14 people.

15 Our team represents nearly 2000 young between  
16 ages 13 and 21 each year. We echo the concerns  
17 raised by the other defenders regarding pre-  
18 arraignment detention and the role of DOC and use of  
19 force and pre-trial detention as well as probation  
20 adjustment processes. EDS supports Intro. 1628 which  
21 would amend the administrative code to require ACS  
22 and the Department of Probation to report on juvenile  
23 justice statistics. Reporting is a step towards  
24 accountability but additional oversight remains  
25 necessary. We have concerns that this data could be

2 mishandled or misused and urge that there's clarity  
3 on how and for what purpose it will be revealed.

4 We anticipate that the data will confirm what we  
5 see every day, that children of color, specifically  
6 Black and Latino boys are substantially  
7 overrepresented in the juvenile justice system.  
8 Future juvenile justice reforms must acknowledge  
9 disparities at all stages of the process and actively  
10 seek to limit the effects of racial bias and reduce  
11 racial disparity.

12 The over representation of adolescents of color  
13 and the juvenile justice system causes significant  
14 harm to youth, their families and communities. The  
15 long term collateral consequences of interactions  
16 with the system, reinforce a vicious cycle of poverty  
17 and disenfranchisement.

18 M. MENA: Good afternoon, my name is M. Mena and  
19 I am a Policy and Budget Analyst at the Citizens'  
20 Committee for the Children of New York.

21 CCC is a 74 year old independent multi-issue  
22 child advocacy organization dedicated to ensuring  
23 that every New York child is healthy, housed,  
24 educated, and safe.

2 Thank you to the Chairs and to all the Members of  
3 the Committees for holding today's oversight hearing.  
4 I would also like to thank the members of the  
5 committees for their commitment to improving outcomes  
6 for youth in the justice system. CCC welcomes the  
7 opportunity to provide testimony backed by our fact-  
8 based advocacy and data-driven methods that  
9 prioritize first and foremost the safety of children,  
10 including justice involved youth.

11 We look forward to working closely with the  
12 Committees to create policies that ensure that each  
13 New York City youth is afforded the rights and  
14 opportunities to learn and grow from their  
15 transgressions, with minimal trauma, and to  
16 reintegrate into society with dignity.

17 CCC was a co-lead in the passing of the State  
18 legislation to Raise the Age of criminality for youth  
19 in New York in April 2017. These laws were several  
20 years in the making and marked a long awaited victory  
21 for New York's children, youth and families,  
22 especially communities of color whom we know are  
23 often over policed and overrepresented in the  
24 juvenile justice system. With the passing of Raise  
25 the Age legislation, the automatic prosecution and

2 confinement of 16 and 17 year old's as adults ended.  
3 This legislation changed how youth are handled in New  
4 York's court system and aimed to provide age  
5 appropriate services and facilities that would  
6 promote an environment focused on wellbeing for young  
7 people.

8 In the last two years, we have monitored its  
9 implementation, which removed all 16 year old's and  
10 17 year old's from Rikers Island in October of 2018.  
11 Thus far, the data suggest that we are heading in the  
12 right direction. Increased reporting on all matters  
13 relating to justice involved youth would further  
14 support the progress being made in the Juvenile  
15 Justice System. According to the Mayor's Office of  
16 Criminal Justice, which reported on the first nine  
17 months of Raise the Age implementation, 80 percent of  
18 16 year old's arrested for felonies had their cases  
19 removed from the Youth Part of the State Supreme  
20 Court to Family Court.

21 The city has also seen 61 percent decline in  
22 misdemeanor arrests for 16 year old's and an overall  
23 30 percent decline in detention for youth under 18  
24 years old. In this year's Mayor's Management Report,  
25 we also found that consistent with the trends before

2 the passing of Raise the Age, there was a decrease in  
3 the placement of youth in the detention facilities as  
4 well as a decrease in the length of time of  
5 confinement in said facilities.

6 Moreover, there has been a decrease in reported  
7 youth on youth assaults. Therefore, today's hearing  
8 to discuss the proposed required reporting on  
9 juvenile justice statistics by ACS and the Department  
10 of probation is timely. Reporting would offer public  
11 data to allow a fuller picture of the juvenile  
12 justice system in New York. Transparent, consistent,  
13 and ongoing reporting for example, will help us  
14 better understand who is involved in the youth  
15 justice system.

