



Juvenile Justice Advisory Group

Quarterly Meeting Minutes December 8, 2020 WebEx Virtual Meeting

Attendees:

JJAG Members

Staff and Guests

Edward Fergus, Chair	Y	<i>NYS Division of Criminal Justice Services (DCJS)</i>
Joseph J. Coccozza	Y	Mark White (Phone)
Brendan Cox	Y	<i>Office of Youth Justice (OYJ)</i>
Michelle Diaz	Y	Greg Owens
Michael C. Green	Y	Tom Andriola
Niasha Hamilton	Y	Meagan Armstrong
Precious Lugo	Y	Trista Deame
Robert M. Maccarone	Y	Shalain Garcia
Hon. Edwina Mendelson	Y	<i>Office of Program Development and Funding (OPDF)</i>
Sheila J. Poole	Y	Jeff Bender
Meredith Ray-LaBatt	Y	Benedicta Adewunmi
Karen Richmond	Y	<i>Office of Justice Research and Performance (OJRP)</i>
Allen Riley	Y	Terry Salo
Euphemia Strauchn	Y	
Emily Tow	Y	<i>Youth Justice Institute (YJI)</i>
Jason Williams	Y	Giza Lopes
Lester Young	Y	Avery Irons
		<i>NYS Office of Children and Family Services (OCFS)</i>
		Nina Aledort
		<i>The Tow Foundation</i>
		Diane Sierpina
TOTAL in attendance	17	
<i>Required for Quorum</i>	9	
<i>Counted in Quorum (phone included)</i>	17	

Introduction

Juvenile Justice Advisory Group (JJAG) chair Dr. Eddie Fergus opened the meeting, welcoming members and guests attending via teleconference as a result of COVID-19. The agenda was approved. The minutes from the September 22, 2020 meeting were approved as submitted.

Staff Updates

Federal Funding Status Update

Deputy Commissioner Jeff Bender provided a funding status update. The FY2018 funding is available for programming. The FY2019 funding is still tied up in litigation and will be until a resolution is reached after the new administration comes into office. Deputy Commissioner Bender is hopeful that by mid-2021 the federal government will revise the conditions so that the award can be accepted. The funding chart shows commitments, including the additional money promised to the RYJTs and Youth Justice Institute, using the FY2018 and FY2019 money.

Ms. Michelle Diaz wanted to clarify that FY2018 money was available without any restrictions. Deputy Commissioner Bender confirmed that DCJS was able to accept the award without accepting the conditions that were tied to it. FY2019 is pending court action which ultimately suspended the deadline for accepting the award. Executive Deputy Commissioner Mike Green added that when restrictions related to immigration were first put on the FY2018 award, New York State (NYS) declined to accept the award because of these restrictions. Through the Attorney General's Office, NYS filed a lawsuit and as part of the lawsuit, which suspended the timeframe by which NYS would have to formally accept the award. NYS received a favorable ruling from the Federal District Court which stated that the government was not allowed to add conditions after the solicitation was posted. Before the appeal was formally submitted, NYS was granted access to the funding as there was no basis to withhold the funding. In the meantime, the Justice Department, in the Appellate Court, initiated an appeal that ultimately ruled against NYS. It is the hope that with the new administration the conditions will be removed and the court proceedings all dropped so that all of the funding becomes available.

Ms. Emily Tow highlighted the fact that there is over a quarter of a million dollars that can be programmed, according to the funding chart. Deputy Commissioner Bender confirmed this was correct.

Dr. Eddie Fergus asked about the FY20 award and the status of that funding. Deputy Commissioner Bender explained that FY20 is in a slightly different position. Mr. Andriola explained that there were audit findings that occurred back in 2016 related to the 44th Precinct in NYC, which was appealed in September 2020, and NYS is waiting to hear on a decision but thinks that the new administration may clear that finding.

