

STRUCTURED DECISION MAKING: The New York City Experience

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The Annie E. Casey Foundation

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In 2010, NYC embarked on the challenge of designing a system to serve all court- involved youth in the city, instead of in far away, upstate facilities

GOALS

- Keep youth closer to home
- Reduced recidivism
- Safer communities
- Increase accountability
- Better long-term outcomes for system-involved youth and families



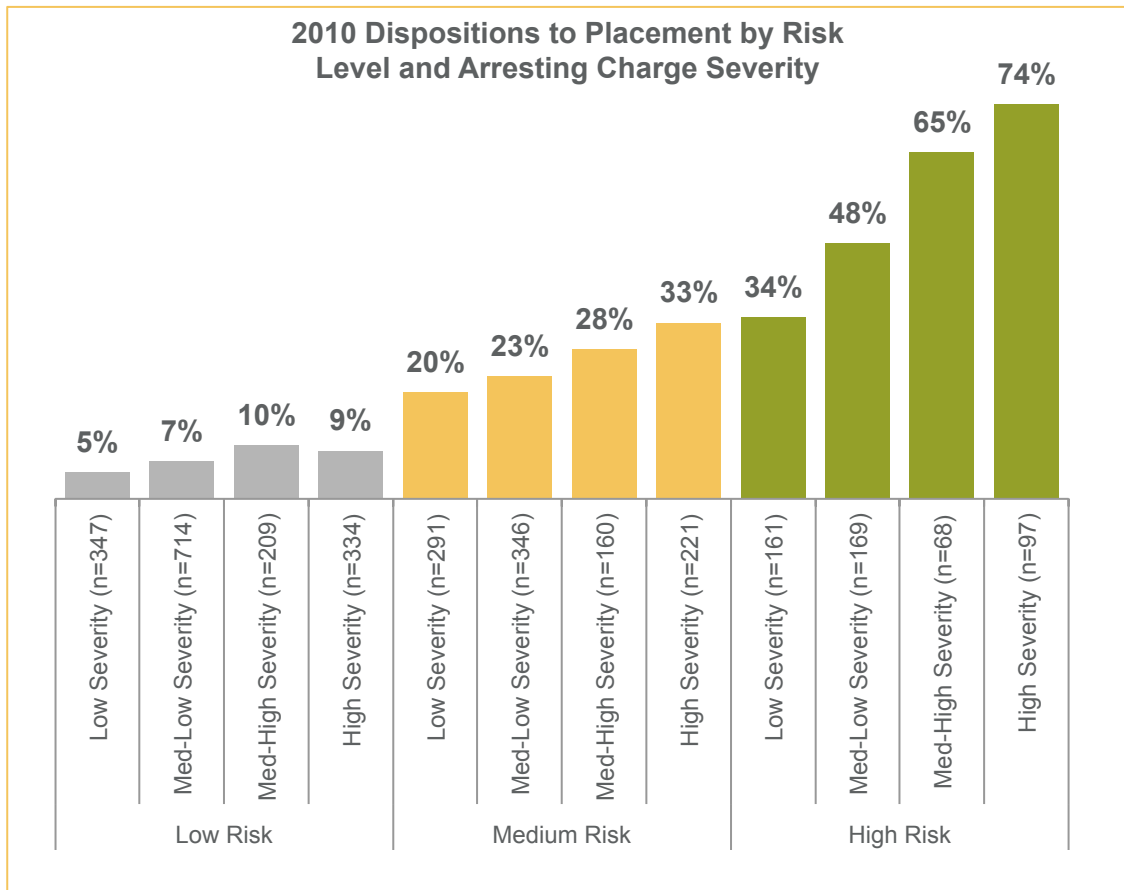
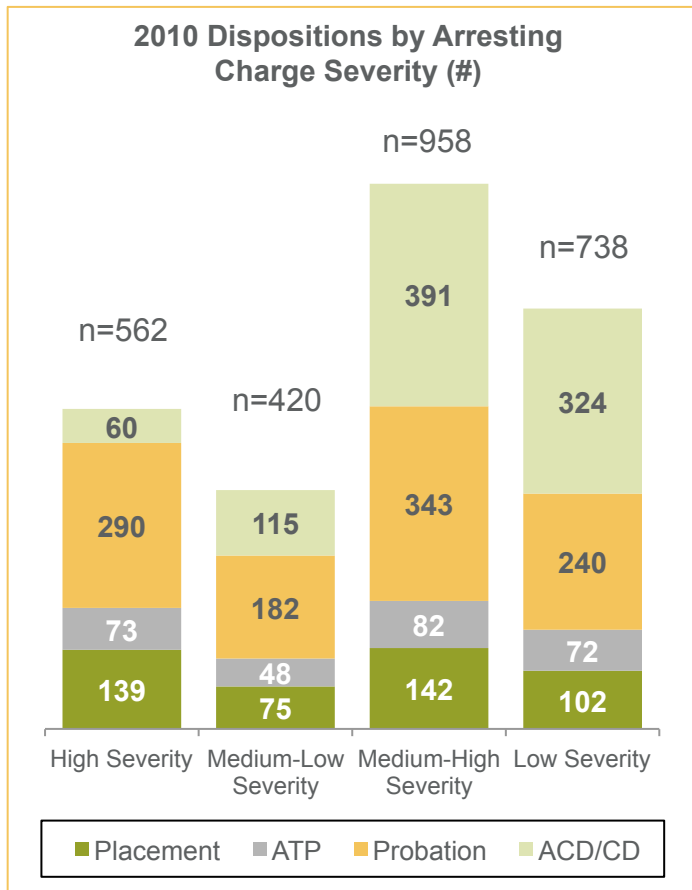
STRATEGIES

