

John Caher: Welcome to Amici, news and insight from the New York Judiciary and the Unified Court System. I'm John Caher. Once again, due to the kindness and generosity of Susan Arbetter, host of Capitol Pressroom, we are able to share with our listeners one of Susan's recent radio programs in which she interviews the Honorable Andra Ackerman, a criminal court judge in the Albany County city of Cohoes who has just launched a first of its kind mentoring program called United Against Crime Community Action Network or U-CAN.

Through the U-CAN program, Judge Ackerman has linked volunteer mentors with troubled young defendants, primarily those aged 16 to 21. The idea is twofold, to provide a positive role model, support and stepping stone for older teens and young adults who are at a crossroads, but also to prevent crime and save an innocent person from being the victim of a robbery, assault or other offense committed by an angry individual.

Although Judge Ackerman is relatively new to the bench—she was appointed in 2016 by Mayor Shawn Morse of Cohoes—she is hardly naive. For 13 years, she prosecuted special victim cases in several counties. She was also the director of the Office of Human Trafficking Prevention and Policy at the State Division of Criminal Justice Services. She is no stranger to the criminal justice system.

Susan's interview with Judge Ackerman took place on October 20, 2017 and is archived, along with her other programs, on the WCNY website.

Susan Arbetter: Older at-risk teenagers who have aged out of family court are at a vital crossroads. According to my next guest, that road leads either to a productive life or state prison. These kids are teetering on the very edge. A program called United Against Crime—Community Action Network, which people call U-CAN, an anti-crime program for Cohoes, focuses on this group of teens and young adults that are between the ages of 16 and 21-years-old. The program was developed by the Honorable Andra Ackerman, a judge in the Cohoes City Court system. Welcome. How are you?

Judge Ackerman: Thank you so much, very honored to be here.

Susan Arbetter: This program is just remarkable. What transpired in your courtroom? You started in Cohoes in, what, 2016 I think?

Judge Ackerman: I did.

Susan Arbetter: What started happening in front of you that would make you think, "You know what? This is a problem that needs to be solved"?

Judge Ackerman: I remember this from the first day I took the bench. Through the course of that month, I had many 16 to 21, some are 22, 23, they're also in the program, individuals, young adults standing before me that had so many similar

backgrounds that I had. I remember sitting there thinking, "How is it that I made it to where I am and they're standing before me?"

I pulled the files of these 16 to 21-plus young adults in my court. I saw things such as the father being absent or in prison in almost all the cases, mothers addicted to drugs and/or alcohol or otherwise emotionally not present in their lives. They're poor. They feel worthless and directionless and their crimes are slowly and sometimes rapidly increasing and escalating in seriousness.

If they're in school, they're struggling, on the brink of dropping out, flunking out or being expelled. When they appear in court, they usually don't have anybody with them, zero support system. They're angry at the world. When they're standing in front of me, outside is the anger, but it's almost like a translucent onion. I could see, peeling back that layer, sadness and fear. I resonated with all of those feelings.

Susan Arbetter: You resonated. I need to explain that you saw something of your own background in the eyes of these kids.

Judge Ackerman: I did. From 10-years-old and up, I was in and out of foster care, mostly in foster care. A couple times, my mom made an attempt to get me back. Honestly, we all know the reason why; it's because she received money from welfare for me. Long story short, I had three different foster homes, the last one at 14-years-old.

I thought to myself, "How did I live a life so similar to them of feeling unworthy, no one being there, not being supported and how did I make it where I am and they're here?" I realized I had stepping stones. What's important is I was a very talkative girl. I would meet with my guidance counselor and I would say things like, "Hello. My mom's an alcoholic and I've got eight different fathers in the last year-and-a-half," and opening the door-

Susan Arbetter: Somebody heard you?

Judge Ackerman: Yes. They would meet with me for about an hour a week. They thought I was adorable and they helped me. I had stepping stones all through my life. Even in the foster care system, there was always somebody there that made me feel like I was important. The last foster family I had was amazing. They're my parents today. When I was 14, it was the first time anyone asked me what I wanted to be when I grew up. I didn't even know how to answer it, because nobody had ever asked me that.

Susan Arbetter: You were just very focused on what is happening in the next year?

Judge Ackerman: Absolutely. I was focused on survival. Where was I going to be living? Where's my sister living? Where is she? Am I going to get to see her? She was in a different placement. I looked at this and I realized these young males, we have

some females, too, but you should know it's predominately males because they're internalizing what's happening to them. They're not talking.

Susan Arbetter: The way you are?

Judge Ackerman: Yeah. I wanted to bring to them what I, I think, almost subconsciously sought out as a kid. I would reach out to a guidance counselor and loved my meetings. All through middle school, all through high school, I met with the same guidance counselor for all of those years once a week for free and it helped me tremendously.

Susan Arbetter: All right. What you did is take that experience and you have translated it into this U-CAN program for the young adults that have come before you in Cohoes City Court?

