

**NYS Division of Criminal Justice Services
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3. Program Narrative

a. Description of the Issue

1. System Description: Structure and function of the juvenile justice system

In light of solicitation guidelines and the size and complexity of New York State's juvenile justice system, the system description is attached in Appendix A.

2. Analysis of juvenile delinquency problems (youth crime) and needs

See Appendix B, Table 1 for a summary overview of juvenile justice case processing in New York State for 2014-2016.

Juvenile Arrests

Federal OJJDP funds are allocated to projects targeting juveniles under the jurisdiction of the family court. In New York State, juveniles are defined as youth aged 7-15 years at the time the crime was committed. The arrest profiles presented for juveniles aged 7-15 years include arrests involving a small number of juveniles under age 16 charged with "Juvenile Offender (JO)" offenses who are under the jurisdiction of criminal court. It was not possible to separate JO arrests in all jurisdictions. The Division of Criminal Justice Services (DCJS) estimates that JOs represent less than 5% of the total number of arrests involving youth under 16 statewide. Arrest statistics are presented separately for New York City (NYC) and the counties in the rest of the state (ROS). Since 2001, the regions report juvenile arrests from different data sources with differing definitions. Consequently, data on juvenile arrests and criminal activity cannot be compiled statewide. The New York City statistics are from the New York City Police Department's Crime Data Warehouse, which only includes formal arrests. New York City does not currently submit juvenile data through the Uniform Crime Reporting (UCR) program. The non-New York City statistics are from the NYS Uniform Crime Reporting (UCR)

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program, which includes both formal arrests of juveniles and juvenile criminal activity not resulting in formal arrests.

New York City Juvenile Arrests (Formal Arrests Only)

See Appendix Table 2.1 for formal arrests in New York City for 2014-2016.

- Total arrests were down 24%, from 6,086 in 2014 to 4,615 in 2016. Felony arrests declined by 436, a 13% reduction, between 2014 and 2016. There were 1,035 fewer misdemeanor arrests in 2016 than in 2014, a decrease of 36%.
- Arrests declined for both males (-22%) and females (-32%). Males accounted for approximately 79% of all formal juvenile arrests in NYC from 2014-2016. Felony arrests of male and female youth declined (-13% and -18%, respectively) with 356 fewer felony arrests of males and 100 fewer felony arrests of females. There were 36% fewer misdemeanor arrests of both males (-717) and females (-318) in 2016 than there were in 2014.

Rest of the State Juvenile Arrests and Criminal Activity

See Appendix Table 2.2 for arrests and criminal activity in the rest of the State for 2014-2016.

- Total arrests were down 28%. In 2016, there were 6,702 arrests compared to 9,334 in 2014.
- Arrests for personal crimes decreased 24%. In 2016, 1,957 personal crimes involving juveniles were reported in the rest of the state. This was 611 fewer than in 2014, constituting a 24% reduction. Arrests of both males and females have declined (-24% and -23%, respectively).
- Arrests for property and “other” crimes were also down substantially (-27% and -39%, respectively). Property and “other” offenses for the period accounted for 65-66% of reported crimes involving juveniles in ROS jurisdictions. Between 2014 and 2016, there were 1,224

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fewer property crime arrests. Both males and females declined (-31% and -16%, respectively).

Note: Three Year Plans submitted prior to 2015 included a crime type breakdown of violent, property, drug, weapons, and other; the violent and property categories were defined based on UCR index crime classifications. The current Plan includes a different crime type breakdown: personal, property, drug, weapons, and other. In the current breakdown, the personal and property categories also include appropriate Part II crimes. This change results in higher counts for personal and property crimes and lower counts for “other” offenses.

Probation Intake and Processing

See Appendix Table 3 for probation intake and processing statewide and by region for 2014-2016.

- Immediate referrals to petition declined 17% in NYC and 9% in ROS. NYC immediate referrals to petition declined from 3,691 in 2014 to 3,051 in 2016; ROS saw a drop from 3,187 to 2,905 during this period. Total referrals (including cases referred to petition after an adjustment attempt) were down 16% in both NYC and ROS. The proportion of closed cases referred for petition immediately in NYC decreased from 70% in 2014 to 69% in 2016 and increased (43% to 47%) in ROS. The proportion referred after an adjustment attempt remained fairly stable statewide (5% in NYC and 10% in ROS in 2016).
- A similar proportion of cases were adjusted in 2016 as in 2014 statewide (36%). Adjustment rates remained stable during this same period for NYC and ROS (27% and 43% respectively).

Admission to Detention

See Appendix Tables 4.1-4.3 for statewide and regional detention data for 2014-2016.

- Total detention admissions decreased 17%. Total admissions to detention decreased 18% in NYC and declined 15% in ROS from 2014 to 2016. Statewide, of youth released from

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detention, the number of cases where the youth spent any time in a secure facility was down 11%; cases with any time spent in secure detention account for 76%-79% of the youth released from detention during the period.

- There was a statewide decline in court admissions (-33%) and a small rise in police admissions (+2%) from 2014 to 2016. In NYC in 2014, police admissions comprised 60% of all detention admissions, compared to 68% in 2016. In ROS counties, the proportion of detention admissions initiated by police increased from 31% in 2014 to 47% in 2016.

Family Court Processing

This section reviews petitioned Family Court cases involving juvenile delinquency and designated felony petitions and dispositions in 2014-2016.

