



Juvenile Justice  
Advisory Group

# Annual Report 2018

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**New York State Juvenile Justice Advisory Group (JJAG)  
2018 Annual Report**

The U.S. Congress requires the Juvenile Justice Advisory Group to report to the Governor and Legislature annually. This report fulfills that requirement for 2018.

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## I. Introduction and Background

The federal Juvenile Justice and Delinquency Prevention Act (JJDPA) was enacted in 1974 and reauthorized in 2002 and 2018. The law created the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) to support state and local delinquency prevention efforts and juvenile justice system improvement; established grant programs; and outlined federal standards, known as core protections, for the care and custody of justice-involved youth.

Among other modifications, the 2018 reauthorization of the JJDPA provides updates to the core protections, restructures the prevention components of the Act, expands OJJDP research and evaluation purposes, and increases reporting requirements and accountability. These changes take effect October 1, 2019 (Federal Fiscal Year 2020).

New York State Executive Order 80 (1986) establishes the Juvenile Justice Advisory Group (JJAG) as the required state advisory group for overseeing the development and implementation of the state plan, supervising the distribution of federal delinquency prevention funds and monitoring compliance with federal juvenile justice mandates. Board members are appointed by the Governor and represent a range of juvenile justice stakeholders: criminal justice, human services, court and research professionals, advocates, formerly justice-involved youth, community members and others.

The same Executive Order designates the Division of Criminal Justice Services (DCJS) as the state agency that supervises the preparation of the state's juvenile justice plan; administers the plan and manages federal delinquency prevention funding allocated to New York. The DCJS Office of Youth Justice (OYJ) provides administrative support to the JJAG and oversees the implementation and monitoring of contracts on the advisory group's behalf.

The agency also collaborates with the state Office of Children and Family Services (OCFS) on some juvenile justice initiatives and in 2017 and 2018, DCJS, OCFS and other state agencies worked closely to implement New York's landmark Raise the Age law, which raises the age of criminal responsibility to 18 over a two-year period. Effective October 1, 2018, 16-year-olds are no longer charged as adults; on October 1, 2019, the law takes effect for 17-year-olds. The [DCJS Annual Performance Report 2017-2018](#) (pages 15 through 17) contains additional detail about the agency's work.

The JJAG oversees distribution of approximately \$1.6 million annually in federal grants to fund delinquency prevention, effective interventions to justice-involved youth and juvenile justice systems improvement. In addition, the JJAG monitors the state's compliance with the four core requirements of the federal law:

- Sight and sound separation of juvenile delinquents from adult offenders;
- Deinstitutionalization of status offenders;
- Removal of juvenile delinquents from adult jails and lock-ups; and
- Reduction of disproportionate minority contact in the juvenile justice system.

## II. Federal Mandates: Compliance and Monitoring

States receiving federal Title II formula grant funding are required to comply with four core protections guaranteed by the JJDP. DCJS contracts with the state Commission of Correction (SCOC) to monitor and ensure compliance with the following three requirements, which are related to permissible methods of confinement for youth.

- **Deinstitutionalization of status offenders** prohibits placing youth deemed to be persons in need of supervision in secure detention or correctional facilities.
- **Separation of juveniles from adult offenders** requires that juveniles who are alleged or found to have been delinquent and/or persons in need of supervision must not have any contact with adult inmates awaiting trial or convicted of a crime.
- **Removal of juveniles from adult jails and lockups** prohibits using adult jails and lock-ups to confine juveniles for any length of time.

SCOC has statutory authority to perform monitoring of correctional facilities across the state. Existing state laws meet or exceed federally mandated requirements for the custody and detention of status offenders and non-offenders; separation of juveniles from adult offenders; and removal of juveniles from adult jails and lock-ups. Because of this, facilities in New York State either meet or exceed federal requirements by complying with state law.

SCOC maintains a monitoring schedule that ensures that all adult jails, lock-ups and secure facilities for juveniles are inspected at least every three years. These facilities are required to report certain incidents to the Commission, which reviews these events and takes action as deemed appropriate. The state Office of Children and Family Services and New York City's Administration for Children's Services (ACS) are responsible for operating juvenile facilities throughout the state. SCOC and DCJS have agreements in place permitting onsite inspections and reviews of records in all juvenile facilities to ensure they are in compliance with federal standards.