16 Key youth demographics pertaining to race,  
17 gender, age, and home zip codes, among other data can  
18 provide more information on the types of preventive  
19 services and community based support their  
20 communities need.

21 What types of offenses have they been arrested  
22 for? And what are the terms of their disposition,  
23 including the length of placement in juvenile  
24 facilities. It is, therefore, imperative to keep  
25 track of what misdemeanors and felonies youth are

2 being charged with, the duration of their placement,  
3 and more generally the term of their disposition.

4 In which facilities are youth being placed? What  
5 facilities are they being transferred from? For  
6 youth who have been transferred multiple times, what  
7 facilities have they been placed in and why are they  
8 being transferred. Keeping track of justice involved  
9 youth is one important way of ensuring that they are  
10 provided with the necessary resources to complete  
11 their time in the system and to help break the cycle  
12 of recidivism.

13 Additionally, the data will include incident  
14 reports involving juvenile justice staff and/or  
15 altercations with youth. If we want to reduce the  
16 incidents that occur in juvenile facilities, data and  
17 reporting are key to identifying trends and types of  
18 trainings and services that can be effective in  
19 minimizing disputes.

20 CCC believes that these and other areas outlined  
21 in Intro. 1628 will further strengthen the juvenile  
22 justice system. A system that impacts thousands of  
23 young New Yorkers. There are well documented social,  
24 health, and lifelong effects for justice involved  
25 youth, their families and communities.

2 National research has shown that youth involved  
3 in the juvenile justice system have high rates of  
4 exposure to trauma. A national study found that up  
5 to 90 percent of justice involved youth, report  
6 exposure to some type of trauma. 70 percent meet  
7 criteria for mental health disorders and 30 percent  
8 meet a criteria for post traumatic stress disorder.  
9 Girls in the juvenile justice system have even  
10 greater rates of exposure to trauma. In a study of  
11 youth and detention facilities found that girls and  
12 boys were equally likely to have experiences a  
13 variety of traumatic experiences except that girls  
14 were 8 times more likely to report sexual abuse and  
15 2.5 times more likely to report severe neglect.

16 These alarming statistics should encourage us to  
17 continue to pursue and provide a robust network of  
18 supports for justice involved youth, a majority of  
19 whom have also experienced trauma. Fortunately,  
20 there are now several evidence based, evidence  
21 informed and promising practices thaw have  
22 demonstrated effectiveness in addressing trauma.  
23 Including many that specifically target court  
24 involved youth with histories of trauma.

2 A recent study found that justice involved youth  
3 with histories of trauma were less likely to believe  
4 they would recidivate when they were provided with  
5 mental health services. In light of these facts, CCC  
6 views two major areas of concerns that are directly  
7 linked to providing youth in the juvenile justice  
8 system with developmentally appropriate resources to  
9 increase their wellbeing and lead them back to a  
10 healthy path.

11 We want an update on the phasing out of  
12 correctional officers and the Department of  
13 Correction personnel in youth facilities and  
14 secondly, we believe that reporting data accurately  
15 and consistently increases oversight and  
16 accountability.

17 As we approach the phasing out of correctional  
18 officers in youth facilities, this process raises  
19 significant concerns for CCC. Generally, the  
20 Department of Correction approaches youth in the same  
21 way they approach adults in prison.

22 CHAIRPERSON LANCMAN: Dr. Mena

23 M. MENA: With the use of excessive force. I'm  
24 almost done resulting in trauma. As I outlined  
25 above, a majority of youth in the justice system



2 experience trauma while in custody. Youth deserve  
3 the opportunity to learn from their mistakes with the  
4 services and positive interactions with well trained  
5 staff who also have the youth's best interest in  
6 mind.

7 CCC looks forward to continued partnership with  
8 the Committees to ensure effective implementation of  
9 Raise the Age legislation in New York City.

10 Thank you for the opportunity to testify.

11 CHAIRPERSON LANCMAN: Thank you.

12 JULIA DAVIS: Good afternoon, I'm Julia Davis from  
13 the Children's Defense Fund. Thank you to the Chairs  
14 for getting us together to talk about these issues,  
15 to hear from the agencies and most importantly to  
16 pursue this bill.

17 We've heard a lot about the successes, the  
18 statistics about implementation of Raise the Age and  
19 it's really consistent with what we know is going on  
20 in New York City and statewide. We are seeing  
21 arrests among 16 and 17 year old's decrease, and  
22 that's important because what we're seeing is a  
23 shrinking of our system. That's the direction we  
24 need to be going in.

