

**CENTER FOR NEW YORK CITY AFFAIRS  
THE NEW SCHOOL**

# **“There’s No Such Place”**

The Family Assessment  
Program, PINS and the  
Limits of Support Services  
for Families with Teens  
in New York City

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CENTER FOR NEW YORK CITY AFFAIRS  
MILANO THE NEW SCHOOL  
FOR MANAGEMENT AND URBAN POLICY

January 2007



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This report was made possible thanks to the generous support of the Ira W. DeCamp Foundation and the Sirius Fund. Additional funding for the center's project on advancing innovation in child welfare comes from the Child Welfare Fund, the Hite Foundation, the FAR Fund and the United Way of New York City.

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## CONTENTS

3	Executive Summary
5	Introduction
5	A History of PINS
6	System Overhaul
7	The Limits of Reform
8	PINS Process Flow
9	Troubled Relationships
10	Mending Families
11	Recommendations From the Field
15	Obstacles to Success
17	Cracks in the System
20	The Scare Factor
21	Juvenile Offenders

# “There’s No Such Place”

## The Family Assessment Program, PINS and the Limits of Support Services for Families with Teens in New York City

### Executive Summary

Teenagers run afoul of their parents’ notions of good behavior every day. But many go further, running away from home, staying out all night, refusing to go to school, using drugs or alcohol to excess, reacting violently to discipline. Every case is unique: Some are wrapped in a family’s cultural and intergenerational conflicts over values, others are enmeshed in dysfunctional relationships rooted in mental illness, sexual abuse, ill health, poverty or the death of a parent, sibling or friend.

These young people and their families are traditionally among the hardest to help, say social workers and directors of agencies who have spent years interacting with families and dealing with gaps in New York City’s system for handling troubled youth.

Recent policy and program initiatives in city government have sought to provide new options for families struggling to stay intact while reducing the burden on Family Court, foster care and other systems that have had a problematic and sometimes destructive impact on teenagers’ lives. One change in particular—the creation of the Family Assessment Program (FAP) by the Administration for Children’s Services—has diverted teens and their families from Family Court and offered them timely, individualized attention and services.

The FAP innovation began as a response to a 2001 change in state law that raised from 15 to 17 years the age at which teens could be deemed “persons in need of supervision,” or PINS, through the Family Court. Officials feared the change would lead to a large increase in the number of PINS cases and older teens needing foster care. As a result of FAP diversion efforts, the number of PINS youth placed in foster care has not gone up—in fact, it has dropped dramatically, from 709 in 2002 to 466 in 2005.

In 2006, the Administration for Children’s Services (ACS) also added substantial funding to its preventive family support budget in order to expand services for teens, including those leaving foster care and whose families need longer-lasting supports. Most of these services, including FAP, are provided by nonprofit organizations with a long history of teen-oriented services.

While these reforms are helping some teens avoid unnecessary stints in court and foster care, there are signs they haven't yet had a substantial impact on the larger problems facing many young people and their families. Instead, problem behaviors are now showing up in other parts of the system. For example, there has been a steep increase in arrests of young people under the age of 16 and cases involving teens in the family and criminal courts. Foster care placements of teens due to juvenile delinquency have risen by more than a third, from 400 in 2000 to 610 last year. The biggest jump occurred between 2003 and 2004—the year after the Family Assessment Program was unveiled. While there is no proof these are the same youth being diverted from Family Court through FAP, our interviews with parents, teens and the social workers who serve them suggest that a significant number of teens may pass through the program and emerge with behavior problems intact.

Indeed, FAP is by its nature more of a mechanical change to the system than a comprehensive reform. While it has remedied certain issues, it has been unable to resolve difficulties faced by many families it attempts to help, and may have exacerbated others. There is lingering confusion about what the city can and cannot do to discipline unruly teens. For a variety of reasons, many families do not follow up on referrals to service programs made by FAP. And it is unclear how many of the families who obtain services successfully resolve their problems. As many as one-third of the families who come to FAP don't continue with the program beyond their initial interview, according to city child welfare officials.

This report relies heavily on interviews conducted over the past two years with dozens of teens and parents as well as administrators, social workers and the designers of FAP. Their insights and stories illuminate important improvements the new program has offered as well as the large hurdles that remain before the city's social service system can effectively serve those families diverted from the courts. The main body of this report aims to put a human face on the range of experiences within the new FAP program, and to offer policy and practice recommendations informed by the interviews.

These recommendations appear on page 11. In addition, an overview of the latest efforts at broader reform of teen-oriented supports and interventions—and the persistent gaps in these services—begins on page 17.

## Acknowledgements

We wish to thank the many families and young people who shared their experiences in the social services and PINS systems with the authors. They were frank in their opinions, brave to express them and trusting of us as they opened their personal lives to the writers' scrutiny. Also, many front-line practitioners, administrators and government officials offered insight into the workings of the various systems described here, and we would like to thank them all, including the staff of Community Mediation Services; the Staten Island PINS Diversion Program of the Jewish Board of Family and Children's Services; Neighborhood Youth and Family Services; the Department of Probation; the Administration for Children's Services, and many others.

## Introduction

Sixteen-year-old Amelia<sup>1</sup> had been testing her single mother's control for years. At age 14, the Staten Island teen began to occasionally cut classes and lie to her mother about it. Two years later, she was regularly doing drugs, frequently skipping school and running away for days at a time—sometimes escaping out her bedroom window. After trying punishments, threats, therapists and even moving so that Amelia would be closer to her grandparents, who could help discipline her, Amelia's mother resorted to what she thought of as a last ditch effort: She went down to the local courthouse seeking a PINS warrant that would bring Amelia before a Family Court judge and possibly get her remanded to foster care. Even if it didn't result in her daughter's removal from their home, she hoped the brush with law enforcement would help Amelia reform her behavior and bring her back to the family.

What Amelia's mother didn't know when she sought help from the city for her troubled teen was that the PINS system was in the midst of a massive transformation. While the label of PINS had long carried the threat of court involvement, the system had been revamped to actively discourage families of youth with behavior problems from going to court. Instead, the Family Assessment Program (FAP), which was unveiled in December 2002, encourages families to engage in services that might help resolve their problems while keeping teens at home.

So, while Amelia and her mother began their search for help at the Staten Island courthouse, the FAP program quickly referred them next door, to the Staten Island PINS Diversion Program of the Jewish Board of Family and Children's Services. There, the two were immediately interviewed and referred to a social worker, who spoke with mother and daughter separately and together about their problems.

While efforts to divert PINS cases from court have been in place for more than a decade, FAP represents an attempt to stem the destruction of families at the critical juncture of adolescence, when parent/child conflicts often erupt around such behaviors as using drugs, disobeying parents' rules, staying out past curfew and skipping school. The approach taken by the program has significantly shortened the wait for assessments and referrals to services, which used to be preceded by waits of up to several weeks and are now done on a walk-in basis. FAP has succeeded in diverting many families from the court: Intakes done by the city's Department of Probation on PINS teens have dropped by more than 80 percent since the program was implemented throughout the city by early 2004. And, from 2002 to 2005, placements of youth in foster care as the result of PINS designations went down by 34 percent.

## A History of PINS

PINS has its roots in the turn of the last century, when youth could be locked away for non-criminal offenses such as staying out all night and disobeying parents' orders. In 1962, New York state law defined a PINS as "truant, incorrigible, ungovernable or habitually disobedient and beyond the lawful control of a parent." But a federal court ruling from the same era prevented young people from being detained for non-criminal offenses. Instead, when parents sought PINS warrants in Family Court for so-called status offenses such as running away and breaking curfew, teenagers were routinely removed from their families and placed in foster care.

A 1985 law attempted to decrease inappropriate use of Family Court, increase the use of services and lower the number of children placed in foster care. Nevertheless, until very recently, significant numbers of parents continued to seek PINS designations for their teens, and judges had few options other than placing these young people in group homes.

*The Family Assessment Program represents an attempt to stem the destruction of families at the critical juncture of adolescence.*

*“You had children who were suicidal ending up in a group home where they were terrified of gangs.”*

Until the introduction of FAP, the Department of Probation served as the “front door,” where families first headed in pursuit of PINS warrants. This initial visit usually consisted of interviewing the teen and parent and setting up a probation case. The agency employed a cursory intake process: the paperwork identified the petitioner, the respondent and the primary problem, but little more. Probation officers devised a brief plan for the teen and told him or her that failure to cooperate with the department’s instructions could cause them to wind up in court.