JJAG Strategic Plan

Dr. Eddie Fergus guided the group into a final review of the JJAG Strategic Plan and the intention of the plan going forward. Over the last six months, interviews were conducted (effort supported by the Youth Justice Institute), national experts surveyed across the country, previous SAG plans reviewed, and conversations held with JJAG members to obtain expertise on youth justice topics. The first draft of the strategic plan was shared in early September and since, all suggestions and edits have been incorporated. The Strategic Action Planning sub-committee provided feedback in October and November 2020 in an effort to continue refining the document. Commissioner Green and First Deputy Commissioner Mark White were asked to provide a high-level review to

ensure that the JJAG Strategic Plan also aligned with efforts occurring at DCJS. JJAG retreat feedback was collected by the Youth Justice Institute and organized in both a narrative and visual format using red, yellow, and green charts. Mr. Andriola highlighted major changes within the *Executive Summary* (format of document is still being edited with the help of the DJCS PIO office) including the following edits:

- Adding Raise the Age, racial tension, and COVID reform efforts
- Adding the incident in Michigan that lead to Cornelius Frederick's death as a result of an incident in a residential facility,
- Revamping the R.E.D. bullets to make them more targeted and specific,
- Adding substance use to trauma list,
- Changing "mental health to behavioral health",
- Clarifying what is meant by implementation science and translational efforts,
- Adding community engagement and the need for meaningful engagement opportunities.

The conversation was opened for additional comments and edits. Ms. Emily Tow questioned whether the detail related to R.E.D was necessary for the Executive Summary if it was being repeated later in the document. Dr. Fergus suggested condensing the information down to a solid sentence and elaborating later in the document.

Mr. Andriola moved to the next section, re-named *Purpose and Overview*. Language was added to this section to tie the document together and outline the plan for the reader as a preview of the rest of the document. Dr. Aledort asked if there should be added language in the "equity" section to include young girls, particularly young girls of color as well as LGBTQ youth of color.

The *National Landscape and Background* headings were moved to the Appendix.

The *Major Themes in New York* section was introduced in the Executive Summary and included edits mentioned above. Additional edits include:

- Highlighting the work and collaboration of the RYJTs,
- Considering youth services through an equity lens,
- Adding employment services as something that needs to be considered for older youth,
- Adding schools to increase ability to address social and emotional learning needs of students,
- Emphasizing the need for police training,
- Adding victims to procedural justice, and
- Communicating the strategy to YJI section.

Ms. Tow shared that it is clear all feedback and suggestions were heard and incorporated into the document and complimented the group in their effort.

Dr. Fergus thanked folks for giving further clarification when feedback points were not understood.

Commissioner Poole suggested that the strength of the language in the "Addressing Racial and Ethnic Disparity" section, last bullet that states "implementing specific actions designed to reduce Racial and ethnic disparities", be bolstered and possibly moved higher in the document. Commissioner Poole would like the JJAG to commit to analyzing potential new investments that include specific impacts. Despite lots of great effort and intention, the JJAG needs to be bolder and strategic, as there has been a struggle to move the dial across the state. She

states that this document should be a renewed call to action, in a new way, since NYS has not been able to make progress. The intentional action should be put as the first bullet, not the last.

Ms. Euphemia Strauchn mentioned that in addition to educating police officers, perhaps correctional officers should be trained as well. She added that there has to be training for those that interact with young people daily, both on the inside and on the outside of the system, to help mitigate trauma and abuse. If we want to bring about sustainable, long term change, we have to do it across the board.

Ms. Meredith Ray-LaBatt applauded the effort of the group to coalesce the information into a coherent, well written document. Ms. Ray-Labatt suggested that multi-system collaboration and capitalizing on what other systems have accessible or existing efforts (trauma work, for example) should be highlighted.

Judge Mendelson agreed with Ms. Strauchn and elaborated that the courts are renewing racial justice endeavors and court officer training; procedural justice is a significant part of the work. Judge Mendelson added that she has been appointed by Chief Judge DiFiore to lead state efforts to improve racial justice in the court system.

