New York State Association of Counties
Legislative Conference
Winter 2019
RTA Implementation

• Governor Cuomo proposed a landmark $100 million investment for RTA-related expenditures in the FY 2019 Budget. The FY 2020 Budget proposes a $200 million appropriation for RTA-related expenditures.

• DCJS, OCFS, SCOC, DOCCS, and SED have worked closely with the Office of Court Administration to ensure effective implementation.

• The RTA Task Force appointed by Governor Cuomo has been meeting regularly. Their first report is due in August 2019.
RTA Implementation: Interagency Efforts

Thousands of practitioners including probation, police, social services, service providers and other stakeholders participated in briefings, webinars and in-person trainings throughout 2018, including:

- NYS Association of Chiefs of Police
- NYS Sheriffs Association
- NYS Undersheriffs
- District Attorneys Association of New York
- NYS Council of Probation Administrators
- NYS Probation Officers Association
- NYS Association of Counties
- NYS Juvenile Justice Advisory Group
- 62 Community Dispute Resolution Centers
- NYS Judges
RTA Implementation: Comprehensive Fiscal Plans

- Counties are required to submit their Comprehensive Plans to request State reimbursement for anticipated, eligible incremental Raise the Age-related expenses

- A fiscal planning instrument was made available to counties in June 2018:
  - The instrument is designed to help counties identify eligible costs and determine reasonableness of requests based upon county specific projections of arrest and case processing activities
  - Completed instruments are required to be approved by the NYS Division of Budget for counties to receive reimbursement
  - Counties are required to follow the prescribed format, providing narrative proposal descriptions with complete justifications for reimbursement requests
  - There is no submission deadline; plans will be accepted on a rolling-basis
  - Comprehensive Plans can be amended as needed
RTA Implementation: Comprehensive Fiscal Plans

• Counties are submitting RTA plans, which the State is reviewing and approving on an ongoing basis

• DCJS and OCFS are engaging in continuous dialogue with county officials about the details and specifics of their proposals

• Funding is limited to incremental costs associated with RTA
Division of Criminal Justice Services (DCJS)
DCJS Implementation Highlights

- Issued guidance to Law Enforcement Agencies about arrest procedures and court processing
- Developed new probation department regulations to address Raise the Age
- Provided extensive training to probation department staff
- Upgraded case management system used by probation departments
- Updated probation and police training curricula
- Developed data collection systems to monitor RTA
RTA Objectives

• Effective client engagement and community based services to improve youth outcomes – front load services
• Increase rates of adjustment (diversion) – reduce petitions to family court
• Reduce reliance on confinement in detention and out of home placement
• Reduce probation violations to reduce unnecessary detention and placement
• Reduce long-term recidivism
Arrests of 16-17 Year Olds Declined 65% Since 2010 with a 24% Decline in the Last Year

Statewide 16-17 Year Old Arrests: 2010-2018

Note: 2018 16 year old misd. arrests are partially estimated.

Source: NYS, Computerized Criminal History
Database as of 01/18/2019
16 Year Old Monthly Felony Arrests are Down 43% since October 1, 2018

<table>
<thead>
<tr>
<th></th>
<th>Average Monthly Pre RTA</th>
<th>Average Monthly Post RTA</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>NYC</td>
<td>139</td>
<td>80</td>
<td>-42%</td>
</tr>
<tr>
<td>ROS</td>
<td>91</td>
<td>51</td>
<td>-44%</td>
</tr>
<tr>
<td>Total</td>
<td>230</td>
<td>132</td>
<td>-43%</td>
</tr>
</tbody>
</table>

Pre-RTA: Jan - Sep 18  Post RTA: Oct - Dec 18

Source: NYS, Computerized Criminal History Database as of 01/22/2019
79% of Felony Arraignments Removed from Youth Part

