by {ga=dking}
Monday, February 27, 2012 12:00 AM - Last Updated Thursday, September 04, 2014 10:45 AM

Photo provided by New York Public Library New York State reformatory, plumbing shop, circa 1921.

In his 2011 State of the City Address Mayor Michael Bloomberg asked Gov. Andrew Cuomo to use an executive order to give control of juvenile offenders from New York City to the city itself. Rather than sending offenders to state-run facilities that are in many cases hundreds of miles away from their homes and are known to be violent and poorly run, the city would place the offenders in facilities close to home.

"The current system is not helping kids, it isn't helping taxpayers and it isn't helping public safety," Bloomberg said at the time. "The bottom line is, I think we all agree we need to stop sending kids miles away from their families and communities. And, instead, authorize the city to fully operate its own juvenile system here in the five boroughs."

But the state budget process had already begun Cuomo had already set his agenda for the

year for dealing with the state's flawed juvenile justice system—by closing some of the most troubled detention centers, trying to improve care in the existing ones and encouraging judges to sentence offenders to alternative treatment programs. Nevertheless at the end of session last year Assemblyman Karim Camara helped the city introduce the Juvenile Justice Realignment Act, that would have accomplished Bloomberg' goal legislatively.

The bill did not come to a vote but as it turns out this year Cuomo has basically granted Bloomberg's wish. Instead of using an executive order to hand control of the city's youthful offenders over to the city Cuomo has made the initiative part of his budget plan as the "Juvenile Justice Services Close to Home Initiative." And while the move is not as sure as an executive order—making it part of the Governor's budget package makes the chance of it becoming law much more likely than if it was a bill being pushed by Camara and the city.

Elizabeth Glazer, Cuomo's Deputy Secretary for Public Safety, says that the initiative makes sense as part of the Governor's overall approach to repairing the state's broken juvenile justice system. She says the state would hand over jurisdiction of juvenile offenders from the city in two phases—offenders who are held in non-secure facilities will be transferred to the city as of this September and offenders in limited secure facilities will be handed over as of April 2013. Kids in secure facilities will remain in state care.

"Before that happens," explains Glazer, New York City will have to lay out its plan for services that are the least restrictive but meet public safety and are also gender specific and tailored to the LBTQ community. There will public hearings and the city will have to explain how it incorporated the comments or why not."

The Correctional Association of New York says that it is really the detail of the city's plan that matters.

"The Governor's initiative provides a unique opportunity for the creation of a new youth justice system in New York City, one that potentially could bring about better life outcomes for children and strengthen communities," said Soffiyah Elijah, Executive Director of the CA.

"The CA has, for many years, advocated for keeping children in custody closer to their homes

and communities. However, given the many challenges youth justice systems face both in keeping children safe and secure and in meeting the complex treatment and service needs of young people in custody, the details of the city's plan are paramount," said Elijah. "We very much look forward to receiving and being able to meaningfully respond to the city's proposed plan."

Glazer says it is important to realize that while "stepping back," the state will, "Maintain crucial strong oversight of the city's system, conduct on-site inspections and develop performance metrics and analytics," for the facilities.

Advocates insist that recidivism rates can be reduced if juvenile offenders are kept near home, given support and not treated as career criminals. Kids in state run programs have recidivism rates of 80 to 90 percent while kids treated in alternative programs have only a 20 percent re-offense rate.

Assemblyman Camara has visited a number of treatment facilities and explains that sending a young offender to a secure detention facility in upstate New York can guarantee the child never reforms. "There is a much different culture in alternative programs. Kids that commit non-violent offenses may act tough, they might put on a show but they are not ready to deal with the setting of a secure facility. It crushes their spirit. They don't get supportive services and the recidivism rate is so high—it is the whole culture and become a part of it."

The Money

Why is the initiative part of the Governor's budget package? Simply put—because detaining kids costs money--keeping a youthful offender in a secure facility costs around $260,000 a year. Alternative treatment programs cost about $20,000 per child, per year. And the state, to the chagrin of public employee unions, is slowly but surely getting out of the business of juvenile justice. Last year Cuomo closed detention facilities and this year the system is expected to further lose around 300 beds. The reductions are being carried out in a way that will allow for a regional model of care to possibly be implemented across the state.

Overall the state expects to save $9 million dollars by implementing the "Close to Home Initiative" in the 2012-2013 fiscal year and $12 million in FY 2013-2014. Thanks to the reduced number of kids in the system the state will be able to downsize the detention system and expects to save quite a bit on that--$9 million in FY 2012-2013 and $37 million in the following fiscal year.

The Future

Perhaps most indicative of the way the Cuomo Administration expects to approach juvenile justice for the entire state is another mandate that is part of the “Close to Home Initiative” that will require all family court judges to have a “predispositional risk assessment” of each juvenile offender before sentencing. The one-page document would be designed to help judges decide how likely someone is to reoffend and exactly what kind of setting would best suit them.

According to Glazer the risk assessment will likely evaluate a child’s criminal offense, school attendance and other factors that play into the risk that they will reoffend.

“There is a complete shift of resources being used more effectively and accurately state wide. Every county will be required to have risk assessment at detention.” Glazer points out that the move will not only save money but hopefully prevent offenders who are generally “good kids” from being sent to secure facilities where they might fall in with a far worse crowd than they know at home—thereby reducing recidivism.

Glazer says that the Office of Child and Family Services is working with the Department of Justice and the department of probation to make sure judges and everyone else in the chain is comfortable with working with these new evaluations.

Camara says he thinks his colleagues in the Assembly are supportive of the “Close to Home Initiative” and he expects that when Senators here more about the plan that they will get on board. He says he has seen firsthand what a difference being near home can make for a child in trouble. “I’ve toured these places and there is a huge difference between the facilities in Brooklyn than the juvenile facility on Rikers Island. There is different atmosphere and kids are closer to their family and have the support staff they need.”