Judge Ackerman: Yes. I realized that you can give them the probation, which is very important — the structure, making sure they go to school when they're supposed to or being in a vocational or a GED program. You can give them an assigned probation officer. All of this we do. But if they don't have some support through that year-long process, someone to lean on, to understand, to help explain to them, for example, setting alarm clock. I lived in a household when I was a kid that my mom didn't work. She didn't set an alarm clock. Teaching them to just be on time, for example. You expect these kids to show up on time, but they don't have any role models for that. It's just one example of many, and the mentor provides that support to help them through the structure of probation.

Susan Arbetter: Can you give us some other examples? I mean, that shocked me.

Judge Ackerman: What, that they don't-

Susan Arbetter: Yeah.

Judge Ackerman: Being at any appointment on time. Let's say it's not even just setting an alarm, okay? Say you have to be at school on time. A lot of these kids are historically late because they get up when they get up. They don't understand value in somebody else's time. There's an appointment, for example, with a probation officer who's there at 2:00 to meet with them. They might waltz in a quarter to 3:00. To them, in their mind, what is the big deal? You're there anyway. They're not being taught to understand ...

Susan Arbetter: The value of somebody else's time.

Judge Ackerman: The value of somebody's time and their own value as well as a human being and that these people are doing this to help them because they believe in them. That's something they just don't have, that these things are there to help them grow.

Susan Arbetter: Take us through the process, Judge Ackerman. Somebody comes before you, what happens then?

Judge Ackerman: Okay. If we find that there's an individual who fits the program, and when I say "fit the program," it means they've got a history building up, they now have a misdemeanor, potentially looking at a conviction in our court. It doesn't include sexual abuse. I'm not saying there aren't programs for them to help them, but this is not the program for them. Or domestic violence. Again, other programs for them. Not the one for us.

We typically have crimes that are leading and escalating that you'll have, I'll give you an example of, say somebody's breaking into an unlocked car and stealing credit cards. It ends up being reduced down to a misdemeanor in our court. Now I've got about three files with this defendant, that being the top charge.

Our goal is to have them not have a criminal history, but initially they plead guilty to a misdemeanor. They go on a year of interim probation. We have a specially assigned probation officer who meets in our court. They sign school releases so that we know that they're going to school on time. If they're not in school, they're in a GED program or some kind of vocational program. Many of our defendants smoke pot, drink alcohol. They're tested for that weekly.

Susan Arbetter: Who does this testing?

Judge Ackerman: Probation department right there in-

Susan Arbetter: Albany County Probation?

Judge Ackerman: Albany County Probation Department does that.

Susan Arbetter: We're going to talk about the collaborations that you've created.

Judge Ackerman: Oh, it's amazing. Yes, amazing.

Susan Arbetter: Okay.

Judge Ackerman: Then, they're assigned a mentor, and there's a lot that goes into that. They're assigned a mentor from our community in Cohoes. There's a few that live in Albany County that drive to Cohoes. They have to meet with that mentor once a week. If there's an issue that comes up ahead of time, then it'll be two hours the following week. It really ends up being four hours a month. Studies show one hour a week out of consistency is-

Susan Arbetter: That's enough?

Judge Ackerman: It's a minimum, but I've got stories I could tell you. Right now, I have mentors and mentees meeting a couple of times a week and it's amazing.

Susan Arbetter: Well, tell us! Yeah, tell us about these people!

Judge Ackerman: There's one individual I can think of that when he first came into the program, he's like every kid. He's rolling his eyes, whatever. Just to give you a full picture, he's a six-foot-four, 240-pound, a little pudgy, 19-year-old. I assign him with a mentor who is a six-foot-five, 240-pound, full of muscle, Haitian. I say Haitian, because they're the same race, the mentor and the mentee.

This becomes important in this specific situation, because initially the mentee skipped two appointments with his mentor. We had a feeling of what it was, but he ended up communicating with his mentor later. The third time, when he was admonished from the court, he apologized to the mentor, saying he thought he was some "skinny little white boy" who was going to tell him how to live his life. Since then, the connection between the two has been amazing. They're meeting a couple of times a week.

This defendant is making incredible progress. He is a different defendant. He stands up before me, he's proud. He looks me in the eye. He's been working out with the mentor at the community center, which gave them both a free pass. Cohoes Community Center gave every mentor and every mentee in the program a free one-year pass at the community center. They're meeting there more than once a week. It's making a tremendous difference.

Susan Arbetter: Okay. So far, I've heard about the Albany County, the drug testing facility. There's you in the court, there's the community center, the school. How many connections are you making to do this?

Judge Ackerman: This is unbelievable. We are in a position—and I say "we," John Caher from Office of the Court of Administrations has been really a partner in this when it was just an idea for me, almost less than a year ago really and we're already up running. Everyone that we went to said yes. It's amazing. Our County Executive, Daniel McCoy, has been tremendously supportive of this program, in addition to providing with us the public defender's office, giving us a specialized public defender, giving us a specialized probation officer who comes to Cohoes City Court because a lot of these kids, they don't drive, they don't have any support. They can walk there from there.

