

ONONDAGA CITIZENS LEAGUE

Report #2

YOUNG PEOPLE IN TROUBLE:
How Can Our Resources be Organized and Delivered More Effectively?

Approved and Issued
by the
Board of Directors
Onondaga Citizens League
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Tragedy of Arlene: A Story of "Ifs"
By Steven Blank

Arlene Tarkowski might still be alive if the City Court judge who ordered her to undergo drug and alcohol treatment made sure she got it.

She might be alive if the defense attorney whom the judge assumed would make the arrangements had actually done so, or if the treatment facility she was ordered to attend had reported that she was not there, or if the district attorney's office had reported that she should have been there.

Arlene Tarkowski might still be alive if any of those in the vast bureaucracy of schools, courts, social service agencies and law enforcement that had dealt with her over the last five years had been able to turn her life around.

It will never be known.

What is known is that on April 1 the petite 17-year-old was found in a parking lot with her head crushed and her body covered by burns, ending what had been a long slide toward disaster.

In her short life, Arlene Tarkowski had gone from the Debbie Boone fan club to drugs and alcohol, truancy and burglaries, and the company of pimps, prostitutes and assorted felons.

And in the end, on a day she should have been in a treatment facility, she was murdered.

Said one law enforcement official: "Whatever our system is supposed to do, it didn't do it in this case."

From The Post Standard, Syracuse, NY, April 13, 1981.

What follows is an attempt to examine our system of juvenile justice in Onondaga County, to point out some of the problems and some of the possible solutions.

It is our hope that those of you who read this report will be moved by the story of Arlene and the untold stories of countless other young people. It is our hope that, by combining your efforts with ours, we may change the ending of at least some of the stories. We cannot afford to waste the lives of our young people. We cannot afford a system that doesn't work.

PREFACE

For more than six months during 1980, members of the Onondaga Citizens League studied and discussed the topic "Young People in Trouble: How Can Our Resources be Organized and Delivered More Effectively?" This complex problem manifests itself throughout our county. We are aware of it as parents of young people, as persons who work with them, as taxpayers who pay for the services delivered to them, and as concerned citizens of our community. In a time of increasing demands upon limited resources, we must seek what is effective and most appropriate for young people in trouble.

This report is the result of that study and discussion. As is true of all reports from the Onondaga Citizens League, its purpose is two-fold: to help citizens understand the nature of the issue and its implications, and to assist legislators and others who have decision-making responsibility in regard to this issue to initiate prompt and appropriate action.

The end results of this study are the recommendations detailed in the last chapter.

Implicit and explicit in all the recommendations is the very great need for the coordination of agencies and activities that deal with young people in trouble. A brief summary follows:

Recommendation 1. A case management system should be developed for the county social services given to young people in trouble.

Recommendation 2. A central record-keeping system should be established in the county for those agencies dealing with young people in trouble.

Recommendation 3. The present method of funding agencies on the basis of the number of cases being handled should be revised to make it more consistent with the concept of case management and interagency cooperation.

Recommendation 4. A program should be developed for the selection and training of paraprofessional counselors to work with young people in trouble and their families.

Recommendation 5. A program should be developed to train and find jobs for young people in trouble, funded on a long-term basis rather than being subject to severe fluctuations in budget allocations.

Recommendation 6. The county should put a cap on spending for institutional placements for young people, especially out-of-county residential placements, and divert funding to foster care, group homes, scattered site apartments and other alternatives. There is a special need for facilities providing adequate temporary placement and diagnosis for young persons awaiting Family Court action, as well as providing alternative housing for young persons between the ages of 16 and 18.

ACKNOWLEDGEMENTS

The Board of Directors of the Onondaga Citizens League, listed in Appendix I, wishes to acknowledge the important contributions made to this study by the following:

Members of the Study Committee, identified in Appendix II, who dedicated many hours of study and discussion to the development of this report. The members of the two committee sub-groups deserve acclaim for conscientious volunteer service above and beyond that usually expected. The concern of the entire Study Committee for young people was manifested through their patience and fortitude in seeking an understanding of the juvenile justice system, its problems and some possible solutions. The conscientious and persevering work of the chairperson, Jean Reeve, is especially appreciated.

Those who served as consultants to the study committee, giving freely of their time and expertise to assist in clarifying the issue. Appendix III lists these individuals.

Eileen Levy of the Syracuse Post-Standard newspaper, who spent many hours in reading the study committee minutes, talking to persons who participated in the study, seeking other sources of information, and writing much of this report.

University College, which provided staff support, office space, telephone and other forms of assistance as a public service to implement the work of the League. In particular, Davice Chimene facilitated much of the work of the study committee as well as revised and edited the final report.

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THE ONONDAGA CITIZENS LEAGUE

The idea of establishing a broad-based citizen organization to study and make recommendations on long range problems and issues was inspired by the successful 30 year history of the Minneapolis-St. Paul Citizens League. In September 1978, a group of 21 Syracuse area citizens active in community affairs began to develop plans for an Onondaga Citizens League. These individuals constituted an advisory board to establish guidelines for the organization, to promote membership, to select a topic for study by League members, to prepare and adopt by-laws for operation of the organization, and in general to oversee League functions during its early months.

The League was incorporated in 1980, received its non-profit tax exempt status in 1981. Its purpose is to encourage citizen education and involvement in public issues and problems. Members of the League study all aspects of selected public problems, determine the facts, make considered judgments on approaches or solutions, and develop recommendations for positive action, presented to appropriate responsible persons or offices. The objective is to forestall the development of problems into real crises, not to promote specific legislation or function as a lobby.

The first topic selected by the advisory board for League study was, "What will be the impact of full value property assessment in Onondaga County and how can we best prepare for related problems?" Following an intensive five month study by 33 of the 150 OCL members, Report No. 1, "Equality and Fairness in Property Assessment: Recommendations for Onondaga County," was issued in June 1979.

