

#72884

To: The Honorable Board of Acquisition and Contract

From: Rocco A. Pozzi  
Commissioner, Department of Probation

Date: November 26, 2019

Re: Authority to enter into an agreement with Children's Village, Inc. for the provision of Non-secure Detention and related diagnostic and educational services for the period from January 1, 2020 through December 31, 2024 in an amount not to exceed \$18,146,733.

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Authority is requested for the County of Westchester (the "County"), acting by and through its Department of Probation, to enter into an agreement with Children's Village, Inc. ("Children's Village") for the provision of non-secure detention and related diagnostic and educational services for the period January 1, 2020 through December 31, 2024 ( the "Agreement") in the total amount not to exceed \$18,146,733 payable in the sum of \$3,447,328 in 2020; \$3,536,015 in 2021; \$3,626,993 in 2022; \$3,720,328 in 2023 and \$3,816,069 in 2024, in accordance with an approved budget and subject to appropriations.

The County, through its Department of Probation ( the "Department"), is required to provide non-secure detention and educational services as well as related diagnostic services to all youth referred by the New York Family Court as Juvenile Delinquents ("JDs) . The County issued a Request for Proposals ("RFP") on July 19, 2019, for Juvenile Non-Secure Detention Services which resulted in one proposal. Although Children's Village was the only proposal received, the Department of Probation carefully reviewed the proposal and determined that the proposal of Children's Village was advantageous to the County and came in at a reasonable cost. Therefore we recommend the award of this Agreement to Children's Village.

Pursuant to the proposed Agreement, The Children's Village will provide diagnostic, educational and non-secure detention ("NSD") services for all youth referred to The Children's Village who are JDs. Pursuant to the contract, The Children's Village will provide services to individuals ages 10 to 17, who are JDs referred by the Westchester County Family Court and the surrounding Family Court Jurisdictions in the lower New York State region. These individuals will be awaiting pre- or post-disposition or fact finding with the Westchester County Family Court and surrounding regional Family Courts. This includes youth who are being considered for NSD or Detention, but who have yet to be remanded, or youth who have been remanded to NSD or Detention, but for whom a further determination has been

made to reduce the days in the facility in favor of community supervision. The Probation Department will provide supervision while Children's Village staff will assist the probation officers to insure compliance and community safety by monitoring the youth's activities in the community through their Alternatives To Detention ("ATD") Program. Youth who are compliant may be graduated to a lesser level of probation supervision commensurate with their risk and need.

The County's non-secure detention facility receives one hundred percent of all of the referrals for youth remanded to NSD by all Westchester County Family Courts. Pursuant to the proposed agreement, the Children's Village will operate the only NSD facility in Westchester County, which is a 24-bed facility (12 female and 12 male) and can serve up to an estimated total of 300 youth annually. The Children's Village cannot refuse acceptance of a remand even if it is at maximum capacity, and must assist the Department in coordinating the transporting of youth to NSD services at other locations within the County until they can be returned to Children's Village.

The services to be provided pursuant to this agreement will serve a public purpose by providing an appropriate residential facility and necessary services to ensure the health, safety and well being of youth remanded to NSD, in an environment that encourages positive behavior while discouraging problem behavior. The services will help reduce the reliance of bed care days for certain youth, pending disposition, fact finding and/or placement. The programs will give youth who are remanded to NSD and who are doing well in the non-secure detention facility an "alternative to detention" while waiting return to court.

The goals and objectives of this contract are to provide the required diagnostic, educational and NSD services to youth remanded to NSD by Family Court as well as support services for their families. The proposed services will help reduce the number of bed care days, thereby impacting the need to rely on NSD "over census" beds out of County and the associated costs, while maintaining comparable levels of youth and community safety, youth appearance at court dates, and compliance with other related court orders, such as court ordered evaluations. The Program will maintain or reduce the number of youth placed into Secure Detention / Specialized Secure Detention by remanding youth to the NSD facility and the Alternatives to Detention Program.

