

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GENERAL WELFARE

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Thursday, October 13, 2022

Start: 10:15 A.M.

Recess: 12:38 P.M.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: Honorable Deputy Speaker Diana  
Ayala, Chair

COUNCIL MEMBERS:

Tiffany Cabán  
Crystal Hudson  
Linda Lee  
Chi A. Ossé  
Lincoln Restler  
Kevin C. Riley  
Althea V. Stevens  
Sandra Ung  
Nantasha M. Williams

OTHER COUNCIL MEMBERS ATTENDING:

Carlina Rivera

COMMITTEE ON GENERAL WELFARE  
A P P E A R A N C E S

Jess Dannhauser,  
Commissioner of the Administration for Children's  
Services

Ina Mendez,  
Interim Deputy Commissioner for the Division of  
Family Permanency Services

Stephanie Gendell,  
Deputy Commissioner for External Affairs

Anthony Wells,  
President of the Social Service Employees Union  
Local 371

Amiee Abusch,  
Senior Vice President of Foster Care, Prevention and  
Community Partnership

Ellen Ampofo,  
Director for Programs for New Yorkers for Children

Kate Wood,  
Special Litigation and Law Reform Unit at the Legal  
Aid Society Juvenile Rights Practice

Zachary Ahmad,  
Senior Policy Counsel at the New York Civil  
Liberties Union

Nila Natarajan,  
Supervising Attorney and Policy Counsel in the  
Family Defense Practice at Brooklyn Defender  
Services

Alex Stein  
Fictitious Testimony

COMMITTEE ON GENERAL WELFARE

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1  
2 SERGEANT WONG: This is a sound check for The  
3 Committee on General Welfare. Today's date is  
4 October 13, 2022; being recorded by Danny Wong in The  
5 Committee Room.

6 SERGEANT AT ARMS: At this time, can Zoom hosts  
7 please start the webinar?

8 Good morning, everybody, welcome to today's New  
9 York City Hearing of The Committee on General  
10 Welfare. At this time can everybody please silence  
11 your electronic devices? If you have written  
12 testimony, you may sent it to  
13 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov), again that is  
14 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Thank you for your  
15 cooperation, Chair, we are ready to begin.

16 CHAIRPERSON AYALA:

17 [GAVELING IN] [GAVEL SOUND]

18 Good morning, everyone, my name is Diana Ayala,  
19 and I am the Deputy Speaker of the New York City  
20 Council and the Chair of the General Welfare  
21 Committee. I would like to begin by thanking  
22 everyone for joining us this morning.

23 Today our committee is holding a hearing on  
24 examining the screening process and eligibility  
25 requirements for foster parents -- as well as three

1 bills: Intro 436, sponsored by Council Member  
2 Stevens, which would create a Juvenile Justice  
3 Advisory Board; Intro 554, sponsored by Council  
4 Member Rivera, which would address child protective  
5 caseloads and workloads; and Intro 642, sponsored by  
6 Council Member Williams, which would require  
7 quarterly reporting on the amount of time children  
8 spend in the Nicholas Scoppetta Children's Center and  
9 other temporary placement facilities.  
10

11 Since many of the sponsors of the pieces of the  
12 legislation are here, or will be shortly, to speak  
13 about their respective bills, I will not go into  
14 specific details of each. I want to instead turn to  
15 our oversight topic.

16 Before the pandemic, there were several reports  
17 demonstrating the abuse and neglect of foster  
18 children had to been subject to while in ACS's  
19 protective custody. Children were suffering with  
20 burns, bruises, and much worse at the hands of their  
21 foster parent or by an unapproved adult living in the  
22 foster home. I am glad to know that since then, ACS  
23 has worked hard to reduce maltreatment in foster care  
24 by providing intensive monitoring, training, and  
25 technical assistance to foster care providers -- as

1  
2 well as by developing new methods for foster and  
3 adoptive parent recruitment, retention, and support.

4 The data that we are seeing shows positive  
5 trends. For example, fiscal year 2021, 98% of foster  
6 homes had no incidents of indicated child abuse or  
7 neglect.

8 While we recognize the hard work that ACS has put  
9 in to ensuring the childrens' safety is of the utmost  
10 priority, we want to be sure that work continues  
11 regularly. At our last Foster Youth Shadow Day,  
12 which The City Council's General Welfare Committee  
13 organizes on an annual basis, our conversations with  
14 foster youth raised many questions.

15 Today, this committee would like to hear more  
16 about the foster parent screening process. For  
17 example, we want to explore whether or not the  
18 process includes a mental health evaluation for  
19 prospective foster parents. We want to hear whether  
20 or not the staff at ACS, who take on these cases,  
21 have appropriate mental health services and workforce  
22 development.

23 I want to thank the administration, the aggregate  
24 legal service providers, volunteers, and any

1  
2 individuals with lived experience who have taken the  
3 time to join us.

4 At this time, I would like to acknowledge my  
5 colleagues who are here today, Council Member Ossé,  
6 who is online, Council Member Lee is next door for a  
7 vote, but she will be coming right back in, Council  
8 Member Restler, Council Member Williams, and we have  
9 been joined by Council Member Rivera.

10 At this time... Finally, I would like to thank  
11 the committee staff who worked to prepare this  
12 hearing: Aminta Kilawan, Senior Legislative Counsel;  
13 David Romero, Legislative Counsel; Cristy Dwyer,  
14 Senior Legislative Policy Analyst; Marcel Torres  
15 [INAUDIBLE], Legal Intern; [INAUDIBLE] Harriman  
16 (sp?); Rose Martinez, Assistant Deputy Director;  
17 Nicholas Montalbano, Senior Data Scientist; and my  
18 Chief of Staff Elsie Encarnacion.

19 I will now turn it over to the sponsors of the  
20 bills, uh, that we are hearing today to give brief  
21 remarks. Uh, Council Member Rivera?

22 COUNCIL MEMBER RIVERA: Good morning, thank you so  
23 much for being here, thank you, Chair Ayala, for your  
24 consistent and unwavering leadership, and of course  
25 for the opportunity to speak before this committee.

1  
2 Today we will be hearing my bill, Intro 554,  
3 which would require the Administration for Children's  
4 Services (ACS) to create an action plan to implement  
5 best practices related to the maximum number of cases  
6 a child protective specialist can manage in order to  
7 improve child safety and wellbeing outcomes.

8 This plan will be made in conjunction with The  
9 Department of Investigation and input from experts in  
10 child safety and welfare.

11 When it comes to the welfare and safety of  
12 children, we must ensure the City is providing the  
13 highest level of care and is able to deliver the  
14 specialized attention that every child deserves.

15 We also have to make sure that the social workers  
16 who are carrying out this vital work are not given an  
17 unmanageable caseload. They must have reasonable  
18 expectations in their own work life. Incorporating  
19 the expertise of professionals in this field, as well  
20 as the Department of Investigations, is a key  
21 component to implementing best practices and  
22 delivering the highest quality services.

23 I look forward to working with my colleagues in  
24 council and the administration on improving the way  
25



1  
2 we handle case management with respect to Child  
3 Protective Services.

4 And, of course, I want to thank my colleagues for  
5 joining me as co-sponsors of this bill, and to the  
6 staff for working on this legislation. Thank you so  
7 much.

8 CHAIRPERSON AYALA: Thank you, Council Member. I  
9 will now turn it over to the committee counsel, David  
10 Romero, to administer the oath to the witnesses from  
11 the administration. And, I guess that we will be  
12 joined by some of the other council members --  
13 Williams, and who was the other one? And Stevens,  
14 uh, who are either on their way or voting next door.  
15 You may begin.

16 COMMITTEE COUNSEL: Good morning, we are now  
17 going to call on members of the administration. We  
18 have Jess Dannhauser, Commissioner of Administration  
19 for Children's Services; Ina Mendez, Interim Deputy  
20 Commissioner for the Division of Family Permanency  
21 Services; and Stephanie Gendell, Deputy Commissioner  
22 for External Affairs.

23 Will you please right hand? Do you affirm to  
24 tell the truth, the whole truth, and nothing but the  
25

1 truth, before this committee, and to respond honestly  
2 to council member questions?

3 [ADMINISTRATION AFFIRMS]

4 COMMITTEE COUNSEL: Thank you, you may begin when  
5 you are ready.

6 COMMISSIONER DANNHAUSER: Good afternoon Deputy  
7 Speaker Ayala and members of the Committee on General  
8 Welfare. I am Jess Dannhauser, the Commissioner of  
9 the Administration for Children's Services (ACS).  
10 With me today is Ina Mendez, the Interim Deputy  
11 Commissioner for the Division of Family Permanency  
12 Services and Stephanie Gendell, the Deputy  
13 Commissioner for External Affairs. Thank you for the  
14 opportunity to testify today about the screening  
15 process and eligibility process for foster parents,  
16 as well as the three pieces of legislation introduced  
17 today.

18 I want to begin by thanking the thousands of  
19 foster parents who dedicate each day to provide care  
20 and support to the youth and children of New York  
21 City. Many of these foster parents are relatives or  
22 close friends of the children in their care, while  
23 others have dedicated and decided to open their homes  
24 to children in need that they do not yet know. I know  
25

1  
2 that being a foster parent is both challenging and  
3 rewarding, so please know how grateful I am each and  
4 every day for all of the foster parents caring for  
5 children in foster care.

6 It is important context that ACS is committed to  
7 providing targeted services to support and strengthen  
8 families, so that children can remain safely at home  
9 with their families and in their communities. We  
10 currently have an historic low number of children in  
11 foster care, with fewer than 7,000 children in foster  
12 care for the first time ever.

13 In those situations... Or in modern history, I  
14 should say... In those situations where a child is  
15 at imminent risk of abuse or neglect, temporary  
16 foster care placement is a necessary safety  
17 intervention that we use as a last resort if there  
18 are no alternate safety plans available to keep the  
19 child safe at home. For a child who has faced the  
20 trauma of abuse or neglect, and removal from home,  
21 ACS has no greater responsibility than to provide a  
22 safe, nurturing foster care placement. We continually  
23 strive to provide children with a safe place --  
24 optimally in the home of a relative or other safe  
25 adult who the child knows -- while we work with the

1 family to address the unsafe conditions that led to  
2 removal. To achieve this, ACS contracts with and  
3 oversees 26 non-profit foster care agencies that  
4 provide foster care placement and services for New  
5 York City's children.  
6

7 We are grateful for the Committee's focus today  
8 on the important topic of how ACS and our partner  
9 foster care provider agencies scree, as well as train  
10 and support, foster parents to provide safe  
11 placements for children.

12 The New York State Office of Children and Family  
13 Services (OCFS) regulates and supervises foster care  
14 in New York State, including the certification and  
15 approval of foster parents and foster homes. State  
16 law and regulations dictate the safety requirements  
17 that foster homes must meet, and OCFS authorizes  
18 foster care provider agencies to certify foster  
19 parents. Foster care agencies and OCFS coordinate on  
20 the certification process, which involves child  
21 welfare and criminal background checks, home studies  
22 based on home visits, and medical clearances.

23 Foster parents must be in compliance with  
24 criteria related to physical condition, character,  
25 motivation, and willingness to partner with the

1  
2 agency in providing services and carrying out the  
3 child's permanency plan. A careful evaluation of all  
4 of this information, including three references, is  
5 used to determine whether a proposed foster parent is  
6 able to provide a safe and nurturing environment, and  
7 thus should be licensed by the state as a foster  
8 parent.

9 State regulations require foster parents be over  
10 the age of 21. Household members must be in good  
11 physical and mental health, and physician reports  
12 must be filed every other year, after the initial  
13 certification. Foster parents are able to be  
14 employed, and ACS can assist with child care when  
15 needed.

16 Pursuant to state law, the process includes both  
17 a criminal history record check of everyone over 18  
18 living in the home as well as the completion of  
19 necessary forms to determine whether the applicant,  
20 or any person 18 years of age or older who currently  
21 lives in the applicant's home, has been the subject  
22 of an indicated child abuse or maltreatment report  
23 filed with the State Central Register of Child Abuse  
24 and Maltreatment (SCR) in New York State.

25 Additionally, if the applicant, or any other person

1  
2 living in the applicant's home lived in another state  
3 in the five years preceding the application, they  
4 must obtain such information maintained by the SCR in  
5 each state or previous residency. Pursuant to federal  
6 and state law, there are some types of criminal  
7 history that are mandatory disqualifiers and some  
8 that are discretionary.

9 Foster parents are required by the state to  
10 complete mandatory training as part of initial  
11 certification, as well as annual refresher training  
12 as part of recertification. Initial training  
13 requirements are 30 hours of Model Approach to  
14 Partnerships in Parenting (MAPP). The goal of MAPP is  
15 to prepare individuals and families to make an  
16 informed decision about becoming foster/adoptive  
17 families. This decision is made mutually with  
18 the foster care agency and is based on the capability  
19 and willingness to take on the role and develop the  
20 skills needed to foster and/or adopt.

21 Given that the safety and well-being of children  
22 in foster care is so critical, ACS has some  
23 additional requirements beyond those set by the state  
24 related to training and oversight of foster parents.

1  
2 ACS now requires foster parents to participate in  
3 the Trauma-Responsive and Informed Parenting Program  
4 (TRIPP), which is both training and coaching support  
5 for a total of 24 hours over eight sessions. TRIPP is  
6 a learning program that prepares and supports foster  
7 parents and child welfare professionals. Learners  
8 develop a trauma-informed lens and are equipped to  
9 understand and respond to their youth's challenging  
10 behaviors should there be some. The program includes  
11 a variety of learning approaches, including homework  
12 assignments, videos, group role-plays, and other  
13 interactive activities.

14 To meet the needs of LGBTQAI+ youth, ACS also  
15 requires all foster parents to be affirming and to  
16 participate in training specifically related to the  
17 needs of LGBTQAI+ youth.

18 In addition, as part of our LGBTQAI+ Youth in  
19 Care Action Plan, we are working with several foster  
20 care providers and LGBTQ organizations on new foster  
21 parent recruitment strategies. For instance, we have  
22 provided agencies with LGBTQAI+ recruitment best  
23 practices, information on community-based agencies  
24 they can partner with to increase recruitment  
25

1  
2 opportunities, and a checklist for LGBTQAI+  
3 inclusivity.

4       Because ACS is deeply committed to the safety and  
5 well-being of every child placed in our care, we have  
6 established a process to review foster home  
7 certification that is above and beyond state  
8 requirements. As part of our rigorous oversight and  
9 monitoring of foster care agency practice and  
10 performance, ACS audits a sample of initial foster  
11 home certifications and first-time annual  
12 recertification(s). While the foster care agencies  
13 and OCFS are ultimately responsible for certifying  
14 foster homes, we want to be sure that ACS-contracted  
15 foster care agencies are following the correct  
16 process.

17       ACS believes that children in foster care should  
18 be placed with kin - relatives or family friends -  
19 whenever possible. Research shows that children in  
20 foster care who are placed with kin experience less  
21 trauma, better maintain community and family  
22 connection, have greater overall well-being, and are  
23 more likely to achieve permanency through  
24 reunification, adoption, or guardianship.



1 ACS has focused on increasing placements with  
2 family members, and in FY22, 56% of children who  
3 entered foster care as a result of an investigation  
4 of suspected abuse or neglect were placed with kin  
5 (up over double from 26% in FY14). Similarly, the  
6 proportion of all children in foster care who are  
7 currently living with kin has increased from 31% in  
8 FY17 to 43% today.

9 To accomplish this increase in kinship  
10 placements, ACS implemented a range of strategies  
11 specifically aimed at identifying kin and increasing  
12 the proportion of children and youth place with kin.  
13 When placing a child in foster care, our process is  
14 to first search extensively for kin, asking children  
15 (as appropriate), youth and parents if they can  
16 identify potential relatives or family friends. As  
17 appropriate, we speak to relatives, neighbors, family  
18 friends, teachers, coaches, religious connections and  
19 other trusted resources.

20 Since 2019, ACS has had Kinship Specialist  
21 positions in the ACS Division of Child Protection  
22 (DCP). These staff have the dedicated function of  
23 finding and engaging kin caregivers for children  
24 entering foster care. For children who aren't  
25

1  
2 initially placed with kin, ACS contracted foster care  
3 agencies implement targeted efforts to identify and  
4 move children to kin when this is in their best  
5 interests, including continuing to talk to children,  
6 youth and family members about who in the child's  
7 life can be a foster parent.

8 Unlike many jurisdictions, ACS and our foster  
9 care agencies work to make sure that kinship  
10 caregivers can become certified as foster parents to  
11 receive the same financial stipend and case planning  
12 support that non-kinship foster parents receive.

13 When kinship caregivers are identified for  
14 emergency placement, ACS performs an expedited home  
15 study so that children may never need to spend one  
16 night outside of kinship placement if possible. The  
17 assigned foster care agency then proceeds to work  
18 with the kinship foster parent to complete the full  
19 home assessment and training process to become  
20 certified by OCFS. We offer resources to eliminate  
21 obstacles for kinship caregivers, such as providing  
22 beds or other furniture the children may need, paying  
23 for safety enhancements to the home like radiator  
24 covers, providing a daily stipend to cover incidental  
25 costs, and arranging child care assistance.

1  
2 As you know, ACS is in the process of re-  
3 procuring the foster care system, but ACS and our  
4 providers are already implementing the funding and  
5 programmatic enhancements in the RFP now. As it  
6 relates to foster parents, providers now have more  
7 resources for foster parent recruitment and for  
8 providing and supporting kin. A key component is that  
9 we have changed the funding structure so that  
10 providers are no longer reimbursed by what are care  
11 days, which eliminates incentives for longer lengths  
12 of stay, while also giving providers more financial  
13 certainty and flexibility.

