

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEES ON GENERAL WELFARE AND YOUTH SERVICES

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February 25, 2013
Start: 10:38 a.m.
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HELD AT: Committee Room
City Hall

B E F O R E:

LEWIS A. FIDLER
ANNABEL PALMA
Chairperson

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A P P E A R A N C E S

COUNCIL MEMBERS:

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A P P E A R A N C E S (CONTINUED)

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A P P E A R A N C E S (CONTINUED)

Katherine Mullen
Attorney with the Juvenile Rights Practice
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1
2 CHAIRPERSON FIDLER: Good morning
3 everybody. Good to be back in the Committee Room,
4 it feels like home. My name is Lew Fidler, I'm
5 the chairperson of the Youth Services Committee,
6 Annabel Palma is the chair of the General Welfare
7 Committee, and we're pleased to have everyone here
8 today for a joint committee meeting. I'm sure a
9 number of members have been milling around, we
10 have a lot of committee meetings today because we
11 had the recess for President's Week so everything
12 got crammed into same space.

13 Today we will discuss proposed
14 Introduction number 866-A, a Local Law in relation
15 to the reporting of data regarding sexually
16 exploited children. Sexually exploited children
17 are young people who have been forced to trade sex
18 or sexual acts for money, food, clothing, or a
19 place to stay. These children face a daily threat
20 of rape, robberies, and beatings by clients and
21 pimps, as well as exposure to sexually transmitted
22 diseases. Approximately two-thirds of these
23 children suffer from post-traumatic stress
24 disorder.

25 In addition, many of these young

1
2 people have been thrown out of their homes or been
3 forced to run away to escape abuse. A 2008 study
4 found that of the approximately 4,000 young people
5 who are homeless every night in New York City, 150
6 admit to spending their nights engaged in sex
7 work. A 2007 study conducted by the New York
8 State Office of Children and Family Services found
9 that all of the commercially exploited girls at
10 OCFS custody had run away from home at least once
11 and 95% had a prior history of abuse or neglect.

12 In New York City, DYCD is
13 responsible for providing housing and services for
14 runaway and homeless youth through drop-in
15 centers, crisis shelters, and transitional
16 independent living centers. DYCD funds one
17 transitional independent living center, GEMS,
18 which specializes in residential treatment for
19 women and girls who have been victims of
20 commercial sexual exploitation. The GEMS TIL has
21 only eight beds available.

22 In 2008, 42 young people in DYCD
23 crisis shelters identified themselves as victims
24 of sexual exploitation. It is important for us as
25 a city to meet the needs of young people who have

1
2 been the victims of sexual exploitation, and in
3 order to provide the appropriate number of beds
4 and services for sexually exploited children, we
5 need to know how many of these children come into
6 contact with our city agencies and the demographic
7 breakdown of this group.

8 One example of why this information
9 is important is the lack of specialized services
10 for young men who are sexually exploited. Studies
11 have found that make--I'm sorry, males account for
12 a significant portion of sexually exploited youth
13 in New York City. However, there are no currently
14 specialized beds or services for this population.

15 And I say that knowing that every
16 one of our drop-in crisis shelters, TIL programs
17 has to deal with sexually exploited children on a
18 daily basis, they're all equipped but none of them
19 specialize in that specifically.

20 If enacted, proposed Intro number
21 866-A would require DYCD and the Administration
22 for Children's Services to report on the number of
23 youth in contact with either agency who have been
24 victims of sexual exploitation. The agencies
25 would also have to report on beds and services

1
2 which are available to the population.

3 I look forward to hearing from
4 DYCD, ACS, and advocates regarding proposed Intro
5 number 866-A. I am hopeful that we can work
6 together to provide necessary services and improve
7 the lives of sexually exploited youth in New York
8 City. And as I've said many, many times before,
9 in this day and age in the greatest city in the
10 world, allowing children to be sexually exploited
11 to sleep on the streets is just not acceptable, we
12 have to be able to do better.

13 With that, I see we've been joined
14 by Council Member Rodriguez. I turn it over to my
15 co-chair, Annabel Palma.

16 CHAIRPERSON PALMA: Thank you,
17 Council Member Lew, and thank you for your work
18 you've done on this topic and the work that you do
19 on behalf of the youth of the city of New York.

20 Good morning everyone, I'm Council
21 Member Annabel Palma and I chair the New York City
22 General Welfares Committee, and I want to welcome
23 everyone who is here today and interested in this
24 topic.

25 And before I read my testimony, I

1
2 want to thank the committee staff who prepared for
3 today's hearing, Andrea Vazquez, Liz Hoffman,
4 Jennifer Wilcox, and Michael Benjamin, thank you
5 so much for your work.

6 In New York City, ACS is
7 responsible for protecting children from abuse and
8 neglect by providing, among other things, child
9 protective services, preventive services, foster
10 care, and programs for at-risk youth. The 2007
11 OCFS study mentioned by Council Member Fidler in
12 his opening found that a large proportion of
13 sexually exploited children in New York City seek
14 these services ACS has to offer.

15 According to the report, at least
16 85% of sexually exploited children have been
17 involved in the child welfare system, 75% have
18 been placed in foster care, and over half have
19 been placed in juvenile justice system. Given
20 these statistics, it is clear that ACS is in a
21 prime position to identify sexually exploited
22 children.

23 Over the years, ACS has been
24 working with various organizations to address the
25 special needs of sexually exploited children. For

1
2 example, the Gateways program operated by JCCA is
3 an intensive specialized residential and treatment
4 program for girls ages 12 to 16 who are victims of
5 commercial sexual exploitation and domestic
6 trafficking. JCCA also operates the Special Life
7 Family Foster Care program which places sexually
8 exploited children with foster parents who are
9 specially trained to work with this population.
10 Lastly, the New Beginnings program at St. Luke's,
11 an agency contracted by ACS, provides an intensive
12 clinical therapy for sexually exploited children
13 ages 12 to 17 and their families within their
14 homes.

15 These are incredible programs doing
16 great work, however, without knowing the number of
17 children being sexually exploited in New York
18 City, it is impossible to design programs and
19 services to adequately meet their needs. For
20 example, the Gateway program only has a capacity
21 of 14 beds. Without data from ACS and DYCD
22 demonstrating the need to increase capacity, it
23 makes it difficult to ensure there are adequate
24 services available.

25 In requiring the City to identify

1
2 sexually exploited children, proposed Intro number
3 866-A can ensure that this population has access
4 to adequate services no child slips through the
5 cracks.

6 Thank you so much for being here
7 today, again, to help us find ways to address this
8 issue. And I now welcome the testimony from the
9 administration.

10 CHAIRPERSON FIDLER: Thank you,
11 Chairwoman Palma, and you've been a terrific
12 partner in all this going forward.

13 We've been joined by Council Member
14 Koo. And our first panel is Commissioner Richter,
15 Susan Morley from ACS, both from ACS, and Deborah
16 Harper and Andrew Miller from DYCD. It's all
17 yours.