This is the report of the second study committee, which worked during the spring and summer of 1980. The third study topic, chosen for 1980-81, was "The County Legislature: Its Functions, Size and Structure."

League membership is open to any resident of the county. While some choose to join in order to study a specific topic, others join and renew their membership in support of the general concept of citizen study of issues of major concern to the community.

THE STUDY COMMITTEE

Members of the study committee (see Appendix II) began weekly meetings on February 6, 1980. Jean Reeve was selected as chairman, with Roberta Schofield as co-chairman. The committee met each Wednesday at noon for a total of 20 meetings, receiving information on young people in trouble from a variety of sources. A list of all resource persons may be found as Appendix III. As can be seen, they represent some of the many components of the juvenile justice system in Onondaga County.

The next three appendices include some of the supporting material the study committee found especially useful. Appendix IV contains a glossary, of value in understanding the various components of the juvenile justice system.

Appendix V contains flow charts of the juvenile justice system in Onondaga County. Appendix VI contains a breakdown of costs of various placement facilities used by the County.

Following the informational sessions, a list was generated from the minutes to reflect the many matters of concern that had emerged. Following four rounds of a modified Delphi process, the group focused on two outstanding issues: the need for facilities and the need for coordination of services. The complete issues list, with indications of the various cut-off points, can be found as Appendix VII. Two sub-groups were formed, each generating preliminary reports. The substance of these has been incorporated into this overall report.

Appendix VIII is a bibliography, including reports and analyses from various agencies that members of the committee received and reviewed, as well as some additional items thought to be of particular interest.

REPORT OF THE OCL STUDY COMMITTEE ON YOUNG PEOPLE IN TROUBLE

The composition of the study group reflected diverse bases for concern about young people in trouble.

Some were professionals, working with young people. Others were volunteers with long records of service in this area. Still others were concerned, willing to study the topic, but only marginally aware of the details.

Two issues arose as soon as the committee met. First, the topic, as originally stated, was far too broad to be studied in a reasonable length of time. Second, an extensive briefing on young people in trouble was needed to provide all participants with a common base for the study.

The first problem was addressed by an attempt to narrow the focus of the study. It was agreed that "young people in trouble" would be defined as those involved with the juvenile justice system in Onondaga County. There was recognition of various factors that may impact upon these young people, such as pre-scholastic or scholastic achievement, and less than adequate nurturing, both physical and psychological. Though important, these and similar problems were declared outside the scope of this study.

The second issue was addressed by providing a series of resources, both in person and in print, about the Onondaga County Juvenile Justice system. Several local agencies had attempted to portray the system graphically. Appendix V contains several of these flow charts.

Following the presentation and discussion of these charts, the committee decided to ask for information from representatives of various components of the system. These included the Sheriff's department, a suburban police department and the New York State Police; the Family Court; a private diagnostic and treatment agency; an in-county, short-term placement facility; an out-of-county, longer-term placement facility; an agency that coordinates some programs for young people; and other major state and county agencies that work with young people in trouble. In addition, a core of committee members served as continuing and invaluable resources to the study committee as a whole.

Even though the topic had been re-defined, further questions arose as the committee attempted to deal with the issue.

Who are the "young people" in trouble within the juvenile justice system? The officers from all three branches of law enforcement pointed out that more young people are diverted from the system than enter it. A "good talking to" is often all that is needed, sometimes but not always, involving the youths' parents. There is use of some law enforcement time and effort (i.e. cost) in these instances, but the far greater expense of the complex justice system is avoided. There is no way of knowing how many young people are diverted since no records are kept of such "warning" cases. It is obviously best to avoid attaching the stigma of a "police record" to a young person when an authoritative warning is all that is needed.

The majority of young people in the juvenile justice system enter through more extensive involvement with the police. Others are self-referred or referred by their parents. Diversion from the system can take place almost immediately. However, there are not even gross counts of juvenile involvement with law enforcement agencies. An attempt was made by the Sheriff's Department to collect such statistics for the County. Since participation was not mandatory for the various local law enforcement agencies, the data were incomplete.

Eliminating those diverted before entering the formal system simplified only part of the issue. Young people may be dismissed from the system at virtually every stage. An examination of the Criminal Justice Coordinating Committee's flow chart (Appendix V) reveals numerous "out" points. While this obviously prevents even greater expenditure of the system's resources, nonetheless expenses are incurred. The Coordinating Committee's flow chart includes estimates of costs of various components of the system. It is virtually impossible to break out the costs for a young person diverted at one point or another as opposed to aggregate costs.

It is very difficult to identify costs by groups. It is no easier to factor out a "typical" case. It is here that the layering of many efforts and duplication of some becomes apparent. At various times, a single young person may be part of the case load in almost every part of the system - picked up by the police, placed in temporary detention, referred by the Division for Youth to the Department of Social Services, assigned a law guardian, diagnosed by a local agency, adjudicated by the Family Court, placed in a residential facility, with continued personal and family help from a local caseworker both during and following placement, etc. Some families have been referred to virtually every local agency. Caseworkers observe that often as one of them leaves a family's home, a worker from a different agency is walking in.

Of serious concern to the committee was duplication of effort. Two or more agencies may gather virtually the same information on one client. Sometimes caseworkers literally don't know another agency is already involved. Sometimes the development of a separately gathered casefile is agency policy. Sometimes there isn't time to wait for the authorization of the sharing process; the caseworkers know they will be expected to provide information to the Court on a given date and they must be prepared. The resulting duplications are expensive, as well as demeaning and puzzling to both the young person and the family.

Information may be incomplete in spite of these duplicative efforts. For example, Charles Coombs, Attendance Teacher, East Syracuse Minoa Schools, pointed out that diagnoses and dispositions are frequently made without input from the agency that may know the family and young person best - the local school system. These are some of the reasons that the study committee recommends coordination of services and a central record system.

