

New York State Juvenile Detention Reform

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Presentation Outline

- Background: Why Detention Reform in NYS?
- Vera's Local Technical Assistance
- The State Landscape: Key Components of Reform
- Preliminary Outcomes

Why Detention Reform in NYS?

Why Detention Reform in NYS?

- 13,940 admissions to (secure and non-secure) detention statewide in CY2006
 - 6,143 in NYC / 7,797 outside NYC
- Approximately \$120 million spent on detention annually
- The need to look closely at *why* youth are detained
 - Reserve detention for youth who pose a substantial risk of re-offending or failing to appear in court during the pendency of a case (as per state statute)
 - Historically, no objective way to measure risk
 - Over-representation of youth of color
- The need for community-based alternatives-to-detention

Vera's Local Technical Assistance

Vera's Technical Assistance

- Funding:
 - New York State Office of Children and Family Services
 - Private Foundations
- Focused Assistance Jurisdictions:
 - Onondaga County (April 2005)
 - Erie County (May 2005)
 - Albany County (July 2005)
 - New York City (January 2006)
 - Monroe County (June 2007)
- Multi-County Meetings
 - 12 counties (2005-2006)

Vera's Technical Assistance: Core Components

- Data Collection and Analysis
- National Site Visits and Experts
- Facilitation of Inter-Agency Groups
- Strategic Planning Support

The State Landscape: Key Components of Reform

- Risk Assessment Instruments
- Community-Based Detention Alternatives

Detention Risk Assessment Instruments

State Landscape: Detention Risk Assessment Instruments

- Measuring 2 *types* of risk
 - Re-offense during pendency of case
 - Failure to appear (FTA) during pendency of case
- Identifying 3 *levels* of risk
 - Low: Release w/ no formal supervision
 - Mid: Release w/ Alternative to Detention programming
 - High: Eligible for detention
- Implemented at one of three system points
 - Probation
 - Family Court
 - Detention Front Door

State Landscape: Approaches to RAI Development

- **Consensus (normative) Approach (Upstate counties)**
 - Review national models
 - Stakeholder discussion and consensus-building
 - Ratification of draft instrument
 - Retrospective testing and revisions as needed
- **Statistical (empirical) Approach (NYC)**
 - Collect data on a wide-range of potential risk factors
 - Research which factors are statistically correlated/associated with FTA and re-arrest pending disposition
 - Draft instrument based on research analysis

State Landscape: Upstate RAI General Areas of Assessment

- Current Offense Severity
- Prior Offense History
- Flight History
- Aggravating Factors
- Mitigating Factors

State Landscape: Upstate RAI Implementation

- **Onondaga County** (two-phase implementation)
 - Probation (violations of probation): December 2006
 - Detention Front Door: December 2007
- **Erie County**
 - Detention Front Door: January 2008
 - Alongside no-misdemeanor policy
- **Albany**
 - Family Court (arraignment): February 2007
- **Monroe**
 - Implementation Pending

State Landscape: NYC RAI Methodology

- Data collected on every delinquency arrest referred to prosecution (citywide) between May and Sept 2006
 - 1,782 cases
- Sample then tracked through June 2007
 - Court data
 - Detention data
 - Arrest data
- Baselines
 - 1,053 cases actually petitioned (prosecuted)
 - Re-arrested: 279 (26%)
 - Failed to appear: 182 (17%)

State Landscape: NYC RAI Factors Associated with Risk

Risk of FTA

- Open JD Warrant
- Prior JD/PINS Warrant
- No Adult at Probation Intake
- School Attendance < 30% in last full semester

Risk of Re-Arrest

- Unsealed Prior arrest
- Unsealed Prior Felony Arrest
- Prior JD Adjudication
- Prior Designated Felony
- Currently on JD Probation
- School Attendance > 80% in last full semester (-point)

State Landscape: NYC RAI Risk Distribution of Petitioned Cases (N=1,053)

	N	%
low	581	55%
mid	334	32%
high	138	13%
total	1053	100%

State Landscape: NYC RAI Implementation

- Staggered Roll-Out
 - Queens: June 2007
 - Brooklyn: July 2007
 - Manhattan: December 2007
 - Bronx: January 2008
 - Staten Island: April 2009

Community-Based Detention Alternatives

State Landscape: Use of Alternatives to Detention (ATDs)

What:

- Short-term community-based supervision

For Whom:

- Youth who score mid-risk on the RAI

Why:

- To provide the least-restrictive setting and to ensure that youth appear in court and do not re-offend during pendency of case

State Landscape: Types of Detention Alternatives

- Court Notification
- Community Supervision
- Evening Reporting Centers
- Home Confinement
- Electronic Monitoring
- Respite