2           At the same time, we really need to understand  
3 the young people that are in our detention system,  
4 that are going through probation and that are being  
5 impacted by Raise the Age. So, the bill does a lot  
6 of things that we need to do to to get under the data  
7 to change the way that we collect and report data to  
8 make it consistent with the new categories of people  
9 and places under Raise the Age. So, thank you very  
10 much for pursuing that.

11           I will say that what we heard today about the  
12 conditions at Horizon, really focused on violence and  
13 I think it's an important issue that we continue to  
14 pursue in conversation here and outside of these  
15 chambers. It's important to deeply understand the  
16 role of DOC going forward, not only at the perimeters  
17 but what we also heard was in rapid response teams,  
18 which are the people that respond to incidents that  
19 occur in the facilities, where there really is great  
20 opportunity for escalation and violence.

21           And so, we need to understand better what that  
22 looks like and why. That is a new component of the  
23 reporting bill and essentially a very valuable piece  
24 of information. We need to be able to see going  
25 forward. I will note that while you all referenced

2 the Nunez report, there were a couple of components  
3 in there that did not come out today, in terms of  
4 disruption for education and programming. What we  
5 were hearing was 50 to 75 percent of school days.  
6 Young people were delayed an hour going to school.  
7 This is a facility that's really intended to treat  
8 young people like the young people they are, the  
9 intent of Raise the Age as we heard before was to  
10 remove them from the conditions on Rikers Island  
11 where interference with not only their health and  
12 wellbeing, but their access to education and  
13 programming was happening all the time. Here to see  
14 that operating in Horizon is very, very troubling.

15 I'll also note that the Nunez report made some  
16 conclusions about the efficacy and the effectiveness  
17 of facility staff in engaging with young people.

18 I'll quote it, facility staff lack skills in  
19 developing effective relationships and working  
20 constructively with youth. This is really the  
21 primary purpose of putting young people in youth  
22 facilities, that we can engage, serve and meet their  
23 needs in a way that's developmentally appropriate.

24 The fact that as of June of this year, we are  
25 continuing to see significant gaps in the skills

2 necessary to engage and serve our young people is  
3 very troubling and we're hoping that as things move  
4 forward, you and your staff members will become  
5 involved in that conversation.

6 I will say that in addition to the concerns about  
7 DOC's sort of ongoing role at the perimeter as part  
8 of the operating the control room, working in  
9 response teams, we, from the beginning have raised  
10 issues about the sort of influence of adult  
11 correctional culture in these facilities. So, it's  
12 so important to us to hear going forward some of the  
13 answers you asked for today, about would this place  
14 look like a year from now? How will things change?  
15 I think, it's not only operations but it's culture  
16 and so, it's a much harder thing to measure but you  
17 are all spending time in the facilities is a piece of  
18 that to sense how that transition and change is  
19 happening.

20 So, thank you again for the opportunity today.  
21 If you have any questions, of course, we're happy to  
22 take them.

23 KATE RUBIN: Good afternoon, my name is Kate  
24 Rubin; I'm the Director of Policy at Youth Represent.

2 Thank you to the Chairs and the Committees and staff  
3 for the opportunity to testify.

4 Youth Represent provides legal representation to  
5 court involved youth. We assist them with everything  
6 from rap sheet review to school suspension hearings,  
7 employment discrimination and any other legal needs  
8 they identify. I've provided longer written  
9 comments. I will try not to be redundant and I'll  
10 try to be brief.

11 At youth Represent, our primary goal is to reduce  
12 youth involvement in any justice system, adult or  
13 juvenile and to help young people get access to  
14 services and resources that they need outside of a  
15 court context.

16 And so, to that end, the most important metric to  
17 us that has come out sort of in the preliminary data  
18 is the evaporation effect of Raise the Age that we  
19 are seeing here in New York. It's been talked about  
20 the 61 percent decline in misdemeanor arrests for 16  
21 year old's, 20 percent decline for felony arrests.  
22 And for me, in some ways even more meaningful, the 32  
23 percent decline in misdemeanor arrests for 17 year  
24 old's before the law even went to effect.

2 So, that's the trend that we want to see and we  
3 hope that as we continue to monitor the data both  
4 from the state and the city but also through the data  
5 requested in Intro. 1628, that we'll continue to see  
6 that decline.