New York's strategy for reducing disproportionate minority contact (DMC), now more commonly referred to as racial and ethnic disparities (RED), in the juvenile justice system includes a state-level compliance management effort; support of local reforms and implementation of best practices that are designed to reduce disproportionate minority contact; and a technical assistance to local government and nonprofit organizations. Title II funds support a full-time, statewide Race Equity Coordinator (formerly known as the Disproportionate Minority Contact Coordinator) at DCJS to monitor and improve the reporting of race- and ethnicity-related data; identify and advise on implementing best practices; and provide technical assistance and training regarding racial and ethnic disparities for local and state-level stakeholders.

The Race Equity Coordinator is responsible for monitoring compliance with strategies to reduce disproportionate minority representation in the juvenile justice system across the state using the federal Office of Juvenile Justice and Delinquency Prevention's five-phase DMC Reduction Model. This includes

working with state and local entities to enhance the quality and quantity of data measuring disproportionality, collaborating with localities to investigate root causes of disproportionality when it is found and implementing strategies to reduce racial and ethnic disparities.

For example, the Race Equity Coordinator provides training and technical assistance to local and statewide partners, helping to identify policies and practices that may contribute to disparate treatment of minority youth in the system. Training includes both the historical perspective of race equity and the impact implicit bias has on decision making. In 2018, the Coordinator:

- Partnered with the DCJS Office of Probation and Correctional Alternatives, which offers the Fundamentals of Probation Practice (FPP) training for new probation officers, to train those individuals about racial and ethnic disparities and the mind science of implicit bias, racial anxiety and stereotype threat.
- Provided technical assistance to six counties (Herkimer, Madison, Montgomery, Oneida, Oswego and Otsego) that received Second Chance Act “SMART on Community Supervision” grants; to the Partnership for Youth Justice as it implemented its vision grid goals and objectives; and to five counties (Oneida, Onondaga, Albany, Nassau and Erie) as they developed RED Capstone projects.
- Presented on racial and ethnic disparities at local and national conferences.
- Supported the state’s Regional Youth Justice Teams and other cross-agency groups working to address RED.

### **III. Juvenile Justice Advisory Group Activities**

The JJAG met quarterly, alternating primary meeting sites between Albany and New York City. These meetings covered a range of topics, including summary presentations of select projects; reviews of federal funding commitments and balances; briefings on state and federal juvenile justice initiatives; and discussions of policy and funding priorities.

The Office of Youth Justice at DCJS provides support staff to the advisory group by managing meeting logistics, providing programmatic oversight for projects and developing funding solicitations based on the group’s identified priorities, in addition to other administrative functions. The DCJS Office of Program Development and Funding (OPDF) oversees contracts and budgets to ensure compliance with federal funding requirements. New York State juvenile justice data are collected by several state and local agencies, including OCFS, the Office of Court Administration (OCA), the Office of the New York City Criminal Justice Coordinator, ACS, and the New York City Police Department. Partnering with these agencies and others, the DCJS Office of Justice Research and Performance (OJRP) compiles and analyzes juvenile justice data to produce a statewide picture of juvenile justice trends.

The JJAG continued to monitor ongoing projects and implemented several new initiatives in alignment with the updated three-year plan for juvenile justice.

## **A. Three-Year Plan for Juvenile Justice (2018-2020)**

Federal law requires states to develop three-year plans outlining long-range strategies for use of Title II Formula funds. During interim years, states submit annual applications that update accomplishments, provide juvenile justice data and demonstrate compliance with the federal law's core protections.

In 2018, the JJAG continued its progress on the initiatives first started under the 2015-2017 three-year plan, and authorized awards to build upon that work and place targeted focus on four new priorities outlined below. The JJAG also undertook a strategic planning process in August 2018 to complement these activities and provide additional guidance and direction for its activities. The JJAG's current three-year plan establishes the following priorities, which led to its 2018 supported activities.