State Landscape: Upstate ATDs

■ Onondaga County

- Community Monitoring (Special Supervision Program)
- Graduated Administrative Sanctions in Probation

■ Erie County

- Community Monitoring (Southwest Keys)
- After-School Supervision (Southwest Keys)

State Landscape: Upstate ATDs

■ Albany

- Community Monitoring (Juvenile Release Under Supervision Program)
- Evening Reporting Center for boys (LaSalle School)
- Court Notification

■ Monroe

- Community Monitoring and Juvenile Reporting Center (St. Joseph's Villa)
- Others Pending

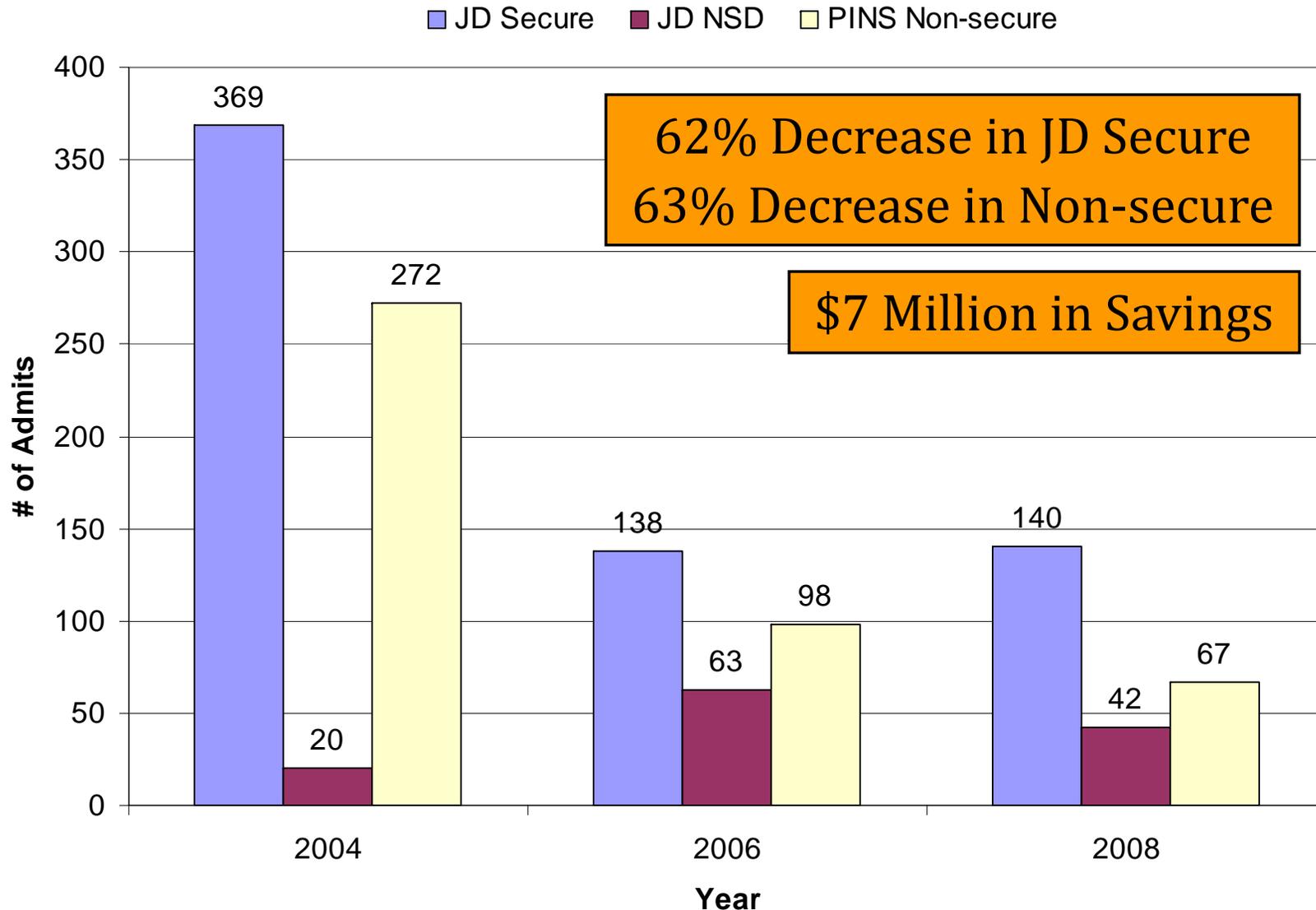
State Landscape: NYC Detention Alternatives

- Tier I & II (Community Monitoring and After-School Supervision)
 - One community-based nonprofit organization per borough
 - Queens and Staten Island: Center for Court Innovation
 - Brooklyn: Center for Court Alternatives
 - Manhattan: CASES
 - Bronx: Bronx Connect/Urban Youth Alliance
- Tier III (Intensive Community Monitoring)
 - City Department of Probation (2 ICM workers per borough)