7 We do think that Intro. 1628, the data that's  
8 included in it, is necessary to fully understand how  
9 Raise the Age is impacting youth in New York City and  
10 to identify changes that are needed. We urge the  
11 Council to enact it and just to highlight a couple  
12 things, you know, as I said, we hope that the  
13 reporting will continue to document a downward trend  
14 in youth detention, but if needed, it can also serve  
15 as an early warning system should there be any  
16 increase and help us kind of pinpoint where that  
17 increase might be coming from and how to address it  
18 and turn it around.

19 I want to underscore the importance of the  
20 proposed amendment to Amend Code 21-906, which would  
21 require more detailed reporting on the use of room  
22 confinement, so it would include the reason as well  
23 the length of any room confinement and I want to  
24 highlight proposed Section 9206 creating a youth  
25 probation report. Which is essential because what

1  
2 Raise the Age is doing is sending many, many more  
3 young people to family court. We know family court  
4 is a service intensive place. We hope that those  
5 services are all necessary and directly meeting needs  
6 that young people have. We worry that sometimes  
7 they're not. Probation also has a huge amount of  
8 influence in this area because they control  
9 diversion, they control risk assessment and therefore  
10 detention and placement and they provide services.

11       So, it's important to have reporting from them.  
12 I think actually 9206 is a good start and whether  
13 it's through legislation or just through ongoing  
14 oversight through the committee, I think keeping an  
15 eye on probation and young people is going to be one  
16 of the most important roles that the Council has to  
17 play.

18       ACS raised issues with some of the data points.  
19 I would just respectfully ask that the advocates can  
20 be part of any conversation about changes. I have  
21 some thoughts about that, but we can talk about those  
22 online or offline rather.

23       And then finally, Horizon, as you all know, I  
24 think we testified before this body last year in 2018  
25 in February and April, in September along with dozens

2 of other advocates objecting to the city's decision  
3 to bring DOC Correction Officers to Horizon and I  
4 think that has been much talked about. Our concerns  
5 were founded, we appreciate all the questions that  
6 you all have asked today.

7 I want to highlight the one thing from the  
8 report, but hasn't I think, been quoted yet,  
9 specifically about DOC's "lack of situational  
10 awareness and their tendency to either over or under  
11 react to escalating tensions all contribute to the  
12 high rate of violence. It was troubling today to  
13 hear DOC testify that their sharing best practices  
14 with youth development specialists as part of the  
15 transition. In light of some of the things that have  
16 come out in the Nunez report and the statistics and  
17 the things that were talked about today, and I mean,  
18 I would also say it's troubling to me to hear them  
19 sort of continually blame young people for the  
20 incidences in the facilities and for the sort of  
21 first place that they go and have already gone, is  
22 they need to bolt the chairs to the floors and  
23 classrooms in order to make them safer, rather than  
24 as many of the advocates have talked about, working  
25 on building constructive relationships with youth.



2       So, and the final thing I will say is that we  
3 continue to disagree with the administrations  
4 interpretation of the Raise the Age statute, that it  
5 requires that in specialized juvenile detention,  
6 holding those gap year 17 year old's in any kids who  
7 were transferred from Rikers last year, that there  
8 must be a continued heightened presence of DOC staff.  
9 We just disagree with that interpretation of staff;  
10 we think it's not in the best interest of young  
11 people and we think it can be done differently.

12       And that I think encompasses what I would say is  
13 your very crucial ongoing role, sort of continuing to  
14 monitor the situation. We thank you for it and  
15 appreciate and look forward to continuing to work  
16 together.

17       CHAIRPERSON LANCMAN: Thank you, so I just have a  
18 quick question or comment for pretty much each of  
19 you. The Legal Aid Society, I think you used the  
20 word retrenchment. What did you mean by that  
21 exactly?

22       NANCY GINSBURG: When Nunez was first settled,  
23 the DOC created an Adolescent Advisory Board, that  
24 was a very active board of stakeholders that met  
25 quite often in the beginning. There was a lot of

2 discussion about which organizations should be  
3 brought onto the island. How programming should be  
4 integrated into the structure of the day. There was  
5 a look at various jurisdictions at how they managed  
6 kids in different types of facilities. Different  
7 states came in to talk to DOC and the stakeholders  
8 about best practices and then, we saw over the years  
9 less and less focus on that and more and more focus  
10 on what you heard today; classification, SRG, gang  
11 involvement and all of those issues essentially  
12 taking precedence over how to improve the environment  
13 in these buildings.

