



Diversion and Reentry for Justice-Involved Youth with Disabilities: A Landscape Analysis of Ten New York Counties

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Introduction

In New York State, county justice agencies have discretion in designing and identifying programs for juvenile justice diversion and reentry. Diversion programs offer alternatives to adjudication or detention for youth who violate the law. Reentry programs prepare youth who have been removed from their previous environment (e.g., placed in a detention center or shared residence) to rejoin their community.

Youth diversion and reentry programs can be administered by courts, probation, parole, district attorney’s offices, corrections, community-based partnerships, or hybrid (multi-agency) programs such as collaborations with county sheriff’s offices or schools.¹ Local discretion means that programs and services differ depending on where a young person lives. There are also differences in the extent that counties publicize the offerings available in their jurisdiction.² Directories of these offerings are not only valuable to youth and families, but can be important for *diffusion of innovation*: sharing innovative programming and partnerships around the state.

To help summarize the many types of local programs, the Y-ReCONNECTS project completed a landscape analysis of ten counties in New York State. These included: **Albany, Dutchess, Herkimer, Monroe, Oneida, Rensselaer, Rockland, Warren, Tioga, and Tompkins**. The analysis was done in summer and fall of 2022. The goal was to identify county programs that considered the diversion and/or reentry of justice-involved youth with disabilities (ages 14-24). In some cases, disability was a clear focus, in others disability was an implied part of a broader initiative.³

Overview of Programs

This section provides an overview of county programs relevant to justice-involved youth with disabilities. Types of programs are broken down by category. We took steps to verify the accuracy of the information and the current operation of these programs, including contacting county and program staff. However, it is possible that some of the program descriptions are out-of-date.

Early Intervention

Many county diversion efforts focus on early intervention for “at-risk” youth. Schools are central to these efforts. These programs focus on *avoiding arrest or adjudication*. For example, Oneida County’s **Arrest Diversion Program** partners with [Safe Schools Mohawk Valley](#) to prevent justice-system referrals by working together to quickly address: (1) attendance issues; (2) behavior issues (e.g., disciplinary referrals, bullying, fights, class disruption); and (3) school disengagement.⁴

The program utilizes individualized student assessments to identify needs, and a wraparound approach that provides a continuum of services for schools and students that is modeled on evidence-based practices for improving attendance, academic performance, and behavioral outcomes to avoid

¹ Connie Hayek, *Environmental Scan of Developmentally Appropriate Criminal Justice Responses to Justice-Involved Young Adults*, U.S. Department of Justice, Office of Justice Programs, National Institute of Justice (June 2016).

² Information presented in this report may not be entirely accurate due to changing discontinuations of programs, and lack of information released by County officials.

³ See, e.g., New York State Division of Criminal Justice Services (DCJS), *Shared Services: Alternatives to Incarceration for Defendants and Offenders with Mental Illness* (n.d.), https://www.criminaljustice.ny.gov/opca/shared_mentally_ill.htm.

⁴ Safe Schools Mohawk Valley, *Diversion Services* (n.d.), <https://www.safeschoolsmohawkvalley.org/programs-and-services/diversion-service.php>.





school-based justice referrals.⁵ For youth with disabilities, school disconnect and service gaps are strongly correlated with justice referrals.⁶

Similarly, Herkimer County’s **Kids Herkimer Early Intervention Diversion Program** aims to prevent youth (ages 12-17) from getting involved in the justice system or prevent deeper involvement in the justice system.⁷ An Early Intervention Coordinator assesses the youth’s circumstances including current behaviors, service interventions, protective factors, and community safety concerns—leading to individualized service referrals.⁸ Services are provided until “stabilization is achieved.” Services may include: mentoring, behavior management, individual or family therapy, parent aide, and more.

