



New York Juvenile Justice Coalition

c/o Juvenile Justice Project of The Correctional Association of NY ■ 135 East 15th Street New York, NY 10003 212-254-5700

February 12, 2008

Honorable Sheldon Silver
Speaker
New York State Assembly
LOB 932
Albany, NY 11248

Dear Speaker Silver:

We, the undersigned organizations, urge you to support the New York State Office of Children and Family Services (OCFS) plan to close, merge and downsize its juvenile justice facilities. As representatives of advocacy groups, legal service providers, alternative sentencing programs, and community-based organizations, we believe that the Executive plan to right-size juvenile facilities is an important step towards improving services for children involved in the juvenile justice system and reducing the number of children who are unnecessarily incarcerated in New York State. In addition, the proposed closures will benefit all New Yorkers by reducing youth crime and recidivism and saving tax dollars. We strongly support this proposal for the following reasons:

The proposed right-sizing of OCFS facility capacity represents the necessary next step in New York State's efforts to fundamentally reform its juvenile justice system. In recent years, New York State has made significant strides in fulfilling the original mandate of the juvenile justice system to provide children with the "least restrictive alternative" including effective rehabilitative services in the community. Among other reforms, the state has implemented and supported community-based alternatives to detention and incarceration that have led to a marked decline in the number of children in OCFS placement facilities. However, these alternative programs will only yield cost savings if the state reduces capacity in its youth placement system. It is important to note that although the number of children in OCFS facilities has declined in recent years, the per diem rate to confine children has actually increased because OCFS has not yet closed beds to keep pace with the decrease in its population.

The facilities slated for closure are operating well below capacity. Despite having twenty beds each, the Auburn and Brace facilities have 3 children and 6 children, respectively. The Gloversville Group Home has been empty for over a year. The Cass Residential Center is currently used as a training center and also does not currently house any children.

The proposed closures will have a minimal impact on jobs. OCFS Commissioner Gladys Carrion has made a public commitment that her agency will work closely with the Department of Civil Services to ensure that all staff from the affected facilities will secure positions at other facilities or other state agencies.

The proposed facility closures will enhance public safety. OCFS facilities have a poor track record in preventing recidivism. In fact, 80 percent of children released from OCFS facilities are re-arrested within three years. Furthermore, the six facilities slated for closures hold children, primarily convicted of non-violent, misdemeanor offenses, who can be safely supervised and treated in community-based alternative-to-incarceration programs. Community-based alternative-to-incarceration programs are much less costly than incarceration and have proven more effective in reducing recidivism.

Keeping children closer to home will lead to better outcomes for court-involved children and their families. Five of the six facilities slated for closure are in upstate New York; yet the majority of youth confined in these facilities are from New York City. Incarcerating children far from home makes it difficult for them to maintain regular contact with their families and to re-integrate into their homes and communities upon release. Keeping court-involved children in their communities allows them better access to ongoing services, including mental health and medical care, substance abuse treatment, and special education services. Most importantly, children and their families may participate in evidence-based, family-focused programs, such as Family Functional Therapy and Multi-systemic Therapy that have proven to reduce youth crime and recidivism.¹

Reducing the state's reliance on incarceration will lead to more equitable treatment of African-American and Latino youth. Eighty-six percent of youth held in OCFS facilities are African-American or Latino; and 95 percent of New York City youth in state custody are African-American or Latino. The restructuring of the OCFS placement system will help address the troubling over-representation of children of color in state custody and help ensure that all children regardless of class or race have access to community-based supports and services.

The proposed closures will generate significant cost savings that provide an opportunity for further reforms. Currently, OCFS spends over \$150 million to operate its juvenile placement facilities. The agency estimates the downsizing of its facilities will result in \$16 million annual savings, and has allocated some of this funding for community re-investment. We urge the Legislature to promote the full re-investment of these projected cost savings for community-based alternatives to incarceration and other programs that will support vulnerable children and their families.

In sum, the OCFS plan to reduce facility capacity will enhance public safety and save tax dollars by promoting a more effective, efficient and equitable use of juvenile justice resources. We urge our support for these important advances so that New York's juvenile justice system can better serve our children, families and communities.

If you have any questions or concerns, please contact Mishi Faruqee, Director of the Juvenile Justice Project at the Correctional Association of New York, at (212) 254-5700 ext. 315 or email mfaruqee@correctionalassociation.org.

Sincerely,

¹ According to University of Colorado's Center for the Study of Violence Prevention, evaluations of Multi-Systemic Therapy (MST) have found reductions of 25 percent to 70 percent in long-term rates of re-arrest among serious juvenile offenders.

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