14 CHAIRPERSON LANCMAN: Is the Advisory Board  
15 something that was required under Nunez?

16 NANCY GINSBURG: No.

17 CHAIRPERSON LANCMAN: Do you know when the last  
18 time it met?

19 NANCY GINSBURG: Well, in the last year, it has  
20 held meetings but they have mostly been the agency  
21 talking at the stakeholders. It is my understanding  
22 that those meetings are going to start to look  
23 differently. There is a new director of programs in  
24 the Department of Correction and I am cautiously  
25 optimistic that things are going to start turning

1  
2 around. There is a lot of discussion about using  
3 best practices. In RNDC part of what DOC has moved  
4 away from is attention in Horizon and more focus in  
5 RNDC and on the island, but as you can see if you  
6 read the entire Nunez report, things are not going so  
7 well there either.

8       So, there needs to be – the other issue that  
9 really has not been discussed is particularly the  
10 pre-Raise the Age kids who turn 18. On their 18<sup>th</sup>  
11 birthday, the gift that we give them as New York City  
12 is we transfer them to Rikers Island. This is an  
13 extremely stressful period for those young people.  
14 There was a period of time where there was discussion  
15 about preparing those young people for that transfer  
16 and coordinating services from Horizon to RNDC, but  
17 we have not seen a sustained effort for those young  
18 people and that transfer is very disruptive, both  
19 individually to those young people and to the  
20 environment in Horizon.

21       The other thing that I would just like to address  
22 briefly is this issue of the prob teams and I know  
23 that it's been discussed by other members here, but I  
24 don't know if any of you have ever been present when  
25 a prob team enters, but it is the most unsettling –

2 I've been on Rikers more time than I would like to  
3 count. It is probably the most unsettling thing that  
4 I have ever had to witness and it is very unsettling  
5 for the young people to be in a room and have adults,  
6 usually very large adults suited up in full on riot  
7 gear, helmets, armor, the nine yards. The next time  
8 you go, maybe you should ask to see what that  
9 actually looks like.

10 So, when you talk about DOC withdrawing from the  
11 building, except for these prob teams, where they're  
12 going to rush into housing areas and common areas and  
13 the schools, in this gear and essentially what they  
14 do is they take the kids down. That's what happens  
15 and so, when you factor that into the reality that  
16 many of these kids are diagnosed with post-traumatic  
17 stress disorder, that they have long histories of  
18 trauma and that's how we have decided to respond to  
19 any disorder, is to send in a team in riot gear.  
20 Then it put a whole different light on the retention  
21 of DOC in that building and it's particularly  
22 disturbing to us that that is what they have decided  
23 to leave in place.

24 I mean, we go into the transportation piece which  
25 you can read offline, but the points where they are

2 remaining are points of ongoing conflict and where  
3 there's been ongoing issues of lack of adherence to  
4 juvenile justice best practices. This is what  
5 they're leaving in place, for essentially the next  
6 year.

7 M. MENA: Can I just add something briefly to  
8 that? That undermined everything else that goes on  
9 in the building, because young people aren't seeing  
10 any distinction between well, that was done by DOC  
11 and this is done by ACS. It undermines everything.

12 CHAIRPERSON LANCMAN: Right, how often at Horizon  
13 would a prob team need to go in and do their thing?  
14 How often does it happen?

15 NANCY GINSBURG: It's not need. The decision is  
16 made by DOC when they go in.

17 CHAIRPERSON LANCMAN: How often do they do that?

18 NANCY GINSBURG: I don't have that data. I mean,  
19 I'd be making it up, but our position is, it happens  
20 more than it should. It should never happen.

21 CHAIRPERSON LANCMAN: Got it.

22 NANCY GINSBURG: The kids in Crossroads are 16  
23 and 17 and eventually will be 18. There is no prob  
24 team there. There is no prob team in the upstate or  
25 CFS facilities, where the kids are sentenced on

2 serious violent crimes. It is not a best practice  
3 for detention for children to use prob teams. It's  
4 an adult correctional model, which I am not endorsing  
5 this to adults either.

6 CHAIRPERSON LANCMAN: Got it. Okay, also, if the  
7 advisory board doesn't resume its earlier role and  
8 function, please let us know.

9 For the Bronx Defenders, I'm just curious, are  
10 you aware of any CCRB complaints. Are there any  
11 other formal complaints about police conduct while  
12 young people are waiting to be processed?