See Appendix Table 5 for Family Court petition filings, by type of petition, charge type and seriousness, and gender, statewide and by region, 2014-2016. Petition disposition information is in Appendix Table 6.

a. Initial Petition Filings¹

- Total initial petition filings decreased 19%. Between 2014 and 2016 statewide petition filings for juvenile delinquent (JD) cases fell from 6,373 to 5,163 with JD petitions accounting for about 96% of filings each year. NYC family courts reported 723 fewer total filings in 2016 (-28%). Courts in ROS counties reported 509 fewer total petitions, a reduction of 13%. Statewide petitions involving males and females decreased 18% and 21%, respectively, with

¹ The “initial” petition is filed by the presentment agency (Corporation Counsel in NYC and local county attorneys’ offices elsewhere) following an arrest and charges a juvenile with the alleged commission of one or more crimes. This petition may be filed when the presentment agency determines that there is legally sufficient evidence to commence a delinquency action in family court (FCA §311.2). A supplemental JD petition is, in essence, an addendum to an initial JD petition. It is filed subsequent to an initial JD disposition outcome only in instances where a family court has retained legal jurisdiction over a juvenile and further case intervention is deemed warranted by the family court, probation department or custodial (placement) agency. For example, a supplemental petition might be filed if a juvenile violated conditions of an adjournment in contemplation of dismissal (ACD) or a dispositional order for conditional discharge, probation supervision or placement.

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petitions for males comprising approximately three-quarters of annual filings. Race and ethnicity data on petitioned youth are not reported due to incomplete data.

- Felony filings were down 17% in NYC and down 8% in ROS. Statewide, both felony and misdemeanor filings declined, 12% and 24%, respectively. NYC felony filings were down 17% from 1,273 to 1,056, and ROS felony filings were down 8% from 1,758 to 1,609. In NYC, 768 misdemeanor petitions were filed in 2016, a 40% reduction from 2014. In 2016, 1,931 misdemeanor petitions were filed in ROS counties, 16% fewer than in 2014.
- Petition filings for all offense types were down in 2016. Statewide, there were 471 fewer petitions with personal offenses as the top charge in 2016, a 16% reduction. There were also 520 fewer petitions for property offenses, a drop of 18% from 2014. In addition, there were 241 fewer weapons, drug and other petition types statewide.

b. Initial Dispositions

- In 2016, of 4,793 total collapsed dockets disposed statewide in juvenile delinquency cases, 575 (12%) resulted in orders to out of home placement. The total number of out-of-home placements decreased (-22%) from 2014 to 2016. NYC courts reported 101 fewer total placements (-36%), and ROS courts reported 57 fewer placements (-13%). Placements of any type comprised 9-11% of dispositions in NYC and 14% of dispositions in ROS family court cases.
- Statewide between 2014 and 2016, dispositions to placement in state custody decreased by 67 (-33%), while placements to local custody decreased by 92 (-17%). A family court order for placement generally places a juvenile under the custody of (1) the NYS Office of Children and Family Services (OCFS) for placement in an OCFS facility or voluntary (private) agency or (2) a local department of social services (LDSS) commissioner for placement with a voluntary

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agency. Legislation enacted in 2013 to keep NYC youth “Close to Home” resulted in a shift in NYC placements from OCFS to local LDSS custody. In NYC between 2014 and 2016, dispositions to placement in state custody decreased by 71 (from 71 to 0); placements to local custody also decreased by 30 (from 211 to 181). In the ROS, dispositions to placement in state custody increased by 4 (from 130 to 134) and placements to local custody decreased by 62 (from 319 to 257).

- Statewide, 1,386 cases (29% of cases disposed) were disposed to probation supervision in 2016.

The proportion of cases disposed to probation remained fairly stable from 2014 to 2016 for ROS, but declined slightly in NYC (from 33% to 31%). Both regions showed a drop in the number of cases disposed to probation, resulting in 416 fewer probation dispositions statewide in 2016 than in 2014, a drop of 23%.

- The number of cases that did not result in JD findings statewide declined 13% from 2,995 in 2014 to 2,619 in 2016. These outcomes generally included cases that were disposed in favor of the youth, including cases that were withdrawn, reduced to a PINS (status offender) petition, dismissed, and adjourned in contemplation of dismissal. Statewide, cases with no JD findings represented 55% of all dispositions in 2016. Regionally, these outcomes made up 56% of cases disposed by family courts in NYC and 54% of dispositions reported by courts in ROS counties in 2016.

Note: Three Year Plans submitted prior to 2018 included counts for uncollapsed dockets only. The current Plan includes dispositions by collapsed dockets – if multiple dockets are disposed on the same day, only the docket with the most serious outcome is counted. This change results in lower counts for all breakouts than in previous plans.

Admissions to OCFS Custody

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Admissions to Office of Children and Family Services' custody include juvenile delinquent and juvenile offender admissions to OCFS-operated facilities (residential placements), OCFS-contracted voluntary agencies (residential placements), and community services (non-residential placements). Admission numbers will differ from the placement dispositions in Table 6 because The Office of Court Administration's placement information includes only placements based on the initial disposition of the family court petition.

See Appendix Table 7 for statewide and regional demographics, crime type, service setting, and adjudication type of admissions to OCFS custody for 2014-2016.

- Statewide admissions to OCFS custody were down 23% from 2014 to 2016. Across the state, there were 96 fewer admissions to OCFS custody in 2016 than in 2014 (329 v. 425), including 89 fewer admissions in NYC (-64%) and 7 fewer admissions in ROS (-2%).
- Admissions for crimes against persons and crimes against property were both down 24%. In NYC, admissions for crimes against persons decreased from 93 in 2014 to 44 in 2016, a 53% drop, while ROS admissions for crimes against persons remained largely stable at 111 admissions in 2014, and 112 admissions in 2016. Admissions for crimes against property dropped 94% in NYC from 33 to 2 and declined 8% from 139 to 128 in ROS.
- Admissions to OCFS-operated facilities declined (-25%) statewide. Admissions to non-secure facilities declined 35% from 31 to 20, and admissions to limited secure facilities decreased 32% from 167 to 114; admissions to secure facilities decreased (-12%) from 124 to 109. In NYC, total admissions to OCFS-operated facilities declined dramatically (-63%) from 139 in 2014 to 51 in 2016. There were zero non-secure and limited secure admissions in NYC in 2016, down from 8 non-secure and 54 limited secure in 2014. Total admissions to OCFS-operated facilities increased by 5% in ROS. Limited secure admissions increased (1%) between

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2014 and 2016, non-secure admissions declined in ROS (-13%), and secure admissions increased from 47 to 58 (23%).