18 RONALD RICHTER: Good morning.
19 Good morning, Chairs Palma and Fidler and Council
20 Members Rodriguez and Koo. Good morning, I'm Ron
21 Richter, the commissioner of New York City
22 Administration for Children's Services, and, as
23 you said, with me today is Susan Morley, ACS's
24 senior advisor for Investigations. Thank you for
25 this opportunity to address the proposed

1
2 legislation related to reporting data on sexually
3 exploited young people.

4 Before we address the legislation
5 directly, I would like share the work that
6 Children's Services has done over the past several
7 years since the passage of the Safe Harbor Act in
8 2008 to address the needs of sexually exploited
9 youth. We have undertaken this work on a number
10 of fronts through our child protective,
11 preventive, foster care, and juvenile justice
12 programs in order to identify youth who are being
13 or have been sexually exploited, as well as to
14 train staff and establish services that can
15 address the unique needs of these youth.

16 As the Council is aware, New York
17 City was recently allocated \$622,000 in state
18 funding to address the needs of this population.
19 We have collaborated extensively with DYCD, and
20 have reached out to providers and advocates who
21 are engaged in this work to gather their input.
22 Earlier this month, we developed and submitted a
23 plan outlining the City's proposed use of these
24 funds to the New York State Office of Children and
25 Family Services. We are very pleased to report

1
2 that just last week the plan was approved by the
3 state and we are happy to share the details of it
4 this morning.

5 ACS offers supportive services, as
6 well as placement options and programs designed to
7 address the special needs of this population.
8 Young people come into contact with Children's
9 Services for many reasons, including, but not
10 limited to, domestic violence, substance abuse,
11 behavioral issues, and/or mental health issues.
12 The symptomology of these issues can make it
13 particularly difficult for the best social workers
14 to discover when a child or youth is being or has
15 been sexually exploited.

16 In addition, youth come into
17 contact with ACS through a number of doors: We
18 see children in the course of our child protective
19 investigations; at our Children's Center, which,
20 as many of you know, is our facility that cares
21 for children who are in our custody awaiting
22 foster care placements; in our contracted foster
23 care and preventive programs; and in our juvenile
24 justice programs and facilities. In the past
25 several years, ACS has established processes to

1
2 help identify and address instances of sexual
3 exploitation, whether they are identified during
4 the course of a child protective investigation,
5 when a child is arrested, is being served through
6 our Children's Center, is in foster care, or is
7 engaged with our preventive service providers.

8 In recent years, ACS has invested
9 in strengthening both our investigative capacity
10 and our clinical expertise in order to better
11 assess these issues. In 2006, Children's Services
12 hired its first team of investigative consultants,
13 retired law enforcement investigators led by Susan
14 Morley, who is a former Commanding Officer of the
15 NYPD Special Victims Division. We now have 108
16 investigative consultants with extensive law
17 enforcement experience. Any case involving a
18 suspected sexual exploitation triggers an
19 immediate alert to our investigative consultants.
20 In addition, each of our borough Child Protective
21 offices has a team of clinical social work staff
22 who have expertise in issues of violence and
23 trauma that we see in cases involving sexually
24 exploited youth.

25 ACS contracts with providers to

1
2 offer both placement options for sexually
3 exploited children, as well as supportive service
4 options designed to address the special needs of
5 this population. We contract with preventive,
6 foster care, and residential providers that work
7 with this population. Since 2009, the Jewish
8 Child Care Association, as you mentioned, JCCA,
9 has operated a residential program called Gateways
10 that provides intensive, special care for girls
11 aged 12 to 16 who have been victims of commercial
12 sexual exploitation and trafficking. This program
13 houses 12 youth and remains at or near full
14 capacity at all times.

15 ACS also contracts with JCCA for a
16 Specialized Family Foster Care program that places
17 sexually exploited youth with foster parents who
18 are trained to offer a therapeutic home
19 environment while the young person receives a full
20 range of medical, emotional, and psychological
21 services to address their unique needs. The
22 foster care program is currently being developed
23 and expected to serve 24 youth once it is fully
24 operational.

25 In addition, JCCA runs a

1
2 residential program to support sexually exploited
3 young women who are in non-secure placement
4 through the juvenile justice system. JCCA
5 currently supports these youth using two models--
6 Sanctuary and Gateways--and a four-phase model of
7 treatment that includes assessment, individual and
8 family therapy, and peer counseling. The JCCA
9 non-secure placement residence can accommodate six
10 young people.

11 ACS also contracts with the New
12 Beginnings program at St. Luke's-Roosevelt
13 Hospital Center. Their Community Services for
14 Children and Families is a clinical program
15 intended to maintain sexually exploited youth
16 safely in their homes by providing intensive
17 therapy to the youth and family members. In 2012,
18 St. Luke's Sexually Exploited Preventive Services
19 program served 38 families.

20 Finally, Children's Services has a
21 long-standing partnership with GEMS, a nationally
22 recognized organization that works with sexually
23 exploited youth through intervention and outreach,
24 direct support services, training, and technical
25 assistance. GEMS has been invaluable to us at the

1
2 Children's Center. We must comprehensively assess
3 children at the center, which is often our first
4 point of contact with them. GEMS has worked
5 closely with our staff to provide training on how
6 to identify and assess risk factors for sexual
7 exploitation.

8 Another critical component of our
9 work with this population involves training staff
10 in several of our divisions to be able to identify
11 and assist exploited youth. And when I say,
12 several of our divisions, I mean, our Division of
13 Child Protection; our Division of Youth and Family
14 Justice, which is the juvenile justice part of our
15 agency; the Division of Family Permanency
16 Services, foster care; the Division of Family
17 Court Legal Services, so the lawyers in our Family
18 Court; and Family Support Services, which includes
19 our Office of Child and Family Health; preventive
20 services; and community partnerships; and, of
21 course, our investigative consultants.

22 In May of 2012, ACS, in
23 collaboration with Safe Horizon's anti-trafficking
24 unit, the Manhattan and Brooklyn District
25 Attorneys offices, the NYPD Vice Enforcement

1
2 Coordinator, End Prostitution and Child
3 Trafficking, and St. Luke's New Beginnings program
4 held an all-day training for staff in our Division
5 of Child Protection to discuss human trafficking
6 and discuss how to define, identify, understand,
7 and engage youth who may have been or are being
8 trafficked for sex. Our staff was provided with
9 critical information to help them identify the red
10 flags for youth who are being trafficked for sex.
11 A total of 411 ACS staffers attended this
12 training. This forum was also broadcast live to
13 all Division of Child Protection borough office
14 sites for viewing by staff. We think this type of
15 opportunity is critical to our progress on
16 educating children services.

17 Subsequently, ACS released a policy
18 in June 2012 regarding assessment and safety
19 planning for commercially sexually exploited
20 children. The policy provided guidance to ACS
21 staff on how to identify, engage, support, and
22 develop safety plans for children who are victims
23 of sex trafficking. The policy, as well as a desk
24 aid guide produced for CPS, directs staff to
25 identify, work with parents and caretakers when

1
2 applicable, and find targeted services to help
3 children recover from sex trafficking. Since the
4 May training, ACS has conducted additional
5 training with child protective offices in each
6 borough, in which a total of 275 additional
7 frontline line staffers have participated.