Not only is it almost impossible to know the actual quantity and scope of resources used for young people in trouble, the committee found that it was very difficult to know how these resources could be used most effectively. A variety of professionals agreed that there is little agreement on the efficacy of one set of "treatments" over another. If a young person has a given problem, treatment A in facility X might or might not be better than treatment

B in facility Y or treatments A and/or B in facility Z. There is no way to predict that any given treatment in any given setting will alleviate, much less solve the problem. This is partially due to the complex nature of the causes, effects and possible solutions to the problems.

Complicating any attempt to determine efficacy is the fact that no data on recidivism are kept. The law states that young people's records are to be sealed. Therefore, the juvenile history of an adult in trouble is not available. Longitudinal studies on young people currently in trouble, to determine if they stay out of trouble as adults, are difficult and expensive. Too few have been done to prove the case in favor of one solution over another.

Several speakers pointed out further complications. It may seem both intuitively and financially sound to keep as many young people as possible at home, providing appropriate help from local agencies. However, society, especially in the person of those the young person has troubled, wants to "get that kid off the streets", preferably secure in a facility some distance away. The definition of "wise use of resources" might be one thing to an adult harrassed by a young person and quite another thing to the caseworker making a placement recommendation.

There was agreement among professionals, endorsed by the total study committee, that there is a need for increased facilities, both local and out-of-county. Details will be found later in this report.

The study committee found itself unable to answer its original question: How can our resources be organized and delivered more effectively for young people in trouble? However, recommendations were agreed upon. The bases upon which each was developed follow, as well as some general concerns.

The study committee decided that there are eight major problems within the current system.

1. There are no valid criteria for judging the effectiveness of the system. Such criteria usually emerge from stated goals and objectives. As discussed above, some goals are in conflict: removal from the local setting vs keeping within the local setting. If the goal is to find the most effective treatment(s) for the problem(s) that cause various young people to get into trouble, there is no agreement on the effectiveness of one solution over another. If the goal is to reduce the rate of recidivism, there are no data to consult. It is difficult to develop information regarding the effectiveness of various treatments. Agency social workers are so busy providing help for young people that they do not have the time or resources to gather and analyze data about what happens to their clients after intervention.

2. There are no criteria for judging the efficiency of the system. Even if it were possible to judge efficiency apart from effectiveness, there are no overall data on time or money spent. (See Appendices V and VI.) The figures gathered by the Juvenile Justice Coordinating Committee were estimates, freely acknowledged as such. Some costs are readily available, for example, per diem at given facilities, but these do not include costs of other services and people involved.

3. As presently constituted, the juvenile justice system is inconsistent. Perhaps because there are no standards for efficiency or effectiveness, young people with very similar problems often receive very different adjudications. Part of this is due to a lack of proper placement facilities at the particular time, as will be discussed below. Another part is due to variations in the types of recommendations preferred by both caseworkers and Family Court judges. Another source of inconsistency is the perceived role of the law guardian.

In particular, several speakers, including Lt. William Reidy, Commanding Officer of the Syracuse Police Department Youth Division, reported that the courts' reliance on the advocacy model of justice leads young people to learn how to "beat the system" or "get off on a technicality" rather than to the learning of new behaviors or to better adjustment. "Such young people are not learning to accept the consequences of their actions," Reidy said.

Several speakers singled out the law guardian as a source of ineffectiveness in the juvenile justice system. Stanley Serlin, New York State Division for Youth, said that law guardians may see their role as that of "defense attorney" rather than that of one who should seek a disposition which is best for the young person.

Lucia Whisenand, law clerk to Judge Edward McLaughlin of the Family Court, agreed that law guardians are caught in just such a dichotomy of role. If the law guardian is to act as a reinforcement to the social worker, the object would be to find out what is best for the young person in trouble and seek to obtain that, whether or not it involves placement in a facility. If the law guardian is to act in the role traditional to the court of law, the object would be to "get the young person off", avoiding a placement that would remove the young person from home.

She also referred to the philosophical controversy over whether Family Court should serve as a social agency with discretion, or as a court of law with due process. Present legal requirements more frequently force the Court into the latter mode.

Officer R. G. Orbaker, New York State Police, told the study committee that he believes more teeth should be put back into the law, with punishments for repeaters spelled out clearly. In addition, Lt. William Reidy told the study committee that officers are frustrated because there is no specified punishment for juveniles who commit crimes.

The study committee has found that the courts need to change in order to cooperate more fully with youth agencies. While there was agreement that the rights of young people must be protected, reports seem to show that the Family Court has a role of dominating the entire network of help for youthful offenders and potential violators.

The Department of Social Services, for example, is not allowed to change a child's placement without going back to Family Court. The timelag of such a procedure forces a child to be kept in what often is inappropriate placement until the Court makes a determination.

Another form of inconsistency results from a lack of adequate numbers of professional social workers. With funding being cut, there are never enough professionals to help the large numbers of youth who need counseling and other forms of treatment. In addition, high turnover among staff in agencies often results in a placement facility dealing with a number of different workers on a single case, said Brian Barr, Director of Clinical Services of the LaSalle School in Albany. Case management and central records might well eliminate duplicative efforts, freeing more staff time as well as reducing stress placed on the staff.

4. The juvenile justice system is too slow. Reports to the study committee also showed that the law requires agencies to go before the courts in many cases and frequently many times in a given case. This combination is the greatest cause of delay in helping a young person. The reports and other research showed that some young people in trouble, whether juvenile delinquents or persons in need of supervision (PINS), commit additional crimes, including felonies, while awaiting trial. This is exacerbated by the lack of adequate placement facilities for young people who are awaiting trial.

At the present time, the law states that official "treatment" cannot begin until there has been a court adjudication. The result is a hiatus between the occurrence of a crisis - whether it be an instance of runaway, commission of a crime, truancy or other problem - and the taking of steps towards the solution of the problem. Both speakers and the committee agreed that too zealous a regard for the rights of young people has resulted in a complex system that often delays services, thus depriving society, the young person and the family of the right to prompt attention and intervention.