The goals and objectives of this agreement are in the best interest of the County as they are designated to ensure the health, safety and well-being of youth remanded to NSD. The Children's Village not only provides security for the youth in their care, but they are also committed to maintaining a high level of security that ensures the safety of the local community. Pursuant to the Agreement, The Children's Village will provide diagnostic, educational and NSD services for all youth referred who are JDs. This program operates on a highly renowned Positive Behavioral Interventions and Support ("PBIS") model that develops a culture that presents positive adult models for children in a safe environment where they can build self-esteem, develop positive relationships, and improve their social and academic abilities. The foundation of this approach emphasizes teaching children appropriate behaviors through modeling that will result in youth adopting these traits. The Children's Village also provides a comprehensive aftercare service program when dispositions have been secured for youth who are discharged home.

The goals and objectives of this contract are in the best interest of the County in terms of fiscal responsibility because it will result in reduced reliance on bed care days for identified youth pending disposition, fact finding and/or placement while maintaining a comparable degree of safety for the youth in a Non-Secure Facility or the community. Stepping down from the FCAP facility where the per diem cost is approximately \$400 to the lower cost of "alternatives to detention" program where the per diem cost is approximately \$183.96, results in a potential cost savings of \$220 per day per child. This reduced

bed care day usage is expected to have improved outcomes for youth resulting in a lower rate of foster care placement (foster care placement in a residential facility can cost as high as \$1000 per diem per child). The ATD program can also result in cost savings by freeing up beds in the NSD facility. This will reduce the usage of bed care days at the NSD out of County “over census” detention facilities such as Berkshire Farms Center and Services for Youth.

The goals and objectives of this contract will be tracked and monitored by the Department of Probation using the Performance Measurement Indicators adopted by the Department and approved by the Westchester County Budget Office. Weekly, monthly and quarterly reports will be submitted by the vendor. Site visits will be conducted by Probation program staff. The program office will be responsible for evaluating the effectiveness of the program.

The Department is able to report, based on the performance measures, that Children’s Village has met the performance goals during the 2019 contract year. To date, the NSD program had 139 admissions, for a total of 2347 care days. Of the 238 youth admitted to the program, all received educational services, recreational services, casework services and health services. A total of 24 psychological evaluations, 26 psychiatric evaluations, 2 substance abuse evaluations and 1 fire-setting evaluations were completed during this period.

The alternatives to detention program served a total of 27 children during calendar year 2019, most often for multiple months per individual (ranging from 1 to 4 months generally). Again, those cases served prevented immediate placement in detention in an effort to maintain children in the community and forestall residential placement.

Accordingly, approval of the attached resolution authorizing the County to enter into an agreement with Children’s Village for five years, is respectfully requested.

RAP/DI  
Attachment

**RESOLUTION**

Upon a communication from the Commissioner of the Department of Probation, be it hereby

**RESOLVED**, that the County of Westchester (the "County"), acting by and through its Department of Probation, is authorized to enter into an agreement with Children's Village, Inc. ("Children's Village") for the provision of juvenile non-secure detention and related diagnostic and educational services for the period January 1, 2020 through December 31, 2024 ( the "Agreement") in an amount not to exceed \$18,146,733, payable in the sum of \$3,447,328 in 2020; \$3,536,015 in 2021; \$3,626,993 in 2022; \$3,720,328 in 2023 and \$3,816,069 in 2024, in accordance with an approved budget; and be it further

**RESOLVED**, that this Agreement is subject to County appropriations; and be it further

**RESOLVED**, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period after such release(s) or adoptions(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right either to terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

**RESOLVED**, that the County Executive or his authorized designee is authorized and empowered to execute and deliver all instruments and take all action necessary and appropriate to effectuate the purpose hereof.

Account to be Charged/Credited

Year	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub-Object	Trust Account	Dollars
2020	101	39	2000	4380		3,447,328
2021	101	39	2000	4380		3,536,015
2022	101	39	2000	4380		3,626,993
2023	101	39	2000	4380		3,720,328
2024	101	39	2000	4380		3,816,069

Budget Funding Year(s) 2020-24 Start Date: 1/1/20 End Date: 12/31/24  
 (must match resolution)

Funding Source

\$ 18,146,733

(must match resolution)

Tax Dollars \$9,254,834  
 State Aid \$8,891,899  
 Federal Aid \_\_\_\_\_  
 Other \_\_\_\_\_