13 STACEY KENNARD: I am not aware of formal  
14 complaints. I will certainly look into that and we  
15 definitely can keep talking about this. I don't know  
16 if anyone else on this panel, any other organizations  
17 have -

18 CHAIRPERSON LANCMAN: If you become aware of one,  
19 that would be helpful for us to understand and also  
20 to help focus the NYPD's attention.

21 STACEY KENNARD: Certainly, it does seem to be  
22 enacted as a general policy.

23 CHAIRPERSON LANCMAN: Right, got it.

24 STACEY KENNARD: It seems to be universal, at  
25 least in the Bronx.

2 CHAIRPERSON LANCMAN: And I was - it's really  
3 shocking, the testimony of Brooklyn Defenders,  
4 although we've heard this from other people. That it  
5 takes longer for a young person to get arraigned and  
6 to be processed than it does for an adult. And you  
7 know, we're having budget hearings that are coming up  
8 in March and the PD and DCAS and all of the agencies  
9 are going to be here.

10 You know, not to give you homework from today,  
11 but you know, if people were to come up with sort of  
12 a laundry list or a wish list or a list of physical  
13 requirements, physical improvements that would make  
14 processing easier, safer, more confidential, you  
15 know, that's something that we could try to put into  
16 the budget.

17 I would say I know it's not just the money and  
18 capital issues etc., but you know, that would be very  
19 helpful for us.

20 And then, I guess, it's Dr. Mena, you talk about  
21 - and we talked about this yesterday on our tour, how  
22 many young people - because we met with the health  
23 providers onsite. The Director of Mental Health  
24 Services and Director of Medical Services, and you  
25 talk about just how extraordinarily prevalent is

2 trauma in the lives of young people who find  
3 themselves in the criminal justice system. Are you  
4 aware and what's your assessment of the programming  
5 and the services that are provided to young people at  
6 Horizons and Crossroads to deal with that trauma?  
7 When we visited yesterday and you heard them today,  
8 they ran off a litany of programs and services and  
9 I'm just wondering if you have had the opportunity to  
10 think about whether they are providing the right  
11 kinds of services for youth who overwhelming  
12 experience some degree of trauma?

13 M. MENA: I'm actually going to defer to my  
14 colleague.

15 CHAIRPERSON LANCMAN: Okay.

16 M. MENA: Any of you know any more information  
17 about that? I don't know.

18 CHAIRPERSON LANCMAN: Okay, well, so, put your  
19 mic on, just put your mic on.

20 M. MENA: So, I'm deferring to my colleagues in  
21 case they might be able to help answer that question.

22 CHAIRPERSON LANCMAN: Does anyone have a thought  
23 on that?

24 JULIA DAVIS: So, the mental health care provided  
25 by Bellevue has been incredible. It's been probably



2 the greatest advance in secured detention that we  
3 have seen in my entire many, many years doing this  
4 work. They are re-classifying our kids with correct  
5 diagnoses. They are putting them on correct meds  
6 when they come in on incorrect meds. We have many  
7 kids who are just starting on medication regimens who  
8 had never had access to that and are responding  
9 really positively to that.

10 I would say the one weakness that we've really  
11 been working with the agency on and I think that ACS  
12 is committed to doing better on this issue, is that  
13 there's not enough coordination between the mental  
14 health providers who are onsite and the ACS staff who  
15 are working with the kids in the housing units, on  
16 the floors, in the common areas and there probably is  
17 not enough coordination between the school provider  
18 and mental health.

19 And so, we do recognize there are only so many  
20 hours in a day and there are many things that have to  
21 happen in that building but there's a lot of  
22 information and there's a lot of relationship  
23 building that is happening between the kids and the  
24 mental health providers and we think that the mental  
25 health providers could do more to help moderate the

1 kids periodic emotional dysregulation to help train  
2 staff on the floor in how to respond to kids when  
3 they go into crisis or their struggling and to come  
4 up with day to day plan, behavioral planning for the  
5 kids.  
6

7 CHAIRPERSON LANCMAN: You know, one of my take a  
8 ways from yesterday's tour and it wasn't the first  
9 time I was at Horizon including being there a few  
10 weeks after the transition when things were going so  
11 poorly, was one, I was very impressed with the doctor  
12 from Bellevue and the services that they described.  
13 Another impression I had though and I think from  
14 Children's Defense Fund you had talked about school  
15 attendance, is that, for a detention center, it seems  
16 remarkably unstructured. They have school from 8:15  
17 or so to 2:40, there seems to be a problem with  
18 people going to school, which strikes me as very odd.  
19 You're in a detention facility, I don't know how that  
20 works.