5. There are gaps in the juvenile justice system. The 16 - 18 year old group, the committee concluded, has the fewest resources available to it. Young people of that age are beyond the usual intake level for the Children's Division of the Department of Social Services. However, even though petitions for 16-18 are not accepted by the Probation Department, referrals from the Family Court are accepted by both Social Services and the State Division for Youth. In addition, both agencies accept voluntary placements up to the age of 18. Furthermore, a petition of a youth under 16 can be submitted to the Court and the processing not be completed until that youth is 17 or even 18.

Young people in this age group are often unaccepting of or inappropriate for the facilities available through the Children's Division of the Department of Social Services or the Division for Youth. Moreover, they are often ineligible for services offered through agencies that deal with adults. Further, any placement effected for any youth under 18 must be approved by the parents as well as the Family Court. It is often difficult to secure the parents' cooperation because of an unwillingness to assume the responsibilities entailed, both fiscal and moral, for these almost-adult young persons. The fact that these young people are over 16 also limits placement possibilities because of intake criteria in some facilities. Finally, there are young people in the 16-18 age group with no place to live when they leave the institutions. Either they cannot or do not wish to return home, or they have neither the money nor the skills to live on their own. Indeed, even if they had the money and skills, they may be deterred by legalities which prevent them from signing a lease by themselves.

Several speakers mentioned that some facilities could be modelled on those of Transitional Living Services, but adapted to this particular population. Other facilities could incorporate a range of supervision, from a great deal to very little. Ideally, as living skills developed, the level of supervision would drop, with responsible independence as the goal.

The need for other facilities in Onondaga County is discussed below, in Section 7.

The study committee agreed that this 16-18 year old group might be an excellent target for efforts at inter-agency cooperative services, i.e. the need is widely recognized by county professionals, the present lack of services would permit the development of a system without having to change established patterns and traditions, and it would not cut into most agencies' established clientele.

6. There is a need for increased family and community involvement in helping young people in trouble.

Thomas Schmitz of the Salvation Army's Booth House, was among several speakers who have found that young people's problems must generally be dealt with as family problems. Trying to treat the youngster as an isolated individual, when actually he is a part of an intimate group, makes success very unlikely for helping the young person stay out of trouble in the future.

Many suggest that a system of peer and/or neighborhood counselors, trained professionally, would not only allow more young people and their families to be served, but also would free the professionals to help those who are severely disturbed or whose problems require more in depth treatment.

The combination of a case management approach and a central records system, both committee recommendations, would facilitate the consideration of the family as a unit. At present, members of the family may be clients of a variety of agencies, receiving uncoordinated services. Alternatively, only one member may be receiving services, leaving the rest of the family untouched. The young person then returns to a situation where nothing has happened to relieve those stresses that precipitated the trouble in the first place.

The community can be involved in a number of ways. Chief Timothy Paul of the Baldwinsville Police Department told the committee his community has found effective a form of "neighborhood watch" in dealing with young people. Trooper R. G. Orbaker said that most crimes are committed by young people in their own neighborhoods, rather than in other parts of the county. The community can also be involved as the recipient of services. Chief Timothy Paul told the committee he had found community service - cleaning police cars or the station - to be an appropriate response to young people who had committed misdemeanors.

Therefore, the concept of taking a young person out of his community to help him, often reinforced by the courts' need to "place" or find "treatment" for a young person in trouble, could be modified with more emphasis on involving communities and families.

Diane Murphy, a researcher in social policy at Syracuse University, later confirmed in private conversation the beliefs of the officers who spoke to the committee. She said researchers have found restitution to be the most effective punishment for young people. Restitution allows the youngster to "set right what he's done wrong" - that is, allows him to make amends for his offenses.

She said research shows that among young people - and all people, for that matter - those who have jobs are much less likely to commit crimes than those who are unemployed. She thus suggested that, on the basis of research in the field, restitution and job programs, preferably in coordination with the school system, are essential elements in any effort to help young people in trouble. R. G. Orbaker agreed when he said that many juvenile offenses stemmed from sheer boredom on the part of youngsters.

7. There was a need for and lack of in-county facilities. Onondaga County has few facilities, most of which are small group homes that many professionals find to be quite effective. Stanley Serlin said that "there is a move within New York State towards less restrictive detention, a decrease in lockups, and increases in community-based facilities keeping youths closer to home." The in-county facilities could handle many of the young people who are now placed quite far from home.

Temporary detention facilities are also needed and would ease the pressure on the Family Court. Judges are occasionally forced to assign young people to the Department of Social Services or the Division for Youth on the basis of which agency has placement facilities available. Temporary facilities would also give judges an interim choice when enough appropriate placements are not immediately available.

Because of the lack of local facilities, long term detention is the only choice even though community based out of home placement with treatment would be the preferable alternative.

Certain times of the year, notably February through June, placement facilities are literally "sold out". While this permits those already placed to remain to finish the academic year at the facility, it causes a backup in the placement of additional young people. It may even result in placing on probation some youth who could be better suited to institutional placement/treatment.

The Facilities Subcommittee recognized that some out of county facilities combine experience and specialization to form the best placements for many cases. An increase in the number of local options could free some space in out-of-county facilities, and would permit more appropriate treatment for those young people considered "hard-to-place." Several speakers, as well as committee members, repeatedly expressed their concern over the lack of facilities for these young people. For example, the options for a young arsonist are severely limited. It was often pointed out to the committee that the lack of space and/or a facility willing and able to handle these difficult cases often results in young persons being returned to the streets without any treatment.

Costs of in-county services would not significantly decrease overall dollars spent. However, there could be less spent on monitoring cases and on transportation, while more could be spent on total family involvement. In-county facilities would have a positive impact on local employment.

