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The Syracuse Post-Standard

The Governor's Task Force on New York's Juvenile Justice System just released a scathing report on the treatment of youth in New York's juvenile detention facilities. Whether or not you agree with all of the findings and recommendations, the report brings to light the undisputed failure of New York state to serve many of our young criminal offenders and to protect the public from juvenile crime. Unfortunately, no one is being held accountable. Commissioner Gladys Carrion, who has been in charge of the state's Office of Children and Family Services since 2007, attributes the failures of her administration to history and publicly denounces her own agency, but has not taken the steps necessary to improve care for troubled youth.

The statistics on the problems facing youth in the state operated juvenile justice facilities are staggering: 48 percent of children who enter OCFS facilities have some form of mental illness, 65 percent of children sent to OCFS facilities have no better than a third-grade reading level, and 70 percent of children in OCFS facilities have substance abuse issues. The task force found that OCFS does not have the staffing necessary to confront these fundamental treatment needs. Commissioner Carrion was certainly aware of these treatment needs from her own agency assessments and from repeated appeals from the union for enough staff to successfully provide needed services.

The Commissioner has made her response to this clear in her admonitions to Family Court Judges: don't send these troubled kids to me unless they are dangerous. Meanwhile, as the task force observes, OCFS does not currently use a validated risk measurement, so judges rely on their own experience and instinct to assess dangerousness. Data suggest that many of the youth in OCFS' care have committed only "minor" misdemeanor offenses, but this is an oversimplification. Class A misdemeanors, which if committed by an adult can result in one year in jail, include assault, sexual abuse, arson, criminal possession of a weapon, etc., hardly just "kids being kids." Many of these young offenders have tried and failed at community placements before a judge determines that residential placement is necessary to address their criminal behavior.

So what is to become of these young offenders with serious mental health, substance abuse and educational needs? Commissioner Carrion and the task force would have these youth cared for in their home communities, but there is no evidence that adequate community based programs are available to support offenders with the severe problems and dysfunctional family situations typical of OCFS youth. We fear that unless the proper services are in place the deinstitutionalization of OCFS youth will be similar to the abandonment of the mentally ill when New York emptied its psychiatric hospitals. We are still coping with the homeless mentally ill on our streets, the neglected mentally ill in Adult Homes, and the dangerous mentally ill in our prisons.

The task force also found that there are facilities in New York that offer positive, rehabilitative environments similar to the acclaimed Missouri Model, but these are the very facilities that Commissioner Carrion repeatedly targets for closure. Annsville and Taberg Residential Centers here in central New York are typical of such facilities. If the best care for youth is really the Commissioner's goal, it makes little sense for her to dispose of our most valuable resources. As a member of the governor's task force, I recognize the need to make dramatic changes in our juvenile justice system if we are to be truly transformative. Absent remarkable delinquency prevention measures and proven innovations in community based care, we will always need residential care for our most dangerous and troubled youth. The task force wisely makes recommendations to ensure that all placement facilities are adequately staffed to serve youth needs and to provide education and mental health services. Commissioner Carrion must be held responsible to develop, not abandon, this system of care.

Sincerely,

A handwritten signature in cursive script that reads "Kenneth Brynien".

Kenneth Brynien,  
President