



COUNTY OF DUTCHESS
DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

December 16, 2022

Re: Raising the Lower Age of Juvenile Delinquency—Differential Response

Dear community stakeholders,

We are writing to notify you that effective December 29, 2022, the lower age of legal jurisdiction for Juvenile Delinquency in the state of New York changes from the age of seven (7) to age twelve (12). In addition, under the Family Court Act Chapter 810, as amended by Chapter 38 (18 NYCRR Part 4370) the statutory authority is removed from Probation Departments to local Social Services Departments for this age group.

The goal of this change is to remove from the juvenile justice system the youngest children who engage in challenging behavior and to respond to their needs through community-based services. Law enforcement agencies may no longer issue Appearance Tickets for youth under age 12 in all, but the most serious felonies related to manslaughter, vehicular manslaughter, or murder.

The Dutchess County Department of Community and Family Services (DCFS) will offer Differential Response Programs for these youth whose age and behavior would have formerly fallen under the definition of juvenile delinquency under Article 3 of the Family Court Act. Participation of youth and families in differential response programs is voluntary. Referrals for Intake may be made by law enforcement agencies, schools, parents, or community agencies.

We have enclosed a brochure describing the services, and the referral form to the Differential Response Raise the Lower Age program (DR-RTLA). When making a referral, it is critical to complete and submit the DR-RTLA referral form including any additional pages needed to describe the situation. Referrals can be made by fax to (845) 486-3288. The RTLA program contacts will reach out to the child's family to offer services and supports. In Dutchess County, the DCFS DR-RTLA contact will be Corinne Lesko, Case Manager II. She can be reached by phone at (845) 486-3664 or (845) 486-3024.

If you have any questions, please reach out to Ms. Lesko at the number provided above.

Sincerely,

Mary Ellen Still
Director
Office of Probation & Community Corrections

Sabrina Jaar Marzouka, JD, MPH
Commissioner
Department of Community & Family Services