The agency also offered families referrals to social services. But, because the Probation Department is not a service agency, it was not suited to identifying or remedying the emotional and psychological issues often at the root of teenage behavior problems.

Because of the overwhelming number of parents and teens seeking help from the Department of Probation, families often had to wait six weeks or more for services from city-contracted social service providers. Worse, community mental health clinics routinely have waiting lists as long as six months for teens. And the services families received didn’t necessarily address the behavior problems that prompted the family to go to court in the first place. Some providers interviewed for this report said they lacked the resources to provide families lasting relief from many larger, poverty-related problems, such as joblessness and inadequate housing.

Under this system, almost half of families seeking PINS landed in Family Court, according to a 2002 report by the Vera Institute of Justice, and, of those families, one-third had children who spent time in foster care group homes.<sup>2</sup> After an average stay of almost four months, most young people in the Vera Institute study returned to their families without getting services to help them alter their behavior.

As a result, teens placed in foster care group homes frequently ended up in even worse shape than when they started. According to one veteran social worker in the field who asked to remain anonymous, placing children in such homes often exacerbated their difficulties. “You had children who were suicidal ending up in a group home where they were terrified of gangs. There was little skilled effort to help children look at their situations,” said the provider, who attributed the problem to “the city lumping everyone in a group home, regardless of the pathology of that child.” Several research reports documented that school attendance rates dropped steeply while children were in group homes and many teens ran away. Other reports in the late 1990s found that some city-run group homes were essentially little-supervised homeless shelters for teens.<sup>3</sup>

## System Overhaul

In 2002, a change in state law finally motivated New York City—as well as several other municipalities throughout the state—to transform its system. In response to lobbying from parents concerned about their older teens, the state legislature passed a law that increased the age limit for a PINS designation from 15 to 17. At the time, the Vera Institute estimated the legislative change could increase the number of PINS cases by 28 percent in the first year alone.<sup>4</sup> Such growth would have cost millions of dollars in foster care spending. “With the average cost of a New York City congregate care placement—where most city PINS youth are placed—hovering at \$170 per day, the financial impact ...was expected to be devastating,” the institute reported.

The law did, in fact, result in a temporary increase in PINS cases of about 27 percent in the six months after its passage. But by that time, two city agencies, the Department of Probation and the Administration for Children’s Services, were already brainstorming on how to avert the crisis. Following an in-depth study of the system and its problems, the agencies designed FAP to expedite the process of helping families that were struggling with their adolescent children and to keep them from going to court unnecessarily.

By early 2004, each borough had its own FAP office, run by Children's Services rather than Probation. By 2006, the city employed 30 "FAP specialists," social workers who assess youth and families throughout the city, as well as four family assessment managers to supervise them.

In short order, FAP reduced the number of families seeking PINS status by providing immediate assessments and referrals to services. While parents of teens under 18 can still seek a PINS warrant in Family Court, the designation of a Person in Need of Supervision is becoming a thing of the past in New York City as more and more families are diverted to services.

When FAP was fully implemented, the number of PINS cases opened by the Department of Probation dropped by 93 percent—from 3,345 cases between January and June of 2002, when the department still had administrative responsibility for PINS cases and service referrals, to 234 referrals to Family Court for the same period in 2006. (As of April 2005, all administrative responsibility for PINS cases rests with the Administration for Children's Services, with the Department of Probation assisting with Family Court referrals.)

Perhaps the most immediately obvious change for families was that, instead of waiting weeks for an appointment, which had been common before the overhaul, parents could show up at a FAP office unannounced on any weekday and meet with a FAP specialist the same day. The tone of interactions changed dramatically as well, due to the shift of responsibility from the Probation Department, an agency primarily concerned with corrections, to the Administration for Children's Services and its contract agencies, which specialize in family interventions and social services. All FAP specialists have Master's degrees in social work and experience working with adolescents.

After an initial meeting with a parent or caretaker and child (or just the parent if the child doesn't show up), the FAP specialist typically arranges for the family to seek help from the Designated Assessment Office, or DAS, based at a nonprofit organization that closely partners with FAP to provide services and referrals. FAP specialists may also refer families to other local community-based organizations. Alternatively, if the social worker senses a child is in peril, she may refer the family to Child Protective Services or emergency services such as hospitals. Or, if a child has run away and is still missing, the specialist may instruct the family to get a missing person's warrant and police assistance. In such extreme cases, FAP is more likely to recommend that the family seek a PINS warrant through the court, which can mandate services.

Family assessment specialists can make referrals to mental health clinics, mediation, anger management, domestic violence advocacy, after-school programs and substance abuse treatment, among other services. The speed of referrals, made on the day of the initial interview, is a vast improvement according to both FAP workers and families.

The advent of FAP brought another important innovation: an intensified effort to manage families' expectations and enlarge the focus of professional attention beyond the individual teen in question to encompass his or her entire family. Whereas in the past the "problem child" was seen as the source of the family's troubles, FAP workers now encourage parents to consider the larger reasons they find themselves in need of help. "We have to assist the parents to delve into their own lives and look at their own experience," says one city FAP specialist. "We ask, 'What did Mom do to influence how I think about parenting? What did Dad do?' It's also their past experience that contributes. We help them realize that."

## The Limits of Reform

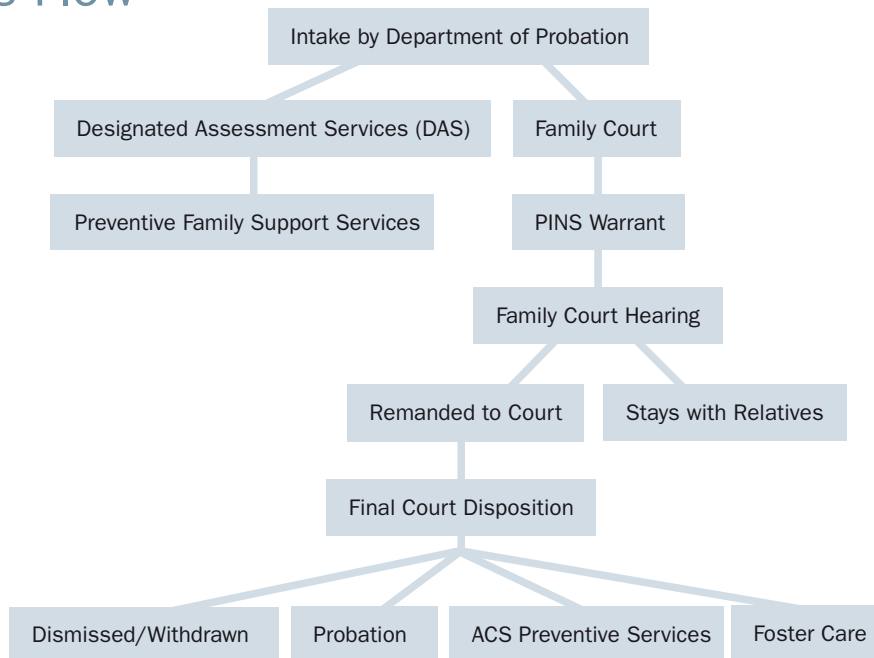
But even this innovative program, which has been warmly received by social workers and administrators, has its limitations. Despite the considerable change in emphasis that came with the introduction of FAP, a vague and ill-defined notion of PINS has remained as a vestige of the old

