

*Safe Communities  
Successful Youth:  
A Shared Vision for the  
New York State  
Juvenile Justice System*

*Strategy and Action Plan: Executive Summary*

*The New York State Juvenile Justice Steering Committee*

July 2011

# Letter from Steering Committee

We believe New York State is poised to significantly reform our approach to juvenile justice and transform our system into one of the best in the country. We have promising efforts to build upon and leadership across the state, across the system, and in the governor's office that is committed to change.

In New York State (NYS), the juvenile justice system is a highly complex network of public and private agencies, organizations, courts, policies, and procedures at a state and local level, and also includes myriad connection points to other systems. Improving outcomes for youth and for communities therefore requires a coordinated, strategic effort by multiple actors working toward a shared vision and common goals. That vision must encompass all juvenile justice agencies, courts, and other organizations, from initial contact and arrest through to reentry. It must take into account the needs of youth, families, and communities. And it must ensure coordination with other relevant systems.

Over the past ten months we have come together as a Steering Committee of key leaders from across the state and from across the juvenile justice system and other systems to create such a vision. The Steering Committee includes key senior leadership from city, county, and state agencies; private organizations (e.g., voluntary agencies, Legal Aid); the advocacy community; the judiciary; and the NYC Department of Education. We also established three expanded Working Groups, each with a range of system stakeholders, to help develop strategies, goals, metrics, and critical next steps toward creating a highly effective system. Our process has included data-driven analysis, extensive interviews with stakeholders, and benchmarking of effective practices across NYS and the nation. This report outlines the vision and provides the framework for a coordinated action plan that will drive us toward better outcomes for youth and communities. This report is a starting point for change, and will evolve in the coming weeks, months, and years as we work together to build a better system for youth and communities.

The need for system improvement in our state is great, and we believe that it will take the joint efforts and commitment of all stakeholders to transform the system. The vision we have developed together reflects our deep commitment to improving the lives of young people, strengthening our communities, and ensuring public safety. Together, we can make this vision a reality.

Sincerely,

**Cami Anderson**, *formerly of* New York City Department of Education  
**Laurence Busching**, New York City Administration for Children's Services  
**Sean Byrne**, Division of Criminal Justice Services  
**Gladys Carrión**, Office of Children and Family Services  
**Hon. Michael Coccoma**, Courts Outside of New York City  
**John Donohue**, New York Police Department  
**Elizabeth Glazer**, Office of the Secretary to the Governor  
**Jacquelyn Greene**, Division of Criminal Justice Services  
**Emily Tow Jackson**, Tow Foundation  
**Jeremy Kohomban**, The Children's Village  
**Timothy Lisante**, New York City Department of Education  
**Robert Maccarone**, Office of Probation and Correctional Alternatives  
**James Purcell**, Council of Family and Child Caring Agencies  
**Gabrielle Prisco**, Correctional Association of New York  
**Kristin Proud**, New York State Executive Chamber  
**Kelly Reed**, Monroe County Department of Human Services  
**Hon. Edwina Richardson-Mendelson**, New York City Family Court  
**Vincent Schiraldi**, New York City Department of Probation  
**Tamara Steckler**, Legal Aid Society  
**Michele Sviridoff**, New York City Criminal Justice Coordinator's Office

*Calls for reform of the juvenile justice system have been echoing across New York State (NYS) for years, yet never before has the state been so poised for transformation. With strong momentum for change, committed leadership, and the strategic goals laid out in this shared vision, the time is ripe for the state to put in place one of the nation's most effective juvenile justice systems.*

## **Process**

The Steering Committee (SC) has spent the past ten months developing this shared vision and strategic action plan for reforming the New York State juvenile justice system, from the point of initial contact to aftercare and reentry. Three Working Groups supported the SC, each with membership spanning the juvenile justice system and other systems and from around the state, to provide feedback on the strategies and action steps on coordination and accountability, effective continuum, and data sharing and use. The effort was facilitated and managed by FSG, a nonprofit research and consulting firm, and took place between September 2010 and July 2011.

As part of this work, the SC asked FSG to explore perspectives from stakeholders across New York and the rest of the country. In all, FSG interviewed and conducted focus groups with well over one hundred individuals, including system-involved youth; parents; leaders and other staff from city, state, and county agencies, private organizations, advocacy groups, the judiciary, related systems, nonprofit organizations, and foundations; as well as with national juvenile justice experts, and states and other jurisdictions that had recently undergone reform. It is also important to note that Governor David Paterson's Task Force Report, strategic planning efforts undertaken by New York City and the Juvenile Justice Advisory Group (JJAG), and other past and current reform initiatives have provided a foundation from which we conducted this planning process.