8 As the Council is aware, the Safe
9 Harbor legislation allows for the conversion of
10 Family Court delinquency cases of youth under the
11 age of 16 who are arrested for prostitution to a
12 Person in Need of Supervision petition.

13 Conversion to a PINS petition prevents the young
14 victim of sexual exploitation from being
15 prosecuted for prostitution and allows that young
16 person to receive critical support and services.

17 In 2010, ACS, with the assistance from the Mayor's
18 office, began to coordinate with other city
19 agencies, including DYCD, the Law Department,
20 Probation, PD, to implement the act's provisions
21 and to develop a protocol for ensuring that
22 sexually exploited youth receive necessary
23 services. That protocol included a role for each
24 agency: The Law Department assists with the PINS
25 conversion process; ACS places children in the

1
2 appropriate level of care and secures services for
3 them; and DYCD establishes drop-in centers to
4 serve impacted youth.

5 In addition to the work we're doing
6 here at ACS, stakeholders citywide are
7 collaborating to address the unique needs of
8 sexually exploited youth. In 2006, Mayor
9 Bloomberg established the Anti-Human Trafficking
10 Task Force, chaired by Deputy Mayor Carol Robles-
11 Roman to coordinate efforts to combat foreign and
12 domestic human trafficking and the commercial
13 sexual exploitation of children. The task force,
14 of which I am a member, meets quarterly and brings
15 together experts from state and federal law
16 enforcement, city and state government agencies,
17 service providers, advocacy groups, and other
18 community-based organizations. In addition, ACS
19 co-chaired a workgroup with the Council of Family
20 and Child Caring Agencies, COFCCA, to assist
21 provider agencies in becoming more informed on
22 this issue. This work led to a roundtable
23 discussion with experts on sexual exploitation
24 that included the FBI, the district attorney's
25 office, and providers with expertise in this area.

1
2 As I mentioned earlier, last fall,
3 New York State's Office of Children and Family
4 Services allocated \$622,200 in funding to New York
5 City to address the needs of sexually exploited
6 children through the development and
7 implementation of a statewide child welfare
8 response to child sex trafficking. Through
9 extensive interagency collaboration with DYCD and
10 an informal survey with a variety of stakeholders,
11 providers, and advocates, ACS received valuable
12 input on the need for expanded services. We also
13 held a public hearing last week to allow for
14 additional feedback.

15 I would like to take a few minutes
16 to walk you through our plan, which was approved
17 last week by OCFS and which we'll begin to
18 implement--which we will begin to implement
19 immediately. The plan includes eight primary
20 components. First, DYCD has a street outreach
21 team that seeks out youth in areas where they tend
22 to congregate at night, including public spaces,
23 subway stations, transportation hubs, and other
24 areas. The workers provide information about
25 services for vulnerable youth and transport them

1
2 to a safe environment--be it their home, another
3 safe environment, or a crisis shelter. With these
4 additional funds, we will increase the program's
5 capacity to identify and engage youth at risk of
6 sexual exploitation who may be AWOL from foster
7 care placements.

8 In addition, we will create and
9 implement training and tracking mechanisms around
10 engaging sexually exploited youth and encourage
11 them to return to their foster homes. To improve
12 information sharing, street outreach teams will
13 communicate regularly with our Children's Center
14 and with Children's Services' AWOL Unit, which
15 assists provider agencies with identifying and re-
16 engaging youth who have run away from foster care
17 placements. Current street outreach units serve
18 approximately 480 youth per month. Children's
19 Services projects this additional street outreach
20 will serve approximately 4,300 more children at
21 high risk of sexual exploitation.

22 Second, we plan to place Master's
23 in Social Work counselors from agencies that
24 contract with DYCD and have experience in
25 providing services to sexually exploited youth at

1
2 ACS's Children's Center to engage youth and
3 prevent AWOLs. Provider agency staff will also
4 train and consult with Children's Services staff
5 to build our capacity to identify and engage these
6 youth and appropriately direct them to the
7 existing services I've discussed. Provider agency
8 staff will work at the Children's Center during
9 times of day and night when youth are at higher
10 risk of leaving the facility, such as evenings and
11 weekends, for up to 60 hours per week. We expect
12 this combination of capacity building and direct
13 services to improve service delivery to all high-
14 risk youth ages 11 and older entering the
15 Children's Center, excuse me, which sees
16 approximately 8,000 youth per year.

17 Third, as the Youth Services
18 Committee is already aware, DYCD runs a Summer
19 Youth Employment Program which provides New York
20 City youth between ages 14 and 24 with summer
21 employment and educational experiences. We plan
22 to use a portion of the state Safe Harbor funds to
23 increase the capacity of this program. DYCD will
24 set aside 40 Summer Youth Employment slots to
25 specifically serve foster care youth who are

1
2 placed in a specialized sexually exploited foster
3 care placement or at the Children's Center by
4 providing them with opportunities so that they can
5 become familiar with the world of work, gain
6 employment experience, and identify educational
7 pathways that support career and life goals.

8 Fourth, it is critical that we
9 identify youth at risk of exploitation as early as
10 possible and connect them to the specialized
11 preventive, foster care, and juvenile justice
12 services that we offer. We will use a portion of
13 the funds to build the capacity of ACS staff and
14 service providers to identify and engage more of
15 them by developing Program Champions within key
16 areas of Children's Services. These Program
17 Champions will be a resource and liaison for staff
18 members on all issues related to sexual
19 exploitation within child protection, foster care,
20 and preventive program areas with an increased
21 focus within the Education, AWOL, and Older Youth
22 Services units. Children's Services will release
23 a request for proposals to engage a provider
24 experienced on the issue of child sexual
25 exploitation who can work with designated staff to

1
2 design a curriculum that will be shared with other
3 city agencies serving similar populations.

4 Fifth, we are using funds to
5 specifically target our Division of Youth and
6 Family Justice. We will hire an expert in this
7 area to train case managers, placement and
8 permanency specialists, and youth counselors to
9 identify, understand, and refer youth to
10 specialized services appropriately. The expert
11 will coordinate their training of juvenile justice
12 staff with the trauma-informed care initiative
13 that DYFJ is currently implementing in partnership
14 with Bellevue Hospital as part of the National
15 Child Trauma Stress Initiative and the Prison Rape
16 Elimination Act, PREA, initiative ACS is launching
17 to comply with the new regulations issued by the
18 U.S. Department of Justice to help juvenile
19 facilities prevent, detect, and respond to sexual
20 misconduct.

21 In addition to training, the expert
22 will produce a resource guide that staff can use
23 to refer young people when they are discharged
24 from juvenile placements and detention. We will
25 share the resource guide with other city agencies

1
2 serving similar populations, including the
3 Department of Probation.

4 Sixth, we will use the funds to
5 strengthen and provide additional expertise to the
6 Jewish Child Care Association and St. Luke's
7 specialized sexually exploited programs with the
8 goal of further developing their treatment service
9 models, creating strategies to recruit foster
10 homes for sexually exploited youth, and for
11 improving outreach efforts to ensure specialized
12 programs are receiving appropriate referrals and
13 are fully utilized.

