



**New York State  
Office of Children and Family Services**

## **2008 Annual Report**

Division of Juvenile Justice  
and Opportunities for Youth

David A. Paterson, Governor  
Gladys Carrión, Esq., Commissioner

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The Office of Children and Family Services serves New York's public by promoting the safety, permanency and well-being of our children, families and communities. We will achieve results by setting and enforcing policies, building partnerships, and funding and providing quality services.

# EXECUTIVE SUMMARY

In 1998, the Office of Children and Family Services (OCFS) was created to improve the integration of services for New York's children, youth and other vulnerable populations; to promote their development; and to protect them from violence, neglect, abuse and abandonment.

OCFS provides technical and fiscal support to, and the supervision and oversight of, local social services districts, youth bureaus and direct service providers. It is through this strategy that the office invests over \$3.3 billion annually in support of program services ranging from general youth development to child protective services to out-of-home placement.

Through the Division of Juvenile Justice and Opportunities for Youth (DJJOY), OCFS has the responsibility for providing residential and aftercare services to youth adjudicated in either the family or adult court. The decline in the number of children in juvenile justice facilities reflects, in no small way, the refocus of resources to support youth and their families within their communities.

OCFS is responsible for residential and community treatment of court-placed youth, including intake at OCFS-run reception centers and management of facilities ranging from secure centers to community residences, day placement programs and aftercare services. The Division of Juvenile Justice and Opportunities for Youth is also responsible for oversight of locally operated detention centers and case management services for approximately 800 court-placed youth in voluntary agencies.

In 2003, OCFS launched the Evidence-based Community Initiative (EbCI), a comprehensive and integrated set of community-based programs designed to reduce the rate of recidivism of juvenile delinquents reentering the community from residential care. EbCI includes a number of exemplary evidence-based programs that provide intensive intervention with youth and their families in the community, including Multisystemic Therapy, Functional Family Therapy, Adolescent Portable Therapy, and Multidimensional Treatment Foster Care. It also includes a program for youth who are returned to residential care due to new arrests or rule violations (Back to Your Future) and a cognitive restructuring program (Moral Reconciliation Therapy).

This report provides a statistical overview of all youth in the custody of the Division of Juvenile Justice and Opportunities for Youth of the Office of Children and Family Services during 2008. It includes data relating to residential and non-residential services, Foster Care, and OCFS-placed youth served in voluntary agencies. This format recognizes the importance of the entire range of care provided by OCFS to adjudicated youth. It also reflects the OCFS goal to provide care, when consistent with youth needs and public safety, in the less costly environments associated with nonresidential programs.

Ten-year trends allow the reader to understand current data in their historical context. In addition, county-specific data are presented in the last section of the report to reflect the differences in the characteristics of youth served from each New York State county.

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# STRUCTURE OF THE REPORT

## INTRODUCTION TO THE OCFS DIRECT SERVICE SYSTEM - THE DIVISION OF JUVENILE JUSTICE AND OPPORTUNITIES FOR YOUTH

Youth placed in OCFS custody by the courts are served directly through a continuum of service settings. The focus of this report is on the direct service operations of the OCFS Division of Juvenile Justice and Opportunities for Youth.

The OCFS direct service system includes residential and non-residential programs (Day programs and Aftercare programs) operated by OCFS or Voluntary Agencies. Residential programs are further divided into OCFS-operated centers and homes, Voluntary Agency-operated programs and Foster Care. OCFS centers and homes are organized into three risk control levels: Secure, Limited Secure and Non-Secure. The Non-Secure risk control level is subdivided into two service settings, Non-Secure Centers and Non-Secure Homes (*see Figure 1*).

Youth placed in Voluntary Agency-operated services are of two types: those cooperatively placed by OCFS and those placed by the courts with OCFS specifically for replacement with a particular Voluntary Agency. Although this administrative distinction has no significant programmatic implications (the same agencies accept youth in both categories and make the same programs available to them), cooperative and replacement cases often have different characteristics and service sequences while in OCFS custody. We have kept these types distinct in this report so as not to obscure these differences.

Taken as a whole, these categories comprise the array of service settings through which OCFS provides care to youth in its custody. This report uses these service settings extensively to organize the presentation of admission, in-custody, movement and discharge data. **Figure 1** displays the service setting distributions of youth admitted to, in-care, and discharged from OCFS custody in 2008.

# GLOSSARY

The following definitions are provided to assist the reader in understanding the data presented in the report:

**Adjudication:** legal category applied by the court which regulates the types of settings in which a youth may be served.

**Juvenile Offender (JO)** - youth committed to the custody of OCFS who have been convicted by an adult court and who have committed their crime while under the age of 16. These youth must go to Secure Centers.