Youth Part AO Arraignments and Removals Oct - Dec 2018

<table>
<thead>
<tr>
<th></th>
<th>Total YP Arraignments</th>
<th>Total Removed</th>
<th>% Removed</th>
</tr>
</thead>
<tbody>
<tr>
<td>NYC</td>
<td>202</td>
<td>156</td>
<td>77%</td>
</tr>
<tr>
<td>ROS</td>
<td>134</td>
<td>108</td>
<td>81%</td>
</tr>
<tr>
<td>Total</td>
<td>336</td>
<td>264</td>
<td>79%</td>
</tr>
</tbody>
</table>

Source: NYS, Computerized Criminal History Database as of 01/22/2019
81% of Removals Went to Probation Intake

AO Removals from Youth Part Oct - Dec 2018

<table>
<thead>
<tr>
<th></th>
<th>Removed to Family Court</th>
<th>Removed to Probation Intake</th>
<th>Total AO Removals</th>
</tr>
</thead>
<tbody>
<tr>
<td>NYC</td>
<td>4</td>
<td>152</td>
<td>156</td>
</tr>
<tr>
<td>ROS</td>
<td>47</td>
<td>61</td>
<td>108</td>
</tr>
<tr>
<td>Total</td>
<td>51</td>
<td>213</td>
<td>264</td>
</tr>
</tbody>
</table>

Note: Includes all October – December cases removed as of 1/22/2019

Source: NYS, Computerized Criminal History Database as of 01/22/2019
70% of Cases Removed Took Less Than 1 Week

Time to Removal For Cases Arraigned Oct – Dec 2018

<table>
<thead>
<tr>
<th>Time Frame</th>
<th>NYC</th>
<th>%</th>
<th>ROS</th>
<th>%</th>
<th>Total</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>#</td>
<td></td>
<td>#</td>
<td></td>
<td>#</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>156</td>
<td>100%</td>
<td>108</td>
<td>100%</td>
<td>264</td>
<td>100%</td>
</tr>
<tr>
<td>Same Day</td>
<td>49</td>
<td>31%</td>
<td>17</td>
<td>16%</td>
<td>66</td>
<td>25%</td>
</tr>
<tr>
<td>Next Day</td>
<td>48</td>
<td>31%</td>
<td>6</td>
<td>6%</td>
<td>54</td>
<td>20%</td>
</tr>
<tr>
<td>2-6 Days</td>
<td>43</td>
<td>28%</td>
<td>22</td>
<td>20%</td>
<td>65</td>
<td>25%</td>
</tr>
<tr>
<td>7-11 Days</td>
<td>2</td>
<td>1%</td>
<td>10</td>
<td>9%</td>
<td>12</td>
<td>5%</td>
</tr>
<tr>
<td>12-16 Days</td>
<td>7</td>
<td>4%</td>
<td>12</td>
<td>11%</td>
<td>19</td>
<td>7%</td>
</tr>
<tr>
<td>17-21 Days</td>
<td>1</td>
<td>1%</td>
<td>12</td>
<td>11%</td>
<td>13</td>
<td>5%</td>
</tr>
<tr>
<td>22 Days or More</td>
<td>6</td>
<td>4%</td>
<td>29</td>
<td>27%</td>
<td>35</td>
<td>13%</td>
</tr>
</tbody>
</table>

Note: Data includes removals as of 1/22/2019

Source: NYS, Computerized Criminal History
Database as of 01/22/2019
Office of Children and Family Services (OCFS)
OCFS Implementation Highlights

• Detention

• Residential Capacity for RTA Foster Care Youth

• OCFS Juvenile Facilities
Specialized Secure & Secure Juvenile Detention

Specialized Secure Detention Facilities:

5 ROS with maximum 93 beds were available by October 1, 2018 (70M/23F)
  - Erie, Monroe, Onondaga, Albany, Westchester
  - No girls beds below capital region until late winter, 2019

1 NYC with maximum 106 beds by October 1, 2018

Secure Detention Facilities:

6 ROS with maximum 168 beds; 1 NYC with maximum 106 beds

1 NYC Specialized Juvenile Detention Facility for pre-RTA youth
  - Approximately 60 new beds scheduled to come online in 2019
### Specialized Secure Detention - Weekly Census

<table>
<thead>
<tr>
<th>Region</th>
<th>Male Range</th>
<th>Female Range</th>
<th>Total</th>
<th>Male</th>
<th>Female</th>
<th>Total SSD</th>
</tr>
</thead>
<tbody>
<tr>
<td>ROS</td>
<td>0-24</td>
<td>0-4</td>
<td>0-27</td>
<td>20</td>
<td>4</td>
<td>24</td>
</tr>
<tr>
<td>NYC- Crossroads</td>
<td>0-20</td>
<td>0-2</td>
<td>0-22</td>
<td>20</td>
<td>2</td>
<td>22</td>
</tr>
<tr>
<td>Statewide</td>
<td>0-43</td>
<td>0-6</td>
<td>0-46</td>
<td>40</td>
<td>6</td>
<td>46</td>
</tr>
</tbody>
</table>

*ROS SSD Centers include: Capital District, Erie County, Monroe County Children’s Center, Hillbrook (Onondaga), Woodfield Secure Cottage (Westchester). SSDs serve Adolescent Offender youth.

- 22 counties have had one or more SSD admissions
- 35 counties have had no SSDs admissions
# of youth in secure detention has increased with additional of 16 year-olds, but is still lower than that observed for most of 2016-2017
Secure Detention- Weekly Census

<table>
<thead>
<tr>
<th>Region</th>
<th># Male Range</th>
<th># Female Range</th>
<th>Total Range</th>
<th>Current # Male</th>
<th>Current # Female</th>
<th>Current Total Secure Detention</th>
</tr>
</thead>
<tbody>
<tr>
<td>ROS</td>
<td>38-59</td>
<td>10-15</td>
<td>49-74</td>
<td>59</td>
<td>15</td>
<td>74</td>
</tr>
<tr>
<td>NYC- Crossroads</td>
<td>30-54</td>
<td>0-8</td>
<td>32-62</td>
<td>54</td>
<td>8</td>
<td>62</td>
</tr>
<tr>
<td>Statewide</td>
<td>74-113</td>
<td>11-23</td>
<td>82-136</td>
<td>113</td>
<td>23</td>
<td>136</td>
</tr>
</tbody>
</table>

Secure detention facilities serve Juvenile Offenders and Juvenile Delinquents.

Source: OCFS Monday Morning Detention Report
Non-Secure Detention

Non-Secure Detention Facilities

16 ROS with 158 beds

8 NYC with 95 beds
Pre-RTA Non Secure Detention Average Daily Population

![Graph showing Pre-RTA Non Secure Detention Average Daily Population from 2016 to 2018, categorized by Q1, Q2, Q3, and Q4, with data points for Statewide, NYC, and ROS.](image-url)
### Non Secure Detention-Post-RTA Weekly Census

<table>
<thead>
<tr>
<th>Region</th>
<th>Male Range</th>
<th>Female Range</th>
<th>Total Range</th>
<th>Current Census- 1/121/19</th>
<th>% Occupancy</th>
</tr>
</thead>
<tbody>
<tr>
<td>ROS</td>
<td>26-35</td>
<td>17-31</td>
<td>43-57</td>
<td>26 29 55</td>
<td>35%</td>
</tr>
<tr>
<td>NYC</td>
<td>6-24</td>
<td>0-8</td>
<td>6-28</td>
<td>23 3 26</td>
<td>27%</td>
</tr>
<tr>
<td>Statewide</td>
<td>38-56</td>
<td>21-32</td>
<td>60-81</td>
<td>49 32 81</td>
<td>32%</td>
</tr>
</tbody>
</table>

Non-Secure detention centers serve JDs and PINs.