14 Seventh, we will use the funding to
15 hire an expert to work with ACS to develop a
16 comprehensive plan with strategies that advance
17 our approaches to working with sexually exploited
18 youth, particularly around addressing the
19 complicated and destructive relationship between
20 the young person and their trafficker. Part of
21 this vision will include enhanced coordination
22 among city agencies, courts, and citywide
23 stakeholders. The plan will also include an
24 analysis of needs, types of services available,
25 gaps in services, prioritization of new service

1
2 needs for future funding allocations, and will
3 outline both short-term and long-term goals
4 towards an improved response to child exploitation
5 in New York City.

6 Finally, advocates and stakeholders
7 citywide, including the Council, have expressed
8 the difficulties with, and the need for, an
9 increase in the collection of data on sexually
10 exploited young people. To begin to address this
11 issue, ACS will use a portion of this OCFS funding
12 to hire a consultant to evaluate current data
13 collection methods of sexually exploited service
14 providers in child welfare and juvenile justice,
15 and to identify both short-term and long-term
16 opportunities to improve data collection,
17 analysis, and reporting.

18 ACS continues to work
19 systematically on a number of fronts through our
20 child protective, preventive, foster care, and
21 juvenile justice programs to identify youth that
22 may be or are being or have been sexually
23 exploited and to train staff and establish
24 services that can address this problem. Through
25 these efforts, we have learned that identifying

1
2 sexually exploited youth who come into care with
3 Children's Services can be challenging for many
4 reasons. Many youth are understandably reticent
5 to disclose sexual exploitation, some feel
6 ashamed, some fear retribution by their abusers,
7 while others are conflicted about the potential
8 prosecution of their abusers.

9 As I mentioned earlier, youth also
10 enter ACS care for a variety of reasons, including
11 substance abuse, mental health concerns, and/or
12 domestic violence on the part of their families.
13 Any or all of these could mask issues relating to
14 sexual exploitation. As the Council knows,
15 identification of sexual exploitation is much more
16 challenging than simply marking a box on a form.
17 As much as we want to know what the need is, our
18 priority is to serve and protect youth who need
19 help.

20 Despite these challenges, we agree
21 with the Council that collecting and tracking data
22 regarding this population is important, which is
23 why we are allocating funds to bolster our ability
24 to track and share data among city agencies. We,
25 therefore, support the proposed legislation

1
2 requiring ACS and DYCD to submit an annual report
3 documenting the number of youth who are referred
4 to us as sexually exploited, who self-identify as
5 sexually exploited, or who we determine to be
6 sexually exploited at some point in our time
7 serving them. We hope that with the additional
8 state resources, New York City will have the
9 ability to understand the extent of the need and
10 be able to appropriately support and assist
11 sexually exploited youth--to assist sexually
12 exploited youth, this population.

13 Thank you for this opportunity.

14 Ms. Morley and I are eager to answer your
15 questions.

16 [Pause]

17 DEBORAH HARPER: Good morning.

18 Good morning, Chairs Fidler and Palma and members
19 of the Committees on Youth Services and General
20 Welfare. I am Deborah Harper, Assistant
21 Commissioner for Runaway and Homeless Youth at the
22 New York City Department of Youth and Community
23 Development. I am also seated with Andrew Miller,
24 Assistant Commissioner for External Relations at
25 DYCD.

1
2 On behalf of Commissioner Jeanne B.
3 Mullgrav, thank you for the opportunity to testify
4 on Introduction number 866-A, which requires
5 reporting data related to sexually exploited
6 children. We appreciate the Council's continued
7 support for our city's most vulnerable young
8 people. I will keep my overview of RHY services
9 brief, as the committee is well-informed of the
10 RHY continuum.

11 Our coordinated model includes
12 street outreach and transportation services, a
13 drop-in center in each borough, emergency
14 shelters, and Transitional Independent Living,
15 TIL, facilities. Each DYCD-funded RHY facility
16 employs a social worker who is responsible for
17 helping youth to receive appropriate services.

18 Young people are assessed and
19 evaluated for their mental health needs. The
20 comprehensive assessment evaluates the psychiatric
21 history of each young person, including screening
22 for suicidal ideation, sexual exploitation,
23 depression, and thoughts of sadness, history of
24 violence, or mental illness, and school
25 functioning.

1
2 For the purposes of today's hearing
3 we will share with you some information about the
4 number of young people who identified themselves
5 as either sexually abused or exploited in fiscal
6 year 2012. A total of 71 young people identified
7 themselves as abused or exploited. The vast
8 majority, or 58, disclosed this information while
9 in a TIL program. We believe this is because
10 young people feel more comfortable identifying
11 themselves as being sexually abused or exploited
12 the longer they have been in our care.

13 We support the overall goal of
14 Intro 866-A, which is to provide greater focus on
15 the needs of sexually exploited youth served by
16 both DYCD and ACS through our residential
17 services. We ask that the Council consider
18 limiting the bill to these systems. As currently
19 drafted, the bill would require all DYCD programs,
20 not just runaway and homeless youth programs, to
21 be included in the report. All of our providers
22 are mandated by law to report cases of abuses and
23 neglect and take appropriate action, however, we
24 request that the bill focus attention where it's
25 most needed within the RHY system.

1
2 We were pleased that the City was
3 awarded \$622,000 from the state to further enhance
4 services to sexually exploited young people
5 through the Safe Harbor grant program. This will
6 provide some welcome relief, considering that the
7 state funding to RHY services has decreased 60%
8 over the past several years from approximately 2
9 million to 744,000. We are grateful for the
10 support of ACS and are pleased to be joined by
11 Commissioner Ron Richter.

12 The plan he outlined helps further
13 integrate our agency's services for sexually
14 exploited youth. Specifically, for DYCD, it
15 focuses on three areas: Additional street
16 outreach, sexually exploited service providers at
17 the ACS Children's Center, and Summer Youth
18 Employment slots.

19 It is important to note that the
20 future Safe Harbor funding is uncertain. It was
21 added to the state budget for the first time in
22 the current state fiscal year, but it was not
23 included in the governor's proposed budget for
24 next year. Commissioner Mullgrav has traveled to
25 Albany twice over the past few weeks and met with

1
2 legislators to discuss state funding for youth
3 programs. We are hopeful that this funding will
4 be included in the state legislature's conference
5 committee recommendations expected in mid-March.

6 We again thank ACS for their
7 partnership and we look forward to continuing our
8 efforts to better serve the needs of sexually
9 exploited youth. We will be pleased to answer
10 your questions.

11 CHAIRPERSON FIDLER: Thank you.

12 And we've been joined by Council Member Van
13 Bramer. We were also joined previously by Council
14 Members Wills and Gonzalez.

15 Commissioner Richter, if you had
16 started your testimony with your support for 866-
17 A, I could have said you had me at hello, but I
18 appreciate your support for the legislation. And,
19 Ms. Harper, I understand the problems DYCD might
20 have, given the breadth of diversity of the
21 programs that fall under your aegis if you're
22 required to do every program, so we will take a
23 look at that issue. And if there is anything
24 other than street outreach, crisis shelters, and
25 TILs, we think you do run programs that might lend

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2 itself to the reporting requirement. I mean, I
3 can't imagine trying to report anything other than
4 cases of abuse that become--you become aware of
5 the 40,000 people who pass through the Summer
6 Youth Employment program. Stuff like that, I
7 don't think that's what we intended, although in
8 the ideal world, that would be great.