- Admissions to voluntary agencies declined substantially (-12%) from 102 to 90 statewide. NYC had 2 admissions to voluntary agencies between 2014 and 2016. In ROS, admissions to voluntary agencies declined 12% from 102 to 90.

OCFS Custody in Care

OCFS Custody in Care numbers in Table 8 represent the total number of youth in the care of OCFS-operated facilities (residential placements), OCFS-contracted voluntary agencies (residential placements), and community services (non-residential placements) at year end.

- Statewide, there were 134 fewer youth (-21%) in OCFS care at the end of 2016 than at the end of 2014. NYC had 147 fewer youth in custody, a decline of 68%, while ROS had 13 more, an increase of 3%.
- Youth in custody for crimes against persons declined 26%, and those in custody for crimes against property declined 13%. In NYC, youth in custody for crimes against persons declined 60% from 144 to 58; a 2% increase from 177 to 180 was seen in ROS. Youth in custody for crimes against property dropped from 49 to 6 (-88%) in NYC and increased from 179 to 193 (+8%) in ROS.
- There were 66 fewer youth in care in OCFS-operated facilities at the end of 2016 than at the end of 2014, a decline of 18%. There were declines of 28% (27 fewer youth) in the population of limited secure facilities and declines of 16% (45 fewer youth) in the population of secure facilities, along with an increase (60%) in the population of non-secure facilities from 15 to 24 youth.

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- The proportion of juvenile offenders compared to juvenile delinquents in custody decreased from 24% in 2014 to 25% in 2016, and the actual number of juvenile offenders decreased (-18%) from 147 youth in 2014 to 121 youth in 2016. The number of juvenile delinquents in custody declined (-19%) from 468 to 378 over the same period.

Trend data and other social, economic, legal, and organizational conditions considered relevant to delinquency prevention programming.

In New York, validated, standardized risk and needs screening and assessment instruments are integrated into probation procedures statewide. The Youth Assessment Screening Instrument (YASI) is used at probation intake and when youth are placed under probation supervision in every county outside of New York City; New York City Probation uses the Youth Level of Service Inventory (YLS) at intake. These tools facilitate identification and diversion of lower risk youth, more informed diversion and supervision approaches to youth that demonstrate moderate and high risk and matching of risk and need to services that build on assets and address criminogenic needs. In 2018, New York's capacity for identifying and addressing mental health needs in its juvenile justice population will be bolstered by the promulgation of new probation regulations that call for implementation of behavioral health screens. The resulting data will enable probation staff to work more effectively with local providers on development of case plans and referrals for services.²

The state has developed data infrastructure and analytical capability needed to identify areas of need and effectively target its resources to improve overall system performance. DCJS' Office of Justice Research and Performance (OJRP) produces county-level juvenile justice data profiles annually. These provide each of New York's 62 counties with local data for system processing points and generate discussion around observed trends.

² Appendix I: (7-8) (B) (iv)

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b. Goals and Objectives

New York’s 2018 – 2020 juvenile justice plan focuses on goals that will improve the quality of juvenile justice data, increase the state’s capacity for implementing and monitoring responsive and effective programs and services, ensure that justice-involved youth will be treated equitably, and integrate restorative and developmentally appropriate approaches into delinquency prevention and intervention practice.

GOAL (Priority #1): To improve the capacity of decision makers to match response to the risks and needs of youth that become involved in New York’s juvenile justice system. As New York prepares to raise the age of criminal responsibility, the juvenile justice system is expanding the use of evidence-based interventions to address the needs of 16- and 17-year old offenders. While the state will bear much of the cost inherent in this expansion, there is a need for complementary training and technical assistance for professionals at all contact points and the enhancement of services that steer nonviolent youthful offenders out of the justice system and into family, mental health and other needed services.³

OBJECTIVES:

1. To improve juvenile justice system response to youth with mental health needs through training and support for evidence-based mental health services.
2. To build trauma informed approaches and care into training across the system, so that stakeholders (educators, law enforcement and others) have resources to respond appropriately.

³ Appendix I (7-8) (B) (iv)

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3. To build capacity for providing services and support to meet the needs of older, higher-risk youth.

PROGRAM AREAS:

#6. Delinquency Prevention

#27. Juvenile Justice System Improvement

Upon implementation of Raise the Age, 16- and 17-year-olds will be included in DCJS' juvenile justice data tables; information germane to responding to individual needs through case planning and treatment will be available at the county level, as is currently the case for all juvenile cases.

New York's understanding of the needs of this older population has been informed in part by entities such as the Commission for Youth, Public Safety and Justice, whose work was commissioned in preparation for raising the age of criminal responsibility. In 2014, the Commission analyzed data on 16- and 17-year-olds involved in the criminal justice system and developed a robust model for forecasting case flow as older youth enter the juvenile system. The Commission's work and recommendations are summarized in a final report that highlights the importance of expanding the state's menu of evidence-based services and enhancing those that are already in place.

(https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/ReportofCommissiononYouthPublicSafetyandJustice_0.pdf)

In preparation for raising the age, DCJS' Office of Probation and Correctional Alternatives (OPCA) requires counties to submit comprehensive plans outlining needs of their expanded juvenile population and anticipated service gaps.