**Juvenile Offender/Youthful Offender status (JO/YO)** - JOs who have been awarded YO status by the court which provides for shorter sentences and sealed records. A JO/YO is not considered to have been convicted of his/her criminal act.

**Juvenile Delinquent (JD)** - a person adjudicated by the family court and who was 7-15 years of age at the time s/he committed an act that would constitute a crime if committed by an adult.

**Restrictive (RJD)** - a JD committing specific designated felony acts, including certain crimes of Murder, Kidnapping, Arson, Assault, Manslaughter, Rape, Sodomy, Aggravated Sexual Abuse, Burglary or Robbery. These youth are placed by the family courts and must start their custody in Secure Centers, but after a specified time may move to less secure settings.

**Limited Secure JD** - a JD who may be placed in any setting except Secure, and who may be transferred to a Secure Center following a transfer hearing.

**Limited Secure JD 60-Day Option** - a Limited Secure JD who may be placed in a Secure Center without a transfer hearing at any time during the first 60 days of custody in an OCFS facility.

**Non-Secure JD** - a JD who may not be placed in a Secure or Limited Secure Center.

**Person In Need of Supervision (PINS)** - a person less than 16 years of age (as of July 1, 2002, less than 18 years of age) who does not attend school in violation of education law, or who is incorrigible, ungovernable or habitually disobedient and beyond the lawful control of parent or other lawful authority or who unlawfully possesses marijuana. As of July 1996, PINS may no longer be placed with OCFS.

**Other and None** - include youth placed with OCFS as a condition of probation, youth whose cases are conditionally discharged or youth placed under Interstate Compact agreements.

**Admission:** initial permanent entry into OCFS custody resulting from one or more placement orders or Interstate Compact.

**Average:** (*See mean.*)

**Bureau of Aftercare Services:** Provides post-residential counseling for youth who have returned to the community, maintaining communication with families, school systems and employers to monitor the youth's reintegration to the community; provides a range of levels of supervision, including various supervision levels by Aftercare Counselors.

**Cooperative Placement:** (*See placement.*)

**Custody:** a status effected by a court order making OCFS a youth's custodian.

**Day Programs:** treatment settings in which youth on facility status reside in their own homes, but receive intensive supervision and service from OCFS; this category includes Home-Based Intensive Supervision (HBIS), Electronic Monitoring Program, Evening Reporting Centers (ERC) and City Challenge. Most recently, several new day programs have been added. They are known collectively as EbCI, or Evidence-based Community Initiative programs.

**Direct service:** service provided to adjudicated youth pursuant to a placement order. This contrasts with the OCFS delinquency prevention programs for which non-adjudicated youth are eligible.

**Discharge:** exit from OCFS custody.

## Glossary - Continued

**Division of Juvenile Justice and Opportunities for Youth:** The subdivision of the Office of Children and Family Services responsible for services to youth placed by adult and family courts with OCFS. It provides all the services to adjudicated youth.

**LOS:** Length of Stay excluding any absence time beyond seven days (the point at which residential beds are no longer held).

**Program LOS** - Length of Stay in current or discharging program.

**Residential LOS** - total Length of Stay in residential service settings (OCFS-operated centers and homes, Foster Care or Voluntary Agencies) during custody.

**Total custody LOS** - total Length of Stay during custody.

**Mean:** the arithmetic average of a series of numbers (e.g., age or LOS). For example, if five youth stay 3, 6, 12, 18 and 36 months, the mean LOS of the five is  $(3+6+12+18+36)/5$  or 15 months.

**Median:** in a series of numbers (e.g., age or LOS), the value above and below which half the values in the series occur. For example, if five youth stay 3, 6, 12, 18 and 36 months, the median value is 12 months since two youth are above and two are below this value.

**Movement:** entry into initial permanent service setting, discharge from OCFS custody, non-temporary transfer between programs or service settings.

**OCFS-operated programs:** direct services (residential and non-residential) provided by OCFS staff or foster parents as contrasted with Voluntary Agency-operated and other contracted programs.

**Placement:** court order placing a youth in the custody of OCFS. Placements either mandate OCFS to provide service to a youth or direct OCFS to "replace" a youth with a court-designated Voluntary Agency. A youth not placed for "replacement" (see *below*) may nevertheless be cooperatively admitted to a Voluntary Agency by mutual agreement between OCFS and the agency. More than one placement order may apply to a youth at any point in time. Thus, a single custody entry may be the result of more than one placement.