- Operating placements that are closer to New York City, safer and more humane, with better results
- Increase the array and number of available Alternative to Placement slots and options
- **Reduce the overall number of youth receiving dispositions for placement**

This presentation will focus on the efforts NYC made to reduce the number of youth disposed to residential facilities

Data analysis showed that risk level was strongly correlated with placement, but many youth arrested for minor offenses were also being committed

Among all dispositions to placement for a new arrest (i.e., not including VOPs), 53% were for arrest charges considered to be low or medium-low in severity. Moreover, high risk youth arrested for low level misdemeanors were almost four times as likely to be placed as low risk youth charged with the most serious offenses.



To reduce the number of youth placed for low-severity offenses, system stakeholders decided to implement Structured Decision Making

- Structured Decision Making (SDM) is a process of dispositional decision making that ensures that the majority of the system's resources are focused on the youth that need them the most
- An SDM grid reflects local values. This one was developed in collaboration with the key agencies invested in the juvenile justice system in NYC
- It achieves fairness: youth with similar behaviors and risk levels will receive similar dispositional recommendations from probation officers
- The grid reduces the use of overly intensive dispositions for low-risk youth, which has been shown to increase risk of recidivism
- Recommendations for the level of security in the disposition will not be based on the youth's treatment needs or attitude while in court or with PO¹

Placements can remain low and resources are maximized, without sacrificing appropriate levels of supervision

¹ Treatment needs are addressing through case management as part of the young person's disposition

The SDM matrix combines offense level with risk of re-arrest to guide the Probation Officer in selecting a dispositional option to recommend in court

MOST SERIOUS CURRENT ARREST CHARGE ²	LIKELIHOOD OF RE-ARREST		
	HIGH OR VERY HIGH	MODERATE	LOW
CLASS I: A, B felonies (violent & non-violent), violent C felonies	Out of Home Placement (range of security options)	Out of Home Placement or Alternative to Placement	Alternative to Placement or Probation
CLASS II: Non-violent C felonies, violent D felonies	Out of Home Placement or Alternative to Placement	Alternative to Placement or ESP (Level 3 Probation)	Level 1 or 2 Probation
CLASS III: Non violent D, All E felonies, misd assault and misd weapons possession	Alternative to Placement or ESP (Level 3 Probation)	Level 1 or 2 Probation	Level 1 Probation or CD
CLASS IV: A misdemeanors except assault and weapons and all B misdemeanors³	Level 1 or 2 Probation	CD or ACD	ACD or short term one time consequence or Dismissal

MANDATORY OVERRIDES:

1. Must consider CD or ACD for youth with no unsealed priors. Decision is based on the circumstances of the case.
2. If case goes to trial, use finding offense

DISCRETIONARY OVERRIDES:

POs have discretion to recommend either a more or less restrictive option than the grid provides. However, all overrides - up or down - must be submitted with justification for approval by the PO's supervisor and Borough Director