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GOAL (Priority #2): All justice-involved youth will be treated fairly and equitably and will have access to appropriate services, regardless of factors such as race, ethnicity, gender identity, sexual orientation, class and/ or culture.⁴ System reforms implemented over the past decade have led to more efficient and effective processing at every decision point along New York State’s juvenile justice system continuum. Persistent downward trends in all indicators can be linked to diversion of low-risk youths from the system, yet significant numbers of youth still encounter the system each year. Anecdotal reporting from the field suggests that the risks and needs of those remaining are greater and highlights a need for attention to specialized populations.

OBJECTIVES:

1. To address racial and ethnic disparities in the juvenile justice system using data-informed approaches to training, programming and policy.
2. To create a more gender responsive/gender inclusive juvenile justice system through intervention and training initiatives.
3. To improve delinquency prevention and treatment approaches in rural areas, expanding to support training and technical assistance with piloting evidence-based and/ or promising services.⁵

Program Areas:

#6. Delinquency Prevention

#21. Disproportionate minority contact

#23. Gender specific services

#30. Rural Area Juvenile Programs

⁴ Appendix I (7) (B) (i, ii, iii)

⁵ Appendix I (7-8) (B) (iv)

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As indicated in the Analysis of Juvenile Delinquency Problems (Youth Crime) and Needs section above, juvenile justice crime has decreased across all system points in New York State. However, despite these declines, recent data demonstrates the persistence of racial and ethnic disparities. In 2016, minority youth represented 54% of New York State's juvenile population, yet accounted for 68% of cases referred to juvenile court, 59% of cases diverted, 89% of juvenile secure detentions, 74% of cases petitioned, 75% of delinquent findings, 74% of cases resulting in probation placement and 79% of cases resulting in confinement in secure juvenile correctional facilities. Black youth were notably over-represented compared to white youth. Black youth represented 18% of New York State's juvenile population, yet accounted for 50% of cases referred to juvenile court, 43% of cases diverted, 64% of juvenile secure detentions, 51% of cases petitioned, 52% of cases resulting in delinquent findings, 55% of cases resulting in probation placement, and 61% of cases resulting in confinement in secure juvenile correctional facilities.

The need to support gender nonconforming youth is among issues raised by local participants in the regional youth justice teams and the rural community of practice. Data on this population is not uniformly available; however, DCJS was recently awarded a technical assistance grant to partner with Ceres Policy Research on a Sexual Orientation, Gender Identity/Expression (SOGIE) data collection initiative. This initiative, to be piloted in four counties, will lay the ground work for statewide rollout of SOGIE data collection at probation, SOGIE specific training and policy and programming to address the needs of the SOGIE population.⁶

The data analysis and narrative that accompanies this application focuses on state level data, with breakdowns that distinguish New York City data from data compiled across New York's

⁶ Appendix I (7) (B) (i, ii)

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remaining 57 counties (Rest of State). DCJS' county-level profiles help regional youth justice teams and others look at characteristics such as age and gender that are meaningful to local stakeholders responsible for developing local policies and planning for community-based services. When embarking on work with the rural community of practice in 2016, DCJS manually extracted and compiled data from indicators in counties considered rural⁷. A comparison of data from rural counties to the Rest of State data shows that the contribution of rural counties to juvenile justice system activity is of consequence. For example, in 2014 – the most recent data available at the time of the analysis – arrests from rural counties made up 24% of all arrests outside of New York City. In Rest of State data, rural counties accounted for 24% of probation intakes and 16% of admissions to placement.

GOAL (Priority #3): To build community capacity for providing youth with prosocial, developmentally appropriate supports.

OBJECTIVES:

1. To ensure educational engagement and continuity by improving school climate and implementing policies and practices that replace punitive responses with positive school discipline.
2. To integrate restorative principles and practices into school and community settings.
3. To engage families in problem-solving and planning efforts and incorporate youth voice in policy and programming decisions.

⁷ Appendix I (7) (B) (iii)

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4. To expand developmental approaches, including but not limited to supporting prevention programs, early diversion programs, and programs that strengthen connections among youths, families and communities.

PROGRAM AREAS:

#6. Delinquency Prevention

#17. School programs

Nationally, research shows an intersection between educational disruption and juvenile justice system involvement, and that minority youth are disproportionately impacted by school disciplinary actions such as suspension. At the local level, justice and education professionals stress needs for collaboration across these systems and advocate for school-justice partnership.

System reforms implemented over the past decade have led to more efficient and effective processing at every decision point along New York State's juvenile justice system continuum. This is especially true at the "front end" of the system: arrest, detention, and probation intake, where the numbers of youth seen at each of these points declined again in the most recently available data (2016). Between 2014 and 2016, there was a 27% reduction in juvenile arrests, and detention admissions dropped by 17%. Probation intakes were down 16% and petition filings dropped by 19%. Still, raw numbers at each point of contact are substantial.

There were 11,317 arrests of youth under age 16 in New York State in 2016. Approximately 4,206 admissions were made to the locally operated and state supervised juvenile detention system; 10,682 delinquency intakes were completed, and 5,366 delinquency petitions were filed in Family

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Court. A strong need for effective delinquency prevention and early intervention strategies persists.

GOAL (Priority #4): To enhance New York’s state and local capacity for utilizing data-driven decision making and evidence-based practices.

OBJECTIVES:

1. To enhance the effectiveness of the juvenile justice system through the dissemination, quality implementation and impact assessment of evidence-based and promising juvenile justice prevention and intervention programs.
2. To develop and enhance the capability of juvenile justice practitioners to utilize and understand their data to effectively engage in data driven decision making and practice.

PROGRAM AREAS:

#6. Delinquency Prevention

#27. Juvenile Justice System Improvement

New York’s significant investments in risks/ needs screening of youth at probation intake and while they are under probation supervision have informed probation staff decisions and referrals for services. Still, there is no systematic approach to community-level or regional analyses that examine whether available services are responsive to risks and needs demonstrated by the data.