**Placement type:** There are three distinct types of placement orders by which courts assign custody to OCFS.

**Court to OCFS** - this placement type mandates OCFS to directly supervise a youth, but permits the Office to admit a youth to a cooperating voluntary agency by mutual agreement between OCFS and the agency.

**Court to OCFS to Voluntary (Replacement)** - this placement type directs OCFS to retain custody, but to admit a youth to a program operated by a specific authorized agency, generally referred to as a voluntary agency. This type of placement is referred to as replacement.

**Interstate Compact** - this entry to custody results from a reciprocal agreement between New York (NY) and other states in which youth adjudicated outside NY whose families reside in NY will be supervised by OCFS following any incarceration outside NY. At the same time, out-of-state youth adjudicated in NY can receive supervision in their home state under this agreement.

**Prior custody status:** distinguishes admissions with prior OCFS custody histories from youth entering custody for the first time.

**Program:** a set of services organized for youth rehabilitation (may be residential or non-residential, OCFS-operated or not). For example, a program can be a facility, post-residential service or incarceration alternative. OCFS-operated programs with similar characteristics are combined into service settings.

**Release:** movement from a residential service setting to a non-residential setting.

**Replacement:** (See "*Placement*" and "*Court to OCFS to Voluntary*" under "*Placement type*.")

**Residence county:** county in which youth resided at time of placement.

**Residential services:** treatment settings providing room and board. These may be OCFS-operated centers or homes, Voluntary Agency-operated facilities or Foster Care.

## Glossary - Continued



**Responsible county:** for non-JOs, county in which youth was adjudicated; for JOs, residence county is responsible county.

**Service category:** groups of youth with similar service patterns which permit meaningful analyses of residential LOS. The categories are:

**JOs, JO/YOs and RJDs** - these youth have legally restricted residential lengths of stay; the only restriction on residential LOS for youth in all other categories is the length of their placements. Also, under the category of restricted residential lengths of stay, a family court may require a juvenile delinquent who is found to have committed a felony act to be held in a residential facility for a period of up to six months.

**OCFS Service Only** - youth whose residential LOS is unrestricted and has received all residential service during a single continuous stay in one or more OCFS-operated programs.

**Voluntary Agency Only** - youth whose only residential service was during a single continuous stay in one or more Voluntary Agency programs.

**Foster Care** - In this report, foster care denotes a residential service provided by a youth's relative or other individual supervised by the OCFS Division of Juvenile Justice and Opportunities for Youth. Youth in this service setting receive either day program or aftercare services. This specialized family-based foster care should be distinguished from family foster boarding home care overseen by OCFS and operated by county Social Services Departments.

**Mixed** - youth who received residential service during a single continuous stay in any combination of two or more of the above service categories.

**Discontinuous Service** - youth who received residential service during two or more discontinuous stays regardless of where services were received.

**Service needs:** results of preliminary screening at custody entry (intake) indicating youth requiring further assessment to determine if specialized intervention services are necessary.

**Health** - need for specialized health services such as on-site medical personnel, access to a medical specialist, handicapped accessible facilities, and pregnancy services. Youth may have more than one health service need.

**Limited English** - need for English as a second language instruction.

**Mental health** - need for professional services for a mental health problem.

**Mental retardation** - need for special education and other services for mental retardation.

**Sex offender** - need for sex offender treatment services.

**Special education** - need for related services, resource room or special class as designated by a Committee on Special Education.

**Substance abuse** - need for substance abuse treatment services.

**Service sector:** a combination of service settings with similar characteristics. There are four service sectors used in this report: OCFS-operated residential sector (Secure, Limited Secure and Non-Secure Centers, and Non-Secure Homes); Voluntary Agency sector (for both cooperatively placed and replacement youth); Foster Care sector (which includes Independent Living) and Non-Residential program sector (Day Programs and Aftercare).

**Service setting:** administrative and programmatic environments in which youth in OCFS custody are served. They are: Secure, Limited Secure, and Non-Secure Centers, Non-Secure Homes, Cooperative and Replacement Voluntary Agencies, Foster Care, Day Programs and Aftercare (see Table 4 column headings and section on "OCFS Direct Service System" in the "Structure of the Report," page vi).

## TABLE NOTES

The following describes relevant information regarding certain youth characteristics included in the tables of this report and should be used as a reference in interpreting the data.

**Adjudication.** By law all JOs and RJDs must initially enter Secure Centers, and Non-Secure JDs may never enter a Secure or Limited Secure setting. Until July 1996, Persons In Need of Supervision (PINS) were placed in Non-Secure facilities. However, PINS are no longer placed with OCFS. Adjudications, therefore, are not proportionally distributed across service setting.

