

# The Correctional Association of New York

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## Juvenile Detention in New York City

On any given day, hundreds of youth under the age of 16 are incarcerated in the New York City Department of Juvenile Justice's (DJJ) three youth jails: the Horizons, Crossroads, and Bridges (aka Spofford) juvenile detention centers. The majority of the young people locked up in these secure detention centers are charged with non-violent, low-level offenses and do not pose any threat to public safety. New York City has initiated steps to reduce detention; however, it is still chronically overused and the City continues to spend millions of tax dollars to run a wasteful and racially biased juvenile detention system. After sustained advocacy from the Juvenile Justice Project and its allies, New York City has joined other major cities across the country and begun to implement community-based alternatives to detention. These alternatives will ensure that youth receive the proper level of supervision, reduce detention populations, save money, and cut youth crime and recidivism rates.

Here are the facts about juvenile detention in New York City:

### **New York City does not have a high rate of juvenile crime.**

- Juveniles (young people under age 16) accounted for less than 4% of arrests for major felonies in New York City in FY2009.<sup>1</sup>

### **Despite the drop in youth crime, New York City continues to lock up a large number of young people in the Department of Juvenile Justice (DJJ) youth jails.**

- With the reopening of Spofford detention center and the construction of two new secure facilities in recent years, the city has more juvenile jail space than ever.
- In FY2009, the Department of Juvenile Justice (DJJ) had 5,833 admissions to detention, a 6 % increase from the previous year.<sup>2</sup>

### **The cost of locking up New York City's youth is far more than the cost of public education.**

- The average annual detention cost for one bed in secure detention rose in FY2009 to \$226,320.<sup>3</sup>
- The average annual cost per pupil in a New York City public high school is \$15,371.<sup>4</sup>

### **A disproportionate number of children of color are jailed in DJJ's secure detention facilities.**

- African-American and Latino youth comprise 95% of the youth entering detention.<sup>5</sup>
- White youth comprise 4% of detainees, while they comprise 26% of all children in New York City.<sup>6</sup>

<sup>1</sup> The Mayor's Management Report, Fiscal 2009, p. 122-123.

<sup>2</sup> The Mayor's Management Report, Fiscal 2009, p. 144.

<sup>3</sup> Mayor's Management Report, Fiscal Year 2009, p. 144. The annual cost of secure detention is based on a per diem cost of \$620.

<sup>4</sup> Mayor's Management Report, Fiscal Year 2009, p. 17.

<sup>5</sup> NYC Department of Juvenile Justice, 2009.

<sup>6</sup> Ibid.

**A vastly disproportionate number of youth in detention come from the city's poorest neighborhoods.**

- The neighborhoods with the highest rates of juvenile detention are South Jamaica, East New York, Bedford-Stuyvesant, Harlem, Tremont, University Heights, Brownsville, Eastchester, Morris Heights, Saint George, East Harlem, Soundview, Bedford Park, the South Bronx, and Far Rockaway.<sup>7</sup> The neighborhoods with the highest rates of detention also have the highest levels of poverty, poor housing and under-performing schools.<sup>8</sup>

**Most young people in secure facilities are alleged juvenile delinquents<sup>9</sup>, not juvenile offenders<sup>10</sup> and hence were not charged with the most serious offenses.**

- In FY2009, 93% of youth entering secure detention facilities were classified as juvenile delinquents or admitted on other charges; only 7% were classified as juvenile offenders.<sup>11</sup>

**The majority of youth in detention were charged with non-violent offenses.**

- In FY2009, more than half the youth entering detention were charged non-violent offenses including misdemeanors and technical probation violations.<sup>12</sup>

**The city's youth jails have high recidivism rates.**

- In FY2009, 49.4 % of the youth released from DJJ facilities were readmitted to detention in the same year, a .9 % increase from the previous year.<sup>13</sup>

**Recent Reform Initiatives**

- On January 20, 2010 Mayor Michael Bloomberg announced, the merger of DJJ into the Administration for Children's Services, effectively immediately. The Mayor stated that the merger would allow NYC to offer more in-home, community-based therapeutic services to youth who do not pose a risk to public safety. DJJ will be renamed the Division of Youth and Family Justice.
- Beginning in the summer of 2007, NYC created a scientifically validated risk assessment instrument (RAI) and partnered with several non-profit organizations to implement a continuum of community-based alternatives to detention for court-involved youth. The City has yet to make public the cost of the ATD programs. Comparable programs around the country cost between \$2,500 and \$15,000 per youth per year, significantly less than the \$226,320 it currently costs NYC to house a youth in secure detention.<sup>14</sup> Recent data shows that while the RAI and the ATD program have successfully diverted many youth from detention, and reduced recidivism. However, according to the RAI, 65% of youth admitted to detention score low- or medium-risk and should not have been detained.<sup>15</sup>
- In May 2008, NYC became the first jurisdiction nationwide to convene weekend arraignments for youth under the age of 16. Youth arrested after-hours or on weekends are now arraigned in Manhattan by a Criminal Court judge trained to handle juvenile cases.

<sup>7</sup> NYC Department of Juvenile Justice, 2009 [http://www.nyc.gov/html/djj/pdf/adm\\_by\\_community\\_district\\_of\\_residence.pdf](http://www.nyc.gov/html/djj/pdf/adm_by_community_district_of_residence.pdf);

<sup>8</sup> *Keeping Track of New York City's Children*, Citizens Committee for Children, 2009

<sup>9</sup> A juvenile delinquent is a young person, aged 7 through 15, charged with committing an act that would constitute a crime if committed by an adult. Delinquency cases are heard in Family Court.

<sup>10</sup> A juvenile offender is a young person, aged 13 through 15, who is charged with committing one of a list of 15 specified serious felonies and is tried in adult criminal court. All alleged juvenile offenders must be held in secure detention facilities awaiting trial, unless bail is set.

<sup>11</sup> "By the Numbers" Department of Juvenile Justice Website 2009

[http://www.nyc.gov/html/djj/pdf/admi\\_detention\\_by\\_charge.pdf](http://www.nyc.gov/html/djj/pdf/admi_detention_by_charge.pdf)

<sup>12</sup> NYC Department of Juvenile Justice, 2009. [http://prt1-prd-web.nyc.gov/html/djj/pdf/kramer\\_levin\\_06\\_30\\_09.pdf](http://prt1-prd-web.nyc.gov/html/djj/pdf/kramer_levin_06_30_09.pdf)

<sup>13</sup> Mayor's Management Report, Fiscal Year 2009, p.144.

<sup>14</sup> This cost was calculated based on a program with 40 slots that serves and an annual budget of \$600,000, with each slot serving approximately 3 youth per year.

<sup>15</sup> Testimony of John Feinblatt, Criminal Justice Coordinator to the City Council of New York on the Family Court Risk Assessment Instrument on September 25, 2009.