Efforts like these are driven by recognition of the link between school supports, school justice referrals, and the overrepresentation of racial and ethnic minorities and other marginalized groups in juvenile justice. Youth receiving IDEA services—and particularly youth of color receiving IDEA services—are much more likely to experience school-based justice referrals, and a majority of justice-involved youth with disabilities do not receive needed special education services prior to justice involvement.⁹

Alternatives to Incarceration (ATI)

Other programs involve youth who have already been arrested, charged, or adjudicated. These programs focus on *avoiding out-of-home placement*. For example, Rockland County’s **High School Intervention and Diversion Program (IDP)** focuses on at-risk students (ages 16-21) who have been charged with low-level crimes. IDP involves court-ordered meetings with school administrators and youth, plus their parent or guardian. The administrator is tasked with setting individualized milestone goals and progress reporting, with the goal of successful high school completion.¹⁰

Dutchess County’s **Judicial Diversion Program** creates minimum 18-month, community-based alternatives for individuals with substance use addictions, in a collaboration between courts, local behavioral and mental health offices, probation, and corrections. The four-stage program entails monthly meetings in court, scheduled inpatient or outpatient treatment and support appointments, random drug testing, mental health services, and vocational and educational training.¹¹ There is no specific age range in the publicly-available information about this program.

In Monroe County, the **Family Access and Connection Team (FACT)** is a collaborative between the Monroe County Office of Mental Health, Office of Probation - Community Corrections, and Department of Human Services.¹² FACT operates on the principle that youth ages 18 and under who come into contact with “higher-level” systems like juvenile justice, child protective care, or hospitals “often have unidentified or unmet needs,” and that addressing behavioral challenges through family support can help prevent deeper systems involvement.¹³

⁵ Ibid.

⁶ Zajac, K., Sheidow, A. J. & Davis, M. (2015). Juvenile justice, mental health, and the transition to adulthood: A review of service system involvement and unmet needs in the U.S. *Child Youth Services Review*, 56, pp. 139–148.

⁷ Herkimer County, *Supportive Services Directory for Children and Families* (2021).

⁸ Ibid.

⁹ Office of Special Education and Rehabilitative Services, *Supporting Youth with Disabilities in Juvenile Corrections* (2017), <https://sites.ed.gov/osers/2017/05/supporting-youth-with-disabilities-in-juvenile-corrections/>; National Council on Disability, *Breaking the School-to-Prison Pipeline for Students with Disabilities* (2015); IDEA Data Center, *IDEA Part B Child Count and Educational Environments* (2012).

¹⁰ Rockland County, *High School Intervention and Diversion Program* (n.d.), <https://rocklandgov.com/departments/district-attorney/prevention-and-intervention/high-school-intervention-and-diversion-program/>.

¹¹ Dutchess County Government, Graduation Ceremony to be held for participants in the Judicial Diversion Program (Aug. 20, 2019), <https://www.dutchessny.gov/Departments/County-Clerk/82019.htm>.

¹² Monroe County, NY, *Family Access and Connection Team (FACT)* (n.d.), <https://www.monroecounty.gov/hs-fact-far>.

¹³ Ibid.





Statewide, many ATI programs at the local level focus on mental health and/or substance abuse issues.¹⁴ For example, the **Albany County Rapid Assessment, Intervention and Linkage** program, which was a state-funded, locally-administered program partnering the Probation Department with [Rehabilitation Support Services, Inc.](#) for case management, coordination, and community service referrals for women with mental health diagnoses who are under probation supervision.¹⁵ We were not able to verify if this program is still operating.

One recommendation based on existing research and our own analysis, is that programs extend efforts to incorporate a [Social Model of Disability](#), which considers disability as restrictions imposed by society, through the creation of physical spaces, policies, and practices that do not take into account the various ways that people learn, think, move, and/or behave. The Social Model recognizes that trauma experiences; lack of access to education and human services support; nutrition, healthcare, and housing insecurity; experiences of racial discrimination, and more can be disabling features of a young person’s lived environment. Moreover, justice interactions can be a source of further trauma. Holistically addressing the needs of system-involved youth with disabilities requires culturally-competent screening and identification, case coordination, and interagency referrals, leading to a “wraparound” approach.

