**Raise the Age Operations and Oversight Committee**

**November 3, 2017, 2:00 PM**

**One Park Place, Suite 102**

**Albany, NY 12205**

**Members in Attendance**

Colleen Breslin – Probation, Albany County

Bill Connors – Albany County

Mike McLaughlin, Albany County

Moira Manning - OCFS

Theresa Beaudoin – Rensselaer County DSS

Thomas Praisner - Albany County Sheriff’s Dept

Robert Ryan, CDYCI Counsel

Lucas Jacobs – Berkshire Farm

Karim Abdul-Matin, Berkshire Farm

**Staff**

Mark Castiglione

Donna Reinhart

**1. Introductions**

**2. Recap of Population Analysis by Cohort**

Mark went over the population analysis that CDRPC staff developed with the Committee. The analysis is based on current bed day usage at the facility and available bed day information for 16-17 year olds provided by the counties. Four cohorts were examined male/female JD and JO and under and male/female 16-17 years. Based on current configuration, the facility can accommodate three of the four cohorts. Assuming male cohorts occupy the existing male wing and the closed wing, monthly demand would exceed capacity in half the fifteen months examined.

The female JD/JO cohort would exceed capacity in 9 of the 15 months examined for the 3-bed wing. For the same wing, the female 16-17 cohort from the four counties would exceed capacity in only 3 of the 15 months examined. To accommodate females, there will need to be modifications to the existing building.

The consensus at the Building Committee meeting was to accommodate all four cohorts at the existing facility. Maintaining safety while accommodating all four cohort is a priority for the counties.

**3. Overview of Building Configuration**

Mark went over the blueprints of the facility with the Committee. Currently there are 13 beds used for male JOs and JDs and a 3 bed pod used for females. The 3 bed pod for females will not be enough and will need to expand either internally or externally. There is a possibility of expanding the 8 bed wing to a 12 bed wing, which will give more cushion for the two male cohorts. If considering another female wing, it is uncertain where that will go.

An facility conditions assessment will need to be done in order to figure out how to do internal modifications and a possible addition to the facility. Mark is in the process of figuring out an estimate for the cost of the study.

The Building Committee suggested taking a conservative approach with building expansion to expand the 8 bed wing to a 12 bed wing.

**4. Overview of RTA Requirements for AOs**

Adolescent Offenders (AOs) must be assigned to housing units separate from juvenile delinquents (JDs) and juvenile offenders (JOs). However, they may share common space and classrooms. There is a concern regarding 16 and 17 year old JDs sharing space with other population. AOs and JDs are allowed to share common space areas such as library and cafeteria but procedures must be in place to prevent physical access between the populations. AOs and JDs may be allowed to share space for education purposes on a case by case basis.

We are still waiting for official OCFS regulations to be developed as well as guidance from the applicable sheriff, including enhanced staffing ratios and security protocols.

RTA age appropriate services include:

* Probation Case Planning
* Program Treatment Model
* Re-Entry and Discharge Planning
* Supervision and Treatment Services for Juveniles Program

Over the last year, mental health services have been added to the program at the facility.

Who Pays for What?

All expenses associated with Raise the Age is 100% reimbursable by the State however, there are no guidelines on how to document or how to segregate RTA expenses at this time. RTA expenses will need to be included in the 2018 per diem rate with guidance from OCFS. Mark plans to send OCFS a proposal for tracking RTA expenses for their review and approval. OCFS is currently developing a mechanism to track expenses related to AOs by individual. However, the expenses for secure detention of AOs are facility expenses not expenses that can be assigned to an individual.

**5. Overview of Current Operations**

Karim informed the committee that currently oversight is done exclusively by OCFS. Mental health services have been included to the program and is still being developed.

Mental Health treatment is very minimal due to the short periods of stay, however the program used is Therapeutic Crisis Intervention (TCI). The physical aspect of the program will not be appropriate for 16 and 17 AOs. OCFS is currently looking into a required hybrid model of TCI for staff to deal with youths who are more aggressive and physically mature. We may also need an enhanced mental health, substance program and day treatment depending on how long a typical AO is in the facility/program.

Karim responded to the question of having 16 and 17 year old JDs in the facility by stating there have been older JDs in the facility and it is manageable and he is not concerned. Karim also added that sometimes the 16 and 17 year old’s are motivated and can help the younger children.

There is concern of safely restraining 16 and 17 year olds. Staff now are being scrutinized on a legitimate need to restrain a youth. There must be a way to restrain youth effectively, efficiently and safely for both the youth and staff. Staff must be trained in a technique that can give them confidence. Training aspect will be a critical piece in hiring staff at the facility. Staffing and training will be key to effectively handling older youth in the facility.

Karim spoke with the sheriff’s department regarding oversight of the facility and it was suggested by Mr. Praisner that their preference may be to focus strictly on the perimeter and physical security of the building.

The budget and per diem rate will increase due to more youth in the facility and the need for more staff to accommodate the youth. If the utilization rate stays the same as it is now, it should balance out.

**6. Discussion of Operations and Oversight Expectations**

There may need to be an additional agreement with Berkshire Farm and county DSS offices for oversight, however counties are unsure at this time. The expectations are unknown of the oversight requirements. County attorneys would need to review existing contracts for additional oversight language to be included.

Currently there are 5 lease agreements in place that were updated in 2016 to add language to reflect the transfer of ownership of the building to Albany County and to include the mental health component. Oversight language can be included in the use agreements once the expectations are agreed upon. Bob Ryan can draft language to be included and sent to the counties for review. The use agreements are on a 1 year term and an amendment can be added with the oversight language.

The Committee agreed that attending CDYCI Board meetings and receiving information from Board meetings is a great tool to satisfy some oversight expectations. The CDYCI Board will be the vehicle for information dissemination to inform the committee of oversight and we can receive feedback from the committee about operations and recommendations for specialized secure detention. Once the regulations are available, it will be easier to come up with an official oversight plan.

**7. Issues Requiring Clarification or Additional Information**

If internal modifications are made to the building, we may need to have temporary units brought in. There are companies that provide secure detention mobile units. OCFS does not have regulations on temporary housing. Temporary housing would need to be set up on the perimeter of the facility. The only place to accommodate would be the yard.

The building committee authorized Mark to put together an RFP for an engineering study. The RFP will request an overall facility assessment and alternatives for expanding the facility to accommodate the four cohorts and providing a general cost of different scenarios. Building plans will be included in the RFP when it goes out.

Options for expanding:

* Modify the existing 8 bed wing to a 12 bed wing
* Convert administrative offices into bed space
* Larger female wing
* Can use area by the gym for additional housing

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Once the recommendations from the engineering study is completed, we will know what the options and costs are and can make decisions.

**8. Next Steps**

Mark to develop the RFP for engineering services and will have attorney review for review.

Discuss OCFS regulations once they are available

Mark asked the committee to contact him with any questions or concerns moving forward.