14 In addition, ACS has made significant investment  
15 in new resources as part of its new Enhanced Family  
16 Foster Care (EFFC) program, which replaced the  
17 separately contracted Family Foster Care (FFC) and  
18 Therapeutic Family Foster Care (TFFC) programs. EFFC  
19 provides increased therapeutic resources and  
20 services, responding to the increased acute needs of  
21 children in foster care and allows for greater  
22 flexibility of services based on the changing needs  
23 of the child and family. Additionally, the blended  
24 EFFC model allows children to remain in the same  
25

1  
2 foster home and program as their needs fluctuate over  
3 time.

4 To support the continuous efforts to recruit,  
5 support and retain caring foster parents, the  
6 Division of Family Permanency Services provides an  
7 array of technical assistance and support to provider  
8 agencies to expand the pool of caring foster parents  
9 in New York City. The Home Away from Home framework  
10 supports foster care agencies to develop processes to  
11 support children placed with kin, improve their  
12 practices of transitioning children to kin, increase  
13 foster parents' capacity to care for older children  
14 and children with complex needs, and improve the  
15 recruitment, training, and support strategies to  
16 retain a greater number of foster parents.

17 Our foster care agencies use a variety of  
18 approaches to support foster parents. These  
19 strategies include planning events facilitated by  
20 foster parents to recruit within their own social,  
21 family, professional circles; creating mentoring  
22 opportunities between experienced foster parents and  
23 newly certified foster parents to provide supports to  
24 each other; and leveraging Foster Parent Ambassadors  
25 who develop team-building activities for other

1  
2 parents and holding roundtable discussions that are  
3 facilitated and attended by foster parents to discuss  
4 trainings needs or any other topics impacting foster  
5 parents. The Mockingbird Model, implemented by one  
6 agency, creates clusters of foster homes in close  
7 proximity. These parents provide support and back-up  
8 to each on a regular basis.

9 In addition, ACS recently rolled out Binti, a  
10 web-based tool to assist foster parents and foster  
11 care agencies with the certification and re-  
12 certification process. This software has helped to  
13 streamline the process and make it paperless.

14 Finally, this past year, the state settled a  
15 lawsuit and then passed legislation to increase the  
16 rate provided to foster parents to care for the  
17 children. While ACS was deeply disappointed that the  
18 state did not include any state resources in the  
19 state budget to help pay for this increase, we  
20 believe that increasing the rate is an essential  
21 support so that foster parents are able to provide  
22 for all the needs of children.

23 Intro 642-2022 would require ACS to create  
24 quarterly reports regarding the number of days  
25 children are placed at the Nicholas A. Scoppetta

1  
2 Children's Center, the Youth Reception Centers (YRC)  
3 and the Rapid Intervention Centers (RIC).

4 ACS's pre-placement continuum includes the  
5 Nicholas A. Scoppetta Children's Center, operated by  
6 ACS with a capacity of 100 children, and four Youth  
7 Reception Centers, or YRCs, with a total capacity for  
8 45 children. When children must be removed from a  
9 parent due to imminent risk to the child's health and  
10 safety, ACS makes every effort to immediately  
11 identify a foster home setting to meet the child's  
12 needs, with priority for kinship placements. We have  
13 established pre-placement settings to make sure we  
14 can immediately meet the needs of a child following  
15 removal or reentry to care, in a safe and nurturing  
16 environment, while we expeditiously work to find an  
17 appropriate foster home. Our goal is always to make  
18 sure stays at the Children's Center or YRCs are as  
19 short as possible.

20 The YRCs include the Sheltering Arms Reception  
21 Center, which has 15 beds to serve boys and girls age  
22 0-12; Mercy First Virginia Residence, which is a 12  
23 bed co-ed facility for youth ages 14 and up; the Good  
24 Shepherd Services Shirley Chisholm Center which is a  
25 10 bed facility serving girls ages 14 and up; and

1  
2 Heartshare/St. Vincent's Fox Hills, which is an 8 bed  
3 co-ed facility for youth ages 14 and up as well. YRCs  
4 are settings where youth can be engaged in a trauma-  
5 focused, strengths-based, clinical assessment and  
6 case planning process that will result in the  
7 implementation of a safe, supportive, timely out of  
8 home placement or family reunification plan.

9 ACS also contracts for three Rapid Intervention  
10 Centers (RICs), which are not pre-placement  
11 facilities but instead provide respite and  
12 residential care for youth in foster care who need  
13 crisis stabilization and/or assessments. RICs provide  
14 a short-term stabilizing and safe environment where  
15 individualized assessments and strengths-based  
16 therapeutic treatment plans tailored to youth and  
17 family needs are developed.

18 The Children's Center is a 24/7 temporary foster  
19 care pre-placement facility where we provide care and  
20 support for some of NYC's most vulnerable children  
21 and youth who enter foster care due to abuse or  
22 neglect, or family disruptions. The Children's Center  
23 serves approximately 1,700 unique children and youth  
24 each year, from newborns up to age 21. Sixty-five  
25 percent of the children reside at the Children's

Center for 10 days or less and 45% of the children reside there for less than three days.

As you can see in our most recent monthly Flash report from September 2022, the average daily population at the Children's Center was 68 in August 2022, and calendar year to date (January 2022-August 2022), it was 76 children. The census this week has fluctuated between 58 and 74 children.

We are taking a number of steps to try to reduce both the number of children at the Children's Center and the length of stay for children at the Children's Center. This past year, the Children's Center added its own kin finding unit to further intensify efforts to identify safe kin resources for children as an alternative to the Children's Center or foster care stay.

The Office of Placement Assistance (OPA), within the Division of Family Permanency Services, works closely with foster care agencies to facilitate the matching of children into appropriate, safe and caring homes. In addition to using the Placement Module, an automated referral system, OPA has leveraged other practices to engage agencies around expediting placements through the exploration of



1  
2 available homes that meet best with the needs of the  
3 children.

4       The Children's Center is staffed with child care  
5 specialists, social workers, programming and wellness  
6 staff, education, and engagement and visiting  
7 specialists. There is also an on-site full-time  
8 pediatrician and nursing staff, the ACS-Bellevue  
9 Mental Health Team (MHT), and JCCA provides  
10 additional clinical services to youth with high  
11 needs. ACS also contracts with Safe Horizon to  
12 provide consultants specialized in engaging youth at  
13 risk or victims of sex trafficking. In addition, we  
14 have on-site Cure Violence Credible Messenger  
15 Mentors, Youth Advocate Program (YAP) Family  
16 Finders/Advocates, a CASAC and ACS Peace Officers  
17 help maintain safety.

18       ACS has taken a number of steps to improve the  
19 experience youth have at the Children's Center  
20 including creating four additional programming spaces  
21 for children to use for community meetings and  
22 developmentally appropriate programming workshops and  
23 recreation and a multi-faith room which offers  
24 children a private, quiet area to practice their  
25 faith.

1  
2 Programming offers youth healthy prosocial and  
3 emotional outlets, provides enrichment and  
4 recreation, and helps reduce the impact and systems  
5 of trauma. The Children's Center programming ranges  
6 from therapeutic art classes, financial literacy,  
7 music, performing arts, nutrition, fitness, youth  
8 voice and empowerment, health education, and much  
9 more. Staff also chaperone youth to Broadway shows,  
10 professional sporting events, and celebrate holidays  
11 and diverse cultural traditions.

12 ACS looks forward to discussing this bill with  
13 the Council.

14 Intro 554-2022 would require ACS to, in  
15 consultation with DOI and other experts in child  
16 welfare and child safety, to create an action plan to  
17 implement the recommendations in the workload study  
18 ACS published in 2019 pursuant to Local Law 18 of  
19 2018. Specifically, the legislation would require the  
20 action plan to include best practices related to the  
21 maximum number of cases child protective specialists  
22 can manage to improve child safety and well-being  
23 outcomes.

24 The Child Welfare League of America recommends  
25 child protection staff carry 12 cases during the

1  
2 investigative or assessment phase. The Council on  
3 Accreditation standards state that caseloads should  
4 not exceed 15 investigations. For quite some time,  
5 ACS has had a target for our Child Protection  
6 Specialist caseloads not to exceed an average of 12  
7 cases. To maintain this, OMB enables ACS to hire  
8 enough CPS to stay ahead of attrition.

9 For the month of September 2022, the average  
10 child protection caseload was 8.1 citywide -- It was  
11 8.9 in the Bronx; 7.7 in Brooklyn; 7.4 in Manhattan;  
12 7.5 in Queens; 8.5 in Staten Island; and 9.3 in the  
13 Office of Special Investigations.

14 Thus, ACS caseload averages remain well below 12.  
15 ACS hires CPS based on need, and we currently have a  
16 strong staffing position thanks to our successful  
17 hiring and retention strategies. We recently  
18 onboarded a class of 124 new CPS who are currently in  
19 the training academy. For the remainder of FY 23, we  
20 plan to hire two additional classes in February and  
21 May 2023.

22 ACS looks forward to discussing this bill with  
23 the Council.  
24  
25

1  
2 Intro 436-2022 would create a Juvenile Detention  
3 Advisory Board to advise ACS, the Mayo, and the  
4 Council on issues related to juvenile detention.

5 New York City's juvenile justice system safely  
6 serves youth through a trauma-informed lens, in the  
7 community whenever possible, and with appropriate  
8 structure and supports in place. DYFJ, oversees  
9 services and programs for youth at every stage of the  
10 juvenile justice continuum. Our continuum includes  
11 community-based services for youth who are at risk of  
12 delinquency, as well as for their families. In  
13 addition, we provide secure detention services and  
14 oversee nonsecure detention for youth who have been  
15 arrested and the court has ordered to be detained  
16 while awaiting resolution of their cases. We also  
17 oversee the Close to Home placement system for youth  
18 ordered to be placed by the Family Court. And  
19 finally, ACS will soon oversee the City's Alternative  
20 to Detention programs as they transfer from MOCJ to  
21 ACS.

22 ACS appreciates the Council's interest in ACS  
23 benefiting from the input of others, including youth  
24 and parents who have been personally impacted by the  
25 juvenile justice system. ACS has a new Deputy

1  
2 Commissioner for our Division of Youth and Family  
3 Justice (DYFJ), Nancy Ginsburg, who comes to ACS from  
4 Legal Aid with over thirty years of working directly  
5 with, and advocating for, youth impacted by the  
6 system. Our new Deputy Commissioner is in the process  
7 of setting up a Juvenile Justice Advisory Board to  
8 lend expertise to us as we seek to continuously  
9 strengthen our efforts to prevent youth from coming  
10 into contact with the system, to meeting the needs of  
11 youth in the community, detention and Close to Home.

12 We look forward to discussing this bill with the  
13 Council.

14 In conclusion, ACS is committed to strengthening  
15 all components of our work from child protection to  
16 foster care to prevention to juvenile justice to  
17 child care. We look forward to continuing to partner  
18 with the Council as we work together to support New  
19 York City's children, youth and families. Thank you.

20 CHAIRPERSON AYALA: Thank you, and I want to  
21 recognize that we have also been joined by Council  
22 Members Stevens, Riley, and Hudson.

23 We will now turn it over to Council Member  
24 Williams for remarks on her bill.

25 COUNCIL MEMBER WILLIAMS: Thank you, Chair.

1  
2 I am proud to have introduced Intro 642, a bill  
3 that would require quarterly reports on the amount of  
4 time that children spend in a children's center or a  
5 temporary facility. This report will be provided to  
6 the Mayor and The Speaker of the Council and include  
7 information about the number of days spent in a  
8 facility, the type of facility, the age of the child,  
9 the level of care recommended, the number of children  
10 placed in a facility for the first time, and the  
11 number of children placed in a facility on two or  
12 more occasions.

13 This data will allow us to assess the information  
14 and determine how much time a child spends in  
15 placement facilities across all ages and levels of  
16 care, so we can truly evaluate if there are any  
17 trends or patterns. We obviously don't want children  
18 lingering in these facilities for a long amount of  
19 time. This bill also provides transparency around  
20 ACS practices, which may not be accessible to  
21 families who have concerns. It will also ensure that  
22 we are making decisions based on sound data rather  
23 than anecdotal evidence alone.

24 So, I hope these reports will help us understand  
25 how well we are serving our most vulnerable

1  
2 residents, young people who have been removed from  
3 their homes due to abuse or neglect.

4 And, thank you, Chair Ayala, again for bringing  
5 this bill for a hearing.

6 CHAIRPERSON AYALA: I'm texting with my own child.  
7 I'm taking offers if anyone wants a 17-year-old, he's  
8 almost done.

9 [LAUGHTER IN CHAMBER]

10 He's almost done. Teenagers!

11 COMMITTEE COUNSEL: Mine will be 14 tomorrow.  
12 So...

13 CHAIRPERSON AYALA: Yay!

14 Thank you for that, and Commissioner, kind of  
15 walk us through what the process is... Oh, I'm  
16 sorry... I am so sorry, I forgot, I am so sorry I  
17 forgot that Althea also had... Council Member  
18 Stevens, uh, is going to give remarks on her bill.

19 COUNCIL MEMBER STEVENS: Thank you, Chair Ayala, I  
20 really appreciate you.

21 So, time and time again, we hear folks say that  
22 the people closest to the problem always have the  
23 solution. Intro 436, which is to create a juvenile  
24 detention advisory board, is a way to give family and  
25 young people a voice and input to really address some

1  
2 of the issues and concerns and to help the juvenile  
3 detention center move in a forward way. This would  
4 create transparency, and really allow for new ideas  
5 and experiences to be brought in and having a  
6 holistic approach to the juvenile detention center.

7 So, I am very happy to be the co-prime sponsor on  
8 this bill and excited to hear feedback from ACS about  
9 how we can move forward. Thank you.

10 CHAIRPERSON AYALA: Thank you, Council Member  
11 Stevens.

12 So, the question was, uh, regarding the  
13 certification process, can you kind of walk us  
14 through the length of time is for that process?

15 COMMISSIONER DANNHAUSER: Sure...

16 CHAIRPERSON AYALA: From beginning to completion?

17 COMMISSIONER DANNHAUSER: Sure. And, then we will  
18 -- if okay -- we'll give some information about the  
19 training... (CROSS-TALK)

20 CHAIRPERSON AYALA: Okay.

21 COMMISSIONER DANNHAUSER: as part of that.

22 So, when a child is coming into foster care, as I  
23 described in the testimony, we immediately begin a  
24 search for kin.



1  
2           So, I will talk first about the kin certification  
3 process and how that works, and then the non-kin.

4           So, we have staff at every level in Child  
5 Protection, at the Children's Center, at foster care  
6 agencies that are really focused on identifying  
7 family members of other trusted adults in a child's  
8 life.

9           We are thrilled that when children are removed  
10 this year, which is a pretty historic low, of numbers  
11 of children that we are removing, 56% of them are  
12 able to go to a family member or someone that is  
13 trusted in their life. This is a huge accomplishment  
14 by the entire system focused on this in our foster  
15 care providers, our Child Protection.

16           When the family member is identified, the child  
17 can be immediately placed in that home following an  
18 emergency home study. So, the Child Protective staff  
19 will go assess the home environment of this  
20 identified adult -- family member. We will do what  
21 we call a local clearance, so that we are looking at  
22 the SCR history, if there is anything that we have  
23 there, and making sure that there are no red flags in  
24 the immediate, and then the children are placed  
25 there.

1  
2           And, so, for many children, they never have to  
3 spend a day in between, they can go directly from  
4 their home to their aunt's home or their  
5 grandparent's home, or someone in their life, a coach  
6 or a teacher.

7           If the... So, that is sort of the kin process  
8 for both kin and non kin. Then the thorough process  
9 begins of a full home study -- all of the adults in  
10 the home -- we are checking criminal background  
11 check, we are checking State Central Registry. On  
12 the criminal side, we do FBI, and we do state in any  
13 state that they have lived in the last five years.  
14 We then, there are mandatory disqualifiers, so, uh,  
15 violence is... most violent felonies, there's a  
16 long, long list that we can get you, but these are  
17 state mandated. There are ,you know, anything  
18 harmful to a child, abuse of a child, we cannot move  
19 forward, and we are searching for, uh, so the child  
20 would never be placed in that home.

21           If we have... certain crimes are discretionary.  
22 And, so, if there is a drug offence 10 years ago, and  
23 we feel like this is a safe place for the home,  
24 there's been nothing in between that time, ACS and  
25

1  
2 our foster care providers have discretion to certify  
3 a home in certain discretionary areas.

4 The training, both for non kin and kin, is very  
5 extensive. You have 30 hours of MAPP. We are going  
6 to be building something called TRIPP. During this  
7 process, especially for the non kin homes, agencies  
8 are assessing. They're looking at references, they  
9 are going to the home on a regular basis, they're  
10 interviewing, they're looking at income, they're  
11 looking at medical, they have to get a physician's  
12 report, and so they are working with and watching the  
13 behavior of foster parents during the training.

14 We are really thrilled to be introducing  
15 something called TRIPP for all of our foster parents,  
16 and I would love to ask Deputy Commissioner Mendez to  
17 speak to that for a few minutes.

18 DEPUTY COMMISSIONER MENDEZ: Thank you,  
19 Commissioner.

20 Good morning, so TRIPP is Trauma-Responsive and  
21 Informed Parenting Program. And it is designed to  
22 provide therapeutic training to foster parents and  
23 agency staff.

24 TRIPP talks to foster parents that are  
25 participating in the training and the staff about how

1  
2 to look at things from a trauma lens. And, so they  
3 understand trauma, they learn about trauma, and with  
4 this trauma lens, they are able to better look at the  
5 thoughts, the feelings, and the behaviors and kind of  
6 interpret what is going on from a child's perspective  
7 -- as opposed to reacting to it. So, we are hoping  
8 that this will improve their capacity to work with  
9 children, because we know their needs fluctuate and  
10 sometimes they are having moments. And so this will  
11 increase their ability to support children as they  
12 are in foster care.