DCJS has moved steadily toward prioritizing dissemination of evidence-based practices by supporting training and technical assistance for agency staff and service providers. The JJAG has funded projects that include evaluation components and has supported a handful of retrospective assessments of selected programs’ effectiveness; some proprietary interventions have fidelity requirements. Otherwise, DCJS has relied for the most part on assurances from our sub-awardees

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that services are evidence-informed. Service providers are often not trained to discern among researchers and evaluators, placing the state in the position of ensuring that program design, implementation and assessment are overseen by qualified professionals whose goals are aligned with state and federal intentions. It is essential that the state build resources for ensuring that interventions are evidence-based, best or promising practice, that interventions are developed and implemented in a manner that facilitates valid process and outcome assessment and evaluation, and that professionals across the system are trained to respond appropriately to youth they encounter.

c. Implementation (activities and services)

To achieve the goals and objectives listed above, the JJAG will support efforts that include the following:

1. Assist the regional youth justice teams and the Youth Justice Institute, discussed further, in aligning with state partners to ensure the successful implementation of raise the age legislation in New York State, which will include complementary funding support primarily in the areas of training and technical assistance for professional stakeholders.
2. Build capacity among professionals from across the spectrum who work with vulnerable youth by providing training and technical assistance (preferably using a train the trainer approach) in restorative practices, trauma-informed care, the mind science of bias, and youth and family engagement.⁸
3. Engage the State Education Department to include measures that address mental health issues for youth involved in or at risk of becoming involved in the juvenile justice system

⁸ Appendix I (7-8) (B) (iv)

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as it develops plans to implement newly enacted statutory provisions requiring health education in schools to include instruction in mental health.⁹

4. Utilizing OJJDP's five phase Disproportionate Minority Contact (DMC) Reduction Model, New York will engage in the following activities:
- a. Enhance the quality and reliability of race and ethnicity data (RED) that are publicly available and monitor DMC tracking data for at least one additional county that meets the one percent rule for analysis each year.
 - b. Incorporate youth and community perspectives into juvenile justice and DMC strategies through the implementation of Youth Empowerment Academies across the state.
 - c. Implement best practices to reduce disparities where identified, such as police-youth interaction training and sending local teams to the Center for Juvenile Justice Reform's (CJJR) Reducing Racial and Ethnic Disparities Certificate Program.
 - d. Provide training and technical assistance for localities addressing disparities, specifically training in cultural competency, implicit bias, racial anxiety and stereotype threat. Technical assistance for localities addressing RED will be provided through the Regional Youth Justice Teams as well as through the CJJR Certificate Programs and additional ad hoc requests.

Additional details regarding the state's objective and plan to reduce racial and ethnic disparities is provided in the State's DMC Compliance Plan submitted to the Compliance Monitoring Tool.

5. Implementation activities related to gender specific services include the following:¹⁰

⁹ Appendix I (7-8) (B) (iv)

¹⁰ Appendix I (7) (B) (I, ii)

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- a. Work with pilot sites in Westchester County and New York City on developing a statewide strategy for addressing issues related to at-risk and system-involved girls.
 - b. Partner with Ceres Policy Research on a Sexual Orientation, Gender Identity/Expression (SOGIE) data collection initiative. Partnering with four distinct counties in NYS, this initiative will lay the ground work for statewide rollout of SOGIE data collection at probation, SOGIE specific training and policy and programming to address the needs of the SOGIE population.
 - c. Send local teams to CJJR's Supporting the Well-being of System Involved LGBTQ Youth Certificate Program.
6. Continue collaboration with counties in the Rural Community of Practice established in 2016, supporting training and innovative approaches to prevention programming.¹¹
 7. Continue and expand school-justice partnerships, supporting training in restorative practices for staff and technical assistance with implementation in educational settings.
 8. Allocate funds to certain direct service delivery opportunities where ongoing county support and high potential for sustainability can be shown.
 9. Use Youth Empowerment Academies to generate and organize youth voice and incorporate youth perspectives in policy and practice. The academies train young men and women who were formerly involved in the juvenile justice system to facilitate focus groups and synthesize the resulting information into reports detailing youth recommendations for juvenile justice system improvement.
 10. Support young peoples' participation in the annual Youth Summit in Washington D.C. to gather national best practices on youth voice.

¹¹ Appendix I (7) (B) (iii)

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11. Expand the membership and role of JJAG youth members through the development of a youth member subcommittee. Incorporating youth voice in system reform will impact all other areas of NYS' plan including, race, ethnicity and gender equity and school justice reform.
12. Seek more effective inclusion of a diverse group – especially families of youth with system exposure – in the state level decision process.
13. Launch the New York Youth Justice Institute: agreements outlining the terms governing structure and goals of the Youth Justice Institute were finalized in late 2017. The Institute's Executive Committee will be responsible for the overall policies and direction of the Institute. Members include representatives from New York State Division of Criminal Justice Services (DCJS), New York State Office of Children and Family Services (OCFS), New York State Unified Court System, the New York State Juvenile Justice Advisory Group (JJAG), and the State University of NY (SUNY). An Executive Director is scheduled to begin in May 2018. The priority is to develop a plan that will include detail on training, technical assistance and research projects planned for the inaugural year. The Youth Justice Institute will:
 - a. Conduct training and educational events for practitioners, state and local officials and other stakeholders;
 - b. Provide information on evidence based and promising practices to practitioners;
 - c. Provide technical assistance to practitioners who are implementing or seeking to improve youth justice programs;
 - d. Assist stakeholders in development of data collection, management and analysis capacities to facilitate program monitoring and assessment.