8. There is a need to coordinate the work of the many public and private agencies which are trying to help young people in trouble.

One effective approach presented was that of the Onondaga County Hard-to-Place Committee. Workers from many agencies share their ideas and expertise about specific children who do not seem to fit easily into existing programs. They offer suggestions to the agency charged with finding a service for the child, in hopes that the most appropriate treatment available will be found and used.

Although the need is recognized for a central record-keeping system to achieve coordination, such a system must answer concerns about the necessity of confidentiality. This problem would have to be solved if a central record-keeping system were implemented here.

A so-called case management system and a central record-keeping system is needed to eliminate duplication of services, wasted time in doing research for court appearances, and, perhaps most important, preservation of the dignity of the young person being helped - and his family.

Martin Feinman, the Family Court Liaison of the Hutchings Outpatient Center, was among those who told the committee it would be a good idea to have one agency providing all needs - or at least to act as a filter so treatment does not overlap or is not duplicated.

In this regard, Feinman and others said state statutes discourage cooperation of this kind, because funding for agencies is based on the number of persons officially in the agency's caseload. A change in the state law would help make cooperation in the juvenile justice system more effective.

RECOMMENDATIONS

IMPLICIT AND EXPLICIT IN ALL THE FOLLOWING RECOMMENDATIONS
IS THE VERY GREAT NEED FOR COORDINATION

RECOMMENDATION #1

CASE MANAGEMENT SYSTEM FOR COUNTY SOCIAL SERVICE FOR YOUNG PEOPLE

There should be one agency, either public or private, to set up a case management system for working with young people in trouble in the county.

The case managers, who could be staff members at other agencies, would be responsible for taking each case entering one of the county's public or private social service agencies, and guiding the young person and his family through the social services system. The case manager would keep central records and would arrange for help for the young person - jobs, counseling, tutoring, family counseling in the home, for example.

Funding for private social service agencies should be contingent upon their cooperation in this case management system.

There would be no hiatus between the occurrence of the family crisis - whether it be an instance of runaway, commission of a crime, truancy or other problem - and the appearance in court or the beginning of official "treatment".

The case management system:

1. Would have the capacity to begin helping the young person and his or her family immediately, rather than, for example, having to wait for a court order prescribing a service. (A change in the state law governing detention would be necessary for this recommendation to

take effect fully.) Would prevent instances such as a young person accused of a crime committing yet another crime while awaiting a court appearance.

2. Would make it possible to provide treatment in a better way to the entire family rather than isolating the young person.
3. Would allow young people who need specialized psychiatric or other services - the so-called hard-to-place - to be identified more quickly and to begin receiving treatment promptly.
4. Would be capable of dealing with many different kinds of problems through structured interagency cooperation. For example, a young person who initially comes in contact with a drug agency would not be treated as a person with only a drug problem, but would be able to get help from whatever source(s) necessary. Agencies would not pigeonhole the young person, allowing him to be treated only in the agency which initially came in contact with him. The help offered the young person would be flexible as his needs change. Schools, for example, would be among the agencies which could cooperate in helping a young person.

The program should offer varying levels of treatment and may include the capacity to expedite transfer of a case from one component to another when the need arises.

There should be a diagnostic shelter for children prior to placement and for those who are in the process of being transferred to a different facility or service. The service would provide intensive supervision and counseling services to the young people in residence.

RECOMMENDATION #2

CENTRAL RECORDS

A central record-keeping system should be established in the county for those agencies dealing with young people in trouble.

The agencies should follow the model of the medical profession in developing these central records so that the confidentiality of the young person and his family is not violated.

Such a system would:

1. Permit agencies to demonstrate their accountability by setting down exactly what is being done for a young person.
2. Speed up the process of case investigations, which are often the cause of delays in court proceedings. Repetition of investigations or parts of investigations would not occur.
3. Be the source of hard data on the social service given to young people in the county. There is a great need for data on treatment and its relationship to recidivism to guide judges, law guardians, educators and social workers in their treatment of these young people.
4. Preserve the dignity of the young people and their families by eliminating duplication of questions, questionnaires and other investigative and record-keeping tools. It would keep such invasive practices to a minimum, since data gathered at one time would be available to all those subsequently involved.

RECOMMENDATION #3
FUNDING OF AGENCIES

The present method of funding agencies on the basis of the number of cases being handled should be revised to make it more consistent with the concept of case management and interagency cooperation.

The current system discourages an agency from helping in a peripheral way in a case technically part of another agency's caseload, since funding is based on the number of cases handled by an agency. (i.e., Agency A is the major service provider for J. Jones who could and should use help from Agency B. However, Agency A counts Jones, for funding purposes, as their client. Since Agency B cannot list Jones, for the same purposes, there is no monetary incentive for B to take on Jones as a client.)

RECOMMENDATION #4

AT-HOME, IN-FAMILY COUNSELING

A program should be developed for the selection and training of paraprofessional counselors. These counselors could perform a variety of services. For example, such a counselor could go into the home of a troubled 16-18 year old, with the purpose of making family life more harmonious and thus enabling the young person to stay there.

In addition, there should be a program for the selection and training of peer counselors. Such counselors would be young persons who are successful in school and at home and who could try to help troubled young persons to develop more constructively.

These counselors:

1. Would give professional social workers more time to plan policies and to treat young people with severe problems.
2. Would enable the young person and his family in some cases to trust the worker more readily, especially if the counselor is someone from the community. The professional-client distinction sometimes stands in the way of the relationship.
3. Would help solve basic problems which do not require professional social work skills. For example, getting a child up for school, when this is a reason for truancy, could be dealt with by a paraprofessional in the home for a short period.

RECOMMENDATION #5

TRAINING AND JOB PLACEMENT

A program to find jobs for young people in trouble should be funded on a long term basis, rather than be subject to yearly fluctuations in budget allocations or total discontinuance.