13 So, TRIPP is eight weeks, and it's three hours  
14 each session.

15 CHAIRPERSON AYALA: Does this happen while the  
16 child is already placed or before?

17 DEPUTY COMMISSIONER MENDEZ: Could you repeat that  
18 question?

19 CHAIRPERSON AYALA: Does this... Does this happen  
20 prior to the child placement... (CROSS-TALK)

21 COMMISSIONER DANNHAUSER: MAPP happens before the  
22 child is placed, and TRIPP is now rolling out to all  
23 existing foster care parents and new foster care  
24 parents.

25 CHAIRPERSON AYALA: Okay.

1  
2 COMMISSIONER DANNHAUSER: So, it will happen after  
3 the placement.

4 CHAIRPERSON AYALA: Okay, so the... So, the  
5 entire process for certification is what? Two weeks?  
6 Six weeks?

7 COMMISSIONER DANNHAUSER: It depends. It depends  
8 on... So, for... For kin homes, it's 90 days we  
9 have. So, the child is placed, and then we have 90  
10 days to complete that process.

11 You know, for foster parents, often they are...  
12 the time that they go forward to be certified is  
13 their third, fourth, or fifth sort of inquiry. So,  
14 sometimes they will reach out to an agency and  
15 they'll say, okay, not right now. So, that process,  
16 agencies are always looking to expedite it where  
17 safe. They can get it done as quickly as 90 days  
18 with all of the background checks, and if we get all  
19 of the clearances from the SCR. But, typically it  
20 can take six months, it can take a year. And, so  
21 there are folks who are in the pipeline. So, a lot  
22 of our recruitment strategies are really making sure  
23 that when a foster parent has interest, we seize the  
24 moment to get them in to it and the training.

25 Foster parents get trained in a group setting.

1  
2 CHAIRPERSON AYALA: Mm-hmm?

3 COMMISSIONER DANNHAUSER: And there are some  
4 individuals, and some of the better practices are  
5 really around creating peer groups, you know, foster  
6 parents who have a lot of experience mentoring foster  
7 parents who are new. But also, you know, I was at a  
8 foster care provider for many years, some of the most  
9 powerful experiences I had are when were sort of a  
10 cohort of training of foster parents, they came  
11 together, they are on a group text, they know how to  
12 get things done from the agency. They know how to  
13 support one another.

14 Every foster parent has a backup. So, it's part  
15 of the certification process that you have to have  
16 somebody identified who we also clear, who can care  
17 for the child if there is any emergent need. Right?  
18 Because we don't want children, you know, bouncing  
19 all over with someone they don't know. Often  
20 these... The foster parents are backups to one  
21 another. And so that comradery, that, you know,  
22 being a foster parent has... is a huge challenge,  
23 and it's, as I said in my testimony, it's obviously  
24 very rewarding, but you're opening your home, uh, we  
25 are now asking you not just to come because you might

1 want to adopt a little one. That's not what we need  
2 I foster care right now. We need homes for teens; we  
3 need homes for large sibling groups; we need homes  
4 for kids who have complex medical needs. So you're  
5 getting children to appointments, to visits, and so  
6 we are really looking to support foster parents more,  
7 which is why we are thrilled about the rate increase.  
8 Because paying for things like transportation and all  
9 of the visits, you know, for babysitting care, and  
10 all of those things can be costly. And so we are  
11 thrilled that the lawsuit was settled in the way it  
12 was. We wish the state would actually pay for the  
13 settlement that they went in to, but in any case, we  
14 are glad that the rate has been increased.

16 CHAIRPERSON AYALA: I agree, I agree. I used to be  
17 a foster parent. I don't know if I disclosed that,  
18 but many years ago, I had three boys, two siblings,  
19 and then one that would come in... that came in  
20 sporadically. It was a fun time. I had them for  
21 five years, uh, and I still keep in touch with them.  
22 But, I tell you, it was not easy specifically around  
23 the level of support. And this was back in the early  
24 90's, so I am assuming that a lot has changed since  
25 then?

1

2

3

COMMISSIONER DANNHAUSER: Yes.

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CHAIRPERSON AYALA: But, I found that as a foster parent, part of the challenge was, one I was very

young, so, I don't even know how I got certified.

And I had... I was housed with... two teenagers

were housed in my apartment, and it was difficult to

kind of, you know, navigate. And for the most part, I

think that we did well, but where I think ,you know,

I always felt that there was a disconnect between

,you know, the caseworkers and ,you know, and my

household. I felt like I spoke more to the

psychiatrists and with the therapists than I did to,

you know, the case load manager.

And so in terms of... So, I have a couple of

questions on that, but in terms of recruitment, what

does that effort look like?

And where is the agency in terms of the number of

potential foster parents who have applied to date?

Like, are we, you know, are the numbers where we need

them to be to really manage upcoming situations?

COMMISSIONER DANNHAUSER: So, first of all, I

learn something new about you every time I'm in your

presence, that's amazing. I mean, the context for



1  
2 the 90's is, you know, 40,000+ children in care, and  
3 today we are just under 7,000... (CROSS-TALK)

4 CHAIRPERSON AYALA: That's fantastic.

5 COMMISSIONER DANNHAUSER: uh, which means we have  
6 a... We have an opportunity to get it right every  
7 time, and that is what we are trying to pursue.

8 As far as recruitment, so, there are 26 agencies  
9 that work with us who are certified by the state as  
10 foster care agencies. These are nonprofits that you  
11 know very well. They are responsible for recruiting  
12 within their community catchment areas. So, they  
13 table at a variety of events, they're out on social  
14 media, they have staffed lines for recruitment. But  
15 what we find is actually the most powerful recruiter  
16 is a foster parent, uh, who has had a good  
17 experience. So, nothing in recruitment is more  
18 important than foster parent support. The support  
19 that, you know, the responsiveness of the case  
20 planner, the... Many agencies now have foster parent  
21 coaches that are foster parents, and they get a  
22 stipend to work with other foster parents, so that  
23 there is someone on the line in the evening. Our new  
24 EFFC program, which is going to add therapeutic  
25 supports, will have somebody who is also like a

1  
2 social therapist type who can be responsive in  
3 addition. Because the case planner is running to  
4 court and getting lots of different documents. We  
5 need people who can really be responsive when the  
6 case planners are not there. And this new model  
7 really helps with that.

8 COVID took a big hit on recruitment. You can  
9 imagine that, you know, opening your home in that  
10 movement was a scary thing for many New Yorkers. We  
11 are seeing children around the country who are not...  
12 there are not enough placements. We are very, very  
13 fortunate here in New York City that we have a strong  
14 network. But, COVID brought us down, and we will get  
15 you the exact numbers. We are starting to see trends  
16 of foster homes -- non kin foster homes -- opened up  
17 which are moving in the right direction as we come in  
18 to this next phase of the pandemic or whatever we  
19 want to call it. So, we are focused really, really  
20 hard with our providers.

21 As I mentioned earlier, we are now paying  
22 providers based on sort of a program budget rather  
23 than the number of care days. So, we have increased  
24 the capacity for providers, especially if there are  
25 special medical providers. We have five agencies

1 that provide special medical foster homes. And so we  
2 are really working with them in particular, because  
3 it's not just a numbers game, it's really quality and  
4 making sure that we have the right type of foster  
5 home. So, we will make sure... Ina, do you want to  
6 speak to the pipeline?  
7

8 DEPUTY COMMISSIONER MENDEZ: Sure, we... In  
9 Fiscal Year 2022...

10 CHAIRPERSON AYALA: Can you move the mic closer a  
11 little bit.

12 DEPUTY COMMISSIONER MENDEZ: Excuse me, sorry.

13 So, in Fiscal Year 2022, we opened 432 new homes.  
14 And we are continuing to work with families through  
15 the certification process. As the Commissioner  
16 mentioned, we are using Binti, which allows foster  
17 parents to log on and see where they are in the  
18 certification process, making sure they're submitting  
19 forms... (CROSS-TALK)

20 CHAIRPERSON AYALA: Mm-hmm.

21 DEPUTY COMMISSIONER MENDEZ: And so it is easier,  
22 because they know from the beginning I need to do  
23 this, I need to do that. And agencies can also  
24 monitor that process as well. And hopefully, we can  
25 get some data to let you know exactly how many

1 families are currently in the pipeline at this  
2 particular time.

3  
4 CHAIRPERSON AYALA: Okay.

5 DEPUTY COMMISSIONER MENDEZ: So in Fiscal Year  
6 2022, we recruited 432 homes for the last fiscal  
7 year, and then as we started into this fiscal year,  
8 new homes are being developed.

9 CHAIRPERSON AYALA: But there hasn't been... Has  
10 there been enough, uh, has there been a moment where  
11 the number of homes needed is a little bit... is at  
12 a lower percentage point?

13 COMMISSIONER DANNHAUSER: So, we... Whenever you  
14 look at the available homes in our Office of  
15 Placement Assistance, uh, works on this every, single  
16 day. There are always enough homes. It's really  
17 about making sure we have the right match. Right?  
18 So, do we have enough special medical homes? There  
19 are some children that we have served at The  
20 Children's Center -- and there is one young man who  
21 was recently placed who has very extraordinary needs,  
22 and so we are looking to try to find foster placement  
23 where that can work. Every once in a while it has be  
24 residential care. We are glad that we are a national  
25 leader. We only use residential care in less than

1  
2 10% of placement. But we... It's really not as much  
3 about quantity as making sure we have the right homes  
4 for sibling groups, the right homes for teens. So,  
5 what we do is in the Office of Placement  
6 Administration, is we reach out to providers to say,  
7 let's talk about who this individual child is, what  
8 their needs are, what the sibling group is, and let's  
9 talk about who you have. So there's a real exchange  
10 around, is there a match here? We obviously care  
11 about school stability in this process, so we are  
12 very, very glad that 86% of the children placed into  
13 foster care are staying in their home school even if  
14 they are in different parts of the City. So, we work  
15 very closely with the DOE on that. And we want to  
16 make sure that the foster parent meet -- and their  
17 network of support -- can meet the needs of the child  
18 that is coming to them -- or the children that are  
19 coming to them.

20 CHAIRPERSON AYALA: Mm-hmm, okay... (CROSS-TALK)

21 DEPUTY COMMISSIONER GENDELL: I can add one data  
22 thing that might help contextualize a little.

23 As The Commissioner mentioned earlier, during the  
24 sort of height of the pandemic, it was very  
25 challenging to recruit foster parents. People

1 weren't leaving their homes, they were afraid to let  
2 anybody in their homes. And, so we are very close in  
3 terms of recruitment to where we were pre-pandemic.  
4 So, for example in 2019, we were able to recruit and  
5 get 441 foster homes. That went down to 412 in 2020,  
6 but now as Deputy Commissioner Mendez mentioned, we  
7 are back to about 432. So, we are starting to reach  
8 the levels we were at before.

9  
10 CHAIRPERSON AYALA: Did the number of children  
11 also decrease during the pandemic, children that were  
12 put in placement?

13 COMMISSIONER DANNHAUSER: Yeah... (CROSS-TALK)

14 DEPUTY COMMISSIONER GENDELL: Two things, sorry...

15 COMMISSIONER DANNHAUSER: Go ahead, go ahead.

16 DEPUTY COMMISSIONER GENDELL: Both the number of  
17 children in foster care and coming into foster care  
18 has continued to reduce. And the number of youth and  
19 children going to kin has increased, which also  
20 reduces the number of recruited foster homes we need.

21 COMMISSIONER DANNHAUSER: Just in the last decade,  
22 we have gone from, you know, well over 5,000  
23 placements a year, to lower than 3,500. And what  
24 we... What we are seeing now, even as reports come  
25 back up to pre-pandemic levels, we are working really

1  
2 hard to make sure we can provide the preventive  
3 services that families need and not have the number  
4 of children who are coming into care. And obviously,  
5 the work that we are doing around kin, uh, we want to  
6 get to a place where that is the norm, and we're  
7 starting to sort of tip towards that. That it is the  
8 norm for a child to be placed with somebody that they  
9 know. There are situations where that's not  
10 possible, and this is why you hear us talking so much  
11 about special situations, young people who are really  
12 struggling, teens who are really struggling  
13 behaviorally or otherwise, uh, folks with ,you know,  
14 little children with complex medical needs. These  
15 are the places we are calling on new foster parents  
16 to join us. And I do just want to say for anybody  
17 who is interested, to call our 877-676-WISH (9474),  
18 we need foster parents who want to co-parent with  
19 parents. Right? We are not looking to just have an  
20 adoptive system here. We are looking to solve the  
21 problem at the root cause. And, so some of the most  
22 beautiful situations I have seen as a leader of a  
23 foster care agency is, when a child goes home and the  
24 foster parent becomes Auntie and Uncle, and that  
25 support system has really been strengthened. And so,

1  
2 uh, becoming a foster parent today is about choosing  
3 to enter into that, and so it's why they need more  
4 and more and more support and training, and... But  
5 the fundamental thing we need from foster parents is  
6 someone who truly loves our kids and can be  
7 nonjudgmental to their parents and work with them in  
8 a process of co-parenting -- unless it's unsafe.

9 CHAIRPERSON AYALA: Yeah, yeah. Has the... What  
10 is the current caseload ratio?

11 COMMISSIONER DANNHAUSER: For foster care and case  
12 planners? (CROSS-TALK)

13 CHAIRPERSON AYALA: Uh-huh.

14 COMMISSIONER DANNHAUSER: So, uhm, we budget for  
15 12. And that's children. So, to... We plan for,  
16 uh, 12 children per case planner, that's 10 children  
17 typically who are in active foster care, and then we  
18 expect a couple of children who are on trial/  
19 discharged home, or they might working within a  
20 different capacity as they transition from care. So,  
21 12 and often... (CROSS-TALK)

22 CHAIRPERSON AYALA: Mm-hmm

23 COMMISSIONER DANNHAUSER: folks think that's  
24 cases, but it's actually 12 children. So, if they're  
25



1  
2 working with a sibling group there'd be less...

3 (CROSS-TALK)

4 CHAIRPERSON AYALA: Has the agency seen any, uh,  
5 staffing shortages throughout the pandemic?

6 COMMISSIONER DANNHAUSER: So, we [INAUDIBLE]...

7 (CROSS-TALK)

8 CHAIRPERSON AYALA: And how... How that is  
9 impacted the community?

10 COMMISSIONER DANNHAUSER: Yeah, it's... It varies  
11 by provider at 26 children, I think the providers  
12 absolutely have experienced staffing challenges.  
13 They're promising coming into this phase, we're  
14 starting to see promising results of more and more  
15 capacity. There are, you know, the... They have  
16 case planners, they have these socio therapists  
17 roles, and they have coaches. And the providers have  
18 a whole array of mental health and behavioral health  
19 services funded through Medicaid that does not come  
20 through ACS, but is a really vital part of... So, at  
21 this point, the system has been so strengthened that  
22 even with the staffing challenges, there are folks to  
23 be responsive to kids and families. But, the  
24 providers are working really hard. There have been  
25 increases in the foster parent rate. All of the new

1  
2 resources that we're providing also include  
3 additional dollars for staff, because that frontline  
4 workforce is what makes or breaks this along with our  
5 foster parents.

6 CHAIRPERSON AYALA: But... But, we're say...  
7 We're saying, because I just want to be clear, that  
8 the number of child... The ratio, it's been  
9 relatively at the 12, right? It hasn't really  
10 deviated much from that?

11 COMMISSIONER DANNHAUSER: So, we look at... every  
12 month we look at the number of the agencies and what  
13 percentage of their case planners... (CROSS-TALK)

14 CHAIRPERSON AYALA: Mm-hmm

15 COMMISSIONER DANNHAUSER: have under 12. And we  
16 have for the... for the... Most of the case  
17 planners remain under 12 in each of those months.  
18 There are some agencies that will have a particular  
19 challenge for a while, and then they'll hire back up.  
20 So, there have absolutely been challenges, but we're  
21 closer and closer to 12.

22 CHAIRPERSON AYALA: Okay.

23 COMMISSIONER DANNHAUSER: Across the board...  
24 (CROSS-TALK)

1  
2 CHAIRPERSON AYALA: No, but I mean that's  
3 important, right? Because the more families you  
4 have, the more difficult it is to be able to kind of  
5 have that, that one on one time that you really need  
6 to ,you know, make informed decisions, right, on that  
7 specific household.

8 So, how often are families visited at home?

9 COMMISSIONER DANNHAUSER: I'm sorry... (CROSS-  
10 TALK)

11 CHAIRPERSON AYALA: Like, is there a requirement?  
12 Is there, like, a number of times that a case worker  
13 is assigned? It's... It's, you know, has to visit a  
14 family, uh, that has children in placement a month or  
15 a year, or what does that look like?

16 COMMISSIONER DANNHAUSER: Yes, so... So, and I  
17 also want to say with this, the new contracts EFFC,  
18 the goal is actually going to be 10. So, we took the  
19 used to be treatment family foster care or  
20 therapeutic foster care, and regular family foster  
21 care and essentially combined them and increased the  
22 resources. So, that is going to bring the caseloads,  
23 uh, down to 10 children.

24 So, there has to be a visit in the home, uh,  
25 every month by case planners. During the pandemic

1  
2 there were some exceptions around virtual visits, but  
3 we have come back to in person visits. And, so there  
4 has to be that visit for every child in the home each  
5 month. And, so, often it is... it is much higher  
6 than that, there might be, you know, particular needs  
7 that they're meeting. There might be other people in  
8 the home including some of the behavioral  
9 specialists. But the minimum is once per month.