**Priority Area 1:** Improve capacity of decision-makers to match response to the risks and needs of youth that become involved in New York's juvenile justice system.

### Raise the Age Implementation

As noted, New York State's law raises the age of criminal responsibility in two phases. The law also prohibits 16- and 17-year-olds from being held in adult jails and prisons; makes substantive changes to the procedures and mechanisms used to process 16- and 17-year-olds in the criminal and youth justice systems; allows for additional services for youth; and alters the types of detention and/or placement to which they may be subjected. The law extends Juvenile Delinquency (JD) classification to include 16- and 17-year-olds in most cases where the alleged crime is a misdemeanor and creates the new category of Adolescent Offender and a Youth Part of Criminal Court to handle 16- and 17-year-olds charged with serious offenses. Juvenile justice professionals statewide, working with officials from DCJS and other state agencies, spent the early part of 2018 preparing for the complex system changes associated with this legislation and developed comprehensive plans designed to access state funds to ensure effective implementation at the county level. State agencies continue to monitor implementation of the law as the newly structured juvenile justice system continues to take shape.

### Georgetown Youth in Custody Certificate Program

DCJS funded two teams of six – one each from Monroe and St. Lawrence counties – to attend the Georgetown Youth in Custody Certificate Program.

#### *Monroe County*

Monroe County's focus is on improving the functioning and outcomes of youth detained in the Specialized Secure Center in Monroe County. The team's main strategy is to develop processes that will ensure both continuity of care and creation of holistic programming within the facility. The Monroe County staff has created a comprehensive work plan that is centered around youth's therapeutic, educational, recreational and employment development. The team also seeks to develop cross-system partnerships to engage families and the community. The team submitted its Capstone proposal in August 2018 and members became Georgetown Center for Juvenile Justice Reform (CJJR) Fellows in October 2018. The team will continue to meet quarterly to review progress, identify barriers and modify implementation plan.

### *St. Lawrence County*

The St. Lawrence County team seeks to collaborate with key partners from education, mental health, chemical dependency, Youth Advocate Programs, probation, and social services to improve wraparound service coordination for youth reentering the community. The key strategies to accomplish the team's goals include creating a multidisciplinary committee to oversee the Capstone Project, training staff and providers on trauma-responsive practices, and enhancing diversion as well as reentry services. The team submitted its Capstone proposal in August 2018 and received feedback from Georgetown in December 2018. A follow-up is scheduled for June 2019.

**Priority Area 2:** All justice-involved youth will be treated fairly and equitably and will have access to appropriate services, regardless of race, ethnicity, gender identity, sexual orientation, class and/or culture.

### Race Equity Work

The Race Equity Coordinator worked with OPCA to embed training on historical context and the mind science of implicit bias, racial anxiety and stereotype threat into its Fundamentals of Probation Practice curriculum, which is required for all new probation officers. The Office of Youth Justice worked with the Center for Children's Law and Policy (CCLP) to train OPCA's training unit staff, as well as staff from anchor training sites around the state, to teach the four-hour curriculum.

DCJS continued to work with CCLP on the development of the state's new three-year plan to advance equity and reduce disparities. The plan includes the following goals and objectives:

- enhancing data capacity, collection and analysis;
- providing leadership development opportunities and technical assistance to both statewide and local stakeholders;
- targeting interventions in counties with high disparity rates; and
- implementing program and policy changes as necessary.

### Mind Science of Bias Trainings

DCJS partnered with the state Office of Children and Family Services to host two, two-day Mind Science of Bias Trainings in Albany and Rochester. The training in Albany was a follow-up to a conference, hosted by OCFS in 2017. Multi-disciplinary teams from counties with the highest rates of disparity for child welfare out-of-home placement convened for instruction on leadership development, as well as facilitated conversation and guidance in the development of a county-based equity strategy or plan. In Rochester, the training focused on providing foundational information and training for individuals to begin thinking about the role of leadership, implicit bias, racial and anxiety and stereotype threat in the work that they do for children and families along the juvenile justice continuum. Presenters at the event included Gregory Owens (DCJS, formerly from OCFS), Dr. Bryant T. Marks (National Training Institute on Race and Equity), Jessica McFarlane (Perception Institute) and Jason Szanyi and Tiana Davis (Center for



Children's Law and Policy). Individuals also participated in facilitated breakout sessions to identify where they would begin to incorporate this information into the work that they do on an individual level.