*continued on page 9*

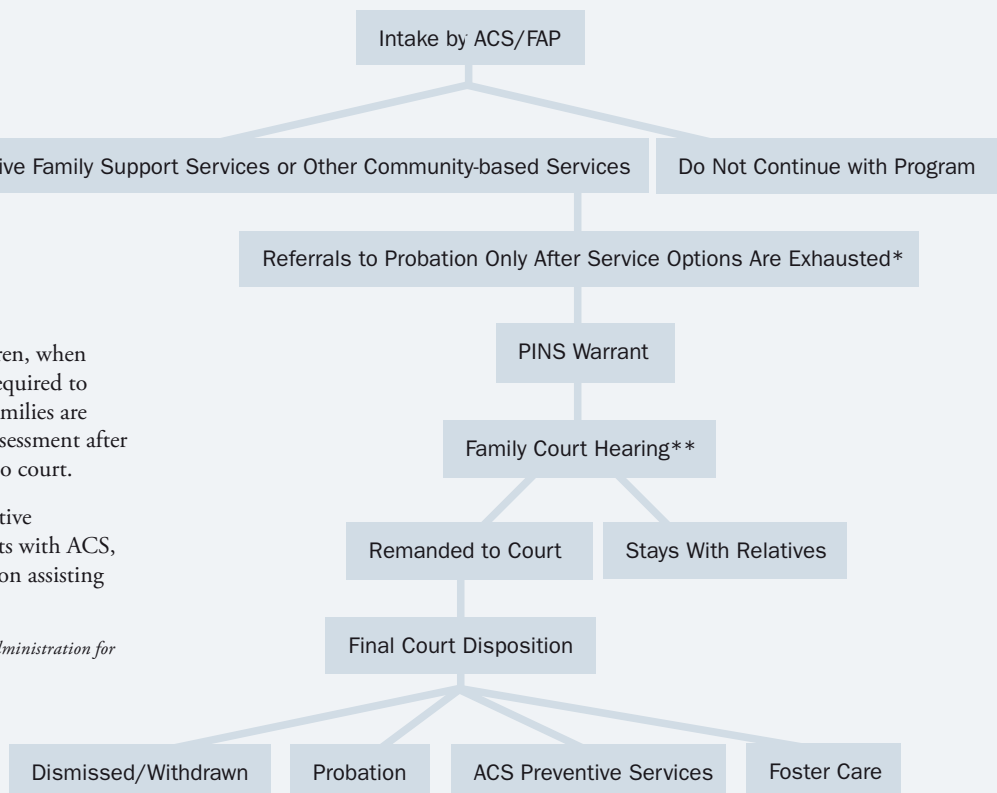
*The designation  
of a Person  
in Need of  
Supervision is  
becoming a thing  
of the past in  
New York City.*

# PINS Process Flow

## PREVIOUS SYSTEM



## NEW SYSTEM



\*Except in cases of missing children, when participation in services is not required to obtain a PINS warrant. These families are expected to return to FAP for assessment after the child is found and brought to court.

\*\*As of April 2005, all administrative responsibility for PINS cases rests with ACS, with the Department of Probation assisting with Family Court referrals.

Sources: Vera Institute of Justice, NYC Administration for Children's Services



system. Although teens are far less likely to be referred to Family Court through FAP and Family Court judges are much less inclined to grant families PINS warrants or send young people in PINS cases to foster care, parents and teens still have outdated notions of the system. For them, PINS has retained its punitive aura, remaining a threat that desperate parents use in the hope of keeping their misbehaving teens in line.

Some parents believe, for instance, that a PINS warrant will enable local police to make sure their children attend school. Others think it will require them to come home at an appropriate hour. Likewise, teens may understand the phrase “If you don’t straighten up, I’ll get a PINS on you” as a warning of police surveillance. One 17-year-old interviewed for this report said she thought it would mean she would have to wear an electronic ankle bracelet. Others may take it as a threat of being disowned or at the very least barred from their homes.

It’s not only the families seeking help who are confused about PINS. Despite the fact that both PINS and FAP are voluntary programs, many in the Department of Education and the Police Department—who account for the bulk of referrals—misunderstand how the programs are supposed to work. “They often say, ‘If you don’t go down and file a PINS on this child, we’re going to call the [state central registry on child abuse] on you and you’ll get arrested,’” says Selina Higgins, director of Family Engagement Programs and Initiatives for ACS’ Division of Child Protection. “This is a very scary, frightening thing.”

The city’s child welfare agency is thus intent on clarifying what it can and cannot do when it comes to managing teens’ lives. While no city agency has the authority to place a child in a locked facility or a military-style boot camp—something many parents say they want in their initial visit to the FAP office—the new program can offer other kinds of help. So, when parents request that their children be locked up, “We say to them, ‘Well, maybe just working with us is all that you need right now,’” says Sharon Goldberg, executive director of Community Mediation Services, the nonprofit provider that partners with the Queens FAP office. “We’re not going to solve fifteen years of your family problems, but we can make it more livable with your kid right now.”

Yet, this family-centered approach can also ruffle parents’ feathers. “We have a lot of parents who say, ‘You fix him. Johnny’s the problem here,’” Goldberg says. And while those parents may have come to the office wanting their children removed from their homes—as 50 percent of parents do, according to FAP administrators—they still often misunderstand the scope of the program’s authority.

## Troubled Relationships

One of FAP’s biggest challenges is to reduce tensions between teens and their parents or guardians. “We help them uncover some of the feelings they have about themselves that can be correlated with how they see their child,” says Jocyline Williams, director of the FAP office in the Bronx.

Another useful technique, according to Williams, is to encourage parents to recall positive feelings about their children. “We ask the parents to think back and remember when their child was a baby. Pretty much everyone likes some aspect of a baby. They smell nice. They feel warm. That’s how we help them try to remember, you know, that at some point in time, you had a good relationship with your child. You had warm, fuzzy feelings. So let’s take a look at what happened.”

What drives parents and their children apart varies drastically from family to family. But FAP workers report that some problems are particularly common among families seeking help. For example, many of the teens who come through FAP have experienced a serious loss of some kind. This was the case with Chad, whose older brother died in a car accident when Chad was 13. About a year after his

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brother's death, Chad began going to school less and less often. He sometimes stayed out all night and, on occasion, was extremely rude to his mother, Francine. The incident that drove Francine to Queens Family Court seeking a PINS petition centered around a pair of blue suede Michael Jordans that used to belong to Chad's brother. When Chad showed up wearing the old sneakers one day, Francine complained that they were ugly and smelly and insisted that he take the shoes off and throw them away. Francine made this request and, as she recalls, "Next thing I knew, he broke the TV, the VCR, the television stand, the PlayStation 2 and the radiator cover."

The struggle of immigrant families adjusting to American culture is another common backdrop for those who come to FAP. Compared to many seeking help with the program, the Ramjoops, a Trinidadian family living in Queens, appeared to be doing relatively well. The parents had a stable marriage and, most of the time, their 12-year-old son, Mark, spoke to them respectfully. But the Ramjoops were distressed that Mark had been staying away from school four or five days per month. And his father was particularly upset that he was sleeping late and at times ignoring his mother's instructions. Mark's father also reported that Mark came home from school with bruises one afternoon. When Mark told him he'd been jumped, his father replied, "I don't know what is jumping," recalled his FAP worker, Mark Guerrier. To the father's frustration, after he called the parents of students who were involved to talk about the incident, none of them called him back.

Many of the teens arriving at the FAP office are struggling with mental health problems. Sixteen-year-old Angel, for instance, had already been treated for depression and drug addiction when his mother arrived at the Bronx office on Thanksgiving of 2005. He had gone through a drug treatment program when he was 14. But two years later, Angel started "acting up," according to his mother and his grandmother, with whom he was staying at the time. He also sold his little brother's bicycle and started running away for days at a stretch, leaving his antidepressants behind.

For another family, a mother and daughter in Staten Island, complicated issues of trust appeared to be at the root of their problems. When the mother and her 16-year-old daughter entered the Jewish Board's Staten Island PINS Diversion Program after an initial referral from FAP, their major focus was the daughter's behavior. She had been arrested at school for getting into a fight and would often fight with her mother about relatively mundane issues, such as household rules, school attendance and cleaning. But, just as the two began counseling, the mother revealed to a social worker that her daughter had been sexually abused by her father—and that she had never told her daughter she was aware of it, although she believed that, on some level, "she already knows." After revealing the truth to her daughter in the agency's offices, both agreed that the past abuse, and the distrust and uncomfortable silence surrounding it, were at the heart of their conflict.

## Mending Families

Sometimes a combination of stressors will knock an adolescent off track. Amelia, the Staten Island teenager, for instance, was grappling with a number of problems when she began routinely cutting school, disregarding her mother's rules, running away for days at a time, doing drugs and being promiscuous. After working with a therapist at the Staten Island PINS Diversion Program, Amelia identified several stressful and difficult things going on in her life that were affecting her behavior: Her mother had been diagnosed with cancer just before Amelia's behavior took a turn for the worse at age 14. Around that time, her father experienced serious memory loss due to a car accident. And Amelia, who was born to Puerto Rican parents, was also struggling throughout this period with issues stemming from her adoption out of foster care by a white family. For Amelia, who has a devoted mother and a stable home, good, consistent therapy was the only service necessary to get back on track. After coming into the FAP office, Amelia was referred to the Staten Island PINS Diversion

*continued on page 15*

## Recommendations from the Field

Recent reforms in New York City’s system for handling troubled teens were designed to keep vulnerable adolescents from spending long hours in Family Court and prolonged stretches in foster care group homes, where their problems frequently worsened. Research shows that the Family Assessment Program (FAP), established jointly by the city’s Department of Probation and Administration for Children’s Services (ACS) in 2002, has substantially succeeded on this front. The program has helped to reduce the number of young people the court designates as PINS, and the number of young people placed as PINS youth in foster care dropped by 34 percent from 2002 to 2005.