The effort was funded with generous public and private support from an anonymous donor, the David Rockefeller Fund, New York Community Trust, NYS Division of Criminal Justice Services (DCJS), Open Society Institute, Pinkerton Foundation, Prospect Hill Foundation, Public Welfare Foundation, and the Tow Foundation.

## **Current State**

The NYS juvenile justice system must better deliver on its responsibilities to keep the public safe and to rehabilitate young people. The current system is often ineffective, inefficient, and unsafe. Despite state annual placement costs that are among the highest in the nation, the vast majority of youth who pass through the deep-end of the system (less than 3% of youth who

# Overview

encounter the system) return as adult offenders.<sup>1</sup> In NYS, over 60% of youth are rearrested within two years of release from state custody.<sup>2</sup> Parts of the state placement system are under U.S. Department of Justice oversight and are the subject of a lawsuit for brutal conditions of confinement, and the system does not ensure the safety of all youth and system professionals. In the face of a historically punitive and highly complex system and a severe budget crisis in the state, we must move to a more effective model.

New York is poised for reform. There is tremendous momentum building across the state, with multiple factors underscoring the timeliness, urgency, and potential for change. There is great work to build upon. Previous efforts around the state are largely aligned with this work. Both Governor Andrew Cuomo and Mayor Michael Bloomberg have publicly made the case for juvenile justice reform. Leaders across New York City have developed a city reform strategy and roadmap that dovetails with the vision and goals outlined by the Steering Committee. We now have demonstrated examples of what works. Localities in New York State are already making changes to reflect this knowledge, and many of these changes are yielding significant improvements in youth and public safety outcomes.

## Guiding Principles

In order to build a successful system that is responsive to and meets the needs of all stakeholders – including the public, local communities, system professionals, involved youth and their families, and victims – the juvenile justice system must be grounded in four overarching principles: **fairness**—treating youth equitably at all points in the system, regardless of factors including race, ethnicity, gender identity, sexual orientation, religion, or parental involvement; **effectiveness**—providing system-involved youth with a continuum of timely, contextually appropriate, youth and family-guided, community-based, evidence-informed options that reduce recidivism and promote youth success while being vigilant not to involve youth further into the system than necessary; **safety**—ensuring the safety of system-involved youth, the public, victims, and system professionals; and **accountability**—where systems, agencies, courts, and other organizations, are individually, collectively, and publicly responsible for and held accountable for achieving results.



<sup>1</sup> State of New York Juvenile Justice Advisory Group, "State of New York, 2009–2011: Three-Year Comprehensive State Plan for the Juvenile Justice and Delinquency Prevention Formula Grant Program," <http://criminaljustice.state.ny.us/ofpa/pdfdocs/jju3yearplan2010.pdf>.