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14. Enhance the capacity of local stakeholders to utilize data to achieve a desired result for youth and families through the Results Based Accountability™ (RBA) framework. RBA is a data-driven, decision making process to help communities and organizations get beyond talking about problems in their localities to acting on those problems. It works by helping localities identify what they would like their system or population to look like and ways to look at their data to achieve their desired population result.
15. Provide training to School Resource Officers at the annual Juvenile Police Officers Association conference on adolescent brain development, intersection of school-to-justice pathway and disparity.

Consultation and participation of units of local government

New York's nine regional youth justice teams continued to meet quarterly during 2018, providing venues for facilitating communication between DCJS and units of local government and other local justice stakeholders. Team members represent county probation offices, local departments of social services, court administrators, county attorneys, youth bureaus, school districts and law enforcement from county and municipal agencies; service providers, advocates and others also participate. This collaborative structure gives localities an opportunity to influence the state plan and other juvenile justice policy and funding priorities.

DCJS' Office of Probation and Correctional Alternatives (OPCA) exercises general supervision over operation of county probation agencies and use of correctional alternative programs throughout the State. OPCA requires each county probation department to submit an annual plan that outlines local needs and plans for programming and training. These reports include a section on juvenile justice needs and services. As New York prepares for raising the age of criminal responsibility, counties have been asked to prepare comprehensive plans that focus exclusively

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on anticipated needs of Family Courts' expanded population and project associated training and services that will improve local capacity.

Collecting and Sharing Juvenile Justice Information

1. Process of data collection and sharing across state agencies

DCJS has developed a comprehensive statewide juvenile justice data dashboard to track probation intake, detention, court petitions and dispositions, and placement data on a quarterly basis from all the agencies listed below. County Juvenile Justice Profiles, which include five years of data across the system's processing points, are updated annually and available on the DCJS website at <http://www.criminaljustice.ny.gov/crimnet/ojsa/jj-profiles.htm>. Other sources of data available include the New York State Council on Children and Families annual publication, "Touchstones/KIDS COUNT Data Book," as well as an interactive, web-based Kids' Well-being Indicators Clearinghouse. This data source provides indicator profiles on economic security, physical and emotional health, education, citizenship, family and community.

In addition to the above sources, representatives from a variety of child serving agencies--law enforcement, probation, mental health, education, the courts and community based organizations—sit on the New York State Juvenile Justice Advisory Group (JJAG), and have input into development of the DCJS Three-Year Plan and annual updates. Additionally, many local jurisdictions have regularly meeting juvenile justice coalitions and boards, making juvenile justice planning and development a multi-disciplinary undertaking. The nine Regional Youth Justice Teams operating throughout the state meet quarterly to share and discuss data, develop priority areas of concentration; conduct analyses of availability and effectiveness of local services, program needs, and gaps; and strategize the implementation and evaluation of cost-effective, evidence-based regional interventions.

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Law Enforcement. The source of information for juvenile arrests in New York State outside of New York City is the Uniform Crime/Incident-Based Reporting (UCR/IBR) system maintained by the Office of Justice Research and Performance within the Division of Criminal Justice Services. The UCR/IBR system collects arrest information from all non-NYC police agencies in the State monthly, including the age, sex, race, and ethnicity of arrestees and the offenses charged. Juvenile arrest data for NYC are provided annually by the NY Police Department (NYPD) and include age, race, ethnicity, and offense class.

Probation Departments. Local Probation Departments submit monthly OPCA-30 forms to the Office of Probation and Correctional Alternatives (OPCA) within DCJS. The OPCA-30 collects workload data on services performed by probation departments for the Family Court. Race and ethnicity data have historically been collected separately through an annual survey. In June 2013, Probation Departments began submitting their OPCA-30 forms electronically, and the new electronic submissions include race and ethnicity data. Probation data reside in a database at DCJS.

Office of Court Administration (OCA). OCA maintains a Uniform Case Management System (UCMS) of all court related records. Family Court Juvenile Delinquency (JD) and Persons in Need of Supervision (PINS) proceedings are part of this database. Through UCMS data, information on volume of JD and PINS filings, the race, ethnicity, sex, charge, and disposition of JD and PINS cases is available. DCJS receives statewide JD and PINS data from OCA through a monthly data exchange.

Office of Children and Family Services (OCFS). OCFS maintains statewide data on detention and juvenile placement. Regional (NYC/Non-NYC) detention and placement data are provided quarterly to DCJS by OCFS and the NYC Administration for Children's Services (ACS). More comprehensive, county-level data are provided to DCJS by OCFS annually.

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2. Barriers to information sharing

While great strides have recently been made in collecting and sharing juvenile justice data, remaining challenges include the following:

The New York City Police Department (NYPD) discontinued arrest reporting to UCR in 2001 and now only provides data on formal arrests, while other agencies that report via UCR report both formal and informal arrests. This restricts statewide analysis of juvenile arrest trends.

Race-ethnicity counts at the arrest contact point, provided on the County Profiles and to OJJDP for the Title II Application, have previously been estimated from Uniform Crime Reporting (UCR) data. UCR race and ethnicity counts are provided separately for all youth arrested before the age of 18. In New York State, the age of criminal responsibility has historically been 16; this, combined with the separate reporting of race and ethnicity in the UCR data, results in a need for a multi-stage estimation process to derive juvenile arrest counts by race-ethnicity. For each county, formulas based on the proportion of arrested Hispanic youth aged 16-17 who are White and who are Black are used to remove the Hispanic youth from the White and Black categories reported via UCR, so that race-ethnicity categories may be presented in accordance with federal reporting standards. The next stage involves applying the resulting distribution of race-ethnicity categories to the total number of arrests of youth under age 16.