9 Commissioner Richter, you know--and
10 actually both of you, in listening to your
11 testimony about what we're going to do with
12 \$622,000 of state funding, I recognize that that
13 is a pittance; and if it weren't for the fact that
14 it's the first time that it's been included in the
15 budget, I would call it shameful, but it was
16 better than what was happening before. When taken
17 in context of what Ms. Harper pointed out about
18 the reduction in state funding for the RHY
19 continuum from 2 million to 744,000, you know, you
20 realize that they haven't even caught up to where
21 they were just a few years ago. I remember the
22 governor telling everyone that he had preserved
23 the safety net and I seriously question that when
24 it comes to children sleeping on the street, and
25 there are clearly more of them.

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2 I did notice in your testimonies
3 that a great deal of this \$622,000 is for training
4 and not so much for services, and so the concern I
5 would have first, and I would ask you to comment
6 on, is we're going to do all this training,
7 ostensibly we're going to identify a greater
8 percentage of the sexually exploited youth who are
9 coming through our doors as being sexually
10 exploited, where are we going to put them if we're
11 not increasing services? I mean, even the
12 services increase at DYCD for street outreach is
13 terrific, I mean, I can't, you know, everyone who
14 knows me knows that I'm for that 10,000%, but
15 where are going to put them all if we find them?
16 I mean, are we just going to find them, tag them,
17 and throw them back?

18 RONALD RICHTER: So that is a fair
19 question, Chair Fidler, and we thought a lot about
20 that question ourselves as we were trying to
21 figure out what to do with \$622,000 of one-time
22 funding. And part of our challenge with this
23 population that we acknowledge is actually
24 identifying the population and trying to figure
25 out how to do that better. And so we did think

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2 that it was important for us with this funding
3 opportunity to leverage the opportunity to inform
4 our staff using the best resources that we have in
5 this city about how to work better with what we
6 consider to be a revolving door with sexually
7 exploited youth, to interview young people more
8 effectively, to talk to young people in a way that
9 allows us to impart information and also allows us
10 to listen more actively, and to get expertise and
11 to train trainers so that in the first instance we
12 actually can get a sense of what our numbers
13 really look like and can begin to learn more about
14 the variation in our sexually exploited youth
15 population at ACS. And so I think that actually
16 we get a handle on what we're looking at. I think
17 then we can start to understand what services we
18 actually need and maybe what services we should
19 be, you know, purchasing ourselves, aside from the
20 \$622,000.

21 But what constrained us in terms of
22 purchasing beds, for example, is that this is one-
23 time funding and we didn't think it was
24 responsible to use it if it's not going to be here
25 next year and the year after. I mean, that was

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part of what went into our thinking.

CHAIRPERSON FIDLER: You know, that's a great point and it's a terrific segue for something that I've been meaning to bring up and I'm glad you did. Every year we fund \$12 million worth of shelter beds for runaway and homeless youth, 7 million of it is one-time funding every year. Every one of those providers has to go out there and secure a location, commit to a lease, you know, commit to run a program; and every single year that money is excluded from the mayor's executive budget and it becomes a matter of the Council standing up and fighting for it.

So I would then assume that everyone sitting at this table will support the baselining of the RHY funding in this year's budget. It's something I've given a lot of thought to, we've made a lot of progress, not nearly enough, we made a lot of progress in the 11 some odd years that I have chaired this committee. I am not going to be here next year, I full well would like to see that money baselined before I'm gone because I don't want to leave the burden on my colleagues who will remain behind to have to

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2 fight for the same turf over and over and over
3 again, maybe we can actually make some progress.
4 But having said what you just said, I think it's
5 completely consistent and I would hope that both
6 agencies would advocate with OMB for baselining
7 the RHY funding at least.

8 Having said that--and by the way,
9 we've been joined by Council Members Arroyo,
10 Cabrera, and King.

11 [Off mic]

12 CHAIRPERSON FIDLER: We're all on
13 the same train, we know where the train is going
14 now. I would have to--well, first of all, let me
15 ask, the Safe Harbor funding is in the governor's
16 budget proposal though, am I correct about that?
17 The continuation of it?

18 RONALD RICHTER: I'm not sure, I
19 can't answer that question. I think--

20 CHAIRPERSON FIDLER: Guys?
21 Anybody?

22 RONALD RICHTER: --I thought I
23 heard that the answer to that is no, it's not.
24 I'm going to be in Albany this week, I think that
25 Commissioner Mullgrav was already in Albany trying

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2 to make progress on that, we obviously feel that
3 it is critical that it be funded--

4 CHAIRPERSON FIDLER: [Interposing]

5 And I will use the word shameful because, you
6 know, the fact that they passed this legislation
7 years ago, didn't fund it, then they finally throw
8 a couple of nickels into it and they're going to
9 take them back out. You know, if that is the
10 final result, then they all should be ashamed of
11 themselves. And, quite frankly, I'm willing to
12 say here the governor should be ashamed of himself
13 for not putting it in the budget. That is
14 outrageous. You know, and I was just going to
15 assume for a second that it was and that the next
16 question would be, okay, now we've trained the
17 trainers, what's the next step if we would be so
18 bold as to imagine that they will throw us the
19 same nickels and dimes that they've been throwing.
20 I mean, we'll have bought a van, we'll have
21 trained the trainers, you're hiring two different
22 people, if I get your testimony--if I've gleaned
23 that, we're hiring some staff for the additional
24 outreach van, what's next?

25 RONALD RICHTER: So I mean, my hope

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2 is that we will have learned something from the
3 work that we will have done in terms of what our
4 actual needs are and that we will work together
5 with the Council, with other city agencies to make
6 some much better informed decisions about what
7 services we need. I'm, you know, I'm hopeful that
8 we will be able to provide additional services to
9 young people in the way that St. Luke's-Roosevelt
10 has been serving children and that we will also be
11 able to provide additional services to young
12 people in foster care. You know, I think that our
13 last choice should always be a congregate setting
14 outside of the city, but I would like us to try to
15 figure out what our needs actually are before we
16 answer that question. And I don't think we have--

17 [Crosstalk]

18 CHAIRPERSON FIDLER: [Interposing]

19 Actually, I thought the trend was to slow the
20 number of--or reduce the number of congregate
21 settings outside of the city for juveniles so--

22 RONALD RICHTER: Right.

23 CHAIRPERSON FIDLER: --I would
24 think that wouldn't be something that we're
25 thinking about.

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2 You know, I'm just going to ask one
3 other question and then I'll turn it over to
4 Chairwoman Palma, I have a number of other--a few
5 other questions as well. Ms. Harper, do we have
6 any results on the RHY homeless count?

7 DEBORAH HARPER: No, Chairman.
8 We're anticipating DHS having their numbers
9 together because, you know, they were a part of it
10 as well at the end of March because the report
11 goes into the federal government in April.

12 CHAIRPERSON FIDLER: And do I
13 recall correctly that the questionnaire for the
14 homeless youth includes questions about sexual
15 exploitation or sex trafficking?