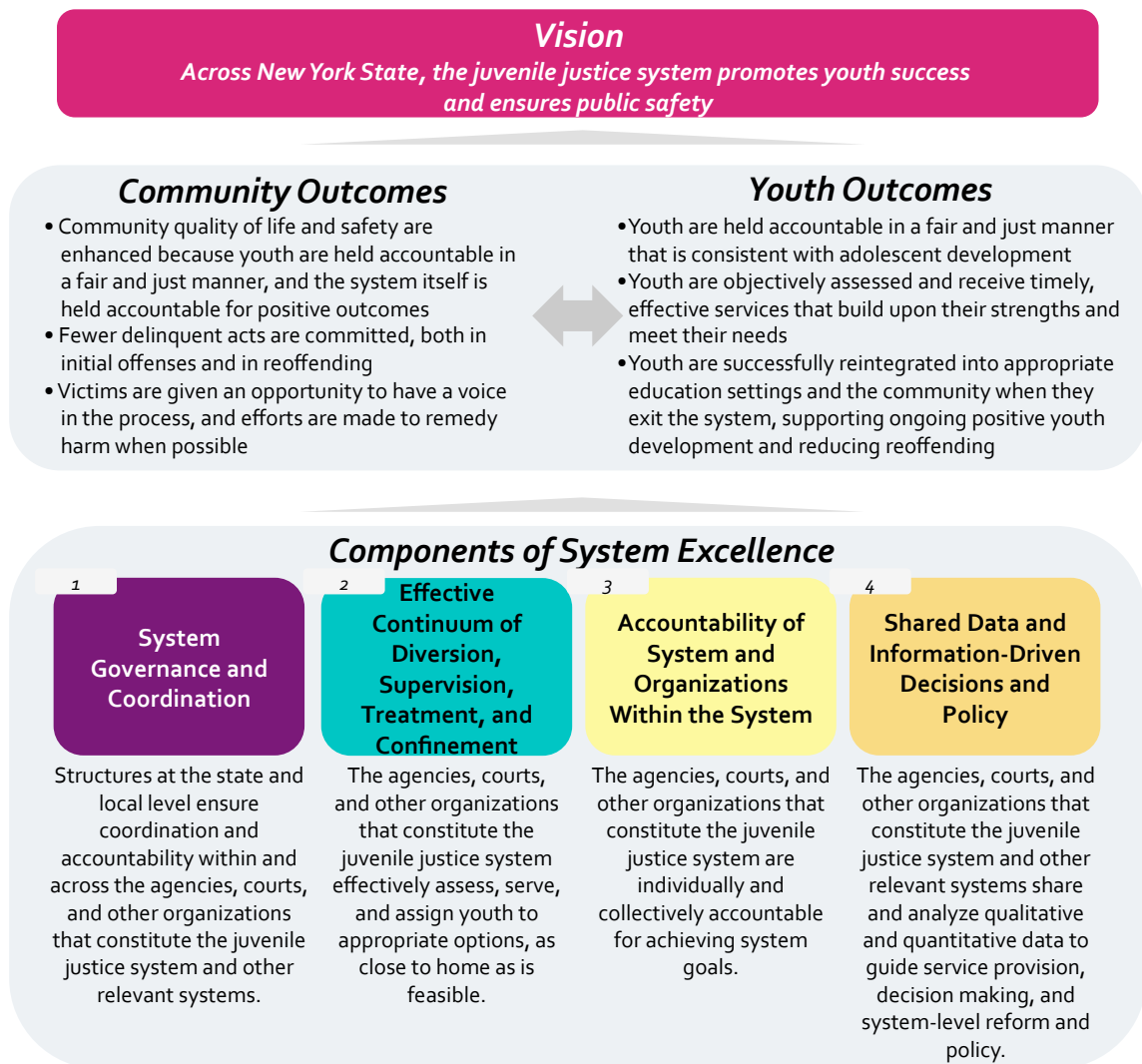
<sup>2</sup> Susan Mitchell-Herzfeld, Vajeera Dorabawila, Leigh Bates, and Rebecca Colman, "Juvenile Recidivism Study: Patterns and Predictors of Reoffending Among Youth Reentering the Community from OCFS Facilities and Voluntary Agencies," PowerPoint presentation at the New York State Division of Criminal Justice Services, April 27, 2010.

# The Vision

## The Vision

We are committed to a vision for a juvenile justice system that promotes youth success and ensures public safety across NYS. We seek not to incrementally improve the juvenile justice system, but to transform it. Our vision is ambitious, and we aim to make significant system improvements by 2016. To do so, we must make tough decisions, address funding and policy gaps, improve how we work together toward common goals, drive culture change, pursue and track community and youth outcomes, and recognize the inherent interdependence between youth success and public safety. The vision we have developed together, along with outcomes that define success, and components of system excellence we will pursue to deliver those outcomes, are summarized in the diagram that follows.

## Vision for 2016 Juvenile Justice System



# Near-Term Action Steps

Over the next five years, we must move rapidly and with great urgency to put in place the structures and approaches that will enable us to greatly improve outcomes. A broad set of stakeholders around the state have worked to translate this vision to practical strategies and next steps, including the identification of 10 critical near-term action steps to transform the juvenile justice system.