**Age.** Youth admitted to Secure Centers are generally older than those admitted to other settings. This is largely attributable to the fact that most crimes covered by the Juvenile Offender Law must be committed between the ages of 14 and 15 and to the longer processing time generally associated with these crimes. The age distribution of youth admitted to all other residential settings generally mirrors the distribution of all custody entries.

**County.** Sections addressing custody entries and youth in care use “Responsible County” because this is both the county where the youth was adjudicated and the county that assumes part of the financial responsibility while the youth is with OCFS. For discharges, however, it is more relevant to examine a youth’s county of residence, since that is where the youth is most likely to live following discharge.

**Household Structure.** During 2008, data on household structure were collected on 95 percent of all custody entries.

**Most Serious Offense.** In considering offense data, it must be remembered that adjudicated offense is a product of a multi-stage process and is subject to many factors other than the actual crime committed. Thus, any changes in offense distributions over time may be the result of shifts in such factors as plea bargaining or prosecutorial practices, rather than any change in criminal behavior. Furthermore, to the extent that these practices exist, the offense for which a youth is adjudicated will under-represent the seriousness of the behavior which prompted the initial arrest. This is offered only as a caution against too literal an interpretation of what “most serious offense” means.

Since a youth’s adjudication is related by law and practice to the crime committed and adjudication constrains the service setting into which a youth can be admitted, specific crime categories are not proportionally distributed across service settings. For example, youth adjudicated for Criminal Mischief, although one of the most prevalent crime categories, were never admitted to Secure Centers in 2008 (see *Table 2*).

Although specific crime categories are related to adjudication, they are not proportionally distributed over initial service settings. This is somewhat mitigated in the in-custody population. Youth initially admitted to high control level settings who demonstrate progress are reintegrated into their home communities through stays in programs with lower levels of control. Conversely, some youth insufficiently controlled at their initial level can, through a variety of procedures, be moved to a more restrictive setting. Thus, at any time following initial admission, a youth’s location will be the product of his/her legal characteristics and his/her subsequent behavior while in custody (see *Table 4*).

**Placement Type.** Court to OCFS is by far the most common placement; the next most common placement is Court to OCFS to Voluntary Agency. It has been customary for all Interstate Compact youth to be admitted to Aftercare (see *Glossary for further information*).

**Race-ethnicity.** Latino ethnicity is being treated as equivalent to the other categories of race. It is believed that by combining this data into a single, new variable, more meaningful comparisons of minority groups will be facilitated. Caution must be used, however, when comparing this data with prior Youth in Care reports.

**Screened Service Needs.** Beginning in July 1989, screening for potential service needs became an integral part of the intake process. This information is used to assist in the selection of the optimal initial program setting for each youth. Prior to 1997, needs were initially determined through the administration of a series of screening instruments by intake workers in the following seven areas: Substance Abuse, Special Education, Mental Health, Sex Offender, Physical Health, Limited English and Mental Retardation. Youth who screened as having a service need were professionally assessed upon arrival at their first facility. Early in 1997, OCFS opened its Reception Center for male JDs and began taking youth from throughout the state. A Reception Center for female JDs opened in December 2001. With the advent of the Reception Centers, intake worker-administered screens have been steadily supplanted by professional assessments.

Systematic screening of each youth entering custody is not done for replacement and Interstate Compact cases who do not go to OCFS residential settings. Nevertheless, by the end of 2008, 69 percent (1,506) of all youth in custody and 100 percent of non-replacement youth had been screened at entry.

The number of youth with positive health screens will not necessarily equal the number of the types of health services available (e.g., on-site medical personnel, access to medical specialist, and pregnancy services), since youth may have more than one health service need at a time. The total health needs equals the number of youth with one or more such needs, rather than the actual number of health needs.

**Service Setting.** Changes in the distribution of youth in custody across service settings reflect the realignment of service settings made by OCFS between 1999 and 2008 to accommodate changes in the needs of youth placed in its custody (*see Figure 11*).

# SECTION I

## YOUTH ADMITTED TO OCFS CUSTODY

This section is divided into two subsections: ten-year trends and characteristics of youth admitted during 2008 by initial service setting. The ten-year trend data are presented in Table 1 and are depicted graphically in Figures 2 through 6. Table 2 describes the characteristics of 2008 admissions.

### **TEN-YEAR TRENDS**

Table 1 contains admission data for youth entering OCFS custody from 1999 through 2008. Figures 2 through 6 display the data from Table 1 concerning gender, age, race-ethnicity, adjudication, and initial service setting, respectively. Admission trends are useful for assessing variations regarding the characteristics of youth entering OCFS between 1999 and 2008.