What’s more, by locating the program at ACS instead of the Probation Department, and by diverting teens and families from court to social services, FAP is inherently less punitive than the system that existed before its introduction. Importantly, it is much more focused on providing practical assistance to families who have reached out for help.

Much harder to determine is whether FAP has been able to help the teens it serves deal with the issues that landed them there in the first place—issues that are often inseparable from the larger problems of poverty and violence in their communities. FAP can certainly resolve PINS cases faster. But can it establish lasting, effective supports for truant or misbehaving teens? And can it do so in the context of systemic problems that go far beyond the coping capacities of individual families?

Sometimes, yes. But as our reporting found, there are many situations where this has not been the case. The Diaz family, for example, came to FAP for help with a difficult teen. But an even more pressing need was the household’s lack of food and clothing—“basic elements that make the social contract possible,” in the words of one agency leader. In the end, the family had only limited contact with FAP and refused referrals to services. Without addressing such fundamental conditions, even the best social workers will find it hard to reach young people and their parents. Meanwhile, there are clear signs that the broader climate for city teens is not improving. Sharp increases in the numbers of juvenile arrests and of youth placed in foster care as juvenile delinquents tell that story.

Part of the challenge for policy makers is that we don’t know what happens to most of the families enrolled in the voluntary FAP program after they have been referred to services. How well do they navigate the family and adolescent services systems? Do they get effective help with their problems? The Vera Institute of Justice is studying the outcomes and

experiences of families moving through the new system, and their report is due out in 2007. In the absence of such data, we can safely cite one very telling measure: According to ACS, about one-third of families who enroll in FAP do not return after their initial interview.

Leaders of social service agencies emphatically state that the city’s multi-million dollar system of family support programs (designed to prevent foster care placements) and its vast network of youth services programs are not set up to provide the kind of help that’s badly needed by many struggling families with teens. There are too few programs geared to adolescents, too few that can address the overarching problems of poor communities and—despite recent positive steps by ACS—too few resources targeted to the city’s web of family support and related programs. As a result, not enough attention is paid to easing family stresses before they become the kind of full-blown crises that lead to a teen becoming entangled in the justice system, dropping out of school or being placed in foster care.

The FAP innovation is essentially a mechanical change to the system—and it is an important one, because there is extensive evidence that many teens placed as PINS in foster care group homes end up in worse situations than before the placement. But FAP is not a solution to the much larger question of how government and the nonprofit sector can best help vulnerable teens and their families get the community-based support services they need. Below are some recommendations derived from our reporting—both specific to FAP and relevant more broadly to the city’s child welfare system as well as its public schools, mental health services and teen programs.

**1** City government front-line staff—including those within ACS, the public schools and government-contracted agencies—must be well informed about community services and how to use them. They must also better educate parents about the limits of FAP and PINS.

Many families still have unreasonable expectations about what a PINS petition or FAP can do to help them with their unruly teens. (Designating someone a PINS for example,

can't force him or her to attend school.) Some school officials and law enforcement officers continue to use the PINS track as a threat to control unruly families instead of presenting it as a potential gateway to services. If families enroll in the FAP program for the wrong reasons, they will be less likely to stick with it and find the help they need. ACS and other city agencies need to find more and better ways to educate front-line workers about what the program can realistically accomplish for teens. Community-based organizations that are already working with families could be enlisted in an effort to get the word out about how PINS and FAP actually work.

This speaks to the larger difficulty of sharing information about preventive community-based services among child protective services staff, community leaders and school teachers, counselors and administrators. Institutions and services that focus on individual neighborhoods or districts are uniquely able to share their knowledge of local services among themselves and with parents. This is not seen by most organizations, however, as an integral part of their work. It needs to become part of the day-to-day routine of quality work with families—not only in social service agencies, but in all institutions that work with families.

ACS should continue its efforts to make sure that its own front-line workers are as informed as possible about the networks of family support agencies in their areas and to preserve the option of out-of-home placements for the minority of teens who could benefit from them.

**2** City Hall and ACS should revive proposals for respite care centers for struggling teens. Such centers offer young people temporary, short-term breaks from their families without having to go the full distance to foster care.

Successful models exist in upstate New York and several other states. For example, Kids Oneida offers temporary shelter and provides family therapy to teens referred by the Department of Probation, Family Court or social services agencies.

Three years ago, the Vera Institute of Justice proposed creating a respite care center for New York City—where teens could stay for periods of a few days while their families maintained custody—separate and apart from the foster care system.<sup>1</sup> During and after those stays, families would receive

community-based services to help them address the problems that led to the break. Research has shown that respite care is less expensive than foster care or detention and avoids some of the negatives—such as inadequate supervision, declining school attendance and running away—that kids have experienced in traditional foster care group homes. Respite care centers in other parts of the country operate through host families or as small independent facilities. Some also provide shelter to runaway teens.

New York City's child welfare system has sharply reduced the number of "voluntary" placements of teens in foster care group homes in recent years. The city has made this change on a sound basis: Too often, a long stay in foster care did little to solve the family's problems and sometimes made matters worse. But short-term respite care centers could fill an urgent unmet need for temporary safe space for troubled adolescents. A portion of ACS's new \$24.7 million foster care boarding home initiative could be devoted to recruiting respite care host families. ACS should also provide additional funds to develop community-based respite care services for adolescents.

The Vera Institute has shown that respite care programs for teens were less expensive than placements in other juvenile institutions because of shorter lengths of stay and higher numbers of young people served. The institute reported that the average cost of placing a teen in a host home through Kids Oneida, for example, was \$825 (based on an average stay of 11 days at \$75 per day), compared to just over \$5,000 for placing a PINS teen in an Oneida County detention center (based on an average stay of 24 days at \$213 per night). The average cost of a New York City congregate care placement—where most city PINS youth have been placed—is more than \$170 per day.

**3** ACS should expand services tailored to adolescents and improve the preventive family support system's capacity to deal with teens.

Preventive family support agency leaders and front-line social workers have learned that programs for teens—even teens with serious troubles—work best when they are oriented toward the arts, job preparation and placement, skills training and other program areas that allow young people some control, rather than lecturing them about their problems or simply offering counseling. Agency leaders say counseling and other support services are best nested within a more appealing

set of programs—ones that offer broad support and lack the stigma of those focused solely on problems such as substance abuse or mental illness.

This year and last, the city began to ramp up investment in teen-specific preventive services. Even so, too few agencies have staff members that specialize in adolescent mental health care.<sup>2</sup> Citywide drop-in centers that use this approach, such as The Door in Manhattan, have been cited as models for the type of accessible, comprehensive youth programs that can meet multiple needs.

Family support agency leaders say that in addition to directing funds to teen programs through special initiatives, as ACS has done recently, it is critical that more teen-centered services be built within the overall preventive system. This would include greater emphasis on—and funding for—group work, and much more flexibility in the way services are provided and reimbursed. Teens should be allowed to show up for programs without their parents, for example, and meetings should be allowed in places other than agency offices. There also needs to be greater awareness of how the child welfare system's various goals are sometimes at odds when it comes to working with teenagers. For example, the system's focus on working with families complicates outreach to adolescents who often need to be dealt with separately from their parents. ACS should conduct a survey of teen-specific programs in the city to identify critical gaps.

## 4 New York City and state mental health officials must expand the availability of mental health services geared to teens.

There is a severe lack of such programs offered by the city's preventive services network and its community-based mental health system. Teens with very complex problems—many of them involving mental health issues—are routinely referred to family support agencies which struggle to serve them effectively. City teens who live in foster care boarding homes and group homes frequently receive little or no mental health treatment after their initial evaluations. Community-based health clinics, where many teens are referred for services, often follow a therapy model designed for adults, with little emphasis on peer-group sessions and other strategies known to work best with adolescents. In addition, many teens refuse to go to mental health clinics because of the stigma attached to mental illness. And those who do seek such services often face months-long waits to see counselors.

Placing more mental health workers trained to serve teens in schools or neighborhood organizations is one way to make services more available to teens. ACS is currently negotiating with state and federal officials to expand Medicaid services for city youth in foster care. If this negotiation succeeds, thousands of children may at last receive the care they need.