Our mayor in the city of Cohoes, giving us space outside of the court system to do the urine testing, the drug testing. Cohoes Police Department having somebody there to participate in the drug testing.. The superintendent of the school district, the whole school district being on board with this program. We also have a doctor now, a psychiatrist...

Susan Arbetter: Who's volunteering?

Judge Ackerman: Volunteering his time to drive from Schenectady to Cohoes to meet with two of our defendants who need the mental health treatment the most. I believe we are going to see that increase.

Susan Arbetter: There are two issues that I want to ask you about. One, it sounds like the program might not be-

Judge Ackerman: Oh.

Susan Arbetter: Yes? What?

Judge Ackerman: One big component that I don't want to overlook here is Matilda Cuomo. This would not be here if it was not for her and her program.

Susan Arbetter: She's the mentor queen.

Judge Ackerman: The mentor queen. For this program, it's important for you to know, she assigned Brad DiPietro, who's been amazing. They train every mentor in the program, provide the orientation, provide support for the mentors, which they need, and pay the \$75 fingerprinting background check for them. Mrs. Cuomo's program does all of this. She's been a huge supporter and it's made the cost so low for us in the city of Cohoes that we are able to sustain this without many additional resources that aren't already accounted for in our county.

Susan Arbetter: Okay. Judge Ackerman, that was exactly where I wanted to go, the cost. It's a low cost, thanks to the mentoring program.

Judge Ackerman: New York State Mentoring Program.

Susan Arbetter: Okay. Is it sustainable, though? I hear that some people are volunteering their time. Certainly the mentors are volunteering. They don't get paid, right?

Judge Ackerman: Right, they do not. I believe that it is. I'll tell you why, because we have such a system set up. We already have about 15 additional mentors that haven't been assigned defendants yet. These mentors actually are, what's the word, their heart is swelling over this, too. It makes them feel good to be participating in this. With the cost being so low, as long as we have a doctor, for example, who commits to two patients a year, we have ... Does that make sense?

Susan Arbetter: Yes.

Judge Ackerman: It's everything we have and then we have additional mentors in the future for cases. I'm pretty much guaranteeing that the mentors in this program, at least half of them will want to do it again.

Susan Arbetter: All right. Is there a pipeline of mentors? If that flow stops, that's when the problem begins.

Judge Ackerman: Absolutely. I can tell you, that was the thing that made me nervous initially. I sent out an email just to a bunch of people, just letting them know about this program and seeing if there was any interest. It was amazing. Then, they would let other people know. Then, there were more people, literally people reaching out-

Susan Arbetter: They told two friends and they told-

Judge Ackerman: Yes.

Susan Arbetter: All right. How do you match the mentor with the mentee?

Judge Ackerman: Great question. We have them fill out an orientation form, both the mentee and the mentor. We see what their likes and dislikes are.

Susan Arbetter: Like eHarmony.

Judge Ackerman: Like eHarmony, exactly. Here's the beauty of it. Luckily being a small city, I know a lot of these personalities. I know the defendants in my court, how they comport themselves. That's a huge factor and we've made some great connections just on that. When there's common things to connect with initially, what these kids really need is someone to make them feel valued, teach them how to value themselves, ask them about themselves. Nobody's spending an hour with them to talk about them and their life or what they want to do and what their thoughts are on the world. That's priceless. We get the right mentor who is going to engage that person.

Susan Arbetter: Maybe ask them, "What is it that you want to be when you grow up?"

Judge Ackerman: I'm just going to say this one thing, because this killed me. I know what it feels like when no one asks you. I remember the first time I was asked, I was speechless. I said, initially, that I wanted to be a stewardess. Then I would say I wanted to be a police officer. It took a long time to figure out I wanted to go to law school.

There was one defendant in our program that wouldn't make eye contact, looking down all the time. On his orientation form, he left blank what he wanted to be, what his interests are when he becomes an adult. I had to ask him if anyone's ever asked him what he wanted to be when he grew up and he shook his head no and he got teary-eyed. I said, "I really want to know. I really want to know what you want to be when you grow up."

Susan Arbetter: Did he tell you?

Judge Ackerman: Yeah. Well, he didn't know then, but he's come back later. Now, he wants to be a police officer, but his mentor's a fireman. They're talking about that.

Susan Arbetter: Terrific. We've been discussing a program called United Against Crime—Community Action Network, which people can call “U-CAN.”

John Caher: Thanks for listening to Amici. If you have a suggestion for a topic on Amici, please contact me, John Caher at 518-453-8669 or send me a note at [jcaher@nycourts.gov](mailto:jcaher@nycourts.gov). In the meantime, stay tuned.