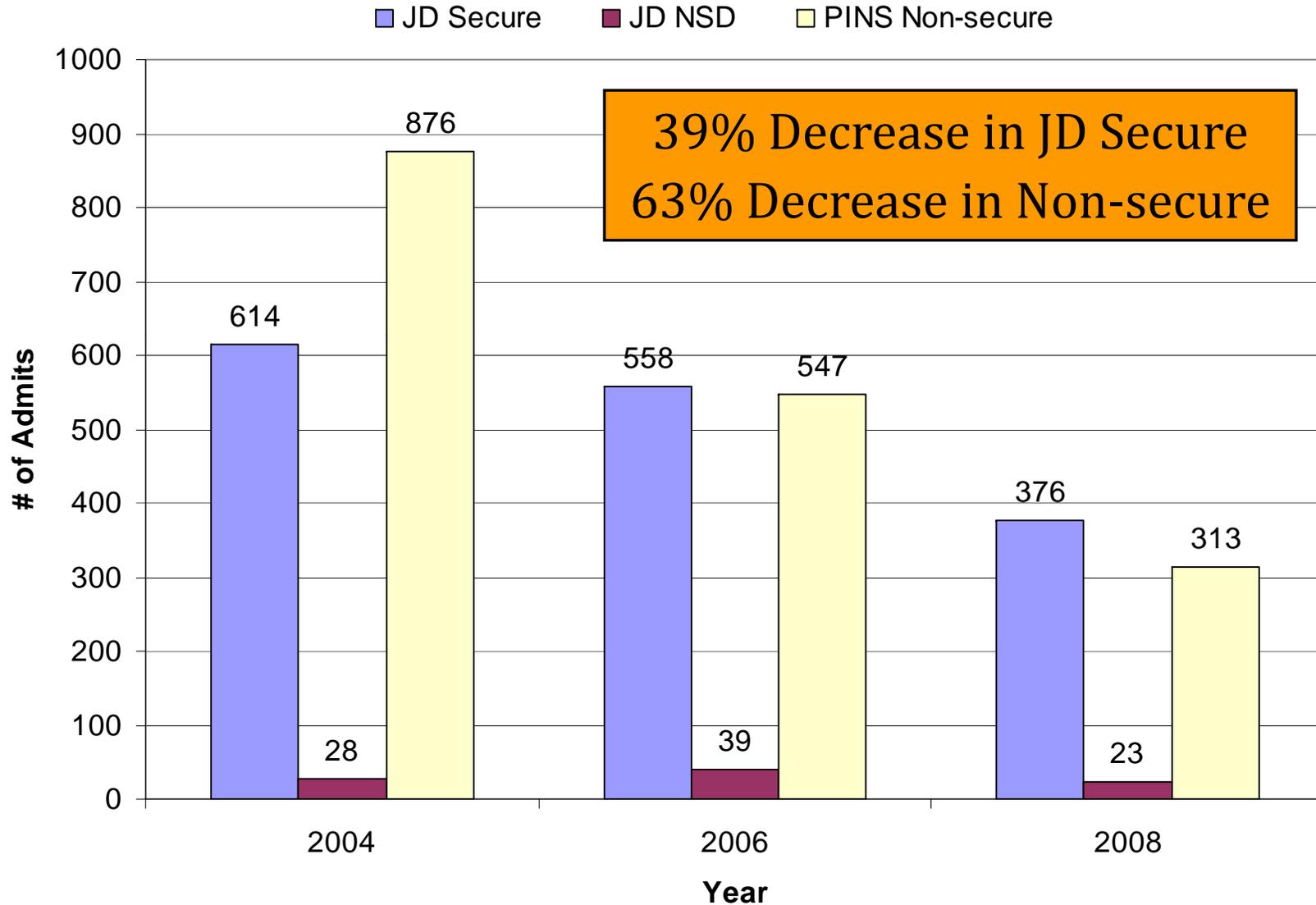
Preliminary Outcomes

- Onondaga County
- Erie County
- New York City

Preliminary Outcomes: Onondaga County



Preliminary Outcomes: Erie County



Preliminary Outcomes: NYC

- 14,420 RAIs have been completed at probation intake since June 2007.
- 5,154 cases have been arraigned as of January 6, 2009.
- 998 youth (19% of arraigned cases) were sent to an ATD program as of January 6, 2009.

	Baseline (N=1053)		Comparison (N=1499)	
	N	%	N	%
Low	142	24%	79	9%
Mid	129	39%	141	32%
High	68	49%	108	69%
Total	339	32%	328	22%

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