## 5 Mayor Bloomberg's City Hall deputies, along with the city's Department of Education, should make it a priority to create more services that directly counter truancy and offer intervention in the earlier grades.

Existing truancy prevention programs, such as the Community Achievement Project in the Schools (CAPS), are serving only a portion of the children who need such intervention. Meanwhile, truancy continues to be a key indicator for family stress and a very common reason why teens end up in Family Court and FAP. Social service agency leaders warn that by the time children reach adolescence, they are often spending years, not just days, out of school. There is clearly a need for action in the younger grades and wider recognition that truancy is an indicator of bigger problems and therefore can't be addressed in isolation.

The CAPS program, for example, sends social workers with case management skills into schools to work not only with truant students, but also their families. By referring such families to services and reaching out to them in ways that contrast with the school system's disciplinary approach, nonprofits under contract with the United Way of New York City through CAPS have had some success in turning school attendance rates around. According to one evaluation, the program has improved attendance for over 50 percent of students served. National research has shown that truancy prevention programs work best when the organizations providing them have established connections with the school and the community so that trust, credibility and comfort levels are high.

But such programs are rare and the infrastructure for intervention—short of a call to the state child abuse and neglect hotline—is lacking in too many city schools. Funding for CAPS has been stagnant for years. As for what infrastructure does exist, nonprofit leaders say there is too little coordination among various experts now working in schools (mediation specialists, after-school instructors, etc.), with the

result being that many children do not get the targeted help they need.

What's required is a collaborative planning process between the Department of Education, community organizations, heads of after-school programs, ACS and other stakeholders to strengthen and dramatically expand the capacity for school-based family support services. This process can be harmonized with the work New York City Deputy Mayor Linda Gibbs has embarked upon to reduce poverty, as well as the ongoing work of neighborhood-based organizations across the city. The most intensive truancy-related services should be targeted—as the CAPS program is—to the most vulnerable students: those living in foster care and homeless shelters and those who already have problems with school attendance.

**6** Mayor Bloomberg's City Hall deputies should direct efforts among youth and family service agencies to continually improve coordination between different parts of the system serving young people, including public schools, child protective services, family support agencies, youth development programs and others.

ACS' recent hiring of additional staff to follow cases from child protective services offices to preventive agencies for 90 days after such referrals are made is one step in this direction. But this only involves families that have already come to the attention of child protective services. Much more needs to be done to remove barriers to cooperation between different parts of the system that deal with teens and families. Many social service agency leaders say they are concerned that school officials and preventive service agency directors and staff rarely meet together to address issues facing children and families. Others say ACS investigators are poorly informed about the available preventive service networks in their neighborhoods. There are also regulatory barriers to cooperation. "Is it really duplication of services," one preventive agency leader asked, "if the Probation Department is helping to monitor the conduct of a teen who is also receiving preventive services?"

ACS Commissioner John Mattingly has sought to eliminate such obstacles to a more effective child welfare and family support system. Under his leadership, ACS has just launched the Community Partnerships Initiative (CPI), a demonstration project that could be a future model for revamping the way child welfare services are organized in New York City. The CPIs are local community coalitions consisting of parents, foster parents, preventive and foster boarding home agencies, school staff, child protective services officials, community groups, law enforcement officers and others who work with children. The coalitions are charged with creating a plan for a "coordinated service delivery system" that closes existing gaps between agencies and offers help to more families. However, at this stage the project is very small, located this fall in three neighborhoods in the Bronx, Brooklyn and Queens. It will be expanded to 11 communities by January 2007. And funding is minimal—just \$150,000 per neighborhood. Nonetheless, the results of the demonstration project should be valuable because of the potential it has to move the entire system to a more integrated, community-based model of family supports. Once again, there is a clear role for the deputy mayor in integrating the lessons of these ACS demonstration projects with City Hall's push to reduce poverty in New York City. ♦

1 Eric Weingartner and Andrea Weitz, "Respite Care: An Alternative to Foster Care for Status Offenders in New York City," Vera Institute of Justice, July 2002.

2 "Mostly Missing: Mental Health Care for Foster Teens," *Child Welfare Watch* Number 8, Center for New York City Affairs and the Center for an Urban Future, Fall 2002; and Andrew White, Nora McCarthy et al., "Consider the Future: Strengthening Children and Family Services in Red Hook, Brooklyn," Center for New York City Affairs, May 2003.

Program, which provided her with weekly therapy for 45 days and then transferred her to the “long-term” program, which provided her with therapy for another 18 months. In that time, she explored the family tensions that she ultimately discovered were underlying her disruptive behavior. As she addressed the complicated issues surrounding her adoption, her mother’s illness and the stress within her family, her grades, her relationship with her mother and her school attendance all vastly improved.

But for many other youth and their families, the resolution of family crises is more complicated and elusive. FAP workers must often probe to discover what changes within a family might be affecting a teen’s behavior. When Stephanie Aponte came into the FAP office in the Bronx requesting that her 17-year-old daughter, Norma, be “locked up so she can study,” for instance, the FAP worker’s response was to ask both of them what had been happening in the family lately. Stephanie complained that Norma had skipped school for most of the past year and had ceased listening to her. “She leaves the house whenever she wants to,” said Stephanie, adding that Norma left home for six days in November without permission. When asked where she was, she responded only that she was at a friend’s house.

After explaining to Stephanie that “there’s no such place” as the locked school in which she had envisioned placing her daughter, the FAP worker asked whether there were other recent events affecting the family. The worker soon learned that Norma’s brother had been in the hospital since September and that her mother had been spending most days there with him. Norma also reported that she hated high school and didn’t ever want to return. Still in 10th grade at 17, she twice had to repeat grades. After emphasizing that Norma needed a high school degree, the FAP worker recommended several GED programs Norma might attend and gave her information about Job Corps, a federally funded job training and education program where she could get a GED as well as vocational and life skills training. But Norma expressed little interest in attending a GED program and, when the two left the office, her mother seemed to have little expectation that her daughter’s behavior—or their troubled relationship—would change.

Many arriving at the FAP office need direct services for the entire family more than help disciplining an individual child. The Diaz family is a prime example. Luz Diaz says she brought her five grandchildren into the FAP office because the eldest, Miguel, who is 12, wasn’t attending school. But it quickly became clear that Miguel as well as the rest of the family required all sorts of help. Though the children were living with Diaz, they remained in the legal custody of her daughter, who was living elsewhere and abusing drugs. As a result, Diaz received no financial help from the government and, along with her grandchildren, was sleeping on the floor of another daughter’s apartment.

Diaz came to the FAP office because she was having real troubles with Miguel. He hadn’t attended school or received an independent education plan (required to receive special education in New York City public schools) since moving from North Carolina four months earlier. When not caring for his younger siblings, Miguel sat silently in the FAP waiting room with his hooded sweatshirt pulled down over his face. At the probing of his FAP specialist, Miguel admitted he was angry with his grandmother because “she doesn’t buy me stuff.” When asked what he wanted, Miguel, who was wearing a dirty sweatshirt and ripped jeans, answered, “Clothes and shoes and food.” Miguel had been answering most of the FAP worker’s questions with nods or almost inaudible, one-syllable answers. But when she asked whether he would like referrals to an after-school program, tutoring help and a basketball league, Miguel looked up and said, “Yes, yes and yes.” A lack of basic necessities seemed to be at the root of Diaz’s discipline problems with her grandson.

## Obstacles to Success

Perhaps the biggest hurdle for FAP workers is convincing families to participate in the program, which is voluntary. As many as one-third of the families who come to FAP don’t continue with the program beyond their initial interview, according to ACS.

*Many arriving at the FAP office need direct services for the entire family more than help disciplining an individual child.*

Often, fear, inertia and misperceptions weigh against a family's desire for help, as was the case with the Diaz family. The FAP worker recommended that the family receive preventive family support services—including help with housing and financial problems, as well as counseling and other assistance that might help the elder Diaz care for her grandchildren and hopefully avert intervention on the part of ACS child protective services. But Miguel's grandmother was wary because getting these services would require a home visit and the opening of an ACS case file, and she felt sure the daughter in whose apartment she was staying would never allow this. Diaz agreed to meet with a social worker from Neighborhood Youth and Family Services, the agency that partners with the FAP office in the Bronx, for a more extensive assessment and referral to services. But she never showed up for the appointment. And, even after the FAP worker repeatedly assured her that agreeing to receive preventive services would not spur an investigation of her family by child protective services, she would not give her consent.

