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Juvenile Justice: The Case For Local Control

A youth services provider says Mayor Bloomberg's bid to take more control of the state's juvenile justice system is an opportunity not just to save money, but to change lives.

By Marsha Weissman

Monday, Jan 31, 2011

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New York City faces a unique opportunity to transform the way we treat young people who come in conflict with the law. On December 21, 2011, Mayor Bloomberg outlined plans that would empower New York City (and other local jurisdictions) to assume responsibility for juvenile justice system services. In his State of the State address, Governor Andrew Cuomo forcefully and courageously called for an end to the practice of sending kids hundreds of miles from their home in the name of saving upstate jobs. Testimony from city administrators, juvenile justice advocates and practitioners at a standing-room-only City Council hearing on January 26th, was remarkable for its consistency: The main current of the statements and questions was not *why* we need to reform the juvenile justice system, but rather about *how* we can create a new system that produces the best possible outcomes for young people, their families and their communities.

As a member of the ATI (Alternatives to Incarceration)/Reentry Coalition and Governor Paterson's Task Force on Transforming Juvenile Justice, it was deeply rewarding to hear the overwhelming majority of Council members, advocates and community providers embrace the substance of the mayor's proposal, which calls for New York City to assume responsibility for the care and custody of adjudicated juveniles. Right now, there are less than 600 young people in state facilities, about 400 of whom are from New York City. There was overwhelming agreement that New York City should no longer send our youth to a state juvenile justice system that is out of sync with best-practice research on what works in reducing juvenile crime.

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The dismal 80 to 90 percent recidivism rates of young people placed in OCFS facilities and the harms documented by last year's U.S. Department of Justice report were repeatedly cited as evidence of the failures of the current system. The annual cost of placing a youth in OCFS—well



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over \$200,000 per youth per year—were compared to community-based programs that cost between \$10,000 to \$18,000 a year and boast recidivism rates that rarely exceed 20 percent.

As director of an organization that has been providing alternative-to-detention and alternative-to-incarceration services to youth in the juvenile justice system since 1987, I believe that a locally operated system will be far preferable to our current system for the following reasons.

- **It's Better For Families:** Keeping young people close to home simply makes good sense. Community-based services, even those that include some out-of-home-placement, are the only way to involve parents and other family members in services.
- **It Builds On Existing Resources:** The city's alternative-to-incarceration programs for juveniles are nationally recognized and admired. We have a proven track record of providing effective alternatives to detention for young people in the city's juvenile justice system.
- **It Will Be Less Expensive:** Most alternative-to-incarceration programs cost between \$10,000 to \$18,000 per child per year, significantly less than the \$270,000 it costs per year to incarcerate a child in a state-run facility.
- **Local Control is More Accountable:** Citizens typically have more opportunity and ability to connect with local government and come to expect local government to be the "first responder" to their needs and concerns. Local control would allow for more flexibility in developing responses to juvenile crime, and the ability to expand ATI and other community-based services that research shows are more effective in addressing delinquency. Local government—the Council and the mayor—are concerned with the well-being of their citizenry, and the condition of youth in their care. They do not face competing interests of representatives from jurisdictions whose concerns may be, as Governor Cuomo has pointed out, about employment opportunities for their upstate constituents.

The first three reasons to support juvenile justice reform are no longer a matter of debate. What remains under discussion is the question of local control. But there are a number of states and jurisdictions that have already taken control, with early evidence indicating improved outcomes for kids and lower costs for taxpayers.

For example, Wayne County, Michigan, home to Detroit, assumed most of the control over their juvenile justice population in 2000. The average daily population of youth sent to state facilities dropped from nearly 750 in 1999 to about 16 youth in 2010, for a savings of \$50 million a year. Instead of paying their state for an ineffective system, the savings were reinvested in a comprehensive network of locally-operated community based programs. The approach not only saved money, it improved community safety (as evidenced by a low, 18 percent reconviction rate after two years) and helped young people get off a track that often leads to a lifetime of incarceration.

That said, local control does not guarantee accountability. It is for this reason that my organization, and other community-based agencies working with court-involved youth, support strong independent oversight mechanisms to ensure that the juvenile justice system is transparent and accountable to elected officials and the public. We view oversight not as a "Gotcha!" mechanism, but rather as a preventive tool that can identify problems before they become crises and work to resolve issues in a proactive manner.

New York City's proposal presents the opportunity to create a new juvenile justice system that better addresses the needs of young people, their families and communities. The Council appears to be on board, as are most advocates and providers. We owe it to New Yorkers—and I'm talking about all of us, not just those within the five boroughs—to capitalize on this unique moment and do right by our young people.

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