



NEW YORK STATE SENATOR

Hugh T. Farley

Sen. Farley and Task Force on Juvenile Justice Reform Colleagues Seek Answers From Ocfs

HUGH T. FARLEY November 19, 2009

| ISSUE: **JUVENILE CRIMINAL JUSTICE**

The murder of community residence worker Renee Greco in Lockport and the shooting of Rochester Police Officer Anthony DiPonzio has spurred a special legislative task force to seek state records for answers related to the increase of youth violence. The Legislative Task Force on Reforming the New York State Juvenile Justice System today filed requests under the Freedom of Information Law (FOIL) with the New York State Office of Children and Family Services (OCFS), pursuing the release of documents and records pertaining to the increased rate of violence at state-run and licensed juvenile homes. The nine member Task Force was formed this year to address a growing concern by community members, youth facility staff, district attorneys, and law enforcement officials who cited the closure of 14 youth facilities throughout the state, along with newly-implemented policies set forth by OCFS Commissioner Gladys Carrion, as the reason for a rise in youth violence. Senator Catharine Young, Chair of the Task Force, said, "I am very concerned with the direction Commissioner Carrion has taken our juvenile justice system. The people of this State have the right to learn the truth about why extremely violent and dangerous youths are being released into the community, and how youth facilities are being run. We want to know why so many of our troubled youths are being pushed through the system, simply to save a buck and close budget loopholes. The full release of this information will, I believe, confirm what

the Task Force has already begun to hear from countless people, staff, district attorneys and law enforcement officials from across the state - that the safety of the public has been compromised because these youths are not getting the urgent treatment and attention that is needed. The system is failing and it needs to change or things are just going to get worse." Noting a significant "in violence committed by juveniles that have been in the OCFS system," the FOIL request urges OCFS to provide records the Task Force believes will shed light on the scope of the emerging problem. Included in the official FOIL filing are requests for information pertaining to gang-related violence, youth-on-youth violence, assaults on staff and staff injuries, staff overtime records, youth Absent Without Leave (AWOL) rates, juvenile recidivism rates, and other information on new OCFS policies linked to an increase in youth violence. The formation of the Task Force came in the wake of the brutal June 8, 2009 murder of 24-year-old Renee Greco, an employee at a youth home in Lockport, New York, allegedly at the hands of two teenage residents who were staying at the facility and placed there by OCFS. Members of the Task Force have pointed to the Lockport incident as an example of a disturbing trend emerging in relation to violent youths and residential services. On January 31, 2009, Rochester Police Officer Anthony DiPonzio sustained a life-threatening and debilitating injury when he was shot in the back of his head by a juvenile who had been AWOL from a private OCFS-licensed facility. OCFS also made the decision to place the youth in the less supervised setting. Reports of gang-related violence, riots, and injuries to OCFS workers are also on the rise. In August of last year, a security guard at the Tryon Residential Center in Johnstown, NY suffered a stroke and died a month after he was hit in the head with a wooden club by a teenage resident during a riot. Months after the incident, several employees sought and obtained orders of protection so they could feel safe coming to work. Senator Hugh T. Farley said, "I share the concerns of many of my constituents about the negative impacts of the changes made by the Office of Children and Family Services in regard to their policies for youth facilities. This FOIL request will assist our Task Force in addressing these concerns, and I urge the Commissioner to work with us

on this important matter." A recently completed federal investigation by the U.S. Justice Department, while it documented deficiencies in mental health care and unsafe conditions for youths in New York state detention facilities, failed to address many more areas of concern, including increased youth-on-youth violence, violence against staff and unsecured settings. As a result of this year's budget, Governor Paterson ordered the closing of nine juvenile detention and reporting centers including: Adirondack Residential Center in Clinton County, the Cattaraugus Residential Center and Great Valley Residential Center in Cattaraugus County, the Pyramid Reception Center in the Bronx, the Rochester Community Residential Home in Monroe County, and the Syracuse Community Residential Home in Onondaga County. Three Evening Reporting Centers (ERC) were also closed including the Capital District ERC, the Buffalo ERC, and the Syracuse ERC. Tryon Residential Center in Johnstown, and Allen Residential Center in South Kortright, were subject to downsizing and additional budget cuts. Last year, five other OCFS run facilities were closed including Auburn Residential in Cayuga County, Adirondack Wilderness Program in Clinton County, Brace Residential in Delaware County, Cass Residential in Albany County, and Gloversville Group Home in Fulton County. Lansing Residential in Tompkins County was downsized by 50 percent.