21 NANCY GINSBURG: It's not very big.

22 CHAIRPERSON LANCMAN: And then, after school,  
23 they seem to have a lot of unstructured time and  
24 there are things to do if one chooses to avail them  
25 self of them, but if not, there seems like a lot of

1  
2 opportunity to not do nothing. And so, it's  
3 interesting that your observation, and I can't say  
4 that I made the same observation, because I'm not  
5 qualified, I wasn't there long enough. It was a  
6 short, you know, we were there for maybe two hours  
7 but intuitively, the medical services, the mental  
8 health service providers, which I was impressed with,  
9 I can see that it's not necessarily translating to  
10 what is happening if not minute by minute but you  
11 know, day to day on the housing units and the other  
12 programs that they have.

13       Anyways, so, I think the Children's Defense had  
14 raised something. I just want to let you know that  
15 the stats that we got yesterday on attendance at the  
16 school, was 60 percent, which seemed like I said,  
17 pretty weak. And then last, just the Youth Represent  
18 testimony. You know, all of us were very concerned,  
19 the Council, very, very concerned about Department of  
20 Corrections importing its culture, its practices into  
21 the facility.

22       I don't know how long it's going to take to  
23 unwind that because they're not even going to be gone  
24 until many months from now, and then even when  
25

2 they're gone their still going to potentially provide  
3 some services that can be very impactful.

4 NANCY GINSBURG: And they - I'm sorry to  
5 interrupt.

6 CHAIRPERSON LANCMAN: And I think you did talk  
7 about including advocates in discussions about  
8 changing the reforms, again, to all of you, if you  
9 feel like you've got something to say and no one's  
10 listening, we can usually make them listen. Maybe  
11 not do what you want, we can't make them do what we  
12 want, but please don't be shy about that.

13 NANCY GINSBURG: Can I just quickly clarify? I  
14 just meant if ACS had raised that they had some  
15 concerns about the data reporting requirements and  
16 whether they could meet them or that some of them  
17 might undermine confidentiality. So, just  
18 specifically, if their conversations with the agency  
19 about making changes to the bill, we would love to  
20 also be part of those conversations.

21 CHAIRPERSON LANCMAN: So, those negotiations,  
22 conversations were prior to the bill sponsors, have  
23 you communicated with Council Members Salamanca and  
24 Samuel?

1  
2 NANCY GINSBURG: Yeah, we can reach out again  
3 with the bill sponsors directly.

4 CHAIRPERSON LANCMAN: So, they are two very  
5 diligent Council Members.

6 NANCY GINSBURG: Yes, yes.

7 CHAIRPERSON LANCMAN: But if somehow, we feel  
8 like something is not getting listened to, let us  
9 know.

10 NANCY GINSBURG: Absolutely, thank you.

11 CHAIRPERSON LANCMAN: Alright, Council Member  
12 Powers.

13 CO-CHAIRPERSON POWERS: Great, thank you. Thank  
14 you all for the testimony and of course, thank you  
15 for the work that you do. And, I had a question  
16 related to NYPD, obviously, I was focusing a lot on  
17 the corrections aspect of this and obviously ACS and  
18 DOC who were kind enough to give us a tour yesterday  
19 of Horizon. But to the point that had been raised  
20 around what do you do with the 16 or 17 year old? Or  
21 what is being done with a 16 or 17 year old when  
22 they're arrested and they can't be put in a cell I  
23 guess, like a holding cell with an adult. Which  
24 leads to and I think we heard this from somebody  
25 yesterday or it had come up earlier.

2 Leads to a 16 year old being handcuffed and left  
3 at a desk in a precinct until they can move them.

4 What is a solution to that problem? Is there a  
5 recommendation in terms of – because I am interested  
6 in trying to figure out how to solve that problem.

7 It sounds like an awful experience for a 16 or a 17  
8 year old.

9 But is there a recommendation or a thought on how  
10 we can fix that or what the NYPD should be doing,  
11 obviously they are not here today.

12 NANCY GINSBURG: Right, we're not NYPD. We  
13 understand that NYPD has its own logistical concerns.  
14 It has to be fixed. A child can't be handcuffed to a  
15 desk for close to 24 hours without anything to eat.  
16 But I would leave that – that is something that  
17 should be expeditiously addressed by the people in  
18 the facilities, by the people in the agency.