10 CHAIRPERSON AYALA: Does that include, uhm, a  
11 visit to the school to find out, you know, how the  
12 child is doing in school? If the child is up to date  
13 with their medical needs, their, you know, uh,  
14 immunizations?

15 COMMISSIONER DANNHAUSER: No, it doesn't. So,  
16 and... And, if you imagine this is sort of a  
17 staffing model for children and families that, there  
18 is a case planner, now once children are 11 they'll  
19 also have a coach. There are roles within the EFFC,  
20 the socio therapist-like, they have... Most of the  
21 children in care have care managers for their health  
22 and behavioral, and so there's a coordinated approach  
23 at the agencies. So, if there's a coach in place  
24 they might be the one checking in the school. There  
25 are some agencies that have education specialists.

1  
2 So, no, that one visit does not include all of the  
3 variety of folks that we're partnering with to make  
4 sure children have their needs met.

5 CHAIRPERSON AYALA: Okay.

6 And regarding the level of support that is  
7 offered to foster parents, does that extend to after  
8 work hours? Like, is there a 24-hour hotline that I  
9 can call if I'm a foster parent and I have a child in  
10 distress, or something seems off?

11 COMMISSIONER DANNHAUSER: Yes. Ina is going to  
12 speak to that.

13 DEPUTY COMMISSIONER MENDEZ: So, yes, so every  
14 agency has a 24-hour line that foster parents can  
15 call if they're in need. Agencies also have home  
16 finding departments, and there is usually a contact  
17 in the home finding department that they can reach  
18 out to, you know, all hours of the night and on the  
19 weekends. And as The Commissioner mentioned,  
20 agencies have created networks, so they can reach out  
21 to another foster parent. And that foster parent  
22 maybe has experience what they're seeing in their  
23 home at the time and offer advice -- come over and  
24 offer support. Foster parents use each other as  
25

1  
2 respite. So, there are opportunities and support for  
3 foster parents and the children if there is a crisis.

4 CHAIRPERSON AYALA: Mm-hmm, mm-hmm. Okay.

5 I am going to... I want to allow for questions  
6 from the colleagues, because I want to be mindful of  
7 their time. And then I'll come back for a second  
8 round.

9 Council Member Williams, followed by Council  
10 Member Stevens.

11 COUNCIL MEMBER WILLIAMS: Hello. How many  
12 children are currently housed at The Children's  
13 Center?

14 COMMISSIONER DANNHAUSER: As of 8:00 a. m. this  
15 morning, 72.

16 COUNCIL MEMBER WILLIAMS: 72?

17 COMMISSIONER DANNHAUSER: Mm-hmm. It has  
18 fluctuated between 58 and 74 this week.

19 COUNCIL MEMBER WILLIAMS: Okay, uh, do you know  
20 the average length of stays for those who are at The  
21 Children's Center or a temporary placement facility?

22 COMMISSIONER DANNHAUSER: Yes, so the average  
23 length of stay, uh, for this last quarter, for  
24 children at The Children's Center, was 18 days.

25 Many, many children are there just for a few days.

1  
2 For the Youth Reception Centers, the average length  
3 of stay for the last quarter was 38 days.

4 COUNCIL MEMBER WILLIAMS: Okay, uhm, do you have  
5 an age breakdown of the children at The Children's  
6 Center or temporary placement facilities?

7 COMMISSIONER DANNHAUSER: Yes, so for The  
8 Children's Center, 20% of the children there are  
9 newborn - three years old; 16% are four to six; 35%  
10 are seven to 10 --many of these children are the  
11 children in sibling groups that I was describing --  
12 2% 11 to 13; 11% 14 to 18, and 14% 19+.

13 For the Youth Reception Centers, 29% are newborn  
14 to three years old, that they are in the Sheltering  
15 Arms facility for little ones; four to six are 8%;  
16 seven to 10 are 7%, 11 to 13 are 5%; 14 to 18 are  
17 48%, and 19+ are 3%.

18 COUNCIL MEMBER WILLIAMS: Thank you. I just have  
19 some more questions.

20 So, in light of the 2019 family court decision  
21 Matter of Kenneth R. v State of New York, what has  
22 ACS done to address the failures of The Children's  
23 Center? Are there any measures you would like to  
24 share in terms of how you have implemented certain  
25

1  
2 measures at other temporary placement facilities to  
3 comply with the family court ruling?

4 COMMISSIONER DANNHAUSER: Yes, so this is an  
5 enormous priority for me. I've been at The  
6 Children's Center on a very frequent basis since I  
7 became Commissioner in January.

8 The Children's Center has added additional spaces  
9 for children. We have a really, really wonderful,  
10 dedicated staff 24/7. I've been there in the middle  
11 of the night. I've been there early in the morning.  
12 And they are working really, really hard to provide a  
13 really therapeutic approach. We partner with Gotham  
14 for nursing and with Bellevue for mental and  
15 behavioral health. We have the youth advocacy  
16 program on site. Children are doing homework after  
17 school; they're in women's groups; they're in men's  
18 groups. They are able to recreate, they watch  
19 movies, and they have games. They do some group  
20 sessions together. I have been fortunate to take  
21 part in that. They read with one another. And for  
22 the children who are in the nursery, they're getting  
23 excellent care. There are nurses on site and staff  
24 dedicated. And so we have really... And we have...  
25 Every single... B-weekly, I have a placement action



1  
2 plan meeting. We are looking at the children with  
3 the most extraordinary needs. Sometimes it is really  
4 complex for children with development disabilities.  
5 We need to get court orders for guardianship, we need  
6 to make sure they can access services through The  
7 Office for People with Development Disabilities, or  
8 the State Office of Mental Health. We have a  
9 dedicated DD unit that really works to make sure we  
10 access a full array of services, so the children are  
11 not lingering at The Children's Center.

12 The Children's Center also shifted leadership,  
13 and it's under my first Deputy Commissioner, because  
14 it is a huge priority for us. The ACS police and  
15 peace officers have great relationships with the  
16 young people. And they provide for a safe  
17 environment on entry and exit to The Children's  
18 Center.

19 So, there has been a lot of work to make it a  
20 safer place. And obviously the key solution is that  
21 children aren't there too long. And so, uhm, we  
22 appreciate your attention on that, because everything  
23 we are doing to build capacity, to build the right  
24 capacity, with our foster care agencies is so that  
25 children don't have to be -- and all of the kin work

1  
2 -- they don't have to be at The Children's Center or  
3 our Youth Reception Center for any extended period.

4 COUNCIL MEMBER WILLIAMS: What is the other name?  
5 The Youth... (CROSS-TALK)

6 COMMISSIONER DANNHAUSER: The Youth Reception  
7 Centers... (CROSS-TALK)

8 COUNCIL MEMBER WILLIAMS: Right.

9 COMMISSIONER DANNHAUSER: These are the other pre-  
10 placement facilities... (CROSS-TALK)

11 COUNCIL MEMBER WILLIAMS: But, that... There's  
12 one in the City, like on the East Side?

13 COMMISSIONER DANNHAUSER: There are four of  
14 them... (CROSS-TALK)

15 COUNCIL MEMBER WILLIAMS: [INAUDIBLE]

16 COMMISSIONER DANNHAUSER: And, so the... The  
17 Children's Center [INAUDIBLE]... (CROSS-TALK)

18 COUNCIL MEMBER WILLIAMS: [INAUDIBLE] type of  
19 facility is... It's... I think it's like teenagers,  
20 but it's on the East Side in the [TIMER CHIMES]  
21 60's... 60's... Isn't there a facility there?

22 COMMISSIONER DANNHAUSER: Yeah, I don't think that  
23 that is a Youth Reception Center. That might be a  
24 group home or some other kind of facility.

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COUNCIL MEMBER WILLIAMS: I don't think it's a group home. But, it's... I don't know if it's a drop-in, I'm not sure. But, there is that...

(CROSS-TALK)

COMMISSIONER DANNHAUSER: It might not be ACS... We'll find out and we can... (CROSS-TALK)

COUNCIL MEMBER WILLIAMS: Well, it's ACS... It's ACS.

COMMISSIONER DANNHAUSER: It... One of our... We'll find out exactly what the... (CROSS-TALK)

COUNCIL MEMBER WILLIAMS: Yeah. I would like to know what type of facility that is, because I have heard a lot of stories about that facility. Uhm, and maybe I'll... (CROSS-TALK)

COMMISSIONER DANNHAUSER: You're saying in the 50's [INAUDIBLE]... (CROSS-TALK)

COUNCIL MEMBER WILLIAMS: figure it out before the hearing is over. So, I'll send some text messages now. Thank you, Chair.

If you have more questions, I'll go ahead and...

COMMISSIONER DANNHAUSER: We'd be happy to...

COUNCIL MEMBER WILLIAMS: Okay, alright.

[INAUDIBLE]... (CROSS-TALK)

1  
2 COMMISSIONER DANNHAUSER: And we can  
3 [INAUDIBLE]... (CROSS-TALK)

4 CHAIRPERSON AYALA: Thank you. Council Member,  
5 Stevens?

6 COUNCIL MEMBER STEVENS: Hi, I don't have too many  
7 questions. But, my first question just is around  
8 some of the issues I've heard where some families  
9 might want to take on whole families or some  
10 siblings. How does ACS assists with or does ACS  
11 assist with helping families find bigger housing so  
12 that they can keep families together, uh, and take  
13 all of the siblings? I have had a few situations  
14 where this has been an issue.

15 COMMISSIONER DANNHAUSER: Yeah, it's a challenge.  
16 I mean, thankfully, Council Member, we are placing  
17 96% of siblings together. So, it's a huge priority  
18 to make sure that they can. We can support that  
19 work. We have staff who can help foster parents  
20 identify what they're eligible for as far as  
21 vouchers. It's not easy work. It's not something  
22 that, you know, typically can move over night. We'll  
23 work if... If they're in a NYCHA facility, we'll  
24 work with NYCHA to try to access larger housing, so  
25 all of the siblings can stay together. But, I don't

1  
2 want to pretend that that is something that we can  
3 easily do overnight. But, it... We absolutely work  
4 with all the ways in which they're eligible to try to  
5 make sure that they can secure housing that's  
6 appropriate for the children.

7 COUNCIL MEMBER STEVENS: Okay. And, so I know you  
8 said you work with NYCHA, but are there other  
9 agencies that you kind of work with to kind of help  
10 assist the families and stuff like that?

11 COMMISSIONER DANNHAUSER: Yes, we have a housing  
12 unit, one for youth and then one for families. And  
13 we are doing a lot of work right now with NYCHA to  
14 identify, uhm, across our continuum, families who  
15 could live closer to their childrens' school, who  
16 need more capacity. So we worked... We work with  
17 HPD; we work with our partners at DSS; we work with  
18 NYCHA. So, the entire, obviously the Chief Housing  
19 Officer and her team. We are in full partnership  
20 with the whole continuum of City agencies.

21 COUNCIL MEMBER STEVENS: Thank you.

22 And I just have a question around Intro 436. How  
23 do you currently collect feedback from young people,  
24 families, and advocates about the Juvenile Justice  
25 Centers?

1  
2           COMMISSIONER DANNHAUSER: Yeah, thank you so much,  
3 Council Member, for your focus here. As you said in  
4 your opening statement, I share the value that the  
5 folks who are closest to the experience, who have  
6 lived experience, and closest to the work are who we  
7 should be listening to. And I make it a real  
8 priority.

9           In each of our juvenile justice programs, whether  
10 that's Close To Home program, whether it's our  
11 preventive continuum, what we call community based  
12 alternatives, and our secure detention and non-  
13 detention centers, they all have youth committees --  
14 so, youth leadership groups. And, they are  
15 listening, and they're talking about everything from,  
16 you know, the quality of the food to the conditions,  
17 to the programming that they'd like. And, so those  
18 are all set up.

19           We also, you know, upon my entry into this  
20 position, I really wanted to learn more about the  
21 juvenile justice continuum. And, so I reached out to  
22 advocates and experts in... who are in behavioral  
23 health, and the first thing they said to me was, "The  
24 Deputy Commissioner that you need to get is Nancy  
25 Ginsburg". So, she's got 30 years at Legal Aid, so

1 she's an advocate, and she joined us a few months  
2 ago. And she is actually at Crossroads right now,  
3 which is why she's not here. She's in the process of  
4 setting up a juvenile justice advisory board. We  
5 would love to work with you on that, so that we  
6 formalize the process of having advocates, uh, having  
7 young people, having parents all at the table, uh,  
8 and our City partners.

10 The other constituency I want to make sure I call  
11 out is our staff. I have been holding town hall  
12 hearings in our secure detention facilities. These  
13 staff worked through COVID, there was no virtual.  
14 They did such an extraordinary job. They were on 12-  
15 hour shifts. They're now on eight-hour shifts. I am  
16 just so grateful to our staff who come every day to  
17 take care of young people in our secure detention.  
18 And, so it's an important constituency to be at the  
19 table for this juvenile justice advisory board. So, I  
20 have already talked to Anthony Wells at 371 about  
21 that, and so I know he will be testifying later.  
22 But, I just want to say, on behalf of all of us at  
23 ACS, thank you to our staff.

24 COUNCIL MEMBER STEVENS: No, I think that's always  
25 important, because they are a huge part of this,

1 right? And I think sometimes folks do forget the  
2 staff and the work that they do. So, and it's not an  
3 easy job, but they do show up every day and the  
4 continue to do the work. So, I, you know, support  
5 and second what you're saying around just supporting  
6 staff.  
7

8 Uhm, and thank you, those are all of the  
9 questions that I have for you guys today, thank you.

10 COMMISSIONER DANNHAUSER: Thank you.

11 CHAIRPERSON AYALA: Go ahead, Council Member  
12 Williams.

13 COUNCIL MEMBER WILLIAMS: I have a question on my  
14 bill, too.

15 In your testimony you said that you're already  
16 doing that? Are you doing a version of what the bill  
17 is trying to compel you to do? Because you said  
18 something...

19 COMMISSIONER DANNHAUSER: Yes, I mean, in short  
20 answer, yes. I mean, this is an absolute priority.  
21 We are looking at the data every day. We are looking  
22 at individual children and making sure that they have  
23 the appropriate placement options. The... You know,  
24 we are happy to continue the conversation obviously  
25 about the bill.



1  
2 But, what we are doing is making sure that we are  
3 trying to drive down lengths of stay at The  
4 Children's Center and the YRC's... (CROSS-TALK)

5 COUNCIL MEMBER WILLIAMS: Oh, no, sorry...  
6 (CROSS-TALK)

7 DEPUTY COMMISSIONER GENDELL: You're talking about  
8 two different bills... (CROSS-TALK)

9 COUNCIL MEMBER WILLIAMS: This was... This was on  
10 Council Member Stevens bill... (CROSS-TALK)

11 COMMISSIONER DANNHAUSER: Oh, sorry... (CROSS-  
12 TALK)

13 COUNCIL MEMBER WILLIAMS: Am I a co-sponsor of  
14 that bill? [INAUDIBLE]

15 COMMISSIONER DANNHAUSER: I can say yes to that  
16 one, too.

17 COUNCIL MEMBER WILLIAMS: Yeah, okay, so the bill  
18 that I'm also a co-sponsor of, yeah, oh, I'm second?  
19 Oh, yes, I'm second on the bill. And I'm referencing  
20 her bill around the Youth Advisory Board.

21 So, the question is, in your testimony you stated  
22 that you are "currently setting up a juvenile justice  
23 advisory board to lend expertise to us as we seek to  
24 continuously strengthen our efforts".

1  
2 And, so are you essentially saying that you are  
3 doing what the bill is asking you to do?

4 COMMISSIONER DANNHAUSER: Excuse me for getting  
5 the bill wrong. Yes, we are... (CROSS-TALK)

6 COUNCIL MEMBER WILLIAMS: Okay.

7 COMMISSIONER DANNHAUSER: That's also a yes.

8 COUNCIL MEMBER WILLIAMS: Okay, no problem.

9 And I know Council Member Stevens talked about  
10 this a lot, and I agree with her when we talk about  
11 codifying things in to law, because ,you know, we  
12 might have wonderful commissioners like you that  
13 decide to do amazing things, but then when another  
14 administration comes on, they might dismantle what  
15 you do. So, I really do hope that you'll support us  
16 and maybe work with us to shape it to kind of fit  
17 what you're already doing, but at the very least,  
18 that it's codified into law so that it exists in  
19 perpetuity.

20 COMMISSIONER DANNHAUSER: Thank you, we look  
21 forward to those discussions.

22 CHAIRPERSON AYALA: Thank you. Are young people  
23 in care offered a Bill of Rights? That was actually  
24 a suggestion that came up at the Foster Youth Shadow  
25 Days. Some of the young people ,you know, felt that

1  
2 they could be a little bit more self-sufficient and  
3 able to kind of help themselves through the process  
4 if they actually had a clear understanding of what  
5 their rights were and ,you know, what they should do  
6 if those rights were not being met.