Source: OCFS Monday Morning Detention Report
Child Welfare: Residential Beds for JDs

• 53 male and 20 female beds open as of January 1, 2019
• 90 male and 8 female beds scheduled to be added by end of June 2019

Regional Coverage with 13 agencies:

• Finger Lakes: 2 agencies, 24 beds (M)
• Southern Tier: 1 agency, 8 beds (F)
• North County: 1 agency, 8 beds (M/F)
• Central: 2 agencies, 24 beds (M), 4 beds (F)
• Capital: 1 agency, 8 beds (F)
• Hudson Valley: 4 agencies, 69 beds (M)
• Long Island: 2 agencies, 22 beds (M), 4 beds (F)

*Currently no beds in Western Region
Child Welfare

- MOUs between OCFS and anchor counties for RTA residential programs executed
- Continue to partner with SED to address educational needs in VA programs
- NO RTA placements in these programs as of 1/24/19
- Regulations to address safety and aftercare will be promulgated in 2019
OCFS Limited Secure Facilities

OCFS expanded limited secure facility capacity:

- Industry in Monroe County for a total of 80 male beds
- Harriet Tubman in Cayuga County for a total of 25 female beds

As of 1/24/19 – 2 RTA youth have been placed in OCFS custody

- 1 OCFS facility
- 1 Voluntary Agency
State Commission of Correction
Regulations for SSD Facilities

• Regulations have been promulgated for the Specialized Secure Detention (SSD) Facilities

• These regulations cover: Construction, Renovations, Certification, Admissions; Security and Supervision; Visitation; Food Service; Health and Mental Health Services; Classification; Personal Hygiene; Classification; Maximum Facility Capacity; Reportable Incidents; Printed Material and Publications; Exercise, Recreation and Leisure Activities; Access to Legal Services; Grievance Program; Correspondence and Telephone; Religion; Deathbed and Funeral Visits; Nondiscriminatory Treatment; Sanitation; Fire Prevention and Safety; Environmental Health and Safety; Good Behavior Allowances and Sentencing Calculation; and Variances

• Regulations can be found on the SCOC website: www.scoc.ny.gov/regulations

• Please contact Robert Cuttita with any construction ideas or questions at infoscoc@scoc.ny.gov
Department of Corrections and Community Supervision (DOCCS)
AO Facilities: Site Locations

- Hudson and Adirondack Adolescent Offender Facilities are currently operational
  - No youth have been placed with DOCCS, to date.
- The former Groveland Annex is undergoing infrastructure upgrades and will also become AO facilities

**Hudson AO Facility:**
- Columbia County
- Currently houses incarcerated 16- and 17-year-olds
- Will remain the reception center for all AOs and will be the only facility to house females

**Adirondack AO Facility:**
- Essex County
- Current Status: Male facility houses 16 and 17 year-olds
- Capacity for 143 AOs

**Sonyea AO Facility:**
- Livingston County
- Current Status: Renovating Medium Security, Male Facility
- Operational Date: October 1, 2019
AO Facilities: Discharge Planning Services

- Discharge Planning Services are a coordinated effort between DOCCS correction and community supervision staff, re-entry services, County Re-Entry Task Forces (CRTFs), and OCFS

- Where appropriate, this includes:
  - Family reintegration
  - Housing assistance
  - Mental health and medical continuity of care
  - Employment support
  - Educational needs

- Counties can sign up for a monthly automated email notification that will provide information on AOs released to their counties
Post Release Supervision

- DOCCS Community Supervision staff will provide post release supervision to both AOs released from DOCCS and JOs released from OCFS and DOCCS:
  - They will be supervised by a Parole Officer in bureaus based on county/area of residence
  - Until the age of 18, they will be supervised at a Youthful Offender risk level, which is a supervision ratio of 40:1
  - At age 18, a risk assessment instrument will determine the appropriate level of supervision
Thank you

Question?