Care Coordination and Wraparound Services

An essential feature of innovative diversion and reentry services at the county-level is the use of care coordination and a wraparound services approach in collaboration with community organizations that are prepared and trained to serve youth with disabilities. For example, Oneida County’s Department of Probation and Family Court partners with the [Central New York Health Home Network’s](#) Restorative Integrated Youth Services (RIYS) diversion program to provide care coordination to justice-involved youth with disabilities (ages 17 and under), with to goal of decreasing youth detention, out-of-home placements, and recidivism, and increasing youth social capital and connectedness.¹⁶

Herkimer County received acknowledgement from the White House and President Barack Obama for data collection and resource sharing efforts, which included the creation of an annual guide for children and families, [Supportive Services Directory for Children and Families](#), which is broken down by category (Basic Needs, Behavioral/Mental Health, Case Management, Employment, etc.) and includes program descriptions and key contact information.¹⁷ Diversion services highlighted in the directory include diversion and Persons in Need of Supervision (PINS) programs offered by [Kids Herkimer/ICAN](#) and Herkimer County Department of Social Services. In Warren County, the Probation and Public Defender’s offices recently used Google Maps to create a [Community Resources Map](#) that plots out the locations of substance abuse centers, doctors and medical centers, charities, schools, law enforcement, counselors, food pantries, and child care locations, both in and around county lines.¹⁸

Many counties have some form of interagency council that allows for coordinated assessment of justice-involved youth. For example, in Rensselaer County, the **Court Diversion Council** brings together four human services units: Mental Health, Probation, Social Services, and Youth, who work together to

¹⁴ There are 165 OPCA-funded programs around the state. ATI programs funded by the Office of Probation and Correctional Alternatives but administered locally can include: Mental Illness Programs, Pretrial Services; TASC and Drug and Alcohol Programs; Specialized Programs; Community Service Programs; and Defender Based Advocacy. DCJS, *Alternative to Incarceration (ATI) Programs* (n.d.).

¹⁵ DJCS, *Shared Services*, *supra* note iii.

¹⁶ Central New York Health Home Network, Inc. (CNYHNN), *Restorative Integrated Youth Services (RIYS): Growing Stronger Together* (n.d.). <https://www.cnyhealthhomenetwork.net/r-i-y-s>.

¹⁷ Herkimer County, *Supportive Services Directory for Children and Families* (2021), *see also* Herkimer County, Youth Bureau, *White House Council Acknowledges Herkimer County as One of Twelve Communities Making Positive (Needle Moving) Change* (2010), <https://www.herkimercounty.org/services-and-departments/youth-bureau.php>.

¹⁸ Jay Petrequin, *New Resource Map Offers Help in Half the Time*, *News 10* (Jan. 21, 2022), <https://www.news10.com/news/north-country/get-help-in-half-the-time-with-warren-countys-new-resource-map/>.





meet the needs of system-involved young people.¹⁹ These collaboratives can be valuable in initiating fair assessments and legal responses to youth (ages 21 and under) who are court-involved, but as we will discuss in later sections, there are other, potentially important agencies (e.g., developmental disability, vocational rehabilitation and workforce partners, education) that can play a vital role in diversion and reentry and are not always included in these collaborations.

Mentoring and Supplemental Education

In Oneida County, the RIYS Diversion Program recently partnered with Cornell University in Ithaca, NY to pilot a program called [“Pro Se: Speech & Debate,”](#) which offers virtual mentorship and supplemental educational opportunities in speech, debate, and self-advocacy to justice-involved youth with disabilities (ages 14-17). The program includes peer-aged mentorship and coaching offered by Cornell undergraduate students. Youth who complete the program receive a Cornell certificate of completion in “Speech & Debate.”²⁰

Results from the pilot program indicate that over 80% of the participants either made progress toward their individual goals or successfully graduated from the RIYS program.²¹ Research has shown the importance of connecting justice-involved youth with disabilities to supplemental educational and mentoring opportunities to help prevent drop out, especially as a complement to the fuller array of wraparound services and supports.²² Warren County sub-contracts with [Big Brothers Big Sisters](#) (BBBS) to offer mentoring to justice-involved youth (ages 7-17), and is coordinating with Employment and Training as well as BBBS to start a pilot project for employment and mentoring that links at-risk youth ages 14-17 to employee mentors through local businesses.²³