The few youth in transit at the end of the year who have technically entered custody but have not reached their first permanent setting by year's end are excluded from the tables and counted in the succeeding year. This convention ensures that the data are not distorted by the settings in which youth are temporarily housed while in transit to the permanent settings deemed most appropriate for them.

### **CHARACTERISTICS OF YOUTH ADMITTED DURING 2008**

Table 2 describes demographic, legal and administrative characteristics of youth admitted to OCFS custody during 2008 by initial service setting. This information is useful for comparing the characteristics of youth entering various service settings in 2008. The majority of these youth are entering into OCFS custody for the first time.

# REPORT HIGHLIGHTS

## General

The Office of Children and Family Services, Division of Juvenile Justice and Opportunities for Youth, served 3,598 youths during 2008. This total is comprised of 2,326 youths in custody at the end of 2008 and 1,632 admitted throughout 2008. (See *Tables 1 and 3*)

New York City accounted for 62 percent of the youth admitted in 2008; 59 percent of youth in custody at the end of 2008; and 56 percent of youth discharged during 2008. (See *Tables 2, 4 and 7*)

## Youth Admitted to Custody in 2008

The 1,632 youth admitted to OCFS custody in 2008 represents a 4 percent decline from the 1,692 youth admitted in 2007. There has been a general downward trend in admissions over the last 10 years. The number of youths admitted during 2008 is 29 percent lower than the number admitted in 1999.

The number of Juvenile Delinquents admitted in 2008 was 4 percent lower than the number of JD youth admitted in 2007. However, admissions of Juvenile Offenders and Juvenile Offender/ Youthful Offender status didn't significantly change. (See *Table 1*)

The number of admissions for crimes against persons decreased 9 percent in 2008, while those admitted for crimes against property increased by 5 percent. In 2008, the admissions for crimes against persons were 2 percent higher than those admitted for crimes against property. (See *Table 1*)

Within the crimes against persons category, 2008 admissions for assault decreased by 13 percent; homicide admissions were down by 23 percent and the number admitted for sex offenses decreased by 12 percent below 2007 totals. Admissions for kidnapping decreased by 83%, 6 in 2007 to 1 in 2008 and robbery decreased by 3 percent. (See *Table 1*)

The number of admissions for crimes against property increased overall by 5 percent above 2007 totals. Within the category, only those admitted for larceny had significantly changed from 226 in 2007 to 290 in 2008. With the exception of an increase in arson reflecting 28 percent increase; every other sub-category declined slightly. (See *Table 1*)

Among the 353 youth admitted for "other crimes" in 2008 (those not classified as either crimes against persons or crimes against property), firearms and weapons-related crimes are down by 5 percent while drug-related admissions are reduced by 2 percent. (See *Table 1*)

Youth placed initially in voluntary agency care comprised 50 percent of the 2008 admissions. In 2007 the percentage of youth initially placed in voluntary agencies was 48 percent. (See *Table 1*)

The number of African-American youths admitted to OCFS custody in 2008 made up 61 percent of the total admissions. The number of Latino youths admitted made up 26 percent of admissions, and White youth accounted for 10 percent of entries. (See *Table 1*)

Of the 1,553 youths (95% of total admissions) that had household assessments in 2008, 43 percent came from households with two adults; 54 percent came from households with one adult, and 3 percent came from households where no adult was present. (See *Table 2*)

Of the youth entering OCFS custody in 2008, a total of 838 or 51 percent were screened for special needs at OCFS intake facilities (replacement and interstate compact cases are not screened). Of those screened, 728 or 87 percent had at least one special service need. Sixty-two percent of total admissions had from two to seven such needs.

For those screened at intake (838), service needs in 2008 include: substance abuse, 69 percent; mental health, 47 percent; special education, 20 percent; health, 43 percent; sex offender, 6 percent; and mental retardation, 4 percent.

*(See Table 1 and Table 2, but note that screening was not performed for every admission and youth may have more than one need. Therefore, column sums may not equal "Total Admissions")*

### **Youth in Custody on December 31, 2008**

The number of youth in care at the end of 2008 decreased 6 percent, from 2,326 in 2007 to 2,180 in 2008. *(See Table 3)*

Youth adjudicated as limited secure juvenile delinquents without the 60-day option and not restricted made up 81 percent of the total in care population. *(See Table 3)*

The numbers of youth at secure OCFS facilities at the end of the year remained almost equal to 2007. Youth in limited-secure centers at the end of 2008 decreased 20 percent, and those in non-secure centers were also 12 percent below December 31, 2007. Youth in care at voluntary-operated facilities on December 31, 2008, were 1 percent above the number in that setting in the previous year. The number of youth in day programs at the end of 2008 increased by 39 percent from 2007. *(See Table 3)*