Due to concerns with the accuracy of the estimates, an in-depth review of race-ethnicity counts at the arrest contact point was conducted. One county was chosen for this review as all police departments in that county, except for the State Police, report arrest data via the Incident Based Reporting (IBR) system rather than through the UCR system. The case level nature of the IBR data permits precise race-ethnicity counts, while formulas must be utilized to estimate race-ethnicity counts based on UCR data. The results of this analysis revealed that estimates for the

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selected county based upon UCR type data both undercounted the number of Black youth and overcounted the number of White youth. Based on these results, it was determined that New York State cannot provide accurate race-ethnicity counts for juveniles at the arrest contact point at this time. All race-ethnicity arrest counts were removed from the County Profiles and will not be submitted as part of this year's Title II Application. New York State is working toward full NIBRS compliance over the next few years and will be able to provide accurate race-ethnicity counts once compliance is attained.

In previous years, race and ethnicity data have not always been consistently entered into OCA's Uniform Case Management System (UCMS) by some Family Courts. In 2013, OCA worked closely with local Family Courts and made substantial changes to UCMS to promote consistent reporting of race and ethnicity data across the state. As a result, rates of missing race and ethnicity data across the state dropped significantly in late 2013.

Historically, juvenile justice data in New York State have been highly protected to safeguard the confidentiality of the young offender. Juvenile data systems are segregated from adult systems, and juvenile data are purged from systems (by law) when events are disposed in the favor of the juvenile. These protective mechanisms have the effect of making juvenile data sources unreliable and/or incomplete.

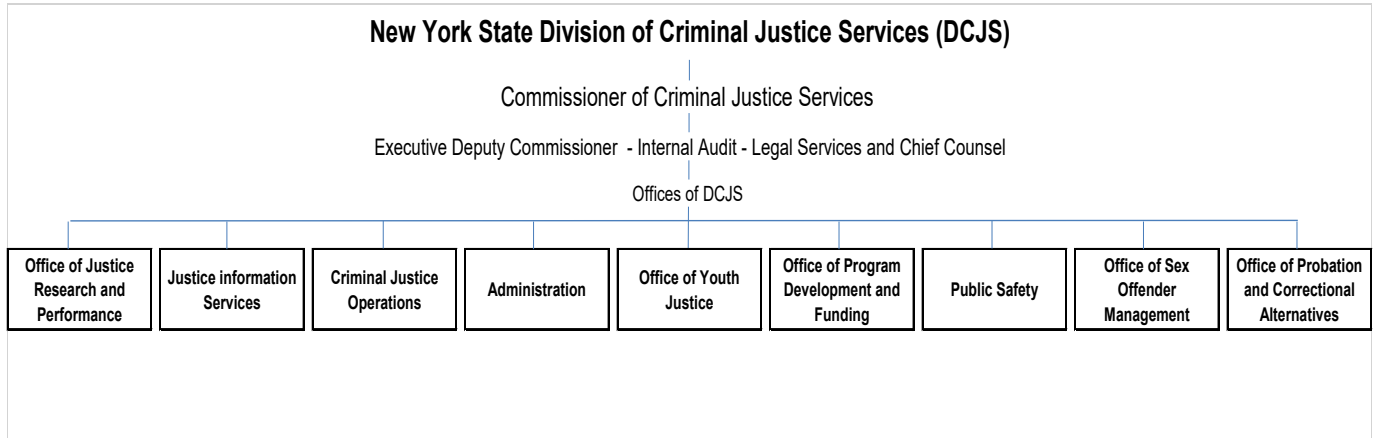
Depending on the source of the juvenile justice data, data is submitted in either case-level or aggregate form, making examining data across systems to develop an accurate picture of juvenile justice in New York a significant challenge. The quarterly performance indicators and the annual performance metrics are significant advances in analyzing aggregate data trends. However, complete pictures of individualized paths through the juvenile justice system are still not available

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for research purposes. New York State will continue to work on developing a central repository for analyzing juvenile data.

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d. Formula Grants Program Staff



The following units comprise the Office of Program Development and Funding and handle the following program or contract funding:

Federal Grants/Administration

- Byrne JAG funds
- Grant Management System oversight
- Contract Administration
- RSAT (Residential Substance Abuse Treatment)
- John R. Justice Grant Program
- Aid to Labs
- Coverdell Lab Grants
- OJJDP Title II Formula Grants
- Legislative Member Items
- Neighborhood Violence Prevention (SNUG) Program
- Aid to Prosecution
- Civil Legal Assistance
- Legislative Member Items
- Federal Criminal History / Instant
- Background Technology Improvement Programs (NARIP and NCHIP)

Probation Services

- Probation Block Grants
- Local Alternatives to Incarceration Programs
- Local Not-for-Profits ATI programs
- County Reentry Task Forces

Law Enforcement/Legal Services

- Law enforcement state grants
- Legislative Member Items
- License Plate Reader Initiative
- Motor Vehicle Theft and Insurance Fraud Program
- Crime Analysis Center Program
- Gun Involved Violence Elimination (GIVE)
- Aid to Defense
- Crimes Against Revenue Program (CARP)
- New York State Defenders Association
- New York Prosecution Training Institute
- Special Narcotics Prosecutor
- Legal Services

Victim Services Unit

- Sexual Assault Services Prevention Program
- STOP Violence Against Women Act Grants
- Legislative Member Items - Domestic Violence
- Prison Rape Elimination Act (PREA) Grants

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Formula Grants Program Staff – Office of Youth Justice

Primary responsibilities of the Office of Youth Justice include: assisting the JJAG in the development of juvenile justice policy and the implementation of juvenile justice strategies; providing staff support for JJAG activities; representing DCJS in interagency juvenile justice initiatives; serving as liaisons to the regional youth justice teams; maintaining DCJS and JJAG connection to other state and local juvenile justice efforts; and providing program development and oversight of the OJJDP Formula-funded projects.

