

A STUDY OF NEW YORK CITY'S FAMILY ASSESSMENT PROGRAM

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Executive Summary

When families are struggling with a breakdown in communication, trying to control the behavior of an unruly child, or experiencing a crisis, they often look for outside help and support. For many families in New York the place to turn is the status offender system. Status offenders, or Persons in Need of Supervision (PINS) as they are called in New York, are young people who are charged with behavior unique to their “status” as juveniles such as running away or being excessively truant.

In 2001, as the result of the advocacy efforts of parents seeking help with older teens, the New York State Legislature expanded the age of eligibility for PINS to include 16- and 17-year-olds. Fearing an influx of between 3,800 and 5,300 16- and 17-year-olds into the system under the legislation, along with millions of dollars in associated costs, New York City's Department of Probation and the Administration of Children's Services (ACS)—the two agencies primarily responsible for administering and funding the city's PINS system—collaborated to design and implement an innovative approach to PINS intake and assessment, the Family Assessment Program (FAP). Launched in December 2002, FAP seeks to connect children and families swiftly to appropriate services in the community, reduce the city's reliance on family court in PINS cases, and decrease the number of out-of-home placements for PINS youth.

Two and a half years after the city began rolling out the program, officials at ACS and probation asked the Vera Institute of Justice to study FAP with particular attention to the program's impact on probation case loads, PINS court referrals, and out-of-home remands and placements, and to record the impressions of actors working within the system and the families it serves.

Vera's investigation reveals that in less than three years since the implementation of FAP, the city is already reaping significant benefits: families are receiving assistance more immediately; probation intakes have dropped by more than 80 percent; court referrals are down by more than half as youth are being informally connected to services without the need for a family court order; and out-of-home remands and placements for PINS youth—the most expensive and often least effective service option—have been reduced by more than 20 percent. And all of this has occurred while the number of youth eligible for PINS services has increased.

As more New York State counties meet legislative requirements and adopt best practices, they are relying less on the family court in PINS cases. Statewide, PINS court petitions have steadily decreased by almost 41 percent, from 12,429 in 2004 to 7,362 in 2006.⁹ Also, admissions of PINS youth to non-secure detention facilities have fallen by 39 percent across the state—from 5,038 in 2005 to 3,090 in 2006 (excluding New York City), and PINS out-of-home placements have decreased by 28 percent between 2004 and 2006, from 1,421 to 1,027.

Making Court the Last Resort: A New Focus for Supporting Families in Crisis
By Sara Mogulescu and Gaspar CaroVera Institute of Justice

http://www.vera.org/download?file=1796/status_offender_finalPDF.pdf

FLA

To date, Florida's approach to treating troubled youth and their families has been successful. In fiscal year 2005-2006, the most recent year for which data is available, 96 percent of youth served by the Network were crime-free while receiving services. 90 percent successfully completed the services, and 90 percent of those successful completers were crime-free during the six months following their exit from the program.

By diverting youth from court, Florida's FINS/CINS system has saved the state a significant amount of money. Florida TaxWatch, a nonprofit research institute, calculated the financial savings from the prevention-focused, diversionary approach and the system's social benefits to families and communities. They estimated that the Network saved the state and DJJ, combined, between \$31.2 million and \$37 million in fiscal year 1997-1998.⁴

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First, in 2005, the legislature prohibited judges from using secure detention in FWSN cases.¹⁴ This statutory change acknowledged the importance of supporting therapeutic programs in the community rather than depending on detention to address FWSN needs. The effective date of this change was postponed until October 1, 2007, to allow stakeholders to plan and implement an alternative paradigm.

Accordingly, in 2006, the legislature established the FWSN Advisory Board and charged it with monitoring progress toward the development of system changes for status offenders and issuing recommendations for reform.

With guidance from the FWSN Advisory Board, the legislature passed a second series of reforms in 2007.¹⁵

The legislature mandated that every child who is referred to the juvenile court for a status offense be diverted in the first instance. After a brief screening of the FWSN referral by a probation supervisor, children who are currently in crisis or deemed high need are referred to Family Support Centers (FSC) immediately.¹⁶ Other children who appear to have lower-level needs are referred to a local youth service bureau or other existing programs in the child's community. If these children and families develop a crisis or if risky behaviors escalate, the probation officer may then refer them to the FSC.

FSCs are "one stop shops" that offer various services for families with service needs, including immediate contact with a referred family (within three hours of referral), 24-hour crisis intervention, case management, family mediation, educational advocacy, psycho-educational and cognitive-behavioral support groups, and one-on-one therapeutic sessions. They also have ready access to respite care for youth.¹⁷ Each FSC is equipped to "assess services and/or treatment needs for children and families that require an immediate response (high risk/needs) and offer access to appropriate and effective services and interventions."¹⁸ Only if a child's behavior escalates, or the child and family have repeated crises during the FSC intervention, does a formal status offender "FWSN" petition get filed in the juvenile court.

In 2007, the legislature allocated \$2 million to support implementation of four FSCs in the state's most populated districts: Bridgeport, Hartford, New Haven, and Waterbury. Following a competitive bidding process, the Court Support Services Division awarded contracts ranging from \$400,000 to \$550,000 to four private, nonprofit entities to run the FSCs.¹⁹

Concurrent with the investment in the FSCs, the legislature allocated funding to support research and evaluation of the state's new approach to working with status offenders. The Justice Research Center, a Florida-based organization, was awarded \$100,000 to conduct process and outcome evaluations over a two-year period. Like Florida and New York, Connecticut's approach to serving FWSNs is now grounded in the philosophy that youth and families in crisis respond best when they are offered immediate, tailored services in their communities. Connecticut youth and families, and the juvenile justice and child welfare systems, have already begun to benefit from this change.²⁰

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Although the FSCs are quite new, early data indicates that, for the first time in more than six years, the number of status offenders referred to court, the number who come before a judge, and the number who are housed in secure detention is declining. Between October 2007 and March 2008, after the implementation of the first four FSCs, there were 1,267 status offense court referrals in the state, compared to 2,131 referrals during the same period in the prior year— a 41 percent decrease. Moreover, Sokoloff reports that, "prior to implementation of the FSCs, we had about 300 status offenders in secure detention per year. Since the FWSN law was enacted in 2007 launching the FSCs, there have been none."²⁰

Making Court the Last Resort: A New Focus for Supporting Families in Crisis

Connecticut Families With Service Needs (FWSN)

http://www2.dsgonline.com/dso2/dso_program_detail.aspx?ID=809&title=Connecticut+Families

Although the legislation reform in Connecticut is relatively recent, preliminary data shows that the system changes are creating positive results. Comparing October 2006 through March 2007 with the

same period a year later (that is, October 2007 through March 2008, when four FSCs were implemented in communities throughout Connecticut), the State witnessed

- A 41 percent decrease in the number of status offense court referrals, going from 2,131 to 1,267 referrals.
- A 94 percent decrease in the judicial handling of FWSN cases, dropping from 1,309 to 80 cases.
- An 80 percent decrease in the number of FWSN commitments, dropping from 30 to 6 commitments.

During 2007–09, 81 percent of youths who successfully completed a FSC program had no further involvement in the juvenile justice system.

There has been a decrease in the average daily population of secure juvenile detention facilities since 2006 as well. Before implementation of FSC, there were around 300 status offenders in secure detention in the State each year. In 2008, after the opening of the first four FSCs, there were no status offenders in secure detention