

# SUPPORT SERVICES FOR YOUTH!

## Stop the Closure of Juvenile Justice Facilities

### The Proposal:

*The Executive Budget proposes closing 356 state operated residential beds for juvenile criminals without identifying facilities and without notice.*

### The Problem:

*The identification of facilities to be closed would be left to the Commissioner, with no legislative, family or community input. There is no way to assess the impact on affected youth, communities or employees. Not all youth can be safely and effectively treated in private programs or in their communities.*

### The Solution:

*Require that locations of juvenile justice facilities be identified before any closure decisions are made. Stop the repeal of the 12 month notice law.*

#### FACT

OCFS has intentionally run down the census of OCFS facilities, including telling judges not to send youth to OCFS care. Criminal youth, many with serious behavioral problems, will end up in private programs or community programs which cannot address their complex needs.

#### FACT

There is no evidence that privately operated facilities have better outcomes than OCFS programs. One-third of youth placed by OCFS in private facilities fail in these placements and are transferred to OCFS facilities.

#### FACT

Numerous research studies have documented that small scale environments enable improved treatment for youths. Instead of moving in that direction, OCFS continues to close these types of programs. OCFS should repatriate children receiving out-of-state services or in private facilities and treat them in underutilized facilities.

#### FACT

Commissioner Carrion has told judges that youths should be sent to OCFS facilities only if they pose a risk to public safety, regardless of their need for mental health, substance abuse or other services. New York does not have a standard for assessing dangerousness, nor are there adequate community based supports to address criminal youths' other needs. This policy threatens the safety of the community and will not meet the needs of troubled youths.

#### FACT

Despite the lower daily cost of private facilities, longer lengths of stay add to the state's cost of sending a youth to a private facility. According to the 2008 Youth in Care report, OCFS youth had a median length of stay of 6.0 months, compared to 11 months in a private facility.

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**KEEP OUR COMMUNITIES SAFE!**

# PROTECT OUR COMMUNITIES

## Stop the Repeal of the 12 Month Notice Laws

### The Proposal:

*The Executive Budget proposes eliminating statutory notice provisions currently required prior to the closure of a state corrections, juvenile justice, or mental health facility.*

### The Problem:

*The 12 month notice provisions give families, communities, and employees an opportunity to adequately prepare for the upheaval caused by closures.*

### The Solution:

*Maintain the current law. In unique cases, where immediate action is required, the Governor has asked for and received special consideration from the legislature to close facilities immediately notwithstanding notice requirements. This is an appropriate check and balance on the Governor's authority which the Legislature should not abdicate.*

**FACT** Notice provisions do not prevent the Executive from closing facilities. They ensure that the implementation of closure decisions are thought-out with ample opportunity for uprooted service recipients, economically devastated communities, and families of employees who may lose their jobs to plan for the drastic impacts of closures.

**FACT** Without a 12 month notice law, the Governor can unilaterally close facilities with no opportunity for legislators to advocate for their community's interests.

**FACT** Recognizing the importance of giving notice to groups dealing with closures, the legislature has actually sought in recent years to strengthen their provisions and expand their scope. In 2010, the Senate and Assembly *unanimously* passed legislation A11330-A/S8022 which would require stronger reporting under the law prior to a prison closure.

**FACT** Proponents of eliminating the notice requirements point to recent reports of vacant facilities that are "fully" staffed. They conveniently ignore the fact that management controls the population of these facilities and deliberately chose to vacate them in order to score cheap political points in the press. Proponents also ignore that some employees purported to be at these facilities may only be technically assigned to them, but in reality providing services elsewhere.

**FACT** In cases where staff is assigned to an underutilized facility, that is the fault of bad management. It is not the workers' fault. Management could have continued to provide services in these facilities until the notice provision was satisfied. Adopting the Governor's proposal would reward those bad management practices while penalizing the workers who did not cause the problem.

***Help communities, consumers, and workers faced with state facility closures.***

==== **KEEP THE 12 MONTH NOTICE LAWS** =====



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