New York State
Juvenile Detention Reform

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May 7, 2009
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
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)

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<tr>
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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

- 62% Decrease in JD Secure
- 63% Decrease in Non-secure
- $7 Million in Savings
Preliminary Outcomes: Erie County

39% Decrease in JD Secure
63% Decrease in Non-secure

Year

# of Admits

2004 2006 2008

JD Secure 558 547 376
JD NSD 28 39 23
PINS Non-secure 876 614 313
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.

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<tr>
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