16 DEBORAH HARPER: The questionnaire
17 that we were doing in our sites did, yes.

18 CHAIRPERSON FIDLER: Okay. All
19 right, Chairwoman Palma?

20 CHAIRPERSON PALMA: Thank you, Mr.
21 Chair. Commissioner Richter, can you just take me
22 through the process of how ACS staff identifies
23 sexually exploited children?

24 RONALD RICHTER: So, as I said in
25 my testimony, the process of identifying sexually

1
2 exploited young people is always part of, you
3 know, what we think is good social work. And so
4 the young person coming in any of our doors,
5 whether it's through a child protective
6 investigation or through a juvenile justice door
7 or is in foster care with one of our agencies, we
8 are consistently, you know, hopeful that our
9 social workers have enough training in sexually
10 exploited youth that they are thinking in terms of
11 relationship building with young people about this
12 issue. There are particular kinds of cases where
13 we think that these issues need to be particularly
14 focused on and so there are protocols that are
15 followed in certain kinds of cases that should get
16 at this information much more deliberately.

17 SUSAN MORLEY: May I?

18 RONALD RICHTER: I'm going to turn
19 it over to Sue Morley, who I think can probably
20 answer your question more directly.

21 CHAIRPERSON PALMA: Okay.

22 SUSAN MORLEY: Good morning. As
23 was in the testimony, we did a training conference
24 with Safe Horizons helped us a great deal on, as
25 well as the follow-up training in the boroughs,

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2 and after that training conference, we developed a
3 policy as well as a desk aid that addresses the
4 red flags for human trafficking, how to engage the
5 child, how to engage the parent, and the desk aid
6 is very nice actually for the workers to put right
7 on their desk. And we also in the policy have
8 direct them when you suspect it to also go to the
9 retired detectives.

10 And that policy really has--we have
11 seen several cases where perhaps before the
12 training we might not have seen--cases that come
13 in as educational neglect, and the mom thinks the
14 daughter is doing drugs and she's running away and
15 she's chronically running away. And through the
16 training and through the investigative experience
17 of the ICs, you know, we take certain
18 investigative steps and look in certain databases.

19 And a common thing that has been
20 coming up is backpage. We have 12-year old and
21 14-year old girls that are coming in sometimes as
22 educational neglect and then when we do a workup,
23 we discover them advertised on backpage. And then
24 we do a lot of coordination with NYPD on those
25 type of cases, and frequently, this is a girl that

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2 is running away and we're looking for her and we
3 use our resources as well as the NYPD's vice
4 enforcement coordinator--we have a good
5 relationship with them--to find these children and
6 bring them back.

7 It is a challenge at times 'cause
8 we frequently find them and they frequently run
9 away, and that's why I think it's so important
10 that the commissioner is using the Safe Harbor
11 funding to give us resources at our Children's
12 Center and that we're going to bring in the DYCD
13 experts that deal with--the contracts they have
14 that deal with sexual exploitation into our
15 Children's Center to not only model how to deal
16 with these children with our staff, because this
17 funding is limited--hopefully we'll be able to get
18 it back--but also to help screen and identify and
19 help try to engage the kids from running away or
20 taking others with them.

21 CHAIRPERSON PALMA: How effective
22 is the first visit in terms of identifying them
23 and is--after that discovery is made is when the
24 child runs away? It's--

25 SUSAN MORLEY: Excuse me, the

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noise, I couldn't hear you, sorry.

CHAIRPERSON PALMA: --it's in the
initial contact with the youth--

SUSAN MORLEY: Right.

CHAIRPERSON PALMA: --in that first
initial contact, is there--do we know that they're
being sexual exploited?

SUSAN MORLEY: Not necessarily.

Sometimes well what we try to train the workers in
is the different risk factors--kids with prior sex
abuse, kids prior foster care, children that are
running away, children are not going to school,
children that have the older boyfriend. But even
the older boyfriend, some of the young pimps are
like 20 years old, the age gap may not even be
that different. Are the kids coming home
periodically and have things that--where'd you get
the iPhone from, where'd you get the clothes from;
are they disappearing. So we're trying to train
them to get more noseey when they're getting these
educational neglect cases, when they're getting
the parent that says my teenaged daughter, we may
be in there for another reason and she says I
really have trouble with my teenage daughter,

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2 she's running around, she has an older boyfriend.
3 So really look for those risk factors and then
4 really, when they interview the child to assess
5 for that, and we give them certain questions to
6 ask.

7 RONALD RICHTER: So the 14-year old
8 or 13-year old who has the 18-year old boyfriend
9 has, you know, is a perfect example of a case
10 where we expect our child protective specialists
11 and we expect our case planners at foster care
12 agencies to use the desk aid that I just had
13 handed to you, which should lead to an entirely
14 different profile of questions. But I want to
15 say--

16 CHAIRPERSON PALMA: [Interposing]
17 So the 108 investigative consultants, they--when a
18 child is identified, are they're the first ones in
19 contact with the child or is one of the other
20 protective--

21 RONALD RICHTER: [Interposing] No,
22 our child protective specialist is responsible for
23 making a--

24 CHAIRPERSON PALMA: [Interposing]
25 And then is reported to--

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2 RONALD RICHTER: --referral to the
3 investigative consultant and they're located in
4 our borough offices. So that referral is
5 generated by the investigating case worker.

6 CHAIRPERSON PALMA: Okay.

7 RONALD RICHTER: But I want to say
8 that, because I think, you know, our agency in the
9 first instance is out there investigating the
10 safety of a child and so whatever allegations come
11 over from the state central registry is the focus
12 of that initial investigation; and then we expect
13 our investigator, child protective investigator,
14 to, you know, look at the whole situation and,
15 because of what's in this desk aid and what we're
16 learning, we expect that to lead to questions that
17 will determine whether a child is sexually
18 exploited, but it's not information that a child
19 is very often going to just disclose and their
20 parent oftentimes doesn't have any idea what's
21 going on.

22 CHAIRPERSON PALMA: So is the Safe
23 Harbor funding going to be used to train both the
24 108 case--investigative consultant--

25 RONALD RICHTER: Investigative

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consultants.

CHAIRPERSON PALMA: --and
protective staff as well?

RONALD RICHTER: Yes, I mean, we're
trying to use it to train all of our staff and to
train trainers.

CHAIRPERSON PALMA: How many
sexually exploited youth are currently now
receiving services through ACS?

RONALD RICHTER: Yeah.

SUSAN MORLEY: I think we had 38
families--

[Crosstalk]

RONALD RICHTER: [Interposing] So
St. Luke's-Roosevelt served, I think in my
testimony I said 38 families. Is that the
capacity of it or is that--

SUSAN MORLEY: [Interposing] No--

[Crosstalk]

RONALD RICHTER: So 38 families,
and then JCCA's Gateways program serves, I think,
12 young people at a time, and it's pretty much
always--

CHAIRPERSON PALMA: [Interposing]

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What's the length of stay for those 12 individuals? And they're beds for females only.

RONALD RICHTER: That is correct.