Employment Training and Supports

Employment training, support, and transitional employment opportunities are a common component of diversion and reentry programming in the state. Successful employment – particularly long-term, secure work that offers economic and other forms of security – is strongly related to other positive reentry outcomes, such as financial independence, life satisfaction and community integration.²⁴ Dutchess County partners with [Project M.O.R.E., Inc.](#) to provide employment-focused reentry programs, using a combination of evidence-based employment groups, cognitive-behavioral interventions, and case management services for participants.²⁵

Tioga County has been working to build stronger linkages between the county Probation Department and the [Tioga Career Center](#), with the goal of connecting more justice-involved youth with local employers, through innovative partnerships and braided positions with education (BOCES), probation, and workforce development partners.²⁶ One important step toward meeting the goal was the Career Center’s hiring of a dedicated staff person to build relationships with schools and Probation,

¹⁹ Rensselaer County, NY, *Court Diversion Council* (n.d.), <https://www.rensco.com/257/Court-Diversion-Council>.

²⁰ Cornell University David M. Einhorn Center for Community Engagement, *Pro Se: Empowering Systems-Involved Youth through Speech and Debate* (2021), <https://oei.cornell.edu/recipient/pro-se-empowering-systems-involved-youth-through-speech-and-debate/>

²¹ Cornell University & CNYHHN, *Preliminary Findings from Pro Se: Speech & Debate Pilot* (2022).

²² See, e.g., Cavendish, W. (2013). Academic attainment during commitment and post-release education–related outcomes of juvenile justice-involved youth with and without disabilities. *Journal of Emotional and Behavioral Disorders*, 22(1), 41–52.

²³ Warren County, *Quarterly Reporting for Y-ReCONNECTS project*, Cornell University (2021-22).

²⁴ Visher, C. A., Lattimore, P. K., Barrick, K., & Tueller, S. (2017). Evaluating the long-term effects of prisoner reentry services on recidivism: What types of services matter? *Justice Quarterly*, 34(1), 136-165. <http://dx.doi.org/10.1080/07418825.2015.1115539>.

²⁵ DJCS, *Dutchess County: Alternatives to Incarceration (ATI) Programs* (n.d.), <https://www.criminaljustice.ny.gov/opca/dutchess.htm>.

²⁶ Tioga County, *Quarterly Reporting for Y-ReCONNECTS project*, Cornell University (2021-22).





and having a WIOA (Workforce Innovation and Opportunities Act) Youth Employment Program staff member present in courts on a weekly basis to receive youth referrals directly from judges.²⁷

Also in Tioga County, [Project Launch](#) is a 12-week pilot program partnering the WIOA Youth Employment Program and Waverly Central School District that acknowledges the relationship between school-to-work transition success and justice system involvement.²⁸ Through the project, recent graduates work with a potential employer as well as the district for 30 hours a week, offering transitional employment opportunities. The specific goals of the program include opportunities to: (a) develop workforce skills while in a safe and supported environment; (b) take college classes with the support of teachers; (c) access college and internships; and (d) receive paid work-based learning opportunities funded by the WIOA Youth Employment Program.²⁹

Warren County’s **Raise the Age Employment and Training Project: The Youth in Work Experience** was developed specifically for justice-involved and at-risk youth (ages 16-19) who are both in-school and out-of-school and need employment training and work experience. In this program—which is offered through adjustment services and formal probation supervision—Probation sends referrals to the county Employment and Training Administration (ETA) office, who evaluate the youth, teach soft skills, communication skills, and on-the-job training. ETA also provides work sites, work skills training, work materials, and assists the youth in maintaining employment.