More often, it is the child who resists participating in services recommended by FAP workers, or resists coming into the office altogether. Though the new FAP program can offer a quick connection to a multitude of services, none can be successful without the cooperation of the teen involved. And because the program is voluntary, there is no way to force teens to attend appointments or follow up on referrals.

Many parents feel frustrated with FAP's limited ability to compel their children to do things. "My daughter is a junkie on the street and they told me there was nothing they could do about it!" railed one exasperated mother in the waiting room of the Bronx FAP office after meeting with a specialist from the program. Many teens don't follow up after being referred to a Designated Assessment Office and community mental health clinics for counseling. And parents are often aghast that even the agents of a city program are unable to compel their sons and daughters to attend school.

Truancy is among the primary reasons parents seek out PINS or FAP. Sometimes parents have a desperate hope that the city program can scare teens into going to school. As Francine, Chad's mother put it, "I'm just thinking that [PINS] carries some type of zero tolerance. They say, 'You've got to do this, go to school.'" In many cases, parents also fear their children's absences from school will spur the city to charge them with educational neglect and possibly remove other children from the home as a result.

That was the case with Kia Frasier, whose 14-year-old daughter Keyonnie had been going to school only sporadically since she was 12. Kia also has two younger daughters. So when she received a letter from the Department of Education warning her that Keyonnie's spotty attendance record put her at risk of being charged with educational neglect, Kia worried that ACS would remove her other two daughters and place them in foster care.

When Kia first sought help from FAP, she was directed to get a missing person's warrant because Keyonnie had run away from home and Kia did not know where she was. After the police found Keyonnie, Kia sought—and obtained—a PINS warrant in court, her success resulting largely from Keyonnie's runaway status, which makes the court more inclined to classify a youth as a PINS. Kia was hopeful that the court's involvement would help her control her daughter. "I figured, if she wasn't going to listen to my curfew, she was going to listen to the court curfew," says Kia. Unfortunately, knowing that her mother had sought this piece of paper did not change Keyonnie's behavior. Even after her mother obtained the warrant, Keyonnie repeatedly ran away from home and was picked up and returned by the police, only to run away again. During one two-day stay away from home—during which her mother had no idea of her whereabouts—Keyonnie was sexually assaulted.

While one of FAP's aims is to prevent unnecessary foster care placements, Kia desperately wanted to secure an out-of-home placement for her daughter. She said she was unable to control her—even when police and family members reinforced her message that Keyonnie needed to go to school. On several occasions, Kia had received referrals to therapists, but Keyonnie had refused to go. "What does a

*continued on page 20*

*Truancy is among the primary reasons parents seek out PINS or FAP. Sometimes parents have a desperate hope that the city program can scare teens into going to school.*



# Cracks in the System

**TOO MANY VULNERABLE TEENS AND THEIR FAMILIES DON'T GET THE TARGETED SUPPORT THEY NEED.**

While reforms aimed at diverting troubled teens from Family Court to services are helping some teens avoid unnecessary stints in court and foster care, there are signs these improvements haven't had a substantial impact on the larger problems facing vulnerable city youth.

In the last five years, foster care placements of teens due to juvenile delinquency have risen by more than a third, from 400 in 2000 to 610 in 2005, according to the city Administration for Children's Services (ACS). The biggest jump occurred between 2003 and 2004—the year after the Family Assessment Program (FAP) was unveiled. Meanwhile, Persons in Need of Supervision (PINS) and voluntary foster care placements have fallen significantly over the same period.

Juvenile delinquency cases heard in Family Court are also on the rise, with the number of new juvenile delinquency filings in the city climbing from 6,109 in 2004 to 7,185 in 2005—an increase of 17.6 percent. The number of juvenile arrests for felony crimes has also risen over the last four years, according to figures from the New York City Police Department.

In the face of such trends, leaders of agencies that provide counseling and other crisis assistance say changes are urgently needed in the city's preventive family support service network to ensure that it can respond to struggling adolescents. If not, the danger exists that teens who would previously have been PINS cases may cycle back into the system at a later date with problems that have worsened.

FAP's mission to channel families to services is a worthy one, preventive agency leader say, but few existing social service programs are specifically set up to reach teens.

"We just don't have enough services for adolescents in our communities to refer people to," says Laura Fernandez, who runs the Incarcerated Mothers Program at Edwin Gould Services for Children and Families.

The kinds of programs that experts agree work best with teens—peer groups and skills training sessions—are still few and far between in many neighborhoods.

"What teens need is a really different format," says Mary Alice Scully, director of the Bronx-based Pelham Family Center, a program of the Jewish Board of Family and Children's Services where teens are now more than a third of the caseload. "Once a week [counseling] sessions don't cut it with them. They need to have drop-in centers, job alternatives. It's a serious black hole."

"There's been no upgrade of services besides the typical 'come in and talk to a social worker with your mom,'" says Richard Altman, chief executive officer of the Jewish Child Care Association, which runs general and substance abuse prevention programs in the city. "So while there's wonderful rhetoric about (PINS) diversion activities, where the rubber meets the road not much is happening."

The city's child welfare leadership has recently taken steps to try to fill the gap. Over the last two fiscal years, ACS has added \$24.7 million to its preventive family support budget to expand services for teens. The money has been allocated to nonprofit agencies that provide services for teens who are behaving dangerously or at risk of failing school, and to city-funded foster boarding home programs to create more family settings for adolescents.

In addition, during the same period, the city has allocated \$18 million in "preventive enhancement" dollars—money saved from declining foster care group home enrollments—to help boost services for vulnerable youth. Those funds are targeted to services for teens and babies in families with histories of substance abuse, and to those nonprofit preventive service programs that are consistently filled to capacity and face the greatest demand.

Finally, ACS has just launched an \$11.5 million Juvenile Justice Initiative to create more family-based foster care options for teens charged as juvenile delinquents. Seven agencies were chosen for funding based on a previous request-for-proposal process for "intensive preventive" services. Allocations to agencies have not yet been finalized.

## SEARCHING FOR WORKABLE STRATEGIES

The goal, says Elizabeth Roberts, ACS's deputy commissioner for Family Support Services, is to create a stronger web of programs for hard-to-handle teens. "We recognize that some of the most challenging cases throughout the city are those in which there is a teenager who is representing with some risky behaviors and the family is overwhelmed and uncertain how to respond," she says. "We know that is an area where you really need a specialized service and more intensive services."

While nonprofit leaders have welcomed the added resources, they note that preventive services have suffered from years of scarce funding and remain a modest portion of ACS's \$2.1 billion budget. Until last year, preventive services were consistently funded at less than \$120 million per year.

In addition, many preventive workers are concerned that difficult teens are being diverted to services at a time when the system remains overwhelmed by referrals in the wake of the death of 7-year-old Nixzmary Brown, allegedly at the hands of her stepfather, in January 2006.

“We’re hearing from ACS that they’ve gotten a lot more cases,” says Norma Martin, assistant executive director of the Brooklyn Bureau of Community Services. “They’re trying to use preventive services but they are running up against very full utilization.”

Preventive service providers say they are also running up against a shortage of workable strategies for helping misbehaving and truant teens.

“The kids we are seeing are really troubled,” says Denise Hinds, assistant executive director for residential programs at Good Shepherd Services, a leading provider of assistance to city teens and families. “Years ago you maybe had kids with one issue that brought them in. Now, it’s just multiple, multiple issues.”

In the past, many preventive agencies helped parents with requests to place their teenage children voluntarily in foster care. Usually these families were struggling with their teens while also dealing with health, mental health or substance abuse issues. But such placements are now a rarity. The city’s child welfare system has tried to redirect families with older children to community-based support services rather than encourage them to voluntarily place their kids in care. Long established research has shown that care in home settings is less expensive and less disruptive to family life.

A draft report ACS released in June, “Preparing Youth for Adulthood,” shows evidence of that push. While PINS foster care placements have been fairly steady over the past decade, the report shows voluntary placements have dipped dramatically—from 1,060 in 1997 to just 342 in 2005.

Many preventive agency leaders support the rationale behind ACS’ move away from voluntary group home placements, where teens often languished without services, ran away or became permanently disengaged from their families. At the same time, some say the effect has been to close off an option that could benefit particular teens.

“As we know, when kids are in trouble, structure does make a difference,” says Altman of the Jewish Child Care Association. “Not for all but for some kids, those placements really do change things.”