7 Is there a Bill of Rights?

8 COMMISSIONER DANNHAUSER: The... I don't know of  
9 an exact Bill of Rights. But, I will say this, every  
10 youth in foster care has an attorney, and, uh, who  
11 absolutely pushes for all of their rights. I want  
12 young people to know that they can reach out to the  
13 Office of Advocacy. They can reach out to my office.  
14 They have staff who are dedicated to them at the  
15 agencies. The case planners are obviously there.  
16 They have now the coaches that will be... that  
17 agencies are hiring up for. We want young peoples'  
18 voice, both in the individual and the collective. We  
19 have a Youth Leadership Council that helps us shape  
20 policy and helps us think through. I think, uhm, I  
21 believe there have been many, many iterations of  
22 rights that are posted in some of our residential  
23 care facilities. But, what is most important is that  
24 young people have the capacity, and the wherewithal,  
25 and the opportunity to express what they want, what

1 they're individual... Uhm, and we are creating all  
2 of the opportunities that we can possibly think of.  
3 The young people, you know, I have youth roundtables  
4 when I was at a foster care agency, and now we have a  
5 Youth Leadership Council. They tell us directly, you  
6 know, what they need, what's happening, what's not,  
7 and it such valuable information. Things aren't  
8 perfect, but they are such extraordinary partners.  
9 We're using in the Fair Futures model something  
10 called motivation interviewing, which just starts  
11 with the idea that young people want to do well. I  
12 think we've tried to tell them what to do for too  
13 long. We believe young people want to do well, and  
14 they have something that they want to do. Usually in  
15 the tops three things it's a job or money in their  
16 pocket in some way. And so we're working to increase  
17 those opportunities as well.

18  
19 But, back to your original question, we'd be  
20 happy to think about sort of... We'll take a look at  
21 sort of updating anything that's there. And we  
22 really want to make sure kids know their rights.

23 Did you want to add anything to that?

24 DEPUTY COMMISSIONER MENDEZ: No.  
25

1  
2 COMMISSIONER DANNHAUSER: So, the state has a  
3 Youth Bill of Rights that we do post, but we are  
4 happy to continue to think that through.

5 CHAIRPERSON AYALA: I mean, the kids that are  
6 coming through the Foster Youth Shadow, they are all  
7 amazing.

8 COMMISSIONER DANNHAUSER: Amazing.

9 CHAIRPERSON AYALA: Amazing advocates for how  
10 things should run at ACS and the government in  
11 general. I mean they're just full of ideas. And,  
12 you know, I'd love to take them up on many of them.  
13 I actually wrote up a whole bunch of... I have a  
14 whole report on things and ideas that I got from, you  
15 know, having conversations with them. They were  
16 really just awesome, you know... (CROSS-TALK)

17 COMMISSIONER DANNHAUSER: I would love to see it.

18 CHAIRPERSON AYALA: [INAUDIBLE] young people and  
19 it's... It brings a lot of joy to my heart to know  
20 that they're part of the change that they're looking  
21 for, and that they're allowed to have a voice in the  
22 process.

23 COMMISSIONER DANNHAUSER: Amen.

24 CHAIRPERSON AYALA: Could you share what type of  
25 mental health services are provided to the staff at

1  
2 ACS who work with the foster care cases? And what  
3 type of workforce development is provided?

4 COMMISSIONER DANNHAUSER: Sure. So, we have an  
5 extensive EAP Program (Employee Assistance Program).  
6 We also contract with... for staff who have  
7 experienced some kind of vicarious trauma, you know,  
8 staff are exposed to a lot. We have a contract with  
9 folks who can deploy, and so they'll run trauma based  
10 groups. We had an incident last week in which this  
11 was necessary. And that has been really helpful.  
12 So, we hold healing circles that are agency wide  
13 every week where folks can access but also through  
14 the full City benefits in our EAP Program they can  
15 access individualized treatment as well.

16 On the workforce side, we have an extensive  
17 workforce institute. We have our James Satterwhite  
18 Academy, which is focused primarily on Child  
19 Protective Specialist. But the Workforce Institute  
20 has been built out over the last several years in  
21 partnership with CUNY. And, so it has an extensive  
22 array of both virtual and in person trainings for our  
23 entire system. Everything from engagement to Safety  
24 and Risk Training. There's an onboarding protocol  
25 really investing in staff as they're coming on, not

1 waiting to train them. For Child Protective  
2 Specialists, it's essentially almost a nine month to  
3 12 month process between starting in the academy,  
4 then they go to on the job, then they go back to the  
5 academy, then they're in a training unit with a lower  
6 caseload. And we are really making sure... I mean,  
7 we used to just give folks caseloads and, then say...  
8 you know, after a couple weeks of training... so,  
9 it's really, really been thought through. We are  
10 thrilled that we have a 123 candidates going through  
11 the training process right now, uh, from our most  
12 recent class for Child Protective Specialists. But  
13 the Workforce Institute, and we would be happy to  
14 talk more and show you some of the modules, has been  
15 a real advance in our work.

17 CHAIRPERSON AYALA: Yeah, it's really heavy duty  
18 work, and... (CROSS-TALK)

19 COMMISSIONER DANNHAUSER: Huge.

20 CHAIRPERSON AYALA: You know, uh, the... I  
21 couldn't even imagine the type of cases that, you  
22 know, they're seeing and, you know, the issues that  
23 they are trying to address on a daily basis. So, I  
24 could only imagine, right, that the burnout rate,  
25 uhm, would be that much higher if these recourses

1  
2 were not provided voluntarily, right? They're not  
3 [INAUDIBLE] we're being proactive in our efforts to  
4 ensure that ,you know, case workers and foster  
5 parents, right, because we know that the stakes are  
6 really too high if we're not ,you know, crossing  
7 every T and dotting every I when it comes to the care  
8 of our children. And, so it concerns me, right, when  
9 ,you know, I just want to make sure that not only are  
10 the foster parents equipped, right, and supported  
11 throughout this process -- this is a very difficult  
12 process -- these are children that are not going home  
13 soon.

14 COMMISSIONER DANNHAUSER: Mm-hmm

15 CHAIRPERSON AYALA: You know, often times, and  
16 come with a complex, you know, set of needs. And  
17 sometimes cultural norms, right, kind of make it  
18 complicated to be able to address those needs in the  
19 way that they should be. But, I also think it is  
20 equally as important to ensure that the person who  
21 has oversight of those ,you know, homes is prepared  
22 through workforce ,you know, development  
23 opportunities, but also feel supported on a social  
24 and emotional level. Because, it is very, you know,  
25 daunting. And I work, you know, in Social Services



1  
2 my entire career. And it's, you know, there's no way  
3 to kind of disconnect completely. You're taking some  
4 of that home. And, so we want to make sure that, you  
5 know, everyone is considered in the equation.

6 COMMISSIONER DANNHAUSER: Absolutely, thank you  
7 for that, Deputy Speaker. The... A few thoughts:  
8 Our 26 foster care agencies have built response  
9 systems for their staff as well.

10 I have been spending as much time as possible out  
11 with staff. So, I think I've met 4,000 or so ACS  
12 staff and many other provider agency staff. So, I  
13 will go and, you know, be in a Harlem office or a  
14 Queens office for a day and do some shadowing. These  
15 are extraordinary people doing really, really  
16 important work -- trying to get it right for  
17 families. They are working to try to make sure that  
18 children are safe, that they can be safe at home  
19 whenever that is possible. And obviously we are  
20 seeing the fruits of all of that. And, I am so  
21 grateful to them. But to sit and hear some of their  
22 anecdotes, they have asked to really focus on  
23 simplifying their jobs a little bit, and... so they  
24 can spend more time with children and families who  
25 are going through a whole process where we are

1  
2 looking at the ways we're calling them to document so  
3 that they're crossing that... (CROSS-TALK)

4 CHAIRPERSON AYALA: Yeah.

5 COMMISSIONER DANNHAUSER: dotting the right I's  
6 and crossing the right T's and not sort of  
7 overwhelmed with paperwork. And we are... We just  
8 had something... We have child stat every week, and  
9 we just had something that we... that was dubbed  
10 reverse child stat. And essentially, it was the  
11 borough offices getting to ask ACS leadership, where  
12 are you on this issues, on this issue, and that  
13 issue? It was hard for us. And, but it was really  
14 important both symbolically and substantively to say,  
15 our chart is flipped, we are here to support you so  
16 you can support families.

17 CHAIRPERSON AYALA: Yeah, you have to go through  
18 the process in order to really actually feel it.  
19 Right? Because we... We're tasked with creating  
20 policies and, you know, rules and, you know,  
21 programming around, you know, structures, around  
22 families, and issues that are very complicated. But,  
23 there's a disconnect when one doesn't really, truly  
24 kind of get it.

1  
2 So, I'd like to, I actually like... I'm very,  
3 you know, hands-on, and I like to be out on the  
4 street. And I... (CROSS-TALK)

5 COMMISSIONER DANNHAUSER: I know.

6 CHAIRPERSON AYALA: I visit places, and I sit  
7 there, and I, you know, hang out. And it's becoming  
8 a little bit more difficult not to recognized, but  
9 ,you know, whenever I can get away with it, I try  
10 because I want to see, right, like how are you  
11 treating folks when I'm not here, right, when you  
12 don't know that I'm watching? Because, you know,  
13 but... So, you know, one of the things that to me is  
14 really astounding is that the number... the decrease  
15 in the number of children that are in placement. I  
16 think that that is a testament to something good  
17 happening.

18 What do you attribute that to?

19 COMMISSIONER DANNHAUSER: You know, I have to give  
20 credit to... across the system. Obviously  
21 preventive services and the options that child  
22 protective specialists have, there's such an array of  
23 therapeutic supports now. We are doing a lot of work  
24 to make the preventive services even more nimble to  
25 support tangible needs of parents, to be really

1  
2 responsive to what the families need in that movement  
3 in addition to doing more of the casework counseling  
4 and the therapeutic work.

5       You know, I think it's... It wouldn't be fair  
6 not to give some credit to the institutional legal  
7 providers. They represent parents. They do an  
8 excellent job in defending parents' rights. We met  
9 with them last evening. I think we parents know that  
10 there is someone that is an advocate for them that  
11 actually helps them be more stable through a process  
12 which is difficult. And we have to do a thorough  
13 investigation, and we are very conscious that this is  
14 not an easy process for a family to go through. We  
15 are working really hard to make it as thorough and as  
16 respectful as it possibly can be.

17       And, so... But, I do think that's an important  
18 part of the equation. I think our preventive  
19 services, the fact that the state has had an open  
20 ended reimbursement stream, so that when the City  
21 invests in good preventive services, then we see ,you  
22 know, a really, really important state support.

23       We have to continue to evolve preventive services  
24 to meet the challenges of today, and we are really  
25 excited about that doing them.

1  
2 CHAIRPERSON AYALA: How do you incorporate, like,  
3 cultural norms into the conversation, right? I, you  
4 know, I grew up in a Latino household, and corporal  
5 punishment was not, you know, uncommon. Like, we  
6 didn't... We were not abused children, but if we  
7 were out of line, you know, it could happen at any  
8 given moment. And now that I am... I don't excuse  
9 it, and I don't condone corporal punishment, but it  
10 happens. And I think a lot of the reasons, you know,  
11 for why it happens is really stress induced, you  
12 know, environments. Right? Not... Not being  
13 able... Not making enough to pay the bills and, you  
14 know, take the kids to McDonalds. Not being able,  
15 you know, not making rent. And maybe having  
16 difficulty in a relationship. Just, you know, the  
17 instability that comes with living in a life of  
18 poverty. You know, we have all been there. I've  
19 there as a parent. I've been challenged, and I have,  
20 you know, it took me a long time. And, I share the  
21 story of my oldest son a lot, because I think it's  
22 important. Because he was, like, I was 16 years old  
23 when I had him. I didn't have any, obviously, any  
24 formal training on taking care of children, but he  
25 was a very difficult child, because he had Attention

1  
2 Deficit Hyper Activity Disorder. He was all over the  
3 place. And I was going through my own stuff. Right?  
4 I was a teenager. His father had passed away when I  
5 was pregnant. And I was going through the motions of  
6 postpartum. And, this kid is crazy, and I'm like,  
7 oh, my God, what am I going to do with him? And I  
8 eventually, you know, I am not going to share the  
9 whole story, because it's pretty tragic, but at some  
10 point I reached out and got ,you know, seeking mental  
11 health services for him. Because, I was, like, he  
12 needs a therapist. He needs something. He was  
13 three. He was three mind you. And I... (CROSS-  
14 TALK)

15 COMMISSIONER DANNHAUSER: Good for you.

16 CHAIRPERSON AYALA: And this was at the  
17 recommendation of every person that I ran into in my  
18 life, because they were like, this kid is high  
19 maintain, you really need to maybe get him ,you know,  
20 evaluated and medicated. And, so, I remember when I  
21 first went -- the first visit -- they sat him down  
22 with little crayons. And then the conversation was  
23 really centered on me. And, I'm like, well why am I  
24 in therapy? I didn't do anything, it was him, and  
25 you need to talk to him. Like, he's the problem.

1 He's the one that has the issues. Right? It's not  
2 me. But, it was really life changing for me, because  
3 through that process I learned coping mechanisms that  
4 had never been taught to me -- that I had never seen  
5 before -- that I didn't understand, which allowed me  
6 to better deal with him. And that was the gist of  
7 it. Right? It was like, how do you deal with a  
8 child that has emotional or health issues and is  
9 difficult to deal with? Even disciplining him was  
10 horrible. I would have to restrain him. So, it was  
11 a process, but I say that to say that it was so...  
12 it saved my life, and it probably saved his, too.

14 And, unfortunately, not too many of our parents  
15 have access to that service. And even then I had, I  
16 went through drastic means to be able to get my first  
17 appointment. And that hasn't changed. And this  
18 was... I mean, my son is 32 years old now. He was  
19 three years old. And it hasn't changed. Getting an  
20 appointment is, you know, nearly impossible. Getting  
21 social workers into our schools who are sensitive to  
22 cultural norms, and don't necessarily see a reaction  
23 as a, you know, as an action of malicious intent.  
24 Right? Or parents wanting to hurt their child, but  
25 rather that a situation probably got out of control,

1 because all of these other things are, like, in the  
2 universe of that family. That is very difficult.  
3 You know, and, so I hope that ACS is at least also,  
4 you know, in conversations with the administration  
5 advocating for more mental health services for  
6 families. I think, you know, that it's a really  
7 important component of the work that you do and it's  
8 invaluable.  
9

10 COMMISSIONER DANNHAUSER: Taking down the stress  
11 of New York City's families is I think one of the  
12 most important priorities that we have. I hope you  
13 have seen some of the good news around childcare and  
14 the wait lists. And getting... We're opening up to  
15 all families across the city that are under 300% of  
16 the poverty line. Our family enrichment centers are  
17 places to access support and community -- making sure  
18 people aren't socially isolated and that they have  
19 the support that they need.

20 I think that we need to do a better job of  
21 helping people understand our preventive services.  
22 We have family therapies imbedded in our preventive  
23 services. They're evidence based. They're  
24 excellent. And people can access those services  
25 through a range of about 50 providers, community



1 based organizations, without an investigation. You  
2 know, it doesn't take ACS to be involved from an  
3 investigative place to get that support. And we  
4 really want to make sure we are working with our  
5 providers to think about, how we become.... How do  
6 we get that message out at the community level? And  
7 it's a huge priority for me.

8  
9 As far as cultural specifically, uh, what is so  
10 important... So, we are asking our child protective  
11 specialists to do this work in a way that is  
12 nonjudgmental but decisive. Right? They have to  
13 assess, make hard decisions. You know, we ask them  
14 to make prognoses that doctors might not be able to  
15 make.

16 So, what we try to do is make a team environment.  
17 We have... Make sure that we are hiring a diverse  
18 staff who understands culture. But, a lot of it  
19 comes down to how you to talk to a child. To  
20 understand a child's experience sort of with an  
21 incident, you know, were they scared? Were their  
22 parents out of control? Are they scared now? Versus  
23 something that we might to mitigate and curb, but is  
24 just a cultural practice that doesn't really put a  
25 child risk. Teasing that out, I think has so much to

1 do with getting good consultation from our Clinical  
2 Consultation Team that is on site in Child  
3 Protection. Uh, talking to neighbors. Talking to  
4 other people in the children's life. Talking to the  
5 school. We have to just listen. And even when we  
6 listen perfectly, you know, it can be a complex  
7 story, but I think the more we are coming in with  
8 nonjudgment, doing a thorough assessment, but not  
9 jumping to a judgment of parents. We get the reality  
10 of what's going, and really hearing from children and  
11 what they need. If they're nonverbal ,you know, it  
12 important for us to ,you know, if they're in  
13 childcare, whoever else is in their life, that can  
14 give us a sense of whether they're in danger or not.

16 CHAIRPERSON AYALA: I will tell you that even for  
17 us as members of this body, we advocate very heavily  
18 for mental health and, you know, social work services  
19 at the school setting. But I wouldn't... I would be  
20 lying if I didn't state that there's always like this  
21 little trickle of fear in me, because I always...  
22 The uncertainty of that interaction is going to look  
23 like, and now a situation can be deemed, right,  
24 something that it's not. It scares the bejesus out  
25 of me. And so, you know, I just... I feel like, you

1 know, I also, I love to share these, uh, stories,  
2 because I think that they are helpful. And, I hope  
3 that there are parents that are watching, and I am  
4 always surprised of the people who run in to me on  
5 the street, and they're, like, "Oh, I saw you on T.V  
6 on that channel!" and, it's like, oh, people do watch  
7 it!

8  
9 But, I hope that there are parents out there, you  
10 know, that they understand, because I think we've had  
11 this conversation about normalizing behaviors and  
12 things that... You know, experiences that we have  
13 and, uhm that we all share. We all share them,  
14 because I think when we talk to each other, and we're  
15 listening to each other, we realize, hey, I want...  
16 "Like, last week, I wanted to kill this kid! He  
17 was... He got... You know, and I didn't, but I  
18 wanted to. And that doesn't make me a bad parent.  
19 It makes me a human being with feelings." Right? And  
20 I think we need to normalize these conversations in a  
21 way that allows people to be really honest about how  
22 they're feeling and what's happening in their  
23 houseboats. Because, we have instituted a community  
24 of, like, we just... It's a sentiment of fear rather  
25 than, uhm, a desire or an interest to really approach

1  
2 a situation from a lens of, "I need help". "I need  
3 to better understand this kid". This kid needs to  
4 better understand me". "These things are making it  
5 very difficult for me to be able to be the best  
6 parent, but it doesn't mean that I am a bad parent."  
7 Right?