### **Youth Discharged from Custody in 2008**

The 2008 average residential length of stay for youth with restricted lengths of stay (juvenile offenders and restrictive juvenile delinquents) was 17.3 months, a increase of .7 months from last year's average. *(See Table 6A)*

The average residential length of stay (LOS) for JDs served only in OCFS-operated programs was 10.1 months, down slightly from the 2007 mean of 10.8. *(See Table 6B)*

Of the 1,017 youth who exited voluntary agency care in 2008, 343 (34%) required OCFS-operated residential services prior to community release. Among the 2,097 youth leaving OCFS-operated residential programs during 2008, 131 (6%) entered voluntary agency residential programs. *(See Table 5)*

## **SECTION II**

# **YOUTH IN OCFS CUSTODY AT THE END OF THE YEAR**

Section II is divided into two subsections: ten-year trends and characteristics of youth in custody. This section includes tables and figures displaying data on youth in custody at the end of 2008 as well as end-of-year populations for the preceding nine years.

Youth in transit or in other temporary settings on December 31 are excluded. While such youth are in OCFS custody, they are few in number and might appear misassigned if included. Youth absent more than seven days are also excluded from the tables in this section.

### **TEN-YEAR TRENDS**

Table 3 and Figures 7 through 11 describe the ten-year trend information as in Section I. These tables and figures, however, deal with the in-care populations at the end of the year, rather than youth admitted to OCFS during an entire year. Any differences between admitted and end-of-year populations will largely be a function of the duration of initial placements. Trend data regarding youth in care enable the reader to compare the in-care population of OCFS on the same day over a period of ten years.

### **CHARACTERISTICS OF YOUTH IN CUSTODY AT THE END OF 2008**

Table 4 describes demographic, legal, and administrative characteristics of youth in OCFS custody on December 31, 2008, in each service setting. An examination of the characteristics at the end of the year provides the reader with a “snapshot” of the youth in OCFS custody at a given point in time. Admission trends preceding 2008 as well as discharging patterns will affect the number and type of youth in care.

## SECTION III

# MOVEMENTS BETWEEN AND WITHIN SERVICE SETTINGS

This section identifies the movements of youth beyond initial admissions and discharges. Youth are moved between service sectors as well as within the same service setting. Movements show both the desirable transition of youth to less secure settings, and the less desirable transfers to more secure settings.

### **YOUTH MOVEMENTS – 2008**

**Table 5** depicts the 5,960 permanent movements into, out of, between and within service settings in 2008. This table is useful for identifying where youth moved throughout the system, including the number of youth moving to less secure settings or to higher or same-level service settings. Temporary moves, usually in connection with court appearances or in-transit stays, are excluded.

**Movements Between Service Sectors.** The number of movements between service settings during 2008 was 1,953. Of that, 1,024, or 52 percent, were movements from OCFS-operated residential facilities to non-residential service settings. This type of movement represents an ideal service sequence whereby youth move from residential settings to supervised living in their home communities in preparation for discharge from custody. If these trials at living at home are not successful, a youth may re-enter a residential setting. An examination of total population movements sheds light on the relationship between youth directly served by OCFS and those served by Voluntary Agencies. OCFS provided post-residential treatment and supervision for 17 percent of the youth who left Voluntary Agencies in 2008, as well as additional residential treatment for another 33 percent of the youth who left these agencies. By contrast, of the 3,286 moves out of OCFS-operated programs in 2008, four percent went to a Voluntary Agency for service.

**Movements Within Service Sectors.** Movements within OCFS-operated residential service settings from a higher to a lower control level follow the ideal rehabilitative pattern where, as youth progress, they are served in less restrictive programs. In contrast, youth movements from lower to higher level usually occur either when it is determined that a particular control level does not provide sufficient custody or security to protect the youth, staff or the community, or in compliance with a new court order.



## SECTION IV

# YOUTH DISCHARGED FROM OCFS CUSTODY

Section IV is divided into two subsections: the first examines ten-year trends in Length of Stay (LOS) for youth discharged from the OCFS; the second details the characteristics of those youth discharged from OCFS in 2008 by the setting from which they were discharged. Personal characteristics of discharges are a function of earlier admission trends and the length of time youth with various characteristics spend in OCFS custody. Youth discharged after a temporary stay just prior to discharge are shown in the tables at their last permanent setting, rather than the temporary facility from which they were discharged. Such youth are few in number and to do otherwise would distort the data.

### TEN-YEAR TRENDS IN LENGTH OF STAY (LOS)

To correctly interpret Figure 13 and Tables 6A through 6E, the following issues pertaining to various types of Length of Stay need to be understood.