In neighborhoods where crime is high and gangs are common, many parents are looking for immediate solutions, not

referrals to services, adds Michael Arsham, executive director of the Child Welfare Organizing Project.

“These are young people who are at risk of being murdered by their peers or where a child’s actions can jeopardize your place in public housing,” he says. “Parents feel a greater sense of urgency about putting a complete and unequivocal stop to things like gang involvement and drug abuse. And they feel like there’s not much in their tool kit.”

Respite care for teens, an alternative to foster care that has been successful in other parts of the country, has yet to get off the ground in New York City. Three years ago, the Vera Institute of Justice recommended that ACS establish a facility where troubled youth could take temporary breaks from their families. Although the idea was received positively by many at ACS at the time, the proposal was shelved while the city focused on developing FAP, according to Vera Institute staff.

Meanwhile, nonprofit agency leaders say some well-informed parents have begun to seek placements through a different system altogether—although such placements are possible only for those students who can prove they have unmet special education needs. Residential special education programs receive much higher per-child funding than foster care group homes and are funded through city, state and federal education budgets. They also have complicated eligibility requirements and placement is authorized only after an intensive review by local special education committees. The number of city children of all ages in residential special education programs located mostly outside the city, has increased by 11 percent in recent years, from 721 in 2002 to 818 in 2006, according to the city Department of Education.

At the same time, the state is making efforts to provide more residential special education programs closer to home, so that fewer kids are sent outside their communities for those services. That’s been a particular challenge in New York City where there are fewer providers, state education officials say. In the city, the total number of kids in out-of-state residential special education programs has fluctuated from 328 in 2002 to 551 in 2005 to 337 this year.

## TRUANCY INTERVENTIONS IN SHORT SUPPLY

Chronic truancy is one of the primary reasons teens end up in Family Court or the FAP program. If these teens—and their families—could be identified and offered supportive interventions earlier, social service providers say, there would be more likelihood of success. One major obstacle, they say, is a persistent lack of coordination between the school system and the city’s preventive service network.

“I’ve been to Board of Education meetings where I’ve been told there is nothing available” for truant teens, says Fernandez of Edwin Gould. “At our meetings, we can’t get the school people to come. It’s hard to engage them because there’s not a link there. The link has to be set.”

Fernandez says the Child Welfare Collaborative of East Harlem, an ACS-sponsored multi-agency forum she is involved with, has been talking about holding a truancy conference or other projects aimed at encouraging local schools to refer children to preventive agencies in the younger grades.

“We should reach out to the schools so that when kids are having issues when they are nine and ten, that’s when referrals should be made,” she adds.

There are programs in place, such as the Beacon Schools and the state- and city-funded Community Achievement Project in the Schools (CAPS) administered by the United Way of New York City, that agency leaders cite as models for reducing truancy and dropout rates. But their scope is limited. Juanita Ayala, senior director of education for the United Way, says a recent evaluation of the CAPS program showed the program could serve double the number of children who are eligible if funding levels were increased. The program now serves about 10,000 city students.

Recent increases in juvenile delinquency are another sign, preventive agency leaders say, that too many vulnerable youths are being sidelined.

Jeremy Kohomban, president and chief executive officer of Children’s Village, which runs residences for troubled teens in the city and Westchester, says 60 percent of his organization’s 290 beds on the residential campus are now filled with young people referred by the juvenile justice system. Although part of that increase is due to a conscious effort on his organization’s part to target juvenile offenders, it’s still a dramatic shift.

“Our juvenile delinquency numbers are huge,” Kohomban says. “And they have grown again since June.” Meanwhile, PINS cases at Children’s Village have dropped from 7 percent of all placements there in 2005 to just 3 percent this year.

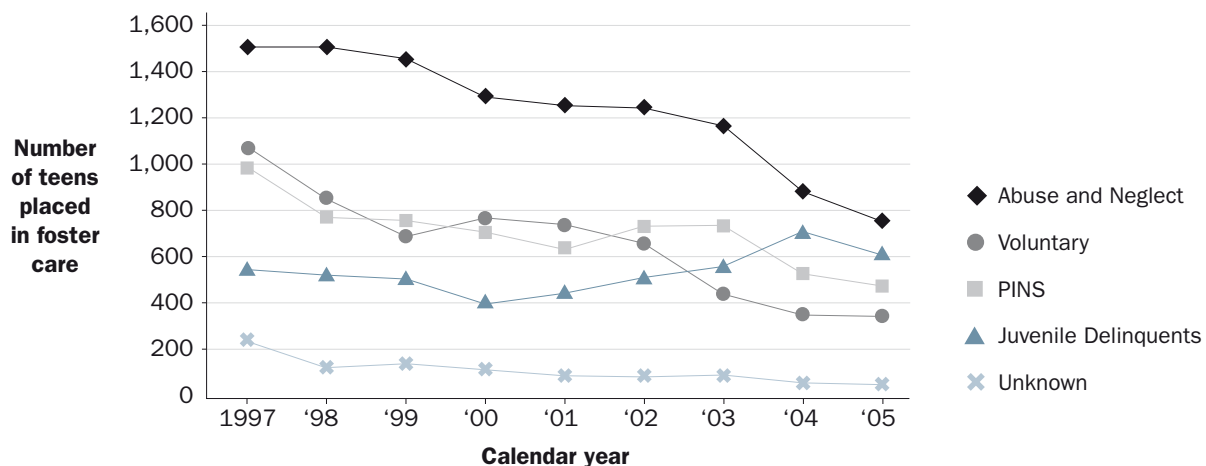
For the city’s preventive service network to be effective in stopping the spiral toward the courthouse, agency leaders say, a more coordinated response among the various parts of the system that deals with wayward teens is in order.

“We’re not exactly sure what the expectation is when these youngsters are referred to preventive,” says Charles Barrios, director of community-based programs for Good Shepherd’s Brooklyn office. “We need clearer guidelines for how we can work together with other parts of the system to be sure kids don’t fall through the cracks.”

Without more resources and attention directed toward troubled adolescents, preventive workers warn that FAP may become an empty mechanism that helps some teens and families but leaves the bigger picture untouched.

“We have to be sure there are alternatives out there that are viable,” Barrios says. “Not just on paper.” ♦

### JUVENILE DELINQUENCY FOSTER CARE PLACEMENTS RISE, OTHERS FALL



The number of teens placed as juvenile delinquents in foster care began a sharp increase in 2002. Meanwhile, teens placed in foster care due to abuse or neglect, PINS or voluntary agreements have all declined dramatically. This chart shows the proportion of teen placements in foster care by reason for placement over the last nine years.

Source: NYC Administration for Children’s Services

mother have to do to get intervention and services?” a desperate Kia asked one night after her daughter had run away yet again.

In its zeal to avoid unnecessary foster care placements, some prevention agency leaders say FAP has made it more difficult to obtain voluntary out-of-home placements for the minority of teens and families who may need them. “Placement is almost impossible to get,” says Tina DiMartino, administrative supervisor at the Staten Island PINS Diversion Program.

To illustrate the problem, DiMartino describes the case of a very depressed 16-year-old named Melissa, who was resistant to participating in services. Melissa rarely attended school, used drugs heavily and got along poorly with her mother. Yet DiMartino felt that, based on her recent experiences seeking approval for out-of-home therapeutic settings for her clients, Melissa had little chance of getting placed. “It just doesn’t happen these days,” says DiMartino. “When I’m confronted with someone like Melissa who needs residential placement but will most likely not get it, what kind of recommendation can you make?”

Preventive agency leaders say city child welfare officials have sought to reduce the number of voluntary placements of adolescents in foster care for many years. “There’s never been an official policy that demanded that [ACS] workers consider alternatives to placement,” says Charles Barrios, director of community-based programs for Good Shepherd Services, a leading provider of services to city youth. “But as far back as 1997 or so, things began to change and the dynamics were different. It’s just more difficult now to get a kid voluntarily placed.”

ACS statistics confirm the trend. While the number of children placed in foster care has declined steeply in the past decade, the decline in voluntary placements of teens—where a parent or caretaker agrees to a minor entering foster care without a court-ordered removal—has declined even more sharply. Among teenagers 12 and older placed in foster care in 2001, nearly one-quarter (23.3 percent) entered the system voluntarily. By 2005, that rate declined to about one-seventh of all teen placements (15.3 percent). In whole numbers, this decline was from 737 teens placed voluntarily in 2001 to 342 placed voluntarily in 2005.