8 COMMISSIONER DANNHAUSER: Right.

9 CHAIRPERSON AYALA: And I think we have been...  
10 We have been conditioned in a way that we are not  
11 free to express that, specifically we are not free to  
12 express that as mothers. We cannot say that we love  
13 our children, but sometimes we don't like them. We  
14 don't. And, that is true. I love my children, but  
15 they get on my nerves. They get on my damn nerves.  
16 Right? And that's okay. That's normal.

17 COMMISSIONER DANNHAUSER: That's right.

18 CHAIRPERSON AYALA: That happens. Right? So,  
19 it's what I do with that. But, I think we need to  
20 normalize these conversations so that people...  
21 parenting people feel more comfortable being honest  
22 about where they are and really finding communities  
23 amongst each other, so that then they can start  
24 building the support network that will help ,you  
25

1  
2 know, ensure that their families are stronger and  
3 healthier.

4 COMMISSIONER DANNHAUSER: Thank you for that. I  
5 think that is exactly right. And parenting is hard,  
6 and I think parenting under the stress of poverty is  
7 doubly hard. And so... or triply hard. I think  
8 the... A few things on this that are really  
9 important, we are really trying to make sure that we  
10 only having investigations... you know, obviously it  
11 comes through the state, it's not us -- when that's  
12 the appropriate Deputy Commissioner, Andrew White,  
13 who is here, has been leading us. And I want to  
14 publicly thank the Chancellor for his openness to  
15 this, we are in the process of retraining the  
16 liaisons around the SCR in all 1,800 schools. And  
17 making sure they understand how to access support  
18 without an investigation. And whether an  
19 investigation is the appropriate point here.

20 I also think, you know, there's... Most of this  
21 stuff should happen outside of ACS. You and I have  
22 talked about that. Right? It's not... But where we  
23 can contribute to community investments, The Family  
24 Enrichment Centers, that's where those conversations  
25 are happening. Right? They are set around a kitchen

1 table, people are enjoying a meal together, they're  
2 celebrating a cultural event, and they are providing  
3 support. You know, we talk about substance abuse,  
4 mental illness, domestic violence -- that sort of the  
5 big three in child welfare -- they're all trumped by  
6 social isolation. When someone is alone and stressed  
7 out, that is something we want to overcome. And we  
8 don't overcome, and we don't overcome that through  
9 investigation. We overcome that through community  
10 support.  
11

12 CHAIRPERSON AYALA: Absolutely.

13 And so we have... We have a part of our hearings  
14 where we allow individuals to... who have reached  
15 out to give us questions that they think ,you know,  
16 that should be part of the hearing...

17 COMMISSIONER DANNHAUSER: Great.

18 CHAIRPERSON AYALA: process.

19 So, I am going to ask a couple... they're going  
20 to be... If you can be as brief as possible, because  
21 we have a hearing at 1:00, and I want to have time to  
22 ensure that anyone that has questions can ask them...  
23 or people who want to testify can testify.

24 But, does ACS keep track of how often relatives  
25 are denied as foster parents?

1  
2           COMMISSIONER DANNHAUSER: I don't have those  
3 numbers with me. We can certainly take a look at  
4 that. If a relative is denied as a foster parent,  
5 there are some where it's mandatory, and so we don't  
6 have discretion. If it's in a place where they don't  
7 have discretion, they can reach out for a supervisory  
8 review to take a second look at whether that is an  
9 appropriate decision that has been made in that case.

10           CHAIRPERSON AYALA: Okay.

11           Does ACS determine if the relatives are... If  
12 relatives are deterred from even applying?

13           COMMISSIONER DANNHAUSER: That would be hard to  
14 know. What I would offer is, I would encourage  
15 anybody to reach out to our Office of Advocacy, which  
16 you can get on our website -- we might be able to  
17 announce the number here as well -- If they feel like  
18 they are being deterred, if they, you know, we get a  
19 lot of inquiries from families through The Office of  
20 Advocacy, and we do not, you know, our goal is to  
21 have every child, who possibly can, be with family.  
22 And, so we do not want to be deterring anybody. And,  
23 I'd want to know about it personally if we are. So, I  
24 would encourage... Stephanie, would you give the  
25 number?

1  
2 DEPUTY COMMISSIONER GENDELL: Sure, The Office of  
3 Advocacy is 212-676-9421.

4 CHAIRPERSON AYALA: Thank you so much for that.

5 I don't know if I... If this... If Council  
6 Member Williams asked this, I might have tuned out a  
7 minute, but do we know how many children currently  
8 have... How many children currently have been at The  
9 Children's Center for more than 30 days?

10 COMMISSIONER DANNHAUSER: No. I believe it's 40.

11 CHAIRPERSON AYALA: Forty?

12 COMMISSIONER DANNHAUSER: In that range...

13 (CROSS-TALK)

14 CHAIRPERSON AYALA: Okay.

15 COMMISSIONER DANNHAUSER: Council Member, we can  
16 get you the exact number.

17 CHAIRPERSON AYALA: Okay.

18 And how does ACS monitor how long children remain  
19 at The Children's Center?

20 COMMISSIONER DANNHAUSER: We get a report every  
21 three hours or so from The Children's Center. That  
22 is by length of stay, and that's the report we are  
23 using to really identify, are there any places where  
24 children need some extraordinary measures for our  
25 level of leadership to intervene to make sure The



1 Office of Placements administration is doing  
2 everything they can to place. That we are having  
3 conversations with providers, so very, very  
4 frequently.  
5

6 CHAIRPERSON AYALA: Okay.

7 So, what is ACS currently doing ensure that  
8 children don't remain at The Children's Center for  
9 longer than a few hours or day as intended?

10 COMMISSIONER DANNHAUSER: So, this speaks to  
11 the... You know, and I... The conversations we have  
12 been having about the kin work, the support that  
13 we're providing to our provider partners in their  
14 recruitment efforts. And constantly making sure that  
15 we are... So, we have a placement module, so when  
16 children are entering care, it goes in all of the  
17 providers where we see potential placements or the  
18 module sees. They get a referral. They review it  
19 immediately and they're letting us know if they have  
20 a home. So, this is happening all day every day.  
21 When that is not working, and we get stuck, we sort  
22 of bump it up to a managerial level review, and  
23 saying we are going to reach out to the providers and  
24 really understand if we were able to... If there are  
25 foster parents willing, what supports might they

1  
2 need? Right? If this child has a particular need  
3 that lot of foster parents are saying, I can't do  
4 that or if there's a behavioral challenge. What if  
5 we put an additional coach? What if we provided  
6 recourses in some way? Or if the foster parent is  
7 saying, I can't get the child to school there, can we  
8 work with DOE to get a bus line set up right away to  
9 make sure that the children can stay in their school?  
10 So that sort of social work is happening all day...

11 (CROSS-TALK)

12 CHAIRPERSON AYALA: What is the average age of a  
13 child that goes to one of these facilities?

14 COMMISSIONER DANNHAUSER: The average age? I  
15 don't know, but I... We spoke earlier to the  
16 children currently there, so I'll just repeat it  
17 really quickly. The newborn to three years old are  
18 20%; four to six is 16%, seven to 10 is 35%. So,  
19 it's younger than you might think. Most of those  
20 young ones are in sibling groups, which is the reason  
21 it's a little more challenging; 11 to 13 is 2%; 14 to  
22 18 is 11%; and 19+ is 14%.

23 CHAIRPERSON AYALA: So, would you say, or maybe  
24 you can get back to us, that the 40+ ,you know,  
25 children who were in placement, uh, for over the 30-

1  
2 day period, are they there because of behavioral  
3 issues? Are they there because they have a physical  
4 condition that requires specific levels of care?

5 COMMISSIONER DANNHAUSER: It a combination. It's  
6 not typically behavioral. There's, I think our  
7 providers work with kids on a range of behavioral  
8 issues. We are really grateful for them. Every once  
9 in a while some children want to come back The  
10 Children's Center, because they like it there. And  
11 so the... But most of it is either very large  
12 sibling groups that we are trying to keep together  
13 and identify a home. And we might know of a home,  
14 and it's going to be ready in a couple of weeks. And  
15 then there are complex --either special medical or  
16 developmentally delayed children.

17 CHAIRPERSON AYALA: And the facilities are  
18 equipped... I am going to have to come and visit  
19 one, by the way, because... Are the facilities  
20 equipped to deal with that?

21 COMMISSIONER DANNHAUSER: Absolutely.

22 CHAIRPERSON AYALA: And the facilities are  
23 equipped... I am going to have to come and visit  
24 one, by the way, because... Are the facilities  
25 equipped to deal with that?

1  
2           COMMISSIONER DANNHAUSER: Absolutely. Absolutely.  
3 We have staff. We have nursing staff. We bring in  
4 additional nursing staff in complex needs. We have  
5 behavioral health staff. We have recreation folks.  
6 You are more than welcome to join us at The  
7 Children's Center anytime... (CROSS-TALK)

8           CHAIRPERSON AYALA: Yeah, I would like that. I  
9 haven't been to one yet.

10           And has ACS measured the success of new  
11 initiatives such as The Family Finder pilot or  
12 increase in therapeutic foster homes on length of  
13 stay at The Children's Center?

14           COMMISSIONER DANNHAUSER: So, this is this new  
15 model that we are creating where we are essentially  
16 combining... we're raising the rates across the  
17 board and combining the family foster care and the  
18 therapeutic foster care into what is called enhanced  
19 foster care. What that means is, before, agencies...  
20 some had a therapeutic program and some didn't. Some  
21 had really big ones, some had small ones. Now every  
22 agency will have a full continuum of support. And  
23 the programs used to be distinct. You were either  
24 the therapeutic foster parent or you were regular  
25 foster parent. And so what we are now doing is

1  
2 combining it so that if a child has a need or there  
3 is an additional training or support that a foster  
4 parent has, they can move those resources through  
5 their continuum. And, so therapeutic has about 15,  
6 16, 17% capacity of our system. With EFFC, it's more  
7 like 25% that can bring sort of additional supports  
8 beyond the case planner and coach that we were  
9 talking about earlier -- the socio-therapist kind of  
10 role. So that is... We are in the process of  
11 transitioning. We are re-procuring the system right  
12 now, but OMB and The Mayor's Office supported us  
13 putting the resources in to the existing contracts,  
14 so that we can begin this process right away. That  
15 began July 1st. So, we are in the ramp up period of  
16 that right now.

17 CHAIRPERSON AYALA: Okay.

18 I have three more questions, and they can be yes  
19 or no, but what DYFJ agree that the advisory boards  
20 should have the ability to visit detention and  
21 placement facilities without advance notice -- and to  
22 speak with incarcerated youth and staff?

23 COMMISSIONER DANNHAUSER: I don't know about the  
24 advance notice part. I just think the safety of  
25 those facilitates and the predictability is really

1  
2 important. Absolutely folks should be allowed to be  
3 there to talk to young people at the young person's  
4 discretion and their lawyer's discretion, too.

5 Obviously we want to make sure -- it's important the  
6 young people want to know whose there, etc. So, I  
7 think we would want to be carefree about there being  
8 no advanced notice piece, but I think there are  
9 public institutions, and people should have a right  
10 to be able to be there.

11 CHAIRPERSON AYALA: And would DYFJ agree that the  
12 advisory boards should have access to DYFJ documents  
13 relating to violence in detention and placement  
14 facility staffing and programing?

15 COMMISSIONER DANNHAUSER: My only concern is  
16 confidentially. I think we should have that  
17 conversation.

18 CHAIRPERSON AYALA: Okay.

19 And, final question, would DYFJ agree that  
20 individuals who have been formerly incarcerated in  
21 the DYFJ, must have a place on the board?

22 COMMISSIONER DANNHAUSER: Absolutely. I guess I'm  
23 not supposed to be negotiating this out, but if we  
24 didn't have young people who have been there and

1  
2 experienced that, I don't know what the... It  
3 wouldn't be a successful board.

4 CHAIRPERSON AYALA: And we know you have the best  
5 advocates in the world so thank you so much.

6 And does anybody have any final questions?  
7 Council Member Williams? No?

8 COUNCIL MEMBER WILLIAMS: As you all know, I have  
9 like, my own little personal senior advisors here.  
10 And I don't even know how to conceptualize all of  
11 these things into questions.

12 My mom was a CPS worker for many years and then a  
13 court liaison total with the agency for 36 years. And  
14 so I just like put her and all of her friends in a  
15 group chat, and I'm, like, I don't even know where to  
16 start.

17 So, I feel like maybe I will just, uhm...

18 (CROSS-TALK)

19 COMMISSIONER DANNHAUSER: Please...

20 COUNCIL MEMBER WILLIAMS: send you a letter...

21 (CROSS-TALK)

22 COMMISSIONER DANNHAUSER: Yes.

23 COUNCIL MEMBER WILLIAMS: an official letter for  
24 these questions. But, the facility that I was  
25

1 talking about was on First Avenue and 28th Street.  
2  
3 And they said it was a Children's Center.

4 COMMISSIONER DANNHAUSER: That's The Children's  
5 Center, yes.

6 COUNCIL MEMBER WILLIAMS: Okay, yes, I have heard  
7 many stories. My mom actually, some of the final  
8 years before she retired did additional hours at that  
9 facility. And, so, I would hear her complain all of  
10 the time about the conditions, the safety, and the  
11 cleanliness. She mentioned some stuff around  
12 trafficking and a whole bunch of other things. This  
13 predates your commissioner role. But I just kind of  
14 just like a followup in terms of what you have put in  
15 place to ensure that a lot these issues that have  
16 been long sustaining issues are being addressed.

17 So, cleanliness, sleeping conditions, food,  
18 showers, uh, children who don't want to take their  
19 medication, getting them to actually go to school are  
20 some of the things that they flagged amongst others.

21 COMMISSIONER DANNHAUSER: Yes.

22 COUNCIL MEMBER WILLIAMS: So, have you...

23 COMMISSIONER DANNHAUSER: So, over the last two  
24 years, and this predates me, the... some of the  
25 great work to improve the conditions at The



1 Children's Center, uh, The Children's Center has been  
2 under the leadership of our First Deputy  
3 Commissioner, and she has brought... she's there  
4 very frequently, I am there very frequently, she's  
5 brought the entire agency to bear -- our  
6 administrative folks to make sure we've replaced all  
7 of the furniture, we've replaced and made it much  
8 more child friendly. We've repainted. We are  
9 constantly repainting. We've made sure there are  
10 toys and that there are books for children. That  
11 there is programming there. Built up new spaces that  
12 are friendly by age. So, there are teen rooms, there  
13 are different... There's a faith room. You know, so  
14 we constantly focused on, you know, we mentioned  
15 earlier there are 1,700 children who come through  
16 there every year. And so we are trying to meet all  
17 of their needs. There's a teen work, so there's  
18 always an administrator on duty who is working with  
19 all of the staff, with the ACS police who secure the  
20 perimeter part of it. So, and obviously our partners  
21 at Bellevue are really, really vital to that. So, I  
22 think we have made extraordinary measures, but it's a  
23 constant source of attention to make sure that it's  
24 safe and that it has all of the right, you know, I'll

1  
2 be there and make sure if there is a wall that has  
3 been...

4 COUNCIL MEMBER WILLIAMS: [INAUDIBLE]

5 COMMISSIONER DANNHAUSER: Go ahead?

6 COUNCIL MEMBER WILLIAMS: No, I was really  
7 laughing at the can of worms. I'm like, oh, my God,  
8 I don't even know where to start.

9 But, just... Were you done with that question?

10 COMMISSIONER DANNHAUSER: Okay... (CROSS-TALK)

11 COUNCIL MEMBER WILLIAMS: and answer?

12 The other thing that she is saying, I am must  
13 picking a few things, but I am going to send you a  
14 letter. The other thing that she's... that they are  
15 mentioning is, bedbound and wheelchair bound youth,  
16 that nursing staff should be using Hoyer Lifts to  
17 transfer the youth from their beds. Complaints  
18 around nursing staff for refusing to do tasks that  
19 are medically related and placing responsibility on  
20 childcare staff. Are you aware of that?

21 COMMISSIONER DANNHAUSER: So, we... (CROSS-TALK)

22 COUNCIL MEMBER WILLIAMS: Happening?

23 COMMISSIONER DANNHAUSER: Whenever there is a  
24 youth that comes in with special needs, like a youth  
25

1  
2 who is bedbound, we are reaching out to Gotham to  
3 bring on additional nursing.

4       Hs there ever been a time when childcare had to  
5 lift a child? Yes. I mean, I think the... (CROSS-  
6 TALK)

7       COUNCIL MEMBER WILLIAMS: Yeah, they're saying  
8 staff...

9       COMMISSIONER DANNHAUSER: [INAUDIBLE]

10       COUNCIL MEMBER WILLIAMS: coming to isolation  
11 rooms two to three hours after designated medication  
12 times to administer medicine. It just seems to be a  
13 lot of issues in reference to the nursing/medical  
14 staff and the actual childcare providers. So, uhm,  
15 if...

16       COMMISSIONER DANNHAUSER: So, we have... We have  
17 ACS nursing staff, we have Gotham nursing staff, and  
18 we are always fluctuating the levels depending on the  
19 needs of the children coming there. I have to say,  
20 Council Member, I think part of this is COVID was so  
21 difficult. There were so many children who had to be  
22 in quarantine or isolation. Thankfully that has come  
23 way, way down. And, so [TIMER CHIMES] they put an  
24 enormous amount of stress on the nursing staff, on  
25 the childcare staff who are extraordinary. So, I

1 think these issues aren't as acute as you are hearing  
2 them right now. But, we would be happy to continue  
3 that conversation... (CROSS-TALK)

4 COUNCIL MEMBER WILLIAMS: Yeah, I'll send a  
5 letter and we can continue the conversation, because  
6 there are also some things around CPS workers. And I  
7 think the agency spends a lot of money on  
8 recruitment, but not as much attention on retention.  
9 And so based off of some of the feedback that I am  
10 getting in my text messages, I would love to talk to  
11 you about how we incentivize people to stay the  
12 agency.