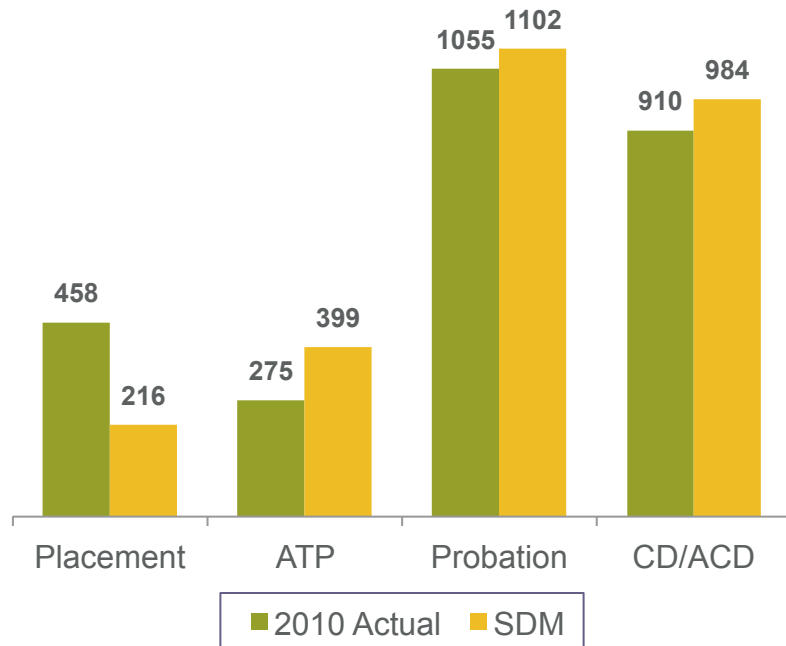
² Arrest charge was selected instead of adjudicated charge due to the idiosyncrasies of New York City's plea bargaining practices. It was determined that using adjudicated charge would drastically impact the number of cases contested in court and would, therefore, reduce the value of the grid as a tool that reflects the consensus of system stakeholders. This was not without much debate, however, and is an issue that may continue to be contested

³ Many of these cases should be adjusted at intake

The grid will shift dispositional outcomes for the better, by limiting placement recommendations to youth who pose the biggest risk to public safety

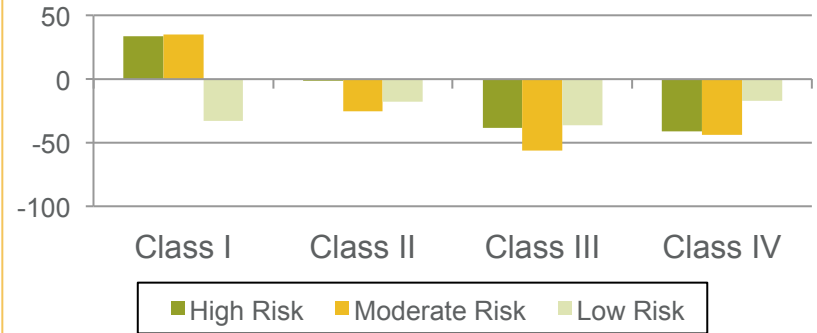
NYC stakeholders do not anticipate perfect adherence to the grid⁴, either due to PO overrides and/or judicial decisions in court. However, if the grid were applied to 2010 original dispositions, 53% fewer youth would have gone to placement.

2010 Dispositions vs. Perfect Adherence to the SDM Grid



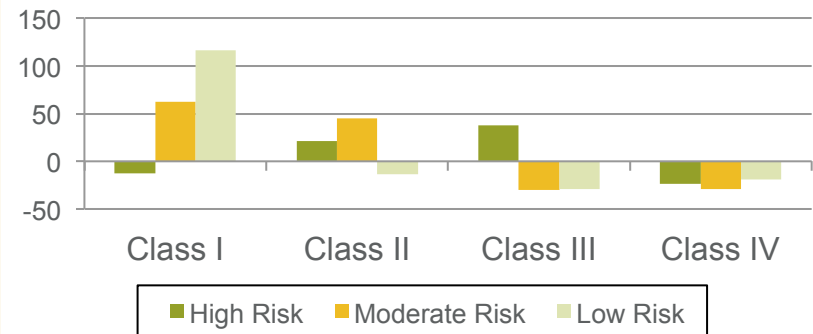
⁴ Assuming a 50-50 split in boxes with two options

Changes in Placement (#)



The vast majority of the decrease in placement is among youth charged with Class III or IV offenses

Changes in ATPs (#)



The increase in ATPs is mostly among youth charged with serious offenses, especially for Class I Low Risk youth, many of whom were previously placed