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Juvenile Justice Oversight Sought

By Amy Zimmer

CITY HALL. Last month's death of a 15-year-old at the upstate Tryon Residential Center – a state-run youth prison – sparked outrage among youth advocates.

Many want an independent office to oversee the Office of Children and Family Services' operation of state juvenile justice facilities and called for the creation of an "Office of the Child Advocate" at an Assembly hearing yesterday.

The teen, whose identity hasn't been released, died on November 18 after two staff members forced him to the ground, restraining him face-down. The investigation is ongoing according to Larry Brown, executive deputy director of Children and Family Services.

"Because OCFS facilities are essentially closed institutions, young people confined in them are vulnerable to mistreatment, harassment, and physical abuse," said Mishi Faruqee, director of the Juvenile Justice Project run by the Correctional Association of New York. "The recent death...should not be viewed as an isolated tragedy but rather as an example of a systemic failure on the part of OCFS to protect children in its custody."

Faruqee has heard about several incidents of excessive force, she said, where children reported rug burns or broken limbs. But, she added, over the past 15 years, the state basically dismantled its office that is charged with inspecting youth prisons.

Thomas Barnes, 16, was sent to his Lower East Side home to a facility in Goshen for two years, where he said, "I got restrained a couple of times. I got my hand broke, my finger was out of place. They pull your arms back and slam you forward and they don't care if your face smashes on the concrete."

Brown said that 20 percent of staffers' restraint training focuses on technique and 80 percent on how to avoid using them. He added that Tryon's staff is getting re-trained.

He also rejected the independent child advocate idea.

"The institutional knowledge of [our workers] is so deep, that I worry with an external body how the information that comes back to the agency will be useful moving forward," Brown said. "No matter how well-staffed and independent the office is, it only gets snapshots."