CHAIRPERSON PALMA: And we know that researchers have estimated that the higher population of being sexually exploited are males, so are there any programs in place to address the male population or would any of this funding create any of the--

[Crosstalk]

RONALD RICHTER: [Interposing] So outside of this funding, we are currently in the process of developing and have allocated funds for JCCA to develop a foster care program for this population that I think will accommodate--how many?

SUSAN MORLEY: Twenty-four.

FEMALE VOICE: Twenty-four.

RONALD RICHTER: Twenty four young people, including males, boys, and we are in the process of bringing those homes online. So there will be availability and the date upon which they'll be ready, I don't have.

FEMALE VOICE: Three to six--

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[background noise]

RONALD RICHTER: We expect them to be ready within three to six months.

CHAIRPERSON PALMA: And this is going to be funds allocated directly to JCCA or it's not--

RONALD RICHTER: [Interposing] Yes, we are contracting with JCCA for those and that has nothing to do with this \$622,000.

CHAIRPERSON PALMA: Okay.

RONALD RICHTER: That's out of ACS's budget separate and apart from this.

CHAIRPERSON PALMA: Okay. And I will ask the same questions in regards to the LGBT youth. Are there any dedicated services specifically for the LGBT youth that are being sexually exploited as well?

RONALD RICHTER: So the expectation is that these programs would accommodate--

CHAIRPERSON PALMA: Capture--

RONALD RICHTER: --any youth, whether they're LGBTQ identifying or not.

So I also want to say that my hope is clearly for the boys, which is an issue that

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2 is--you've identified, that Chair Fidler
3 identified, that's a real issue, that our
4 therapeutic foster boarding homes, you know, can
5 work with St. Luke's and other programs to take
6 care of our boys in a, you know, in a foster home
7 setting appropriately because we shouldn't have to
8 wait three to six months for Gateways to get these
9 foster homes--

10 CHAIRPERSON PALMA: Right.

11 RONALD RICHTER: --up and running.
12 And so that would be what I would hope our plan
13 would be at this point when we encounter a
14 sexually exploited boy, which, clearly, we have in
15 New York, there's no question about that.

16 CHAIRPERSON PALMA: Commissioner--

17 RONALD RICHTER: [Interposing] I
18 mean, I think that what's critical about this
19 opportunity for us though is that most sexually
20 exploited young people that I think we encounter
21 in the child welfare area, in detention, they're
22 detained so we have a much better opportunity to
23 work with them because they're captive, obviously,
24 they're--

25 CHAIRPERSON PALMA: Right.

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2 RONALD RICHTER: --it's a captive
3 audience. In child welfare, I think that a lot of
4 these young people are using the Children's Center
5 as a place to get a hot meal and a shower and then
6 they walk right out the door and, because of the
7 law, we don't really have much opportunity other
8 than our social work ability to sit with these
9 young people and talk to them. And I don't think
10 that we have taken advantage of that. For
11 example, we have medical services at the
12 Children's Center and I don't think that our
13 nursing staff has been adequately trained to take
14 the opportunity of those young people accessing
15 medical services there to really connect with
16 those young people and talk to them. And so we
17 have to really up the ante in terms of what we're--
18 --how we're working with them at the Children's
19 Center to really provide a lot of information
20 about why we're not a negative system, but there
21 might be opportunities for them with us.

22 CHAIRPERSON PALMA: And so if this
23 legislation is passed, how does DYCD plan to
24 implement it? What's going to be the methods used
25 to do the tracking and to make sure that there's

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2 collaboration with DYCD?

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RONALD RICHTER: How will we work

together? Well I mean part of what we're doing

already is setting up a working group that will

have membership from both ACS and DYCD and other

agencies in order to ensure that the plan that

we've submitted and was approved by OCFS is

actually effective. So we want to try to see if

these approaches to identifying and training work.

And so, as Chair Fidler, said, like in year two,

will we know a lot more than we knew in year one,

and then what will we do with the information we

have.

In terms of working collaboratively

with DYCD, I think that the development of this

plan is a reflection of our collaboration around

these young people. We made sure that we shared

information and that we are going to do that on an

ongoing basis with respect to these young people,

and we've been in pretty much constant

communication. If I understand your question is--

CHAIRPERSON PALMA: [Interposing]

That's exactly--

[Crosstalk]

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2 RONALD RICHTER: Yeah, we intend to
3 continue to do so. I mean, I think that the
4 Summer Youth Employment opportunity for this
5 population is one concrete example of how we think
6 that our agency, for example, in detention this
7 past summer had young people in detention who had
8 summer youth employment opportunities, we think
9 that this was another example of connecting in
10 that way for our agencies.

11 CHAIRPERSON PALMA: And I know
12 that, you know, this counts under the leadership
13 of Council Member Lew, every year we're asking
14 DYCD and those--and the administration to make
15 sure not to reduce the funding for the summer
16 youth programs. When you talk about these 47
17 slots that are going to be carved out for this
18 population, are we talking about the slots that
19 are now always in, you know, that continue to be
20 in danger on a yearly basis to be reduced?

21 ANDREW MILLER: So Andrew Miller
22 from DYCD, thank you for the question. As you
23 know, the mayor has committed to SYEP, in fact,
24 we're pleased that he has continued to add \$20.5
25 million into the budget, and we also just received

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2 good news that the state included about \$25
3 million statewide into SYEP, of which we
4 anticipated getting about \$13.5 million. So in
5 total, right now, we estimate serving about 29,000
6 young people. We recently had a request for
7 proposals for a new competition and one of the
8 competitions happens to be with vulnerable young
9 people and that would include 1,000 slots. And
10 this would actually enable us to hire 40
11 additional young people through referral through
12 ACS.

13 CHAIRPERSON PALMA: So there will
14 be newly created slots.

15 ANDREW MILLER: Newly created
16 slots, yes.

17 CHAIRPERSON PALMA: Thank you. And
18 I just have one more question. In your testimony,
19 Commissioner, the 480 youth per month that you
20 reference, then the next sentence said through the
21 training, the street outreach will serve
22 approximately 4,300 more children. Will that be
23 per month or...?

24 RONALD RICHTER: I think that's
25 year.

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CHAIRPERSON PALMA: Yearly, okay.

RONALD RICHTER: Yeah, I think that's annually.

CHAIRPERSON PALMA: Okay. So the expectation is to be able to serve 4,300 annually.

RONALD RICHTER: With the street outreach, that's correct.

CHAIRPERSON PALMA: Okay. Thank you. I don't have any further questions at this time.

CHAIRPERSON FIDLER: Okay. We have a number of Council Members who have questions. Begin with Council Member Arroyo, followed by Council Member King.

[Pause]

COUNCIL MEMBER ARROYO: Okay. We were just trying to sort that out, thank you. Thank you, Mr. Chair.

Good morning, Commissioner, your staff. You referenced the drop-in--the centers, the drop-in centers, I'm assuming is what you're referring to. For runaway youth. Homeless, runaway youth who come into these centers for a shower and then they leave, they don't want to

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hang around.

RONALD RICHTER: I was referring to our Children's Center.

COUNCIL MEMBER ARROYO: Children's Center.