Regent Young referred back to Ms. Ray-Labatt's point about the intersection of agencies and stated that he feels strongly that we should consider the agencies that manage the training, certification, and preparation of individuals who work with children and youth to include required training on the topic of trauma and trauma prevention. Trauma is not just trauma in the juvenile system – youth experience trauma in the communities, schools, etc. and interact with a variety of people. More than just professional development, Regent Young believes this is an opportunity to rethink how we prepare professionals to meet the demands of children and communities and re-evaluate the requirements of those certifications.

The following edits were made to the *Vision, Goals, and Action Steps* section:

- Revamping the vision based on the retreat and workgroup feedback,
- Clarifying Goal #1 is to coordinate across state agencies and throughout NYS,
- Adding prevention and proactively serving youth to goal #2,
- Adding community to goal #3. And what was meant by “buy-in”,
- Changing the first implementation strategy to focus on the JJAG's purpose and strategy to use this as a guidebook and disseminate widely to key stakeholders across NYS,
- Aligning workgroups among the three goals, and
- Clarifying language to data and utilization section.

Ms. Tow mentioned that there should be some mention of the JJAG's ability to grant funds to improve the youth justice system and strive toward excellence in decision making as a deliverable and action step of this document. The JJAG's function is more than talking and meeting, formation of the workgroups, etc. and should describe how the JJAG will do the best job possible to re-deploy federal funds.

The document was approved with consideration of all edits and feedback points raised thus far (including comments in the chat). Parts of the strategic plan will be included in the FY2021 Title II application.

Implementation Strategy of Plan

Mr. Andriola stated that once everything in the document is finalized, sent over to PIO and approved, JJAG members and stakeholders will be asked to distribute the final document. The workgroups should be established early 2021 with each group led by co-chairs (with staff support) and key stakeholders across the state. The idea

is for the workgroup to meet quarterly with work completed in between in advance of the JJAG quarterly meeting. The research shops and Youth Justice Institute will speak about integrating data into action steps as well as an information dissemination strategy. Dr. Fergus emphasized that each group should be led by a JJAG member but co-chaired by a non-JJAG member with a group that is a mix of JJAG and no-JJAG members. Dr. Cocozza thought that we may consider pulling in outside folks for the data section also, and not just rely on the Youth Justice Institute and agency research shops. Ms. Tow asked if the workgroup would identify areas of investment to bring back to the JJAG. Mr. Andriola confirmed this was the desire.

DCJS will handle the finalization of the report to get it ready for publication. After this December JJAG meeting, there will be a survey sent to each JJAG member to solicit interest in leading or participating in one or more of the workgroups and identify stakeholders in networks that can be contacted for potential memberships. The survey should be returned by the 16th. Areas of need and expertise will be highlighted in the email transmittal. Deputy Commissioner Maccarone suggested that perhaps JJAG funds for a consultant or a student from the YJI may be helpful regarding the data piece of this plan, aligning systems, and coordinating a unified message.

Ms. Tow asked for clarification about the Community Resolve Program and the issue with funding their program. Ms. Deame explained that Dan Kos and the CDRCs are the lead on the grant and the JJAG approved \$225,000 over three years. The Community Resolve program was funded for one year thus far and the remaining balance will be charged against the funding that is available. Deputy Commissioner Bender confirmed that the commitment is listed on the funding chart as “OCA Community Resolve”.

Regent Young shared that during Monday’s Board of Regents meeting, there will be a presentation on girls of color. The meeting will be live streamed. If anyone needs information about it, Regent Young is happy to provide more information.

Wrap-up and Next Steps

The meeting was adjourned by JJAG Chair, Dr. Eddie Fergus.

The next JJAG Board meeting will be held virtually on Tuesday, March 9, 2021: 10:00am – 1:00 pm.