## The Scare Factor

There is a small minority of youth who seem to benefit from the interaction with police and the court system, both of which FAP tries to avoid. This was the case for 16-year-old Angel. Because Angel’s mother, Vicki, didn’t know where her son was when she went to the Bronx FAP office, she was referred to the Department of Probation and advised to get a missing person’s warrant that would help her get a PINS warrant. The Probation Department instructed Vicki to call the police when she found her son so they could arrest him. On the Wednesday before Thanksgiving, she did just that. When Vicki found out her husband’s cousin would be driving toward her apartment with Angel in the back seat a few days after the boy had gone missing, she arranged to have the police there waiting for him. Two officers jumped out and handcuffed Angel on the spot. Later that day, he was taken to an ACS facility, where he spent the night.

Framed by a doo-rag and carefully groomed facial hair, Angel’s face was serious when he spoke about the 24 hours he spent at the Manhattan ACS facility. “I was stressing,” is how the 16-year-old remembers the incident months later.

Few professionals working with adolescents believe police involvement is the best way to reach troubled teens. But Vicki thinks her son’s arrest experience helped him. And, at least when he’s in her presence, Angel agrees. He certainly has made some positive steps in his life since he was taken down to the precinct and later to the Manhattan ACS facility. He began attending GED classes twice a week

*“What does a mother have to do to get intervention and services?” a desperate Kia asked one night after her daughter had run away yet again.*

and working part time carrying boxes at the local meat market. While the police couldn't do much more than pick him up and deposit him at an unlocked ACS facility, the incident gave Angel a serious scare. And, as a result, his mother feels she has more control over him. "Now, if he continues to do what he was doing, I'll just call the cops," Vicki said a few weeks after the incident.

It is cases like Angel's that lead the architects of FAP to believe a PINS warrant—obtained the old-fashioned way through Family Court—can sometimes do some good. "It's sometimes the right thing," says Nancy Hruska of the ACS Division of Policy and Planning, adding that the PINS pathway through the Department of Probation should not be eliminated entirely. "If the parent thinks it can help" then the PINS process can be worthwhile, says Hruska. "And maybe there are a few of these kids who are afraid of Family Court judges. If we can somehow connect to any kid anyhow, that's a win." For this reason, despite the changes brought about by FAP, it is still possible that some persistent parents who insist on going through the court may obtain a PINS warrant for their children.

## Juvenile Offenders

With the number of youth entering both the court system and foster care as PINS significantly declining, it's reasonable to wonder what alternate path these young people's lives are taking. About one-third of families who initially come to the FAP offices do not return after that first visit. So where do teens from these families end up?

No one has yet found out for sure (the Vera Institute of Justice is currently studying the trajectories of FAP families with a report expected out in early 2007). But as court records show, it's possible that at least some of the youth who choose not to continue with FAP wind up in the court system anyway as juvenile offenders.

The number of juvenile delinquency cases filed in Family Court has grown significantly during the last three years, even as the number of PINS cases has dropped. The number of new juvenile delinquency filings in city Family Court climbed from 6,109 in 2004 to 7,185 in 2005—an increase of 17.6 percent.

The number of juvenile arrests has also risen in recent years. As reported in the Winter 2005-2006 edition of *Child Welfare Watch*, there was a 12 percent increase in juvenile arrests between 2004 and 2005, continuing a four-year trend. More recently, the police department has confirmed a continued rise in arrests of juveniles for high-level felonies in 2006, and *The New York Sun* reported a 13.7 percent increase in the number of young people admitted to secure juvenile detention between fiscal years 2005 and 2006.<sup>5</sup>

While it's too early to know for sure whether the trends are related, it's not hard to imagine how the same youth whose families seek help through FAP could end up getting in trouble with the law. Jeremy Kohomban, president and chief executive officer of Children's Village, which provides residential care to children and teens in Manhattan and Westchester, is among those who believe the simultaneous drop in the number of PINS admissions and increase in delinquency cases at his agency are directly related.

"It looks like these are the same kids," says Kohomban, who adds that, upon their children's arrests, some parents express regret that they weren't able to get PINS placements. "They're saying, 'If only we could have gotten some help three or four months ago,'" he says.

Indeed, that was the sentiment expressed by Francine, introduced earlier in this report, whose son Chad was arrested for selling drugs after more than a year in which she unsuccessfully sought to have him designated as a PINS. While Francine was willing to go to the FAP office to have him evaluated and referred to services, Chad was not as amenable.

*The number of juvenile delinquency cases filed in Family Court has grown significantly during the last three years, even as the number of PINS cases has dropped.*

A PINS petition would not likely have helped Francine much in her quest to compel Chad to attend school and respect her rules. But FAP was also unable to help her rein in her troubled and disobedient son. There was no way to force Chad to participate in the program, and he eventually went on to be arrested for selling drugs and sent to Horizon, a secure juvenile detention facility in the Bronx.

“When I was trying to get a PINS, it was hard. Now it’s even harder,” Francine said shortly after Chad’s arrest. Francine felt her son needed more help than he got at Horizon and worried that his time there was more harmful than helpful. “The first time he came home, I noticed this big burn on his chest,” she said, adding that the staff at the facility “didn’t even bother to investigate.” When Chad was later sent to a non-secure detention facility in the Bronx, he got involved with a gang, according to Francine.

While there are potentially serious consequences of being sent into foster care and the Family Court system through PINS, being arrested as a juvenile can also lead to further trouble. If kids are over 16 when they’re arrested, a judge can make a decision to try them as an adult, which can mean harsher penalties and a permanent criminal record.

Clearly, such unfortunate outcomes are exactly the opposite of what ACS and the Department of Probation envisioned when they designed the Family Assessment Program. ♦

*The simultaneous drop in the number of PINS admissions and increase in delinquency cases may be directly related.*

## ENDNOTES

1 Some who were interviewed for this report, including Amelia, chose to use only their first names in order to maintain their privacy.

2 Eric Weingartner, Andrea Weitz, Ajay Khashu, Robert Hope and Megan Golden, “A Study of the PINS System in New York City: Results and Implications,” Vera Institute of Justice, March 2002. Also see: Claire Shubik and Ajay Khashu, “A Study of New York’s Family Assessment Program,” Vera Institute of Justice, December 2005.

3 Wendy Davis, “Nobody’s Homes,” *City Limits*, November 1998.

4 Tina Chiu and Sara Mogulescu, “Changing the Status Quo for Status Offenders: New York State’s Effort to Support Troubled Teens,” Vera Institute of Justice, December, 2004.

5 Alyssa Katz, “Juvenile Arrests Inundate Courts,” *Child Welfare Watch* Volume 12, Center for New York City Affairs and the Center for an Urban Future, Winter 2005-2006; and Bradley Hope, “Rise in Juvenile Felony Robberies Could Presage Increase in Other Crime,” *The New York Sun*, November 6, 2006.

*Also available from the Center for New York City Affairs at The New School*



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*Center for New York City Affairs on the radio*

**“SURPRISE AND RELIEF FOR ONE HIGH SCHOOL GRADUATE”**

When Amelia's mother took her to the local municipal building with the hope of getting her declared a Person in Need of Supervision, she was surprised when her daughter ended up in therapy instead of court. This WNYC New York Public Radio broadcast by Center for New York City Affairs Senior Fellow Sharon Lerner tells the story of the city's changing system for dealing with misbehaving teens through the eyes of one Staten Island high school student. To hear the broadcast, which originally aired June 27, 2005, and read the transcript, go to: [www.nyc.org/news/articles/48751](http://www.nyc.org/news/articles/48751).

## ABOUT THIS REPORT

Many parents in New York City believe the Family Court can take difficult teenagers off their hands and send them to a government-run home that will enforce discipline, improve behavior and make them go to school. As several parents learn each day, “There is no such place.”

Recent reforms have diverted thousands of families from Family Court and into valuable support services—but there are signs these reforms haven’t had a substantial impact on larger issues facing many young people and their families. There remain noteworthy gaps in services and supports for families and teens struggling with serious problems including mental illness, substance abuse, chronic truancy or worse. And problem behaviors are now showing up elsewhere, revealing:

- a steep increase in arrests of young people since 2004;
- an increase in foster care placements due to juvenile delinquency of more than one-third since 2000;
- a severe shortage of effective truancy and drop-out prevention programs; and
- insufficient coordination among city agencies and services that work with teens and their families.

This report tells the stories of many such families and defines policy challenges ahead for New York City.

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