19 Anything that the Council can do.

20 STACEY KENNARD: You could ask NYPD for their  
21 data, so we could improve the arrest to arraignment  
22 times.

23 CO-CHAIRPERSON POWERS: I suspected you might say  
24 that. Okay, thank you, thank you for that. Just in  
25 terms of programming and I know we have some

2 programmers who are here or were here. Can anybody  
3 just elaborate on some of the discussion on  
4 programming. As Council Member Lancman mentioned,  
5 there is programming, we heard about vocational  
6 opportunities I think that are expanding. There is  
7 arts and cultural programming and I know Carnegie  
8 Hall was here or I think is here and other  
9 opportunities, but also the important thing is that  
10 that matches what the needs are. It's obviously  
11 something that is relevant or understood by the  
12 individuals. This is a challenge that happens in our  
13 city jails as well, in terms of making sure - any  
14 thoughts on the programming that is offered?

15 I do understand - I do recognize that there are  
16 challenges to getting people to programming and some  
17 of that is the right mix and some is other social or  
18 emotional issues are happening, that happen to the  
19 school to but in terms of the programming that's  
20 offered and whether it's meeting the goals or the  
21 needs of those young New Yorkers, young adults.  
22 Thoughts on are there opportunities? You have the  
23 agencies here, so I'm just curious to hear if there's  
24 other thoughts on the type of programming that's  
25 being provided or ways to improve the offering of the

1 arts cultural programming or vocational  
2 opportunities?  
3

4 JULIA DAVIS: Hi, I'm Julia from the Childrens  
5 Defense Fund. I'll just say two things. One, in  
6 terms of the access to programming, I think it's just  
7 important to specify that the monitor actually found  
8 that programming records indicated that the daily  
9 schedules were not being followed in the facility and  
10 that youth were not consistently getting to the  
11 programming their entitled to.

12 So, there's an issue of engagement, what's  
13 appealing to young people, whether it fits with them.  
14 There's another about operational and making sure  
15 kids get there and I just wanted to clarify that. We  
16 run a program which is really just a training and  
17 curriculum for the YDS's and the other people that  
18 work in the facilities and that's freedom schools, it  
19 happens in the summer. That program has been really  
20 successful for a couple of reason, I think one, is  
21 because it has an Afrocentric focus that it brings  
22 young people and staff out into the yard every day  
23 for cheers and chants for motivational singing for  
24 connection outside of this very sort of you know,  
25 it's a correctional culture.



2 It's also been I think really effective in terms  
3 of providing young people the connection to books  
4 that really resonate with them in terms of themes and  
5 experiences of young people that look like them and  
6 have similar experiences.

7 The third piece of that is you know that program  
8 really translates into DOE credits for young people  
9 and so, making that connection between programming  
10 and real world value as young people exit the  
11 facility.

12 KATE RUBIN: The only thing that I would - we are  
13 very appreciative of the providers in the facilities  
14 and I think many of the programs are incredible and  
15 the kids really enjoy them.

16 One of the things that we lost though when the  
17 kids moved off of the island into Horizon, was there  
18 was a much more robust set of vocational programming  
19 that was done in conjunction with DOE and also just  
20 by DOC. And as the kids age up in these facilities  
21 and we start seeing 18 year old's maybe 19 year old's  
22 in these juvenile detention facilities, we're going  
23 to need more age appropriate services for those kids  
24 and young people really like to do things. They can  
25 walk away with you know, I have a certificate in wood

2 working, I have a certificate in carpentry, you know,  
3 whatever it is. Space is an issue in these  
4 facilities. We understand that they have more of an  
5 issue around that then they did on the island because  
6 there was more space, but we would really love to see  
7 some of that type of programming built out in these  
8 facilities.

9 CO-CHAIRPERSON POWERS: Thank you, that's helpful  
10 feedback. So, I just want to thank you as well for  
11 your feedback and I share Council Members Lancman's  
12 sentiment that if there are other issues that come  
13 up, whether it's about legislation or operations,  
14 please feel free to reach out to either one of us,  
15 and we'll coordinate with each other about proper  
16 follow up with the agency. So, thank you.

17 PANEL: Thank you.

18 CHAIRPERSON LANCMAN: Alright, that concludes our  
19 hearing. Thank you very much for your testimony.  
20 Council Member Powers, thank you for your cooperation  
21 and to both of our staffs, we appreciate all the  
22 support you gave to make this hearing happen and  
23 maybe even be successful. Thank you very much.

24 [GAVEL]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date April 1, 2018