#### Georgetown Racial and Ethnic Disparities Certificate Program

DCJS sent teams from Erie and Nassau counties to the Georgetown Reducing Racial and Ethnic Disparities Certificate Program in Washington D.C.

The eight-member Erie County team focused on reducing out-of-home placement for youth of color through engaging the community, increasing family engagement initiatives, and creating a parent navigator program. The team submitted their Capstone summary to Georgetown in February 2019 and is expected to submit their full Capstone proposal and implement its work through the remainder of the year.

Nassau County sent a team of eight individuals to the program with the goal of reducing recidivism rates for youth of color in the village of Hempstead during the Probation Intake and Adjustment process. Key strategies include: collaborating with families served to identify barriers to involvement; strengthening family engagement policies and services; and bolstering the referral and service matching process to meet the needs of youth and families. The team submitted its Capstone proposal in February 2019 and members became CJJR fellows in March 2019. The team will work to fully implement its Capstone project by 2020.

#### Georgetown Supporting LGBTQ Certificate Program

DCJS sent a team of nine from Erie County to the Georgetown Supporting LGBTQ Certificate Program. The team is focused on improving the experience of, and outcomes for, system-involved LGBTQ youth. The key strategies include establishing a committee to oversee the LGBTQ issues at large, providing professional training on LGBTQ-related topics, and developing a system to identify and respond to the needs of system-involved LGBTQ youth.

**Priority Area 3:** Build community capacity for providing youth with prosocial, developmentally appropriate supports.

#### Youth Empowerment Academies

DCJS awarded grants to three nonprofit organizations in Nassau, Erie and Albany counties to host Regional Youth Empowerment Academies (YEA). The goal and purpose of YEA was to engage current and formerly justice involved youth in policy making at the state and local levels. After completing a two-day skill and relationship building academy, YEA participants conducted focus groups and surveys of system-involved youth and their families to obtain information about how to improve the youth justice system in New York State. YEA presented their recommendations for change to the JJAG at its September 2018 meeting. Recommendations included, but were not limited to:

- Increased access to quality life and interpersonal skills training, employment, recreational and educational opportunities.
- Improved communication and relationship with law enforcement and school personnel.
- Programs to treat the whole family as well as target intervention services for trauma, grief and loss, domestic violence, gang prevention and other service programs.
- Development of peer navigator and/or credible messenger programs to assist and support youth through their system experience.
- Information, training and support for parents as they navigate systems to improve outcomes for their children.

### National Youth Summit

To advance its efforts to engage and mentor justice-involved youth, the JJAG approved funding for five teams of young people to attend the Youth Summit in Washington, D.C. Sixty-three young people from across New York State attended the three-day training event, along with their peers across the country who are interested in juvenile justice reform. During the summit, participants learned skills and tools needed to leverage their experience and expertise to effect change. Workshops and presentations at the summit included: juvenile justice 101; strategic sharing 101; credible messengers; trauma and resiliency; gun violence; empowerment through the arts; culpability and brain development; closing youth prison; and youth organizing. Participants returned energized and have incorporated the skills they learned at the summit into their advocacy work in their home jurisdictions.

### Restorative Practices

DCJS continues its work to support the use of restorative justice practices in schools across New York State. The agency partnered with the New York State Education Department and the New York State School Boards Association to train 25 teams of professionals, each consisting of individuals from one Board of Cooperative Educational Services (BOCES) and a partner school district, so they can teach the evidence-based strategy to colleagues in districts across the state. The four-day, train-the-trainer program will allow more schools to implement restorative practices that encourages students to take personal responsibility for their actions and reconcile wrongdoing with their school community. The strategy also reduces reliance on suspension and other exclusionary discipline. DCJS plans to continue this partnership in 2019 and beyond.