13 COMMISSIONER DANNHAUSER: Absolutely.

14 COUNCIL MEMBER WILLIAMS: And, what is the current  
15 salary of an entry CPS worker?

16 COMMISSIONER DANNHAUSER: Let me get that for you.

17 COUNCIL MEMBER WILLIAMS: Okay.

18 COMMISSIONER DANNHAUSER: It goes up over time.

19 [INAUDIBLE] it's being negotiated right now

20 [INAUDIBLE] ... (CROSS-TALK)

21 COUNCIL MEMBER WILLIAMS: I know that's something  
22 we have been as a council in terms of pay equity in  
23 certain positions... (CROSS-TALK)

24 COMMISSIONER DANNHAUSER: Yes... (CROSS-TALK)

1  
2 COUNCIL MEMBER WILLIAMS: getting paid lesser  
3 wages, looking at the people that are in these roles,  
4 are typically women, typically people of color.

5 COMMISSIONER DANNHAUSER: Absolutely.

6 COUNCIL MEMBER WILLIAMS: So, I just wanted to put  
7 that on record that we properly pay these workers who  
8 really are on the frontlines.

9 COMMISSIONER DANNHAUSER: And, if I may add, to  
10 really invest in leadership development and growth.  
11 It's really important to me that everyone at ACS has,  
12 you know, a career pathway and has all of the support  
13 that they need for that. So, I would happy to meet  
14 or respond to your letter.

15 COUNCIL MEMBER WILLIAMS: Okay, and I look forward  
16 to touring some of the facilities, too.

17 COMMISSIONER DANNHAUSER: Great.

18 CHAIRPERSON AYALA: Thank you so much. I think  
19 this is a really, really good hearing, and, uh, a lot  
20 of information. Thank you so much for any... all  
21 of... everything you do every, single day and, uh,  
22 to your team. And we are here if you need anything  
23 or we can, you know, be better partners in  
24 government.

1  
2 COMMISSIONER DANNHAUSER: Thank you for your  
3 support and all that you do to bring such important  
4 transparency to these issues.

5 CHAIRPERSON AYALA: Thank you, thank you.

6 COMMITTEE COUNSEL: We will now be calling on  
7 members of the public to testify. Once your name is  
8 called, a member of our staff will unmute you, and  
9 you may begin your testimony once the Sergeant At  
10 Arms sets the clock and gives you the cue.

11 I would like to note that written testimony,  
12 which will be reviewed in full by committee staff,  
13 may be submitted to the record up to 72 hours after  
14 the close of this hearing by emailing it to  
15 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov).

16 Oral testimony will be limited to three minutes.  
17 Remember that there is a few second delay when you  
18 are unmuted before we hear you.

19 The first panel will be a virtual panel and will  
20 consist of Anthony Wells from DC 37.

21 ANTHONY WELLS: Good afternoon, where is my niece  
22 going when her uncle is getting to speak?

23 CHAIRPERSON AYALA: Uh-oh.

24 ANTHONY WELLS: That's Council Member Williams.  
25 Okay.

1  
2 COUNCIL MEMBER WILLIAMS: I have to go to another  
3 hearing. You're trying to call me out... (CROSS-  
4 TALK)

5 ANTHONY WELLS: Okay. I love you, though, I love  
6 you, love you.

7 COUNCIL MEMBER WILLIAMS: I love you too.

8 ANTHONY WELLS: Good afternoon, Thank you,  
9 Chairperson Ayala and committee members. My name is  
10 Anthony Wells, president of the Social Service  
11 Employees Union Local 371, representing over 20,000  
12 social service employees. We are in every city  
13 agency, NYCHA, Health and Hospitals, City Hall and  
14 the borough presidents' and district attorneys'  
15 offices. We represent nearly 6,000 members in ACS  
16 including CPSS, CPS supervisors, childcare, Community  
17 Care Specialists, Youth Development Specialists, and  
18 Social Youth Development Specialists, community  
19 titles, caseworkers, and support staff in the  
20 juvenile centers.

21 I initially want to comment on the Committee's  
22 proposals. In general, we are supportive of any  
23 efforts that promote and support the workers in  
24 carrying out their duties effectively and  
25 efficiently.

1  
2 Let me just say this, Commissioner Dannhauser, we  
3 have a great working relationship. We are addressing  
4 a lot of issues in child welfare, and it's really  
5 good to hear both the City council members and the  
6 administration talking about the great work that  
7 these workers are doing under sometimes some trying  
8 circumstances, and always, always under difficult  
9 circumstances.

10 I heard Councilwoman, uh, Williams, talking about  
11 salaries. We negotiate those salaries. We are  
12 addressing the issue of detention. We have  
13 negotiated additional bonuses for workers who stay  
14 for two years. We also have a mentorship program,  
15 where we provide mentorship for newer workers, and it  
16 is largely men... by workers who have less than 10  
17 years experience to talk about what kind of issues  
18 need to be addressed.

19 We are addressing those issues in The Children's  
20 Center to try to make it more... In my testimony you  
21 will see, I question even the initial wisdom of  
22 putting The Children's Center in between the men's  
23 shelter and Bellevue Hospital.

24

25



1  
2 The Children's Center was not meant to be a long  
3 stay location. And we continue to work with this  
4 agency so [INAUDIBLE] appropriate.

5 But, let me get to some of these proposals  
6 quickly.

7 With respect to Intro 436, the idea of a juvenile  
8 detention advisory board is a good idea.

9 Conceptually, a lot could be accomplished if the  
10 stakeholders discuss and resolve issues around  
11 juvenile detention. The one glaring omission in the  
12 bill is that the workers are not there. We don't  
13 have any representation on that board. And I am  
14 telling my members, they are the experts. They are  
15 the ones doing the work every day, day in and day  
16 out. They have a voice, and they have something to  
17 say. So, I would recommend that you include a [TIMER  
18 CHIMES] a union representative on... (CROSS-TALK)

19 SERGEANT AT ARMS: Time expired.

20 ANTHONY WELLS: on that board. Okay?

21 Finally let me turn to 642. We welcome any  
22 review of, and adjustments to, The Children's Center.  
23 We have long questioned its physical placement  
24 between an adult men's shelter and Bellevue Hospital.  
25 Nevertheless, our members have provided great care to

1  
2 the children under their charge even in the most  
3 difficult and challenging circumstances. We would  
4 want the proposal to include the number of "out of  
5 age" children housed there, the available and  
6 appropriate resources and safety around the center.

7 We look forward to working with the City Council,  
8 City Hall, and ACS in addressing these critical  
9 issues that affect our children, families and  
10 communities.

11 And, also you should note, Chairperson, the City  
12 does not want any foster homes, nor do they have...  
13 want any group homes. They have privatized... So,  
14 therefore, there is not safety net in both of these  
15 areas.

16 CHAIRPERSON AYALA: Thank you. And now we know  
17 who to call whenever Council Member Williams gives a  
18 hard time.

19 COUNCIL MEMBER WILLIAMS: I stayed to hear your  
20 testimony, good-bye... (CROSS-TALK)

21 ANTHONY WELLS: (LAUGHING) her mother is a good  
22 friend of mine. We... She was a delegate. She's  
23 been working in child welfare for 36 years. She had  
24 great service, and we are particularly proud of  
25 Council Member Williams, because she does know the

1  
2 issues. Even though she says [INAUDIBLE] she really  
3 does know them. And she is a great addition to your  
4 committee and to The City Council.

5 CHAIRPERSON AYALA: She really is, thank you so  
6 much. Council Member... (CROSS-TALK)

7 ANTHONY WELLS: Thank you.

8 CHAIRPERSON AYALA: Hold on, Council Member  
9 Restler?

10 COUNCIL MEMBER RESTLER: I couldn't agree with  
11 that sentiment more. Council Member Williams is a  
12 tremendous colleague. We are very fortunate to have  
13 her in this body. And we are fortunate to have your  
14 leadership at 371, Anthony. What always inspires me  
15 about 371, is that it is a mission driven union.  
16 It's not just about fighting and defending the  
17 members, it's the people that you all serve. And  
18 that comes through in your advocacy every day.

19 I am strongly supportive of Intro 436. I think  
20 that Council Member Stevens has sponsored a very  
21 smart piece of legislation here. One... (CROSS-  
22 TALK)

23 ANTONY WELLS: Mm-Hmm

24 COUNCIL MEMBER RESTLER: One amendment that I  
25 would like suggest is that 371, uh, have

1  
2 representation or the union have representation, the  
3 workforce have representation on that board as well,  
4 which I think would provide, uhm ,you know, another  
5 perspective and a beneficial oversight and input.

6 And I hope that that is something that we can  
7 consider through this process.

8 But, thank you as always to you and your team for  
9 your thoughtful leadership. We appreciate your  
10 partnership very much on the council.

11 ANTHONY WELLS: And may I also say, uh,  
12 Chairwoman, that Council President Restler is also an  
13 admiral addition to The City Council. And, of  
14 course, your leadership, Diana, we have known you for  
15 years, so we are expecting to continue our work with  
16 The City Council. You have some good people, like I  
17 said, that I have known, I have known Council Member  
18 Restler for many years, and he likes to resolve  
19 issues. And that's what this is about. It's not  
20 just about workers, because the workers are there to  
21 help the families. And together, we can get this  
22 done. So, we look forward to a working relationship  
23 with this city council. And, as I noted, we are  
24 generally supportive of all of these bills, we just  
25

1  
2 have those comments where we think that input can  
3 even make those bills stronger.

4 CHAIRPERSON AYALA: Thank you.

5 COMMITTEE COUNSEL: Thank you, our next panel will  
6 be an in person panel, and it will consist of Amiee  
7 Abusch and Ellen Ampofo.

8 AMIEE ABUSCH: Good morning.

9 Good morning Deputy Speaker, Chair Ayala, and  
10 members of the Committee. Thank you for allowing me  
11 to testify on behalf of JCCA and the youth, their  
12 families, and foster parents who care for them.

13 My name is Amiee Abusch, I am the Senior Vice  
14 President of Foster Care, Prevention and Community  
15 Partnership at JCCA. For the past 23 years, I have  
16 been working in child welfare. I has the privilege of  
17 starting my career as a Child Protective worker, and  
18 I also served as Clinical consultant to CPS. I have  
19 been a Preventive Director and a Vice President for  
20 foster care programs for about eight years. I have  
21 worked with hundreds of foster parents throughout my  
22 career and admire their dedication to our children.

23 JCCA works with about 17,000 of New York State's  
24 children and families each year, providing foster and  
25 residential care, preventive, mental health and

1 behavioral health care services, and educational  
2 assistance and remediation.

3  
4 To become a foster parent, an individual must  
5 undergo checks in the State Central Register (SCR)  
6 for Child Abuse, New York State Division of Criminal  
7 Justice Services (DCJS), and the Federal Bureau of  
8 Investigation. These checks were put in place to keep  
9 children safe--an admirable goal. However, we need  
10 more flexibility in how these checks are implemented.

11 Many of our wonderful, loving, and committed  
12 foster parents have lived experience as the subject  
13 of an ACS investigation. Why doesn't the credible  
14 messenger movement apply to foster parents? Once a  
15 parent successfully completes the demanding process  
16 of having their child returned home, they have  
17 expertise. That person is expert in the pain and  
18 trauma a parent experiences when their child is  
19 removed. They are expert in the mandatory classes and  
20 other demands of the child welfare system. They are  
21 experts in how foster parents can support a child and  
22 a birth parent through this process -- also through  
23 co-parenting.

24 ACS has embraced parent advocates to help those  
25 involved in the child welfare system. At JCCA we have

1  
2 embraced the RISE model and peer advocates. Why are  
3 we not changing the system for foster parents as  
4 well?

5       The child welfare system has had a drastically  
6 disproportionate impact on families of color. We  
7 continue to penalize potential foster parents who may  
8 have successfully had their children returned home  
9 many years prior and done everything right since  
10 then. Some did not realize that they had an indicated  
11 case. And some may have lost the opportunity to  
12 request a fair hearing or ask that their case be  
13 reviewed to have the indicated case removed from  
14 their records. In addition to this, we penalize  
15 foster parents who never had a child removed. [TIMER  
16 CHIMES] A foster parent applicant may have been a  
17 victim in an indicated report, and now needs to  
18 defend themselves. An applicant may have been a  
19 household member, or even just listed the home as  
20 their address and be named in a case they did not  
21 know existed.

22       JCCA recommends that more flexibility be  
23 introduced to the screening process for foster care  
24 parents. When an applicant to be a foster parent has  
25 a past State Central Register allegation on their

1  
2 record, that may be 20 years old, organizations like  
3 JCCA are not always given the ability to make case-  
4 by-case decisions. Some allegations result in  
5 automatic rule-outs and limit our ability to recruit  
6 and hire some of the most preferred applicants. JCCA  
7 and other child welfare agencies aim to set up  
8 families for success. By having a robust cadre of  
9 foster parents in local communities to care for  
10 children, we are building an infrastructure for  
11 success.

12 We make countless demands on foster parents. They  
13 must undergo almost 60 hours of training, they are  
14 responsible for ensuring children, including teens,  
15 make it to school, attend medical, therapeutic, and  
16 casework appointments, and visit with family members  
17 that may be emotionally triggering.

18 New York should PAY foster parents a viable wage  
19 to provide for the children in their care. We view  
20 foster parents as care professionals and [should\*]  
21 pay a wage commensurate with the undeniable value of  
22 their work--work that is incredibly complicated and  
23 difficult. We and we owe it to our communities to, at  
24 a minimum, support foster parents with a viable wage.

25



1  
2 Thank you for taking the time to consider a more  
3 flexible screening process and eligibility  
4 requirements for our foster parents, thank you.

5 ELLEN AMPOFO: Good afternoon, Council, good  
6 afternoon, Chair. Thank you for the opportunity to  
7 testify.

8 My name is Ellen Ampofo, and I am the Director of  
9 Programs for New Yorkers for Children a nonprofit  
10 dedicated to improving the wellbeing of children and  
11 families in the child welfare system, with a  
12 particular focus on those aging out of the foster  
13 care system.

14 We are the only organization in the City with a  
15 connection with every, single young person who has  
16 aged out of foster care. And, I am here advocating  
17 for additional investments and services to support  
18 all of those connected to child welfare.

19 As the purpose of this hearing makes clear, there  
20 is often a dearth of support for children and young  
21 people at all stages in the foster care system --  
22 including in finding loving homes and aging out. We  
23 frequently hear from the youth we serve about how  
24 they have not felt supported while placed with a  
25 foster family -- including not receiving their

1  
2 monthly stipends, having their foster parents  
3 unlawfully take out loans in their names, being  
4 locked out of accessing food, and many more. In  
5 fact, our back to school package program, which  
6 distributes laptops to students in care, had a  
7 persistent problem with laptops being stolen by  
8 foster parents before we modified the distribution  
9 process to prevent this.

10 From this knowledge, and from our experience  
11 supporting adoptive and kin gap families through our  
12 post permanency support program, we have seen what  
13 works in the field relating to creating healthy and  
14 long lasting families.

15 In the post permanency support program, we  
16 emphasize a strength based mindset, trauma informed  
17 thinking, and that the child welfare system should  
18 prioritize quality of quantity when it comes to  
19 placement. This is also reflected in the research  
20 surrounding foster families. For example, a report  
21 by Casey Family Programs recommends emphasizing kin  
22 gap placements, a match of values and more supportive  
23 programs for families. Many of these programs are  
24 focused on addressing behavioral and mental health,  
25 as well as creating mentor and help groups for foster

1 families. These programs not only increase the  
2 retention of foster parents, but also benefit the  
3 wellbeing of youth in foster care in the long run.

4 In our broader work as well, we see the values of  
5 mutual respect, trauma informed programming, and the  
6 value of wrap around services. We serve about 1,000  
7 youth and families per year. And since 2018, we have  
8 directly supported more than 3,500 youth as they  
9 transition out of the child welfare system.

10 Since our founding, we have distributed \$70  
11 million in total support to these young people when  
12 they needed it the most.

13 Youth who have aged out of the foster care system  
14 do not nearly receive the full system services they  
15 deserve. As the only organization that provides  
16 services and continual assistance to this  
17 demographic, we welcome the opportunity to discuss  
18 with the council and administration our strategies,  
19 programs, and how we can [TIMER CHIMES] collaborate  
20 to improve support for this vulnerable group.

21 Thank you for taking the time to hear my  
22 testimony today. We hope that increased investments  
23 in our services and beyond could help to build a  
24

1  
2 stronger child welfare landscape and a more equitable  
3 scene for us all. Thank you.

4 CHAIRPERSON AYALA: Thank you.

5 Do you think that, uh, have you heard of the  
6 possibility of creating some sort of Bill or Rights  
7 for young people? Because that was, like, a  
8 continuous theme at the Foster Youth Shadow Days, is  
9 that young people... (CROSS-TALK)

10 ELLEN AMPOFO: [INAUDIBLE]

11 CHAIRPERSON AYALA: themselves that were already  
12 in the system felt that they needed something like  
13 that.

14 ELLEN AMPOFO: Yes, our organization actually has  
15 a document that we give to all young people who we  
16 work with, yes... (CROSS-TALK)

17 CHAIRPERSON AYALA: But, it's not mandatory?

18 ELLEN AMPOFO: It is not mandatory, no... (CROSS-  
19 TALK)

20 CHAIRPERSON AYALA: Okay, alright.

21 And, in regards to JCCA, is the... What is the  
22 opportunity to make suggestions, right, to the ACS  
23 and to the state for that matter, regarding the  
24 assessment process and the possibility to include  
25 some of the recommendations that you mentioned today?

