

## OCFS: the Basics

In the state of New York, children who are under the age of 16 at the time of arrest are considered juveniles. The Office of Children and Family Services (OCFS) is the agency responsible for the incarceration or placement of juveniles. New York is one of two states where the legal upper age for juveniles is 15. The other is North Carolina. A youth confined in OCFS placement may be transferred to an adult prison at age 16 at the discretion of a judge, or at 18 at the discretion of OCFS. At age 21, a youth is automatically transferred to the Department of Correctional Services (DOCS) to serve their remaining sentence time in adult prison.

**As of March 7, 2011 there were 630 youth- 548 in boys' facilities & 82 in girls' facilities- incarcerated in OCFS juvenile prisons.<sup>1</sup>**

**The majority of youth in state custody were convicted of only MISDEMEANORS.<sup>2</sup>**

**On average, the State spends \$265,000 annually on each youth incarcerated in OCFS-operated facilities.<sup>3</sup>**

## Racial & Ethnic Inequalities

As of 9/30/2010, **over 83%** of youth in OCFS-operated facilities **identify as African American or Hispanic.<sup>4</sup>**

**91%** of New York City youth admitted to OCFS juvenile facilities between July 2010 and September 2010 **identify as African American**

# YOUTH IN CONFINEMENT

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## Mistreatment

In 2009, the Governor's Task Force report and a federal Department of Justice investigation exposed **system-wide abuse and neglect**, including:

- **Brutal punishments for such offenses as slamming doors & taking snacks.**
- **Systemic failure to provide needed mental health services.**
- **Dangerous restraint tactics that resulted in broken bones, concussions, and lost teeth.<sup>6</sup>**

## Youth in Need Far from Home

**New York City youth made up 45%** of the youth in OCFS secure residential facilities in January 2011.<sup>7</sup>

Only 4 out of 23 long-term residential placement facilities are within the 5 boroughs of New York City.<sup>8</sup>

**Some youth are placed 6 hours away from their families.<sup>9</sup>**

**68%** of youth in OCFS-operated facilities were identified at intake as **needing treatment for substance abuse** as of 9/30/2010.<sup>10</sup>

**49%** needed mental health services.<sup>11</sup>

**46%** needed special education.<sup>12</sup>

**In order to ensure the safety of New York's youth and communities, we must overhaul purely punitive models of justice.**

## RECIDIVISM

A 2008 OCFS recidivism study found that 89% of boys and 81% of girls were **rearrested by age 28 on felony-level charges.**

The same study showed that 71% of boys and 32% of girls **spent time in adult jail or prison.**<sup>13</sup>

Of the four OCFS-operated juvenile facilities investigated by the federal Dept. of Justice, three are still functional today.

Without sufficient funding for preventive programs, care for homeless and runaway youth, and community alternatives to detention, at-risk youth are in danger of being placed in a defunct juvenile justice system that does not provide for their diverse needs.

## SYSTEM IN CRISIS

**INCARCERATION**

**DOESN'T  
WORK.**

**WE  
NEED**

**ALTERNATIVES.**

### NOTES

1. Weekly Population Summary Report for March 7, 2011, New York State Office of Children and Family Services, Division of Juvenile Justice and Opportunities for Youth.
2. Charting a New Course: A Blueprint for Transforming Juvenile Justice in New York State, a Report of Governor David Paterson's Task Force on Transforming Juvenile Justice. December 2009. p.14. Can be found at <http://www.vera.org/paterson-task-force-juvenile-justic-report>
3. Office of Children and Family Services, 2011.
4. Youth in Care Report; Selected Characteristics of Youth Entering and Leaving OCFS Custody Jul 10-Sep 10 or in Custody on Sept 30, 2010 and the Same Periods Last Year. New York State Office of Children and Family Services. Can be found at [http://www.ocfs.state.ny.us/main/reports/Q\\_rcust2010-09.pdf](http://www.ocfs.state.ny.us/main/reports/Q_rcust2010-09.pdf)
5. See #4.
6. Charting a New Course: A Blueprint for Transforming Juvenile Justice in New York State, a Report of Governor David Paterson's Task Force on Transforming Juvenile Justice. December 2009. p.15. Can be found at <http://www.vera.org/paterson-task-force-juvenile-justic-report>
7. Office of Children and Family Services, 2011.
8. See #7. Does not include intake facilities.
9. Distance from Staten Island to Industry Secure Residential Facility, travel time provided by Google Maps.
10. See #4.
11. See #4.
12. See #4.
13. Long-Term Consequences of Delinquency: Child Maltreatment and Crime in Early Adulthood. Rebecca Colman, Do Han Kim, Susan Mitchell-Herzfeld, Therese A. Shady. New York State Office of Children and Family Services, March 31, 2009.