**Juvenile Delinquents (JDs).** It is OCFS policy to retain custody of JDs for the maximum length permitted by the placement order, therefore, custody LOS is usually identical to the duration of the placement order reduced by credit for time spent in detention and increased by extensions and consecutive placements. Restricted Juvenile Delinquents (RJDs) have legally mandated minimum residential lengths of stay. Non-restrictive juvenile delinquents can be required to spend up to six months in a residential facility if they have committed a felony act.

Residential LOS for JDs is affected by a complex mix of legal, administrative and human factors. Youth with unrestricted residential lengths of stay in OCFS-operated facilities (Limited and Non-Secure JDs, and Other) spend only a part of their custody stay in residential settings. Youth with more difficult problems receive more residential treatment and can have their court orders extended to accommodate lengths of service beyond the duration of their original placement. Some youth who are released to Aftercare or to a Day Program have difficulty meeting the demands of the setting and are returned to residential care. Youth judged to be making rapid progress require shorter periods of residential treatment before release to a non-residential program.

For JDs served by a Voluntary Agency, either as a court-ordered replacement or as part of an agreement with OCFS, OCFS has no direct control over the youth's residential LOS. In addition, as seen in Section III, youth can transfer between OCFS and a Voluntary Agency and thereby have only part of their residential LOS under the control of OCFS.

Additionally, OCFS serves a number of youth without viable release resources. Some of these youth are placed in OCFS Division of Juvenile Justice and Opportunities for Youth Foster Care usually after a stay in another OCFS-operated residential program, but sometimes for the duration of the placement. These Foster Care stays generally lengthen the time that a youth spends in OCFS-operated residential settings.

**Juvenile Offenders (JOs).** JOs are discharged from OCFS custody in one of three ways:

- They may complete their sentence with OCFS and be released to their community. The Parole Board, through a hearing, may grant good time and release the JO to his or her community with Parole supervision.
- The JO may be released from OCFS and be transferred to the Department of Corrections to complete his or her sentence.

**Discharge Trends in the 2008 Report.** For the reasons stated above, residential LOS trends are displayed separately for each frequently occurring youth status (see *Figure 13*). Youth with legally restricted residential stays served only in OCFS-operated programs are described in Table 6A. Youth with unrestricted residential stays only in OCFS-operated facilities are presented in Table 6B. Youth served only in Voluntary Agency programs are in Table 6C. Table 6D shows youth served in any combinations of OCFS facilities, Foster Care and Voluntary Agency programs.

Finally, youth with more than one residential stay during custody are shown in Table 6E. Because the duration of these second episodes of residential care is typically much shorter than initial stays, to include them in the calculation of overall residential LOS would result in an artificially shortened aggregate figure. It should be noted that the long lengths of stay of youth with more than one residential stay are not products of unilateral decisions on the part OCFS. The 2008 median LOS of 17.4 months required court intervention for a large proportion of the JDs either through formal extensions of placement or as the result of readjudication proceedings.

# CHARACTERISTICS OF YOUTH DISCHARGED FROM CUSTODY IN 2008

Table 7 describes demographic, legal, and administrative characteristics of youth discharged throughout the year. Discharge information is helpful in examining the number and characteristics of youth returning to their home communities in 2008.

**Length of Stay at Discharging Program.** The conventional path of non-JO youth who initially enter OCFS residential settings is to enter Aftercare following one or more stays in progressively less controlled settings. Youth discharged from residential programs represent atypical service sequences and have greatly varying lengths of stay at their last program. On the other hand, most youth discharged from Secure Centers are more likely to have spent all of their placement at the facility from which they were discharged. Spending most or all of their placement at the discharging facility is also typical for youth discharged from both types of Voluntary Agency placements.

**Total Residential LOS.** As noted earlier in this section, Residential LOS must be understood by service category in order to be meaningful.

**Total Custody LOS.** Youth not adjudicated as a JO or RJD are typically placed with the OCFS for 12 or 18 months. OCFS can seek an extension of placement for a youth. However, as a matter of policy, OCFS rarely exercises its legal prerogative to apply for termination of placement. Thus, for the majority of youth who have either single or concurrent placements, total custody LOS is so constrained that it is less important than it appears to be at first glance. Nevertheless, total service time is instructive and is therefore included in the report.

## SECTION V

# DAY PROGRAMS

Section V contains three subsections: the first describes Day Program entries in 2008; the second depicts the characteristics of youth in care in Day Programs at the end of the year; and the third presents information regarding the Length of Stay of youth released from Day Programs in 2008.