Funding could be on a progressive basis, where the county or another government agency could pay the young person's entire salary for an initial period, then pay a declining proportion over successive periods. At the end of a given period, the young person would have a skill and the company would have a trained worker. A counselor, preferably a peer, would work with the young person, particularly in helping him learn job skills such as attendance, punctuality, proper dress and the ability to follow supervision.

Along with providing young people the dignity and training for jobs, judges should also use restitution in their sentences/dispositions whenever possible, especially in the cases of 16-18 year olds charged with crimes. Since judges rely on law guardians and social workers for expert advice in disposing of cases, these professionals should propose restitution - either to the specific person or family harmed or to a similar person or family - whenever possible.

The committee also supports the groups which have been monitoring Family Court and recommends that they assess not only the consistency and creativity of dispositions by judges, but also in particular their use of restitution.

These measures would:

1. Make the young person see the relationship between his crime and society.

2. Give the young person the opportunity to "get right with society" rather than just being "put away".
3. Give the community the feeling that there is some justice in the juvenile justice system, since there is some recompensation for the trouble caused by young people.

RECOMMENDATION #6
IN-COMMUNITY PLACEMENT

The county should limit institutional placements for young people, especially out-of-county residential placements.

Funding should be diverted to foster care, group homes, scattered site apartments and other alternatives.

Funding should also be diverted to more programs for young people with so-called severe deviance. The "hard-to-place" young people are those who are psychotic, suicidal, arsonists and heavy drug users, for example. The assumption is that these young people represent a very small proportion of those in trouble. Treatment for these youth should be distinct from help in the form of jobs and counseling for those who are not "severe deviants". Such a system may spend the public's money more wisely.

Such a policy would:

1. Save money, since foster care and group home generally cost considerably less to operate per capita than residential institutions.
2. Allow money to be used for more intensive treatment of genuinely disturbed young people.
3. With changes in the law, overcome legal limits to access to services: young people who are judged to be assaultive Persons in Need of Supervision, habitual truants and runaways, for example.
4. Make it possible for young people to learn how to live in their communities, rather than to learn, while institutionalized, more about crime from other young people in trouble.

5. Make it possible to give the young person individualized attention, rather than the group treatment used in many institutions.
6. Allow many different programs for different kinds of young people. For example: foster homes for young people who still can learn how to live in a family; group homes for young people who cannot live in a family but are not ready to be fully independent; scattered sites, such as apartments, with varying levels of supervision living a productive independent life. Part of the program would be a "transitional living service" tailored particularly to 16-18 year olds.

There would be programs to teach basic living skills, such as cooking, budgeting money, housecleaning, etc. In addition, young people would be taught how to handle problems such as dealing with landlords, applying for and making good on jobs, etc.

7. Decrease the cost of transportation of these children and their families to various institutions and agencies.
8. Create local employment opportunities.
9. Free up some time of social workers who now must travel long distances to work with clients in out-of-county institutions.

APPENDICES

APPENDIX I

THE ONONDAGA CITIZENS LEAGUE BOARD OF DIRECTORS
1980-81

Joe Ash
Niagara Mohawk

Daniel Casey
Library Consultant

Max Casper
Syracuse University
School of Social Work

Margaret Charters
Syracuse University
College of Human Development

Carter Chase
Hiscock, Lee, Rogers,
Henley & Barclay

Judith Fitzpatrick
Federal Court Judge Office

Helen Goglia
Volunteer

John Hennigan
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of Public Works

Robert Hennigan
College of Environmental
Science & Forestry

Harry Honan
United Way of
Central New York

Leo Jivoff
Upstate Medical Center

Minchin Lewis
County Legislature

John A. LaVine
Real Estate

Marilyn Pinsky
City/County Youth Bureau

Jean Reeve
Volunteer Center

Roberta Schofield
The Salvation Army

Lee Smith
University College

William O. Thomas
Syracuse/Onondaga County
Planning Association

Barbara Wicks
Syracuse Onondaga Youth Bureau

Frank Woolever
Family Matters

Martin Yenawine
Eastern Ambulance

Helen Zych
League of Women Voters

APPENDIX II

ONONDAGA CITIZENS LEAGUE
STUDY GROUP MEMBER LIST:

YOUNG PEOPLE IN TROUBLE

*Joseph T. Ash Niagara Mohawk	*Edward Kernan LaSalle School
*Kathy Campbell City of Syracuse Office of Federal & State Aid	*Gale Kirkpatrick Onondaga County Department of Social Services
*Daniel W. Casey Library Consultant	*Gerald Klaben Elmcrest Children's Center
*Max Casper Syracuse University School of Social Work	*John A. LaVine Real Estate
*Davice Chimene University College	*Jerry Martin Onondaga County Probation Department
*Charles G. Combs Attendance Teacher	Sarah Stuart McIlvain Concerned Citizen
*Lucy Cordes Volunteer Center	*Denise Mueller New York State Division for Youth
Mary Davis Elmcrest Children's Center	*Marilyn Pinsky City/County Youth Bureau
*Brian Ennis Onondaga County Probation Department	Ija Pozdnjakoff Social Worker
*Ralph Garcea City of Syracuse Board of Education	*Jean Reeve Volunteer
*Helen Goglia Volunteer	*Caroline Ruhe Social Worker - Retired
Nathan Hacker New York State Division for Youth	Roberta C. Schofield The Salvation Army
Sandy Kainass City/County Youth Bureau	*Stanley Serlin New York State Division for Youth

Mickee Shorr
Life Insurance

Ranita A. Watson
Social Worker

*Gail Shults
Onondaga County Department
of Social Services

*Barbara Wicks
Onondaga County Juvenile
Services Coordinator

*Martha Sullivan
New York State
Division for Youth

Jerridith Wilson
Onondaga County
Cooperative Extension

*Grace Vardabash
Social Worker

*These members of the study group participated in either the "facilities" or "coordination" subgroups, thereby making a substantial contribution to this final report.