- 1 **Ongoing Coordination:** Evolve the current Steering Committee into a Strategic Planning Action Committee (SPAC), housed in the Office of the Deputy Secretary, and commit to an ongoing state level support structure with devoted staff time from the Governor's office, DCJS, and OCFS, to ensure implementation of the vision and action steps.
- 2 **Multi-Stakeholder Input:** Evolve the existing **Working Groups** to establish an ongoing role in providing regular feedback and guidance to the SPAC on implementation and helping to drive the work forward.
- 3 **Performance Measures:** Finalize **agreement on a set of high-level system outcomes and performance measures** towards which all agencies, organizations, and courts will align their work, and **begin to monitor progress** towards these measures to promote accountability through transparency and learning.<sup>3</sup>
- 4 **Data Infrastructure and Analysis:** Establish the **data infrastructure and analytical capacity** necessary to improve outcomes for individual youth and overall system performance, to ensure equitable treatment of youth across the system, and to inform policy, including:
  - a. Utilize existing **state-level data coordination team** made up of key representatives from the juvenile justice and other relevant systems to guide data use across the system.
  - b. Conduct a **data inventory** to assess the current state of data availability, sharing, and use.
  - c. Explore development and implementation of **interagency agreements or policies** (e.g., uniform MOU, universal waiver) that will allow for case- and aggregate-level data to be collected, shared, and analyzed.
- 5 **Analysis of Continuum:** Conduct **analysis of current continuum of providers across the state** (including public, private, detention, placement, ATDs, ATPs, and other community-based services and treatment), and **assess relative to juvenile delinquency** (including number, type, and location of delinquent acts committed and risk and need data) to identify current system gaps, barriers to access, and promising practices, and to ensure system players are aware of all available options for youth.
- 6 **Ongoing Input from Localities:** Utilize a workgroup of agency staff to develop a plan that leverages existing or develops new **local interagency advisory teams** (at the county, region, and / or city levels) to provide planning support and recommendations to the state support structure and coordinate local implementation of statewide reforms.
- 7 **Feedback Mechanisms:** Establish **regular mechanisms to gather feedback** from, **incorporate feedback** where necessary, and **share emerging plans** and strategies for system reform with key stakeholders (e.g., youth, families, victims, communities, agencies, organizations, courts) around the state, including discussion of approaches to address system effectiveness, fairness, safety, and accountability.
- 8 **Performance Contracting and Quality Standards:** Implement and effectively utilize uniform **performance-based contracting** and **quality standards** for public and private providers of detention, placement, alternatives to detention and placement, and other community-based services and treatment.
- 9 **Financing Models and Oversight Structures:** Conduct analysis of **potential financing models, oversight structures, and case jurisdiction responsibilities** between states and counties and **support quick resolution** between NYS and counties to implement optimal structure(s).
- 10 **Support for What Works:** Establish an interactive, **best practice clearinghouse** to expand the capacity of agencies, organizations, and courts across the state to adopt both NYS-based and national innovative research-driven and evidence-informed practices.

<sup>3</sup> High-level system outcomes will be shared across all system actors. Some performance measures will be specific to each part of the system while other measures may be tracked systemwide (e.g., racial and ethnic representation at all points across the system). **Note:** Each action step is color-coded to correspond to its related component of system excellence.

# The Path Forward

In light of over a decade of national research, we believe that an effective state system that reflects the unique needs of youth and recognizes their tremendous potential to learn and change their behavior can and must be built.

Such a system must be comprehensive and integrated. It must utilize coordinated assessments to reliably measure risk to public safety and divert youth from the system when appropriate. It must also create a continuum of options for all levels of risk so that low- and moderate-risk youth can be treated in their communities and only youth who truly pose a danger to the community have their needs met through incarceration.

For all youth, this rehabilitative system must rely on cost-effective programs and policies that are proven to reduce reoffending and are well coordinated across all involved systems, agencies, courts, and other organizations. Regardless of where youth are in this system, from initial contact through to reentry, they must be treated equitably and fairly, and positive family and community partners should be productively engaged wherever possible. This system, and the agencies, organizations, and courts within it, must hold itself accountable for achieving targeted positive outcomes, as coordinated by overarching system governance, and must be held accountable by the community, through public transparency and engagement, for achieving these outcomes. This system must also use improved access and sharing of information as a lever to drive improved decision-making and policy, both at the individual case level and at the aggregate level. As a result, communities will be stronger and safer and the strengths of youth will be fostered and built upon.

Success will require collective action from agencies, organizations, and courts to drive systemic change in a rapidly changing, resource-constrained environment. Future implementation will not be easy; nor will it happen overnight. However, the need and potential for system transformation in our state are great and our success will depend on the joint efforts of all stakeholders to ensure that the vision is adopted, goals are met, and strategies are enacted.

Beyond July 2011, the Steering Committee will continue to meet to ensure effective implementation in the short-term of the strategic plan and the identified near-term action steps. The Steering Committee will serve as an advisory committee under the Deputy Secretary of Public Safety, and will regularly report progress to the Office of the Secretary to the Governor as such. The committee will be supported by staff from the Governor's office, the Office of Children and Family Services, and the Division of Criminal Justice Services. As identified in the near-term action steps, a critical need exists for such a longer-term support structure to drive ongoing implementation of this plan.