

CRIMINAL JUSTICE & PUBLIC SAFETY COMMITTEE MEETING

PROBATION AGENDA

August 23, 2023

Committee Members: Supervisors Geraci, Magowan, Smith, Conover, McDevitt, Driscoll and Leggett

I. Committee meeting called to order by Chair

II. Approval of minutes of prior Committee Meeting

III. Privilege of the floor and public comment

IV. Action Agenda/New Business Items:

1. **Request:** To enter into an agreement with KMG Monitoring Service for electronic monitoring services for youth ages 14-17 in the amount of \$10,125 for the period 9/1/23-3/31/24. Funding is covered under Raise the Age Grant.

Rationale: The need for secure and specialized secure detention has increased in our county and there is a significant shortage of detention beds in the state. Electronic monitoring may be viable alternative to detention in some situations.

V. Discussion Items:

VI. Referrals/Pending Items:

- None

VII. Privilege of the floor and public comment

VIII. Motion to Adjourn

Attachments: 1. Resolution No.3
2. Probation Document

RESOLUTION REQUEST FORM NO. 3

Request for New Contract

DEPARTMENT NAME: Probation

DATE: 8/22/23

- (a) Is this a Result of a Bid or Request for Proposal? **Request for Quote**
- (b) Purpose of Contract: **To provide electronic monitoring services for youth ages 14-17 for the period 9/1/23-3/31/24.**
- (c) Name of Contractor: **KMG Monitoring Service**
- (d) Address of Contractor: **9 Cranberry Lane, Queensbury, NY 12804**
- (e) Contractor's Contact Person and Telephone Number: **Michael Gray**
- (f) Has or will the Contract be provided, if so, please attach: **Will be provided**
- (g) Commencement Date of Contract: **9/1/23**
- (h) Termination Date of Contract: **3/31/24**
- (i) Payment Provisions:
 - i) lump sum amount
 - ii) hourly rate amount
 - iii) total amount not to exceed **\$10,125**
 - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc.
- (j) Where are the Funds for this Contract? List Budget Code, Object Code, Full Title* and Amount: **OR Capital Project OR Capital Reserve Project Number, Title, and Amount: A.3140 470 Probation-Contract \$10,125**

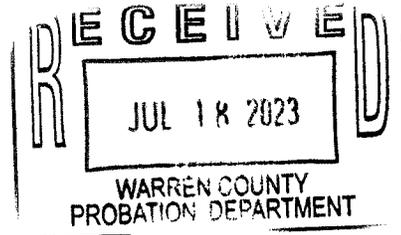
**Sample: A.1010 470 Legislative Board – Contract \$xx.xx
Capital Project No. H289.9550 480 – Old Jail Renovations \$xx.xx**

*as listed in budget and LOGOS

KMG Monitoring Service

9 Cranberry Lane
Queensbury, NY 12804
(518) 744-7282

Robert F. Iusi, Jr.
Director of Probation
Warren County Probation Department
1340 State Route 9
Lake George NY 12845



9:45 AM
[Handwritten signature]

Dear Mr. Iusi,

I'm writing in response to Warren County Probation Department's Request for Quotes for juvenile electronic monitoring. It has been a pleasure providing electronic monitoring services for your department in the past. Our proposal is as follows

For the period of 9/1/23 -3/31/24, KMG Monitoring will provide juvenile electronic monitoring services for youth ages 14 – 17 for the rate of \$1,445.00 per month. This would provide the Probation Department with 40 days per month of coverage for a total of 280 days. Each additional day over 280, would be billed at a rate of \$36.00 per day per youth. As you are aware, this professional service is 100% reimbursable through New York State's Raise the Age funding. There will not be any additional cost for installations or equipment retrieval. KMG Monitoring will be responsible for providing 24-hour on-call coverage seven days per week. KMG Monitoring will also respond to any technical issues and unauthorized leaves. Our staff will be available to testify in court as needed and will provide daily activity reports as directed.

Thank you for the privilege of allowing me to provide a quote for this service. If you have any questions, please don't hesitate to contact me.

Sincerely,

Michael J. Gray, Owner

WARREN COUNTY PROBATION DEPARTMENT

1340 State Route 9

Lake George, NY 12845

(518) 761-6444 · Fax (518) 761-6566

e-mail: Probation@co.warren.ny.us

Director II

Robert F. Iusi, Jr.

Supervisors

Adam Stephenson

Amy Secor

There have been several State and Federal policy and legislative changes that significantly impact our local probation departments work.

Federal and State Changes that are impacting the Probation Department Locally:

1. On February 9, 2018, the Federal *Family First Prevention Services Act* (FFPSA) was enacted and went into effect on Effective in NYS on 9/29/21. The purpose of the Reform was to address federal financing to prioritize family-based foster care over residential care by limiting federal reimbursement for certain residential placements. Aimed at providing higher quality care in congregate settings with focus on entire family with the Goal is to reduce lengths of stay and prevent recurrence of placement. This eliminated 30-day assessments which the Family Court utilized on many occasions as an alternative to detention in order to stabilize a child's mental/behavioral health and home life circumstances. According to the State plan Prevention Services funding through Title IV-E reimbursement. It is uncertain how the designated agency will apply this funding.
2. Since 2014, NY has closed a third of its children and adolescent state-run psychiatric hospital beds. Again, in this process the state designed funding initiatives that were to support home based and outpatient mental health services that prevented hospitalization or residential care but we are currently facing a lack of services in addition to mental health crisis expansion. Additionally, many of the homes these youth are coming from are unable to support or provide safe and suitable environments to address their youths needs. Thus, creating circumstances in which these youth are unsupervised and committing juvenile delinquency or criminal offenses. Many local agencies expressed concerns that although there is allegedly State funding for Mental Health services and wrap around programing, these programs are not readily available in Warren County or available to Warren County families.
3. In 2018, there were 20 Non-Secure bed facilities in the State of New York now there are Less than 7, one of which just takes females and the closest one to Warren County is in Burnham.
 - a. There are only 8 secure/specialized secure detentions in NYS and we are only able to access 6 as the other are reserved for NYC only. **Albany Erie Monroe Nassau Onondaga Westchester**
 - b. 75 total beds for all of NYS (not NYC) in Secure Detention for Juvenile Delinquents and Juvenile Offenders
 - c. And 89 for Adolescent Offenders for all of NYS (not NYC).
 - d. On any given day since 2021 these beds are at or beyond capacity. Thus, leaving youth who should be in detention settings out on the streets. A serious safety concern not only for the youth but for the community.

4. In 2018, the average cost of detention was \$400 to \$900 dollars a day and now the average cost of detention is \$900-\$1600.
5. Every year Through the Office of Family and Children Services each NYS County is allocated a State STSJP amount and a STSJP detention allocation amount that are connected to each other. The STSJP amount is for programs for youth at risk of becoming a PINS or JD or adjudicated PINS or JD youth. The Detention amount is for payment of designated Court ordered detention beds. Every year at the time of developing the STSJP County Plan each locality has the option of Shifting funds from the STSJP Detention Allocation to the STSJP Allocation. Shifting detention funds allows for more funds to be utilized for youth programing for PINS or JD youth at a 62% State reimbursement rate. STSJP reimbursement is 62 percent state share and 38 percent local share. Detention reimbursement is 49 percent state share and 51 percent local share. When a municipality shifts money from a detention allocation to an STSJP allocation, more money is available for STSJP-related services and programs and the funding is reimbursable at the 62 percent rate. In 2022, Warren Counties OCFS detention budget allocation was cut from \$226,683 to \$83,667 last year without warning. \$61,862.00 was shifted from the detention allocation to cover the cost of program contracts leaving only \$21,805 in the detention budget for the year. Once the detention allocation is depleted the cost of detention is no longer 49 percent reimbursable from the state and becomes 100% county responsibility.

What does Warren County Probation Department Data say? Summary of our Warren County Probation Data:

From 2021 to 2022 Warren Counties JD intakes increased by 22 youth. Additionally, the number of charges that these youth received doubled (so instead of having one charge the majority of the youth that came in for intake had multiple separate event charges/ arrests). There is a steady increase of non secure, secure, and specialized secure detentions ordered due to the nature of offense, the circumstances of the youth's environment, and the need to maintain public and child safety. Since January 1st of this year we have surpassed our total JD numbers within 6 months that we had for the year entire year of 2021, we have had two non-secure detention, three secure detentions, and one specialized secure. OCFS is the highest level of placement an adjudicated Juvenile Delinquent can receive. It is a secure setting within the States Custody. Prior to 2016 we had no OCFS placements, from 2016-2022 we had 4 total OCFS placements. Since January 1st of this year we have had 3 OCFS placements.

The YASI is a validated Risk and Needs Assessment developed by Orbis Partners Inc. and is utilized across the country and throughout New York State Probation Departments as well as Department of Social Services serving PINS youth. The following data was extracted from the Warren County probation department YASI records.

- 1) Youth Assessment and Screening. YASI data indicates that from January 1st of 2023 until today over 30% of the youth that come into the probation department score high risk overall on the screening instrument. Of those youth the highest risk factor is the Family domain at 94.1%, the second highest risk factor is the Skills domain at 94%, and the third highest risk factor is Mental Health at 82.4%.

To give perspective in 2019 the data indicated that of the youth who scored high risk on the YASI, the highest risk factor was Family at 68.8% (increase of 25.3%), the second highest risk factor was Mental Health at 53.1% (Increase of 40.9%), and the third highest risk factor was School at 46.9% (this is now a completely different domain).

Over 50% of the youth that come into the probation department score moderate risk overall on the screening instrument. Of those youth the 93.5% highest risk factor is the Skills domain, the

second highest risk factor is Family at 77.4%, and the third highest risk factor is Mental Health at 67.7% scoring high risk.

- 2) Not only is there an increase in the number of youths coming into probation for juvenile delinquency matters and criminal matters but there is an increase of homeless youth coming to the attention of probation.
 - a) Increase of youth living with their family but being housed in a hotel or with a relative due to homelessness.
 - b) Increase of youth 12 and up reporting runaway or homelessness with no respite beds available for this age group. WAIT house can only take 16 and up for respite. Captain's Youth Shelter can take youth ages 13 and up for voluntary respite but they are usually at capacity.
- 3) Increase of 14 and 15-year-old committing and being legitimately charged with Misdemeanor and Felony offenses that are not eligible or suitable for adjustment services per the New York State URFC (Uniform Rules for Family Court) section §205.22(c) (meaning that they are required to be petitioned into family court due to the specifics of the crime.)
- 4) Increase in pre-adolescent and adolescent behavioral and mental health crisis while there is a sharp decrease in the availability of mental health stabilization beds or crisis response stabilization centers.