APPENDIX III

CONSULTANTS

ONONDAGA CITIZENS LEAGUE STUDY ON YOUNG PEOPLE IN TROUBLE

December 20, 1979 - Senator Joseph R. Pisani - New York State Legislature

February 13, 1980 - Brian Ennis - Onondaga County Probation Department
Janet Wright - Onondaga County Probation Department
Nathan Hacker - New York State Division for Youth
Gale Kirkpatrick - Onondaga County Department of
Social Services

February 20, 1980 - Brian Ennis - Onondaga County Probation Department
Gail Shults - Onondaga County Department of
Social Services

February 27, 1980 - Stanley Serlin - New York State Division for Youth

March 12, 1980 - Gail Shults - Onondaga County Department of Social
Services
Gale Kirkpatrick - Onondaga County Department of
Social Services

March 19, 1980 - Lucia Whisenand - Family Court

March 26, 1980 - Marilyn Pinsky - City/County Youth Bureau
Sandy Kainass - City/County Youth Bureau

April 2, 1980 - Chief Timothy Paul - Baldwinsville Police Force
Lt. William Reidy - Youth Division - Syracuse
Police Department
Detective Vince Larkin - Onondaga County Sheriff's
Department

April 9, 1980 - Tom Schmitz - County Runaway Coordinator
YMCA Host Homes
Salvation Army's Booth House

April 16, 1980 - Trooper R.G. Orbaker - New York State Police

April 23, 1980 - Martha Donovan - Fairmount Children's Center
Martin Feinman - Hutchings Outpatient Center

April 30, 1980 - Brian Barr - LaSalle School of Albany

May 28, 1980 - Richard Alteri - City/County Youth Bureau

APPENDIX IV

JUVENILE JUSTICE SYSTEM

STRATEGIC ELEMENTS OF THE JUVENILE JUSTICE SYSTEM

"Strategic elements of the juvenile justice system" can be divided into several different categories.

THE PERSONS SERVED: Young people, between the ages of 7 and 16, and their families. We recognize that young people over the age of 16 may be in the juvenile justice system because of earlier involvement, but intake generally falls between the ages of 7 and 16.

STATUS: One or more of the following may apply to a given young person: Voluntary Placement, Juvenile Delinquent (J.D.), Person in Need of Supervision (PINS), Youthful Offender (Y.O.), Juvenile Offender (J.O.), Neglected and Abused, runaway, pregnant. The legal definition of some of these terms can be found below.

SERVICE FOCUS: Prevention, education, recreation, evaluation, adjudication, foster care, resident care (including institutions, group homes and temporary detention), rehabilitation, independent living, employment.

SERVICE PROVIDERS: e.g., City-County Youth Bureau, local school systems, evaluation/treatment facilities, Probation Department, Department of Social Services, Division for Youth, Family Court, institutions, residential facilities, public and private contractual providers, and employment services.

COORDINATING BODIES: Barbara Dennin, the County Juvenile Services Coordinator, has identified the following committees, task forces, study groups, etc., concerned with young people as defined above: The PINS Task Force, Statewide Youth Advocacy, Citizen's Advisory Committee for the Family Court, Citizen Court Observers, Coalition for Health and Welfare, City-County Youth Bureau, Resolve Inc., County Legislature Subcommittee on Adolescent Needs and Services, New York State Council of Children and Families, Onondaga County Child Abuse Citizen Advisory Council, Youth Education Advocacy Coalition, Syracuse Association for the Education of the Young, New York State Child Care Coordinating Council, County North Human Services Council Task Force on Youth, and the Onondaga Citizens League.

COORDINATION

"Coordination" can include one or more of the activities that follow: *

Joint planning - The joint determination of total service delivery system needs and priorities through a structured planning process.

Joint development of operating policies - a structured process in which the policies, procedures, regulations, and guidelines governing the administration of a project are jointly established.

Joint programming - the joint development of programmatic solutions to defined problems in relation to existing resources.

Information-sharing - an exchange of information regarding resources, procedures, and legal requirements (but not individual clients) between the project integrator and various service providers.

Joint evaluation - the joint determination of effectiveness of service in meeting client needs.

Coordinated budgeting/planning - the integrator sits with all service providers together or individually to develop their budgets but without any authority to ensure that budgets are adhered to or the traditional service agencies develop their budgets together.

Centralizing budgeting - a centralized authority develops the budgets for the traditional service agencies with the authority to ensure that they are adhered to; may or may not include central point funding.

Joint funding - two or more service providers give funds to support service; most often in a broad programmatic fashion.

Purchase of service - formal agreements that may or may not involve a written contract between the integrated system and some other party or among agencies to obtain or provide service; generally a fee-for-service arrangement.

Transfer of budget authority - funds are shifted from one agency within the integrated system to another agency in the same system.

Consolidated personnel administration - the centralized provision of some or all of the following: hiring, firing, promoting, placing, classifying, training.

Joint use of staff - two different agencies deliver service by using the same staff; both agencies have line authority over staff.

Seconding, cross-agency assignment - one or more employees are on the payroll of one agency but under the administrative control of another.

Organizational change across agencies - service agencies in the integrated system or newly created agencies receive staff or units from another agency in the system and/or an umbrella organization is created.

Organizational change within the agency - reorganization of agency staff or organizational units involving changes internal to each organization only (may be similar changes in each agency).

Co-location of central offices - central administrative offices for two or more agencies at the locale are relocated at a single site.

Co-location of branch functions - several agencies co-locate personnel performing branch as opposed to centralized administrative functions at a single site.

Outstationing - placement of a service provider in the facility of another service agency; no transfer of line authority or payroll responsibility takes place.

Record keeping - the gathering, storing, and disseminating of information about clients.

Grants management - The servicing of grants.

Central support services - the consolidated or centralized provision of services such as auditing, purchasing, exchange of material and equipment, and consultative services.