Restorative Justice and Intergroup Dialogue

Oneida County’s arrest diversion program also provides therapy for youth (ages 10-17) focused on understanding atonement and fairness principles, and has been found by the county to be particularly effective at deterring nonviolent offenses—resulting in annual savings of about \$166,000-\$260,000 per student who is not referred to the justice system.³⁰

The Warren County Probation Department collaborates with [Mediation Matters](#) to provide trainings to staff on restorative justice principles and community building, and to host youth ambassador-led community building Circles. The ambassadors are youth who are currently involved in the criminal justice system.³¹ Warren County also: (a) collaborates with the Glens Falls School District to offer truancy prevention circles to at risk youth; (b) offers [One Circle Foundation](#) evidenced-based programs to at-risk youth and adjustment/diversion (ages 12-17); (c) [“Girls Circle”](#) model, a structured support group for girls and youth who identify with female development from 9-18 years that includes relational theory, resiliency practices, and skills training in a specific format designed to increase positive connection, personal, and collective strengths; and (d) offers The Council for Boys and Young Men, a strengths-based group approach for boys and youth who identify with male development to promote their safe and healthy passage through pre-teen and adolescent years.³²

Another example of restorative justice practice is the use of “youth courts.” Youth Court is an educational program that features youth volunteers in 7th-12th grade serving as arbiters of peer behavior as an alternative to justice referral, which in theory develops a sense of justice, fairness, and the law.³³ Efforts to develop youth self-advocacy and public speaking skills have been demonstrated to help

²⁷ Ibid.

²⁸ Johnny Williams, Project Launch Looks to Support Graduates, *Morning Times* (Aug. 3, 2022), https://www.morning-times.com/news/article_4ae2755d-17c4-5de0-95be-1021e5ed0ca0.html.

²⁹ Ibid.

³⁰ Safe Schools Mohawk Valley, *Outcomes* (n.d.), <https://www.safeschoolsmohawkvalley.org/outcomes.php#sub-program-93>.

³¹ Warren County, *Quarterly Reporting for Y-ReCONNECTS project*, Cornell University (2021-22).

³² Email with Warren County Probation Staff (August 2022).

³³ Council for Prevention, *Youth Court* (n.d.), <https://councilforprevention.org/warren-county-youth-court/>.





multiply marginalized youth regain a sense of control and self-determination in their lives, and also offer opportunities to develop protective educational, social, and career capital while avoiding the damaging impacts of justice involvement.³⁴ Albany county has initiatives and programs aimed at integrating restorative justice principles, such as [Community Prosecution](#) and the [Project Growth](#) demonstration.

Some county-level diversion and reentry programs focus on facilitating intergroup dialogue, and fostering important relationships for youth through mentorship opportunities, reimagining of relationships between communities and law enforcement, and restorative circles. An example of such an effort is **Rockland County’s Youth & Police Initiative (YPI)**. Rockland’s YPI focuses on youth meetings with police, counselors, and educators to establish common ground via dialogue, which helps strengthen community bonds.³⁵ YPI incorporates a training program, developed by the [North American Family Institute](#), meant to “enhance police officers and prosecutors understanding of the beliefs, values, and experiences of local youth, while ensuring that youth develop a genuine regard for the challenges that police officers face on the job.”³⁶

The Monroe County Sheriff’s Office appoints a county [“Autism Liaison,”](#) who serves as a link between the community and the Sheriff’s Office, scheduling outreach meetings with local community members to “discover their issues and concerns.”³⁷ Examples of community events stemming from this include a recent event titled “Discussing Elopement and Safety for Individuals with ASD [Autism Spectrum Disorder] and Related Disabilities.”³⁸

In 2019, following the implementation of New York’s *Raise the Age* legislation, and in anticipation of PINS Reforms in 2020, County Probation Supervisors from Rensselaer, Warren, Albany, Schenectady, and Saratoga created the Juvenile Supervisor/Sr Forum. Supervisors or Sr. Probation Officers meet quarterly to share and discuss trends, data, policies, community resources, training efforts, new initiatives, and service planning for juvenile and youthful offender populations.³⁹ This initiative has recently grown to include supervisors from Washington County, Columbia County, and Essex County.