### Connecting Youth in Transition

DCJS and the state Education Department were awarded a Federal Performance Partnership Pilot (P3) grant specifically targeted to improving outcomes for disconnected youth in two locations: the cities of Albany and Rochester. Transition coordinators were hired at each site to work with the school district and a designated community partner to identify youth ranging in age from 14 to 24 who have become disconnected from school due to excessive, unexcused absences, dropping out and/or recent juvenile justice system involvement. Youth who enter the program at each site work with the transition coordinator through a series of three phases designed to foster and sustain a positive outcome for them. At the end

of the program, the youth will have either resumed or completed school or be gainfully employed and they will have identified a positive adult role model to guide them as they move forward.

The pilot program, which began operation in October 2018 and serves 60 youth at each location, is designed to measure how much of an impact consistent guidance or “touch” plays in a participant’s ability to become reconnected. While all youth will engage with the transition coordinator through check-ins, some youth will be closely guided through each step of the process, while others will be given a case plan and tasked with navigating to success on their own. This pilot program will be evaluated by researchers at SUNY Plattsburgh.

#### Georgetown School-Justice Partnerships Certificate Program

DCJS sent two teams to the Georgetown School-Justice Partnerships and Diversion Pathways Certificate Program: a team of eight from Jefferson County and a team of six from Nassau County.

##### *Jefferson County*

The Jefferson County team aims to create diversion opportunities for youth, both in schools and in the community, to decrease the amount of time youth are out of school and increase their sense of community. The team plans to focus on implementing community-based diversion programs that will include strong restorative practice and mental health components. The team submitted their Capstone summary to Georgetown in October 2018, received feedback and submitted their official Capstone proposal in March 2019.

##### *Nassau County*

The Nassau County team plans to focus on reducing inappropriate or disruptive behaviors that result in school suspension or arrest. The team will utilize a behavioral approach and graduated sanctions to work with targeted youth, create school-based, community engagement opportunities and implement restorative practices. The team plans to submit their official Capstone proposal in early 2019.

**Priority Area 4:** Enhance the state and local capacity for utilizing data-driven decision making and evidence-based practices.

#### New York State Youth Justice Institute

The New York State Youth Justice Institute launched with Dr. Megan Kurlychek as its first executive director. In August 2018, the Institute hosted a two-day meeting of co-chairs from the state’s Regional Youth Justice Teams to get a sense of their needs and gauge areas in which the Institute could be helpful in assisting the teams to achieve effective change in youth justice. Located at the University at Albany School of Criminal Justice, the Institute is overseen by an executive committee chaired by the commissioners of DCJS and OCFS. The committee is reviewing the Institute’s detailed work plan to determine priorities for 2019.

## Results-Based Accountability Trainings

DCJS, through New York State's Partnership for Youth Justice, hosted nine regional Results-Based Accountability (RBA) Trainings across New York State. RBA is a practitioner-level framework that utilizes data to move from talk to action to achieve a desired outcome. These trainings expanded work done in 2016 by increasing the number of counties and participants involved. Nearly 180 juvenile justice stakeholders from various disciplines (e.g., law enforcement, education, county attorney, county executives, probation, social services, law guardians, and family court judges) in 45 counties statewide attended the two-day training to build skills in the results accountability framework; use data to inform decisions about strategies and practices; and make action commitments to measurably improve results for children and families. As a part of the training, county teams developed a plan and action items to improve the outcomes for young people in their counties as evidenced by their five-year trend line. Follow-up was provided by a technical assistance team of 20 professionals from state agencies: DCJS, OCFS, the Office of Mental Health, the Unified Court System, and the Education Department.

## **B. Special Projects**

### *Youth with Problematic Sexual Behaviors*

DCJS continued its work in developing trained clinicians in the University of Oklahoma Health Science Center Problematic Sexual Behavior – Cognitive Behavioral Therapy (OU PSB-CBT) treatment model. Six teams of clinicians were trained to deliver the adolescent model in their communities, joining six teams of clinicians trained in the school-age model (ages 7 to 12) prior to 2018. DCJS also convened a stakeholder meeting in July 2018, attended by more than 50 professionals from state agencies, local organizations currently implementing the model and representatives from counties interested in implementing the model in their communities. DCJS also has convened a group of state agency stakeholders to begin developing a strategy for statewide implementation, scalability and sustainability. That effort will continue in 2019 and beyond.