Satellite services - are provided whenever personnel from one service agency are restationed so as to increase the number of site-agencies in the integrated network.

Outreach - the systematic recruitment of clients.

Intake - the process resulting in the admission (including determination of eligibility) of a client to the provision of direct service.

Transportation - provision of transportation to clients.

Referral - the process by which a client is directed or sent for services to another provider by a system that is in some way centralized.

Diagnosis - the assessment of overall service needs of individual clients.

Follow-up - the process used to determine whether clients receive the services to which they have been referred and to shepherd the client through the service delivery system.

Case conference - a meeting between the integrator's staff and staff of agencies who provide service to a given family for the purpose of discussing that family either generally or in terms of a specific problem, possibly determining a course of action and assigning responsibility among the agencies for implementing the solution.

Case consultation - a meeting of staff members of agencies who provide service to a given family for same purposes as specified in "case conference" above.

Case coordinator - the designated staff member having prime responsibility to assure the provision of service by multiple autonomous providers to a given client.

Case team - the arrangement in which a number of staff members, either representing different disciplines or working with different members of a given family, work together to relate a range of services of autonomous providers to a given client. The primary difference between case conferences and case teams is that the former may be ad hoc whereas the latter involves continuous and systematic interaction between members of the team.

Data-system - any machine or computerized record keeping system containing at a minimum information regarding patients contacted and clients treated.

* pp 535-536, Managing Human Services. Wayne F. Anderson, Bernard J. Frieden and Michael J. Murphy, editors. Washington, D.C.: International City Management Association, 1977.

JUVENILE JUSTICE DEFINITIONS

- (1) Adjudication A judgment by the Family Court that a youth is delinquent or not delinquent, a PINS or not a PINS.
- (2) Assessment The evaluation process the Youth Service Team (YST) uses in determining if a youngster needs facility care and if so, which type of facility.
- (3) Custody Placement of custody of a youth empowers that agency to make decisions about the youth during the time that custody is granted. This would include decisions of where a child can live, associates, hours, type of facility they should attend, etc.
- (4) Detention Is a place of confinement for a juvenile 7 to 16 years of age. There are two types, secure and non-secure. The difference between the two is how restrictive they are (e.g. secure includes wire mesh window screens, locked doors, etc.).
- (5) Facilities Are private or public institutions established to provide treatment programs and residential care. They range from non-secure community based programs to secure centers.
- (6) Family Court This state court hears cases including Juvenile Delinquent and Persons in need of supervision cases. Other matters that this court deals with are custody, abuse, and neglect. Family Court Hearings include Preliminary, Fact Finding (adjudicatory) Dispositional.
- (7) Guardianship Guardianship of a youth remains with the parent though custody may be placed with Division for Youth or Social Services. This involves the parents right to made decisions that will affect a youth beyond the placement of custody. (e.g. marrying, acquiring a drivers license, or entry into the service).
- (8) Gualt
Decision Decision by the U.S. Supreme Court entitling a juvenile to notice of the charges, right of counsel, right to confrontation and cross-examination of witnesses and privilege against self-incrimination.
- (9) Juvenile
Delinquent
(J.D.) Anyone between the ages of 7 and 16 who commits an act that if they were an adult would be a crime.
- (10) Law Guardian A lawyer appointed to represent a minor in cases involving neglect, J.D.'s and PINS. His fees are paid by the court.

- (11) Miranda Decision Decision by the U.S. Supreme Court which requires police at the time of arrest, to warn suspects that they need not make a statement, that if they do, it can be used against them and that they are entitled to a lawyer, and that one will be provided if requested.
- (12) Parole Status of a youth or adult who has been in a facility program upon their return to the community. There are usually conditions of release (parole) to be followed and violation of these can result in a return to the facility. These conditions of release include rules regarding curfew, contacting the YST worker, obeying laws, school or work attendance, etc.
- (13) Person in need of supervision (PINS) Anyone under the age of 16 who is habitually truant, a habitual runaway, or is ungovernable, contrary to the Family Court Act.
- (14) Petition The forms and allegation filed against a juvenile in Family Court accusing him/her of a specific crime.
- (15) Placement A legal term referring to Family Court removing custody of a youngster from the parents and placing this custody with Social Services or Division for Youth for a period up to 18 months. This may be extended by the court at 1 year intervals.
- (16) Probation Is a sentence in Family Court (or Criminal Court) which allows someone convicted of a crime to remain in the community under certain rules or conditions and under the supervision of a Probation Officer.
- (17) Probation Intake A diversion program in which the probation officer works "unofficially" with a youth on a volunteer basis without going through a formal hearing.
- (18) Referral A client may be sent (referred to Division for Youth) by any social agency, court, or by the family or himself.
- (19) Restrictive Placements Are placements with the Division for Youth for 3 or 5 year periods for youngsters who have committed violent crimes. These youngsters are also mandated to spend minimum periods of time in secure and non-secure facilities.
- (20) Title II Facilities Are facilities that are funded through state Title II funds. These include: Urban Homes, Camps, Start Centers, and Specialized Centers.
- (21) Title III Facilities Are more secure facilities including training schools and secure centers funded through Title III funds.

- (22) Warrant Is a legal document authorizing and ordering police agencies to apprehend and detain someone. These may be issued by the courts or by the Director of the Division for Youth or his designee.
- (23) Youthful Offender A youngster between the ages of 16 and 19 who is arrested for a criminal offense is eligible for Youthful Offender status unless previously convicted of and sentenced for a felony.
- (24) Youth Service Team The local Division for Youth representatives responsible for assessing youngsters, arranging placements, monitoring placements, arranging release outlets, and supervising youngsters on community release status until discharge.

New York State Division for Youth
Youth Service Team

APPENDIX V

FLOW CHARTS

THE FIRST CHART WAS DEVELOPED BY
BARBARA DENNIN WICKS OF THE
JUVENILE JUSTICE COORDINATING COMMITTEE

