



Testimony of

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*Oversight: The DJJ/ACS Merger and Local Law 195-A*

Before the  
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Juvenile Justice Committee and General Welfare Committee

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Good afternoon. I am Stephanie Gendell, the Associate Executive Director for Policy and Public Affairs at Citizens' Committee for Children of New York, Inc. (CCC). CCC is a 67-year old independent child advocacy organization dedicated to ensuring that every New York City child is healthy, housed, educated and safe.

I would like to thank Chairwoman Gonzalez and Chairwoman Palma and the members of the Juvenile Justice and General Welfare Committees for holding this hearing today regarding the merger of DJJ and ACS. The health, care, and well-being of the City's youth who come into the detention system are of the utmost importance to CCC and we appreciate the City Council's continued interest in these young people. CCC thanks Council Members Gonzalez, Palma, Comrie, Dromm and Nelson for introducing Local Law 195-A, to formally merge the agencies, and urges City Council members to vote in favor of this bill.

CCC continues to remain optimistic that the vision and commitment of Commissioner Mattingly, Executive Deputy Commissioner Busching and ACS to keeping youth with their families and in their communities, whenever safe and feasible, has the potential to positively transform the juvenile justice system in New York City. We also appreciate the City's commitment to ensuring the safety of communities and any youth who has to be in the detention system.

While there is much work that remains to be done to continue to improve the services New York City's court-involved youth receive both in detention and in their communities (to prevent their need for detention and to assist in their transition home), CCC believes that ACS's progress to date shows the merger is moving the system in the right direction.

In January 2010, the Mayor announced his plans to integrate and merge these two child-serving agencies. Since that time, CCC has already seen systemic improvements, demonstrated both in the data and in policy and programming for the youth.

Notably, according to the Mayor's Management Report, the total number of admissions, the average length of stay, the average daily population, and the number of searches are all less in Fiscal Year 2010 than in Fiscal Year 2009. Similarly, according to ACS's Monthly Flash Report, in the months since the merger, the total monthly admissions to detention is lower in 2010 than it was in the same month in 2009 (except for August). For instance, in September 2010, the total monthly admissions to detention was 348, 18% lower than the 424 admitted in September 2009. Likewise, the monthly average daily population for both secure and non-secure detention has been lower each month since January 2010 than it was in January 2009. For example, the monthly average daily population in secure detention was 192 in September 2010 compared to 234 in September 2009 and in non-secure detention it was 108 in September 2010 compared to 133 in September 2009 (which corresponds to an 18% reduction for secure and a 19% reduction for non-secure.)

In addition to these changes seen in the data, CCC is pleased with many of the policy, procedural and programmatic changes that have been implemented since the Mayor's announcement. Notably, we are pleased that ACS plans to better target the use of detention to the highest-risk youth by developing more family and community-based interventions that strengthen family relationships and enable youth to remain in their communities while also promoting public safety. In addition, when ACS testified about the integration in September 2010, their testimony said that "A key to the success of bringing these program areas together will be the creation of a practice and culture that maximizes opportunities to coordinate our work in supporting struggling youth and their families." CCC believes that this culture shift will go a long way towards improving conditions and outcomes for court-involved youth.

In June, ACS released a Strategic Plan for their new Division and a Detention Reform Plan. CCC believes that ACS's Detention Reform Plan, *Building on Success: Next Steps in New York City Detention Reform*, is a critical component to improving the in-detention services. ACS's detailed analysis of how to better target detention and expand alternatives to detention so that fewer children are detained, those who are detained have shorter lengths of stay in the least restrictive environment, and eventually reduce the use of detention so that Bridges can be closed, is a testament to the benefits of merging the Department of Juvenile Justice with the Administration for Children's Services. Not only has ACS determined that Bridges is not an appropriate place to detain youth, but their plan to close the facility is thoughtful and deliberate.

ACS's Detention Reform Plan addresses the need to reduce the use of both secure and non-secure detention. Notably, to close Bridges, the daily census can be no more than 248 youth and there have been several weeks, particularly in the winter, when the census was higher (the highest in the past 12 months being 307 youth.) Thus ACS's plan is to reduce the average daily population in detention by 50 to 60 youth. CCC feels that many of the initiatives ACS is embarking on will enable the City to reach this goal and is eager to work with the agency, the City Council and other advocates to ensure that this plan is a success. Similarly, as ACS moves to reduce the use of secure detention, we must also monitor non-secure detention, as it is best for young people to remain in their homes and communities whenever this is safe and possible.

Finally, the new initiatives being implemented, including Way Home through New York Foundling, the step-down program operated by Boys Town, the use of ACS transportation to enable youth at Bridges to be brought home when their families cannot pick them up; the cross-systems information sharing workgroup and the short term foster placement through New York Foundling in Staten Island are exciting opportunities to reduce the use of detention.

CCC continues to believe the merger of these two youth-serving agencies, particularly in light of the fact that so many of the youth served by the juvenile justice and child welfare systems are the same youth entering through different doors by chance, will improve the outcomes for court-involved youth. Notably, we believe that ACS's history and experience with working with youth and their families, through community based programs, family team conferences and out of home placements when necessary, will continue to help improve the service array for these youth, both in the community and in detention. Notably, by having the Administration for Children's Services be the agency responsible for detention services, we hope these youth to be treated as CHILDREN by the systems and service providers touching their lives. We urge the City Council to expeditiously pass Local Law 195-A to formally merge the two agencies.

The merger of ACS and DJJ, the closing of Bridges and the addition of new services and supports for the youth and their families are important steps to improving the city's detention system. Attention must be paid to all the services these youth need—such as education, health, mental health, youth development and employment training. Youth in care must feel safe in their ability to share their concerns about their time in detention with the Ombudspeople assigned to their facility.

The City must continue to be vigilant and innovative in the development of alternative to detention and alternative to incarceration programs. Even in these times of budget shortfalls, the city must also do everything in its power to maintain community based youth services, such as after school programs, so that youth need not come into contact with juvenile detention or alternative to detention services in the first place. In addition, CCC strongly believes that given the work ACS does to keep children safe, ACS should not be held to the same budget cutting standards as other agencies.

Thank you for this opportunity to testify.