### *Pennsylvania DMC Youth / Law Enforcement Curriculum*

The Pennsylvania DMC Youth / Law Enforcement Curriculum provides an opportunity for both youth and officers to be heard and to consider each other's view without judging whether the other point of view is completely right or wrong. Conducted in three modules, participants receive instruction on adolescent brain development, youth culture, implicit bias and its impact, hypervigilance and hypermasculinity, as well as distinctive characteristics of coping strategies for boys and girls. Training also includes a youth and law enforcement panel discussion and role playing. Fifteen recruits from the Mount Vernon Police Department completed the training. A pre-post survey on attitudes, beliefs and behavioral intentions regarding youth-law enforcement interactions showed a positive change in the perceptions of the relationship between young people and police, specifically acknowledging that race and ethnicity impacts police-youth interactions and the belief that relationships between police and youth can be improved. Following the training, recruits strongly agreed that there were techniques they could use to make interactions with youth safer and that they would approach a youth differently than an adult. Two trainings also were presented at the State of New York Juvenile Police Officer Association's annual training

conference: one for advanced officers (44 participants) and one for basic training officers (33 participants). Both sessions included an explanation of disproportionate minority contact, racial and ethnic disparities, implicit bias and a discussion of the curriculum as a method for law enforcement to engage constructively with youth.

#### *Child Abuse Curriculum Trainings*

In March 2018, DCJS partnered with the New York State Children's Alliance (NYSCA) to convene trainings in three different child abuse prevention curriculums for community and school-based professionals. Child and Teen Safety Matters are comprehensive and research-based programs that educate and empower students and all relevant adults to prevent, recognize and respond appropriately to all types of child abuse and exploitation. High Five! is a unique, empowering and comprehensive child abuse prevention program designed specifically for pupils in pre-K to second grade. Safe Touches is a research-based, child sexual abuse prevention workshop that uses puppets to talk about sensitive body safety concepts and helps children learn and practice key safety skills.

#### *Persons in Need of Supervision (PINS)*

DCJS convened a two-day Persons in Need of Supervision (PINS) and Youth At-Risk of Entering the Juvenile Justice System learning collaborative for teams from 17 counties. The learning collaborative kicked off with a keynote presentation by staff from the Robert F. Kennedy (RFK) National Resource Center for Juvenile Justice, which also helped facilitate several workshops designed to assist the counties in developing implementation strategies to more effectively work with the target population. After the workshops, the RFK Center and DCJS provided additional technical assistance to the teams to assist with the implementation of their plans.

### **C. Support for Regional Youth Justice Teams**

Nine Regional Youth Justice Teams (RYJT) continued their work fostering cross-county, multi-disciplinary approaches to juvenile justice program and policy work. The Office of Youth Justice staff serve as liaisons between the teams and the state, advising the teams of state-level trends and initiatives and communicating local concerns and accomplishment to state agencies and other state-level policy-makers.

As noted, the Youth Justice Institute hosted a two-day convening of team co-chairs, allowing them to share highlights and barriers of team activities, and provide a framework within which the team could reach the next level. DCJS also began assisting the teams in developing plans for a new round of grant funding, authorized by the JJAG, scheduled to begin April 1, 2019. Team plans feature common themes such as trauma, restorative practices, youth with problematic sexual behavior, racial and ethnic disparities, and youth and family engagement emerging on a consistent basis. Implementation is expected by mid-2019.

#### D. Approval of New Projects

Projects Approved in 2018	Award
Georgetown University Certificate Programs (2018)	\$210,000
National Youth Summit	\$170,000
Restorative Practices Expansion	\$35,000
Results-Based Leadership – Supplemental Funding	\$30,000
Georgetown University Certificate Programs (2019 and 2020)	\$475,000