1  
2 ELLEN AMPOFO: I have not had the opportunity to  
3 be part of any forums, but I am happy to be part of  
4 those discussions, because I think it is super  
5 important.

6 CHAIRPERSON AYALA: I appreciate it, and thank you  
7 guys so much for coming today and for staying.

8 COMMITTEE COUNSEL: Thank you.

9 So, our next panel will also be virtual and it  
10 will consist of Kate Wood, Zachary Ahmad, and Nila  
11 Natarajan. Apologies if I say you're name wrong.

12 SERGEANT AT ARMS: Starting time.

13 KATE WOOD: Good afternoon, thank you, Chair Ayala  
14 and the committee for holding this very important  
15 hearing.

16 My name is Kate Wood, and I work at the Special  
17 Litigation and Law Reform Unit at the Legal Aid  
18 Society Juvenile Rights Practice.

19 I encourage the committee to read our full  
20 written testimony. But, right now, I would just like  
21 to spend a few minutes speaking about failures in the  
22 foster home certification process that results in  
23 denying children foster homes with their relatives or  
24 kin.

1  
2       So, as the committee knows, every year ACS  
3 removed thousands of children from their parents or  
4 guardians, and Legal Aid represents the majority of  
5 those children in family court.

6       Each of these children need the home, yet  
7 countless children are denied safe, available, loving  
8 foster homes with their kin. This is due in large  
9 part to ACS's refusal to certify these kin foster  
10 homes, because of the relative's criminal history or  
11 their records on the state central registry.

12       ACS testified today about situations where they  
13 can use their discretion to certify these homes, yet  
14 we see in our practice time and again their failure  
15 to do so. This often occurs even if this history is  
16 decades old, and even if it has no bearing on the  
17 relative's current ability to care for the child.

18       So, as an example, right now a teenage client, a  
19 sexual abuse survivor, she was denied a foster home  
20 with her grandmother. Over the past 30 years, this  
21 grandmother has earned her master's degree in  
22 Community Health Education, she's worked at a  
23 nonprofit that helps other New Yorkers with chronic  
24 illness. But before this, she was addicted to drugs,  
25 and she had been arrested on loitering and

1  
2 prostitution charges. As a result, ACS denied her  
3 application to be a foster mother to her  
4 granddaughter, and our client was punished for  
5 something her grandmother had done a lifetime ago.

6 This is unjust, and it directly harms children.  
7 To try to combat this, Legal Aid, along with Dechert  
8 LLP, did file a class action lawsuit on behalf of the  
9 these clients, and we encourage the committee to read  
10 our complaints, as well as the New York Times Article  
11 that detailed the harm this practice imposes on  
12 children and their families. And we urge City  
13 Council to examine the eligibility barriers as they  
14 pertain to kin of children in foster care, to really  
15 push ACS to provide meaningful evaluations of  
16 perspective kin foster parents, and to ensure that  
17 all children have the services and support that they  
18 need.

19 I would just like to also talk briefly about  
20 Intro 642. This legislation is needed -- so needed -  
21 - as children do languish in The Children's Center  
22 and other temporary placement facilities, for weeks  
23 and even months after ACS removed them their parents  
24 or guardians. Several of our clients have spent as  
25

1  
2 many as 16 months in these facilities while waiting  
3 for placement.

4 As former ACS Commissioner Gladys Carrion stated,  
5 the Children's Center is "designed [as a place] for  
6 children to be for a couple of hours, not even days."

7 [TIMER CHIMES]It certainly is not the least  
8 restrictive, most homelike setting to which children  
9 are entitled. Yet, as we pointed out over three years  
10 ago at the City Council's oversight hearing on the  
11 Children's Center, youth, particularly teenagers and  
12 those with higher needs, languish there and suffer  
13 as a result.

14 We even heard today from ACS that 40 children at  
15 The Children's Center, half of the population at The  
16 Children's Center, right now have been there for over  
17 a month. As children wait for [INAUDIBLE]  
18 placements, they are deprived of a family home and  
19 many aren't provided with proper case management  
20 services, adequate medical and mental health care or  
21 educational services. This lack of services can lead  
22 to catastrophic results, including severe mental  
23 decompensation.

24 City Council has previously heard testimony from  
25 at least one family member who described how ACS left



1  
2 autistic, cognitively delayed sibling languishing at  
3 the Children's Center for months without clothes that  
4 fit him, and required him to quarantine during COVID-  
5 without bedsheets, pillows, or blankets.

6 ACS does not currently report on how long  
7 children remain in temporary placement facilities,  
8 and in order to craft effective solutions to curb  
9 long stays in we must have to understand the problem.  
10 This bill is a critical first step, and we urge the  
11 City Council to pass it.

12 Finally, with regard to Intro 436, we commend the  
13 intent of the bill but believe it can be strengthened  
14 in a number of ways:

15 First, mandating that a formerly incarcerated  
16 youth is on the board.

17 Second, making sure that the board has the  
18 ability to visit detention facilities and speak with  
19 youth and staff and have access to records is really  
20 critical for it to have its intended impact.

21 Thank you very much.

22 CHAIRPERSON AYALA: Thank you.

23 COMMITTEE COUNSEL: Thank you, uh, Zachary?

24 SERGEANT AT ARMS: Time starts now.  
25

1  
2 ZACHARY AHMAD: Hello, my name is Zach Ahmad, I  
3 am a Senior Policy Counsel at the New York Civil  
4 Liberties Union. We defend civil rights and civil  
5 liberties of New Yorkers across the state.

6 I would like to thank Chair Ayala and The  
7 General Welfare Committee for holding today's  
8 hearing and for the opportunity to testify -- I  
9 will try to be brief.

10 Today's hearing examines a component of what we  
11 and many advocates refer to as the family  
12 regulation system, the network of public agencies  
13 reporting mandates and surveillance systems that  
14 exist for the essential goal of protecting  
15 children, but then in reality often function to  
16 separate families and punish parents and children  
17 for poverty and systemic disadvantages they face.

18 The NYCLU works in coalition with impacted  
19 parents and family defenders on policy and public  
20 education efforts, and we have worked with  
21 community organizations, and several members in the  
22 council, to educate parents about their rights when  
23 ACS comes knocking at their doors.

24 Through our work with parents and advocates, we  
25 have heard countless stories from impacted parents

1  
2 and have learned about the widespread torment and  
3 lasting trauma that overaggressive ACS enforcement  
4 has had on New York City families -- and Black and  
5 Brown families in particular. The systemic  
6 overreach is directly antithetical to the goal of  
7 supporting family wellbeing.

8 As a committee with jurisdiction over ACS, one  
9 of the most important roles this committee can  
10 perform is to hold ACS accountable and peruse  
11 meaningful legislation to that end.

12 The bills on today's agenda scratch the surface  
13 of this system: Focus on data collection, and  
14 following up on prior agency studies, and creating  
15 new advisory entities.

16 There is certainly some value in collecting  
17 information and making space for greater  
18 stakeholder involvement. But any real change to  
19 how ACS operates or to the family regulation  
20 system, will require that The Council fully  
21 exercise the authority it has to regulate the  
22 agency and mandate that it respect the rights of  
23 parents and families when conducting investigations  
24 and seeking the removal of children from their  
25 homes. These bills fall short of the kinds of

1 reforms that parents and family advocates have been  
2 calling for for many years. Three years ago this  
3 month, members in The Council's Progressive Caucus  
4 introduced a package of bills aimed at doing just  
5 that, including a pair of groundbreaking bills to  
6 require ACS to notify parents of their rights at  
7 the point of first contact. Those bills, with a  
8 few critical amendments that we and other advocates  
9 have testified to previously, would have required  
10 ACS case workers to inform parents directly that  
11 they had the right to remain silent, not sign away  
12 their medical privacy rights, and consult with a  
13 lawyer before speaking with ACS -- similar to the  
14 Miranda Rights that are read to suspects in police  
15 custody.  
16

17 Unfortunately, this critical legislation has not  
18 advanced. A bill from the prior council,  
19 introduced by Council Member Rivera, to require  
20 oral notification of parents' rights still has not  
21 been reintroduced in 2022. While a similar bill,  
22 introduced by Council Member Ung this year, to  
23 require written disclosure forms remains laid over  
24 in committee.  
25

1  
2 We appreciate The Council's efforts to use its  
3 oversight authority to examine the operations of  
4 ACS -- asked important questions and made sure that  
5 advocates and others have an accurate data and an  
6 opportunity to participate in the conversation.  
7 But we need full reform requires more than that.

8 The Council must finish what is has started,  
9 introduce and pass the Family Miranda bills that it  
10 took up previously, and work directly with affected  
11 parents and advocates to pursue substantive change  
12 the family regulation system.

13 Thank you

14 COMMITTEE COUNSEL: Thank you, Zach.

15 Next is Nila.

16 NILA NATARAJAN: Yes, good morning, my name is  
17 Nila Natarajan, and I am a Supervising Attorney and  
18 Policy Counsel in the Family Defense Practice at  
19 Brooklyn Defender Services. I thank The Committee  
20 on General Welfare and Committee Chair Ayala in  
21 particular for the opportunity to address the  
22 council about the child welfare system or what we  
23 often refer to as the family regulation system and  
24 its impact on the families we serve.

1  
2 I had a lot I wanted to say today, but frankly,  
3 Council Member Ayala, so many of your comments and  
4 stories and questions really got to the heart of  
5 what I wanted to share. So, I am just going to  
6 focus on a few points.

7 Our office represents hundreds and thousands of  
8 parents in Brooklyn. As you names, Council Member,  
9 the onset of an investigation, the threat or  
10 actuality of family separation, and the prolonged  
11 surveillance of a court proceeding can be traumatic  
12 for families -- all starting with that report to  
13 ACS.

14 Commissioner Dannhauser names the benefit to  
15 parents and to families in having meaningful and  
16 supportive legal representation. Our team of  
17 attorneys and social workers are often the only  
18 people in a parent's life who are there to support  
19 them through that process.

20 It is vital that parents know their rights at the  
21 onset of an ACS investigation, including having that  
22 access to counsel. We all believe that a better  
23 educated parent is a better parent. And knowing your  
24 family's rights allows a parent to make the best  
25 decisions for their children.

1  
2 Second, the overwhelming majority of parents we  
3 represent face allegations of child neglect that  
4 mistakes a lack of resources and poverty with  
5 maltreatment. Too often a report to ACS is used to  
6 address issues caused by our own failure to help  
7 families meet their basic needs -- like clean and  
8 safe housing, accessible and culturally competent  
9 mental health services, or quality special education  
10 services. Instead of relying on community based  
11 resources that are frankly often underfunded, such as  
12 food pantries or support groups, families are report  
13 to ACS and then exposed to that trauma and fear.

14 Recent resource has shown that 44% of Black  
15 children in New York City, nearly half of Black  
16 children in our city, will experience an  
17 investigation in their youth. In 2019, over 216,000  
18 New York children were subjected to a child welfare  
19 investigation.

20 We recommend that this committee prioritize  
21 policies and programs that support families and keep  
22 children in their homes. Currently, we pour immense  
23 resources into these investigations, in to  
24 surveillance and court proceedings, and the foster  
25 system, which frankly all work to punish parents and

1  
2 separate families. We recommend channeling these  
3 resources in to supporting parents in their efforts  
4 to create safe and stable environments for their  
5 children.

6 As you named, Council Member, it is vital to keep  
7 children with their family if they have to be  
8 separated from their parents. And we have seen real  
9 issues with a delay in having family members or  
10 family friends cleared as Miss Woods named -- with  
11 family members not being cleared for reasons not  
12 related to current safety issues. In addition...

13 (CROSS-TALK)

14 SERGEANT AT ARMS: Time expired... (CROSS-TALK)

15 NILA NATARAJAN: [INAUDIBLE] cleared for  
16 placement in the foster system, it is also vital  
17 that family members are cleared to be family visit  
18 resources. A visit at home or in the park or the  
19 library with a family or friend that is known to a  
20 child and to a parent, is a far better environment  
21 for a family than an agency office.

22 And, so, I would name that we have seen a parent  
23 face -- families face-- months and months of delay  
24 in these resources being cleared and no visits  
25 occurring do to that delay.



1  
2 And, finally, I want to address review of The  
3 Children's Center. We recommend that this  
4 committee require that ACS consider family  
5 reunification as a solution to a lengthy stay in  
6 The Children's Center. When a child is languishing  
7 in The Children's Center, we cannot solely focus on  
8 placing that child in the foster system. We must  
9 also, as required by law, make every effort to  
10 reunify that family. Thank you for your time.

11 COMMITTEE COUNSEL: Thank you.

12 Our next panel is also virtual, and it will  
13 be... it consists of Alexander Stein.

14 ALEX STEIN: Hey, guys, uh, my name is Alexander  
15 Stein, and the reason why I am here is I am having  
16 troubles. My wife and her boyfriend, they recently  
17 had a baby last year, and they were both picked up  
18 for possession of a controlled substance. Now,  
19 [INAUDIBLE] had some prior convictions, so he's  
20 facing a long time in jail. But, I am having a lot  
21 of trouble getting little Demarco from child  
22 protective services. Now you guys have a system  
23 that wants to put it in any foster care or foster  
24 facility, yet I am actually the child's basically  
25 stepfather, and I can't get access to the kid.

1  
2 And, the kid and I, I mean Demarco and I, we go to  
3 McDonalds every day, I just can't imagine, you  
4 know, what they're feeding him. I can't imagine  
5 the trauma that he's going through. The fact that  
6 my wife ,you know, that's she's in jail, I'm having  
7 so much stress about that and getting in contact  
8 with her, yet child protective services is making  
9 it also impossible. So, I just want my little baby  
10 back. I just to be able to get, you know, Demarco  
11 back on hormone therapy, because that's the other  
12 issue. The medications that Demarco is on. Now  
13 those medications have not transferred to CPS.  
14 They do not have the proper, you know, hormone  
15 medicine that little Demarco's on. So, how am I  
16 supposed to get him his medicine? And when I reach  
17 out to people, I've reached out to AOC multiple  
18 times, of course our congresswoman, nobody helps  
19 me. I reach out to Eric Adams, nobody helps me.  
20 So, I am here at The Committee on General Welfare  
21 trying to figure out, what are we going to do? Are  
22 we going to let foster, you know, parents control  
23 this narrative? Are they going to control the kids  
24 that they have no investment in, or people like  
25 myself, whose basically the child's stepfather?

1  
2 Now, I understand that I have an unorthodox  
3 relationship, the fact that my wife has a  
4 boyfriend, but I was injured. And so I am not able  
5 to, you know, pleasure her in that way anymore, and  
6 that she had a, you know, sexual tryst and she got  
7 pregnant. And we chose not to get an abortion.  
8 Now I know the abortion the safe way to go, and  
9 people would have probably held us as heroes. But  
10 my wife has had to have the baby. And now we have  
11 this poor baby, little Demarco, that's in child  
12 protective services, that I can't get access to,  
13 while [INAUDIBLE] is facing 14 years in jail for  
14 prior convictions. And then on top of that, the  
15 mother, she's all wacked out, because we never  
16 legally got married, so she's having immigration  
17 issues. So, now she might get sent, you know, back  
18 to the Philippines. So, just right now my life is  
19 absolutely horrible. And when I reach out to  
20 people in New York City for help, nobody is giving  
21 me any help. I'm coming here trying to ask you,  
22 what can you do for me? Because I know AOC's not  
23 doing anything. I know Eric Adams isn't doing  
24 anything. How can I get my baby back? How can I  
25 get my baby back on hormone therapy and on the

1 medication that they are prescribed? Because if we  
2 don't do this, tehre's gonna... The maturation  
3 guys, the puberty blockers, if you don't not stop  
4 the puberty at a young enough age, they could have  
5 detrimental effects later on life with mental  
6 health, with suicides. So, it's very important  
7 that I get little Demarco back on this medication.  
8 So, without your guys' help, how am I supposed to  
9 get my wife and her boyfriend's baby out of child  
10 protective services? Can anybody there give me a  
11 game plan or a strategy? Because I am so sick and  
12 tired of this. I'm sick and tired of being the one  
13 that gets abused. Not only in my recent  
14 relationships [TIMER CHIMES] but now little  
15 Demarco...

17 SERGEANT AT ARMS: Time Expired.

18 ALEX STEIN: I can't get him. I'm stressed out.  
19 My whole life is turned upside down, and I'm asking  
20 for help. And I'm just asking...

21 SERGEANT AT ARMS: Time is expired.

22 ALEX STEIN: can you guys please help me?

23 COMMITTEE COUNSEL: Thank you, we have now heard  
24 from everyone was signed up to testify. If we  
25 inadvertently missed anyone who would like to

1  
2 testify in person, please visit the sergeant's  
3 table and complete a witness slip now.

4 If we inadvertently missed anyone who would like  
5 to testify virtually, please use the Zoom Raise  
6 Hand Function, and I will call you in the order of  
7 hands raised.

8 Seeing no one else, I would like to note that  
9 written testimony, which will be reviewed in full  
10 by committee staff, maybe submitted for the record  
11 up to 72 hours after the close of this hearing by  
12 emailing it to [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov) .

13 Deputy Speaker Ayala, we have concluded public  
14 testimony for this hearing.

15 CHAIRPERSON AYALA: Thank you. This hearing is  
16 adjourned.

17 [GAVELING OUT] [GAVEL SOUND]  
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25

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date October 28, 2022