### DAY PROGRAMS OPERATED DURING 2008

Recognizing that it is the period immediately following residential care when youth are most in need of support, Day Programs have been developed to assist youth in their efforts to reintegrate with their home communities. Additionally, some of these programs are intended to serve youth with specialized needs, as well as those whose progress in residential care permitted admittance into Day Programs rather than continued residential care. In 2008 there were also some Evidence-based Community Initiative (EbCI) Day Programs that admitted youth meeting certain criteria to front end programs in lieu of residential care. Provided below is a brief description of each of the Day Programs that was operated by OCFS during 2008.

**City Challenge** is a Brooklyn-based day placement program which primarily serves youth released from the Sergeant Henry Johnson Youth Leadership Academy.

**Multisystemic Therapy (MST)** is a program under the category of EbCI that utilizes a variety of therapeutic techniques including structural family therapy, strategic family therapy, behavioral parent training, cognitive behavior and social skills training in order to create a therapeutic environment in which all aspects of a youth's life are involved.

**Functional Family Therapy (FFT)** is another EbCI program that has a day program component as well as aftercare components. FFT attempts to motivate families to change in a positive way by uncovering and developing the unique strengths of the family in ways that enhance the families' self-respect while providing specific ways to improve.

**Electronic Monitoring Program (EM)** is designed to support youth as they transition back into the community. Electronic monitoring technology is used to closely monitor adherence to curfew requirements during the first four to eight weeks after the youth is released from residential care. The program is operational in the Manhattan, Bronx, Brooklyn, Queens, Staten Island, Capital District, Buffalo, Rochester, Syracuse/Utica, and Newburgh Aftercare offices.

**Evening Reporting Centers (ERC)** provide evening and weekend on-site supervision and services to youth as a complement to daytime programming. Participants must attend school or work as a condition of participation. In 2008, centers were operated in Albany, the Bronx, Brooklyn, Buffalo, Rochester, and Syracuse.

### CHARACTERISTICS OF YOUTH ENTERING DAY PROGRAMS DURING 2008

Table 8 displays demographic, legal and administrative data on youth who entered Day Program services in 2008. Note that because program participants live at home, the county of residence for youth entering these non-residential programs is largely a reflection of the geographic location of the program sites. Also, since Juvenile Offenders are not eligible to participate in Day Programs, the legal profile of the youth entering these programs varies from that of all youth entering OCFS custody.

## **CHARACTERISTICS OF YOUTH IN DAY PROGRAMS AT THE END OF 2008**

Table 9 depicts demographic, legal and administrative characteristics of youth in Day Programs on December 31, 2008. As mentioned above, the counties in which program participants reside is largely a reflection of the geographic location of the programs.

Youth in transit or in other temporary settings on December 31, 2008, are excluded. While such youth are in OCFS custody, they are few in number and might appear misassigned if included. Youth absent more than seven days are excluded from this table.

## **LENGTH OF STAY FOR YOUTH RELEASED FROM DAY PROGRAMS DURING 2008**

Table 10 describes the Length of Stay for the youth released from Day Programs in 2008. The table includes youth who attended Day Programs and were released during 2008 to Aftercare Services or were discharged, as well as youth who were returned to a residential setting.

## **SECTION VI**

### **COUNTY PROFILES**

The tables in this section provide important demographic, legal and administrative characteristics of both youth admitted to OCFS in 2008 and those in care at the end of the year from each county in New York State. The two tables presented here describe the same youth specified in Tables 2 and 4, but present the information by placing county rather than by service setting.

#### **CHARACTERISTICS OF YOUTH ADMITTED DURING 2008 BY COUNTY**

Table 11 describes the characteristics of the 1,632 youth admitted to OCFS in 2008 by responsible county (compare with Table 2 from Section I). The information in this section's admission table is useful for identifying the number and characteristics of youth sent to OCFS from each county.

#### **CHARACTERISTICS OF YOUTH IN CUSTODY AT THE END OF 2008 BY COUNTY**

Table 12 details the characteristics of the 2,180 youth in care on December 31, 2008, by placing county (compare with Table 4 from Section II). This table is useful for identifying characteristics of youth in custody from any given county in New York State at a single point in time.

Youth in transit or in other temporary settings on December 31 are excluded. While such youth are in OCFS custody, they are few in number and might appear misassigned if included. Youth absent more than seven days are also excluded from this table.

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New York State Office of Children and Family Services  
Office of Strategic Planning and Policy Development  
Bureau of Management Information  
Capital View Office Park

52 Washington Street Rensselaer, NY 12144

Phone: (518) 473-0801, email: [Deborah.Waymer@ocfs.state.ny.us](mailto:Deborah.Waymer@ocfs.state.ny.us)