The Office of Youth Justice is comprised of the following staff:

Mark White	Deputy Commissioner
Thomas Andriola	Chief of Policy and Implementation, Acting Juvenile Justice Specialist
Trista Deame	Race Equity Coordinator
Ian Grugan	Criminal Justice Program Representative
Lorraine Hogan	Criminal Justice Policy Analyst 2
Sara Pierotti	Criminal Justice Program Representative

Formula Grants Program Staff – Office of Program Development and Funding

The Office of Program Development and Funding is responsible for the administration of Title II Formula funds.

Joe Lostritto	Criminal Justice Program Manager
Maura Gagan	Criminal Justice Program Representative 2
Meagan Armstrong	Criminal Justice Program Representative

Descriptions of the duties for the Deputy Commissioner, Juvenile Justice Specialist and other Youth Justice staff are as follows:

**Deputy Commissioner
Job Duties**

1. Oversees and manages the Office of Youth Justice under the supervision of the Executive Deputy Commissioner, Division of Criminal Justice Services.
2. Provides policy and program guidance to administrators and the JJAG.
3. Oversees the Juvenile Justice Specialist/DMC Coordinator and provides support for the JJAG and the JJAG Chair.
4. Represents DCJS on statewide coalitions and inter-agency work groups.
5. Oversees the drafting of Requests for Proposals, incorporating state policy, federal requirements and ensuring that funding opportunities are structured to make strategic investments that will further effective juvenile justice policy.
6. Oversees preparation of the state’s annual Formula grant application, discretionary and block

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grant applications, the Three-Year Plan for Delinquency Prevention and annual updates.

7. Participates in DCJS Executive Staff meetings to brief agency leadership on juvenile justice initiatives.

**Juvenile Justice Specialist
Job Duties**

1. Oversees and manages the tasks of the Youth Justice Unit under the supervision of the Youth Justice Deputy Commissioner.
2. Supervises graduate interns and support staff, providing staff training and problem solving.
3. Assists the Deputy Commissioner in providing program guidance to administrators and staff.
4. Ensures New York State's continued eligibility for specific grant programs by guiding local and state planners, policy makers and associated program administrators through the application procedure.
5. Supervises the drafting of Requests for Proposals, incorporating state policy, federal requirements and local needs, and assists the Youth Justice Deputy Commissioner and JJAG in the competitive awarding of federal funds to sub-grantees.
6. Coordinates preparation of the state's annual Formula grant application, associated discretionary and block grant applications, state Program Performance Reports, the state's Three-Year Plan for Delinquency Prevention and annual updates
7. Provides technical assistance to staff and grantees, including the planning and execution of regional trainings or statewide juvenile justice conferences and events.
8. Participates in special assignments such as attending state and federal meetings/conferences, representing DCJS at inter-agency meetings/workgroups; providing staff support to the Juvenile Justice Advisory Group.

**Criminal Justice Program Manager
Job Duties**

1. Contributes to annual structuring of funding process including drafting sections of federal funding RFPs and applications, reviewing documents and preparing background information to facilitate funding decisions. Reviews and evaluates funding applications and makes appropriate recommendations.
2. Point of contact and liaison from DCJS to OJJDP and the Coalition for Juvenile Justice (CJJ). Manages all Technical Assistance (TA) requests to OJJDP and its contract TA consultant.

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3. Coordinates the required interaction with the appropriate federal agency for Formula grant applications and discretionary grant applications, and coordinates with the DCJS Finance Office to assure all monies are allocated and spent in compliance with regulations.
4. Develops spending plans for all federal awards and ensures NYS meets all fiduciary requirements.
5. Works with grantees to develop program goals, objectives, tasks and performance measures. Conducts site visits and monitors programs. Provides technical assistance to the more complex projects.
6. Reviews all juvenile justice grant and related contracts for accuracy, completeness, and inclusion of mandatory performance measures.
7. Supervises and advises Juvenile Justice Program Representative in all the above; writes staff performance reports as requested.
8. Responsible for the tracking of grant awards, including lapse dates, funding, special conditions, etc.
9. Supervises the compilation of federal performance reports.

**Criminal Justice Program Representative
Job Duties**

1. Reviews and evaluates funding applications and makes appropriate recommendations to unit supervisor and program manager.
2. Works with grantees in developing program goals, objectives and performance measures and preparing necessary paperwork for executing a contract.
3. Conducts independent on-site reviews, monitors active programs, and provides technical assistance and direction to grantees.
4. Works with fiscal staff tracking program encumbrances and expenditures.
5. Utilizes the electronic grants management system (GMS).
6. Prepares correspondence dealing with juvenile justice programs, handles inquiries from federal, state and local agencies and representatives, and prepares briefing materials when necessary.
7. Completes special assignments as requested by the Juvenile Justice Grants Manager, Juvenile Justice Specialist, or Juvenile Justice Policy Director, including managing special grants, organizing regional meetings, preparing discretionary applications, or

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researching/writing policy position papers.

8. Participates in ongoing training and staff development activities.

6. Performance Measures

DCJS adds all mandatory federal performance output and outcome measures to each contract, according to the applicable program area, and requires that grantees report on these measures quarterly.

County-level juvenile justice data profiles available on the DCJS website capture a wide range of data including juvenile arrests, racial breakdown of arrests, cases under probation supervision, average lengths of stay in detention, family court processing time, and other data that speak to the guiding principles of the plan. Data are available for New York State, New York City, the 57 counties outside of New York City, according to county size and for each individual county. The indicators provide a starting point for analysis and discussion, prompting and informing conversations about the functioning and outcomes of the juvenile justice system statewide and serving as an empirical tool to drive policy change.

DCJS complies with OJJDP requirements to report federal measures in DCTAT federal performance reports annually for Formula funded projects, as well.