Cultural Competency Training

One common program component across diversion and reentry programming in the state is the development of “cultural competency training,” often in partnership with community-based organizations. Training often focuses on justice personnel’s understanding of disability. Disability cultural competency gaps among law enforcement, detention, and court services personnel are an important need area identified in the research.⁴⁰

Some training focuses broadly on understanding disability categories and diagnoses for groups that are overrepresented in justice interactions—such as intellectual and psychiatric disabilities—so justice personnel do not interpret manifestations of disability as noncompliance, and are able to more effectively serve these groups. For example, Monroe County law enforcement and courts have been

³⁴ See, e.g., Hogan et al., Speech and Debate as Civic Education, *Communication Education*, 65(4), 377-381 (2016).

³⁵ Rockland County, *Youth & Police Initiative* (n.d.), <https://rocklandgov.com/departments/district-attorney/prevention-and-intervention/youth-and-police-initiative/>.

³⁶ Ibid.

³⁷ Monroe County Sheriff’s Office, *Liaisons For The Monroe County Sheriff’s Office* (n.d.), <https://www.monroecounty.gov/sheriff-liaisons>.

³⁸ University Of Rochester, Golisano Children’s Hospital, *Discussing Elopement and Safety for Individuals with ASD and Related Disabilities* (Nov. 5, 2022), <https://www.urmc.rochester.edu/childrens-hospital/developmental-disabilities/skirboll-conference/sessions-and-speakers.aspx>.

³⁹ Email with Warren County Staff (July 2022).

⁴⁰ Kvarfordt, C. L., Purcell, P. & Shannon, P. (2005). Youth with learning disabilities in the juvenile justice system: A training needs assessment of detention and court services personnel. *Child and Youth Care Forum*, 34.





working with the organization [Autism Up](#), to provide trainings on intellectual disability⁴¹ and Albany County’s **Rapid Assessment, Intervention and Linkage** program offers general mental health training for probation officers in collaboration with [Rehabilitation Support Services, Inc.](#)⁴²

Other trainings combines disability cultural competency with understanding of other government systems, such as mental health and developmental agencies, special education, and more. For example, Warren and Rensselaer county probation departments partner with the community organization [Parent to Parent of NYS](#) to offer training on topics like “Special Education Policies and Procedures.”⁴³ These efforts highlight the importance of other systems understanding special education laws and rights.

The most common type of training received on disability issues involves “Crisis Intervention Team” (CIT) training for first responders, to promote disability awareness and divert youth with intellectual, developmental, and other disabilities from unnecessary justice referrals or involvement. Examples of this include Dutchess County’s **ThinkDIFFERENTLY Initiative**.⁴⁴ One important consideration is how general or specific to make training, and how to ensure that the competencies developed *cut across* all key systems, rather than overly focusing on law enforcement and first responders.

Conclusion

The goal of this landscape analysis was to summarize some key types of diversion and reentry programs available for justice-involved youth with disabilities in New York State. We consider this landscape analysis to be a “living document.” If you work for a county-level agency or community service provider and have a program that you would like to have included in this review, or if you have recommended changes to the descriptions of some of the programs discussed in this review, please reach out to LaWanda Cook (lhc62@cornell.edu) or Matthew Saleh (mcs378@cornell.edu), Co-PIs of the Y-ReCONNECTS project.

⁴¹ Monroe County. (2020). *Year 1, Quarter 3 Report for the Y-ReCONNECTS project*. Cornell University.

⁴² DJCS, *Shared Services*, *supra* note iii.

⁴³ See, e.g., Parent to Parent of NYS, Flier: Virtual Conference “Special Education Policies and Procedures,” Sponsored By Rensselaer County Probation Department (Sep. 15, 2022).

⁴⁴ Dutchess County Government, *County Hosts Emergency Management Disability Awareness Training for First Responders & Disability Advocates* (2019), <https://www.dutchessny.gov/Departments/County-Executive/39029.htm>.