RONALD RICHTER: On 28th Street and First Avenue, the Children's Center where, you know, many young people--we use the center for our placements into foster care, but--

COUNCIL MEMBER ARROYO:
[Interposing] Okay. So I then--thank you for the correction, but I want to talk about those providers that we fund to provide a safe place for young people who are homeless to engage either a shower or... So what is the expectation, contractual or otherwise, that you have of providers that provide services for runaway youth and identifying those who might fit the sexually exploited category?

DEBORAH HARPER: Okay. I guess you're referring to the RHY drop-in centers.

COUNCIL MEMBER ARROYO: I don't know what you call them.

DEBORAH HARPER: Right, oh.

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2 COUNCIL MEMBER ARROYO: But there
3 are centers that you fund--there are providers
4 that you fund across the city--

5 DEBORAH HARPER: Yes.

6 COUNCIL MEMBER ARROYO: --whose
7 responsibility is to provide services for
8 individuals who are out of a permanent home
9 situation.

10 DEBORAH HARPER: Right, those would
11 be the DYCD funded drop-in centers which are
12 located in--there's at least one in every borough.

13 COUNCIL MEMBER ARROYO: So DYCD's
14 not here with you?

15 DEBORAH HARPER: I'm DYCD.

16 COUNCIL MEMBER ARROYO: Okay. So
17 what's your expectation of providers who you've
18 contracted to provide services to this particular
19 population with regards to helping to identify,
20 because I think the ACS Commissioner's statement
21 that they're hard to identify, what's your
22 expectation of those providers who are dealing
23 with a population that we can guess there might be
24 a high propensity for sexual exploitation?

25 DEBORAH HARPER: Well our

1
2 expectation is that the youth will be properly
3 assessed at the drop-in centers. Each one of the
4 DYCD sites is staffed with at least one full-time
5 MSW staff person, and so if a young person is
6 coming into a drop-in center on a repeated basis
7 for the same type of services, you know, like
8 coming in to get a shower and there's other
9 things, you know, they can look at the person's
10 physical appearance and make assessments on that.
11 So what's expected is that they do take the steps
12 to identify that whether or not a young person is
13 being sexually exploited, and then to take the
14 steps to engage them in some counseling, and then
15 eventually get them to move into our residential
16 continuum. So that's the expectation that they
17 will be alerted to those identifiers so that they
18 can get the proper services.

19 COUNCIL MEMBER ARROYO:

20 [Interposing] So how many have been identified
21 under that expectation?

22 DEBORAH HARPER: In fiscal year
23 '12, we had 56 young people who were identified as
24 being sexually exploited.

25 COUNCIL MEMBER ARROYO: And at what

1
2 point does ACS become involved, DYCD contracting
3 for the runaway youth or homeless youth, ACS,
4 being a different arm of the city administration,
5 I'd like to believe you guys talk to each other,
6 but my experience is that sometimes that doesn't
7 happen. So where's the collaboration between the
8 two agencies to make sure that we get this
9 individual or this \$622,000 to touch that life?

10 DEBORAH HARPER: Okay. Well there
11 is interaction between the two agencies. We don't
12 see a overwhelming number of young people under
13 the age of 18 so it's not--

14 [Crosstalk]

15 COUNCIL MEMBER ARROYO:
16 [Interposing] You do not.

17 DEBORAH HARPER: No, we do not.
18 Most of our young people are 18 and over, so when
19 there are--

20 COUNCIL MEMBER ARROYO:
21 [Interposing] So where does the 15-year old who is
22 homeless go?

23 DEBORAH HARPER: A 15-year old, if
24 they show up at any of our provider agencies, the
25 provider agency is responsible to contact the

1
2 parent or legal guardian, if available, if
3 appropriate, depending on what the young person is
4 telling us, and ACS. And so that would be when an
5 ACS contact would definitely be made, if a young
6 person under the age of 16 was to appear.

7 But any young person under the age
8 of 18 would also go through that same protocol.

9 COUNCIL MEMBER ARROYO: Do we know
10 how many we lose because of this policy?

11 DEBORAH HARPER: That we lose?

12 COUNCIL MEMBER ARROYO: Mm-hmm.

13 DEBORAH HARPER: When ACS is
14 contacted, you know, our experience so far is that
15 they do respond and, you know...

16 COUNCIL MEMBER ARROYO: So maybe
17 one of the indicators in this data report should
18 be the number of children under 18 that show up to
19 the drop-in centers, or I'm not sure what you call
20 them, but--and then what happens to them, and what
21 happens when ACS comes in and takes over the work
22 to help get this individual to a permanent
23 situation.

24 Many are running away because their
25 home situation is not safe or extremely

1
2 conflicting between parent and young person
3 because of whatever the circumstances are. We
4 also know that a majority of those are LGBT youth.
5 So, you know, I'm hopeful that this data and once
6 this is adopted and we include indicators that
7 help us understand DYCD is not the one that's
8 going to follow up on this individual's
9 permanency, but then how many of them were
10 referred to ACS, ACS became involved, and what the
11 outcome of that individual's living situation,
12 placement, et cetera, is something that we should
13 be looking for as well.

14 I'm going to talk about those in
15 detention, and I'm, Commissioner Richter, I had a
16 conversation with your staff and I don't remember
17 her name, but she was very helpful and I believe
18 it was on Friday and she might be in the room.
19 What's your name?

20 FEMALE VOICE: Jill.

21 COUNCIL MEMBER ARROYO: Jill?

22 Thank you, Jill. A case in my district of a young
23 man who is being released from detention who does
24 not want to go back home because he's afraid for
25 his life. And as we engage in this process of

1
2 reintegrating young people back into the community
3 what kind of alternatives we're offering or are
4 available. And I want to engage in a
5 conversation. The young man was released Friday
6 and by Sunday, he had been attacked and hurt
7 really, really bad, almost killed, because he knew
8 that the minute he went back on the block that
9 something was going to happen.

10 And I'm really concerned about
11 those, in particular, the first time offenders who
12 are looking for an alternative because they know
13 that if they get back into the environment they
14 came from, or the circumstances they came from,
15 they will more than likely end up back in the
16 system. And that is something that I think we
17 need to spend a little bit of time talking about
18 and see how we can carve out services for
19 individuals who are self-identifying, I really
20 cannot go back because I know what waits for me is
21 something that's going to be detrimental to me and
22 will probably keep them in that repeat offender
23 list. So I look forward to that conversation with
24 you.

25 Thank you, Mr. Chair.

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CHAIRPERSON FIDLER: Thank you.
Council Member King.

Sorry, we've been joined by Council Members Mark-Viverito, Levin, and Williams.

COUNCIL MEMBER KING: Thank you, Mr. Chairman and Madam Chair. And I thank you, ACS and DYCD, being here for today's conversation, I appreciate it.

As a ex-CPS worker, I understand the challenges that ACS goes through when it comes to dealing with certain populations and certain families, but I do have a couple of questions that I want to get some clarity and which might be added to the data that we want to incur.

When we talk about young people engaging in sexual behavior, it just doesn't start when they turn 17, 18, 15, or 14. So I will like to know what would you say right now is the time of first sexual contact or any type of sexual contact to the time they're coming to service to ACS, there--is there any type of data that can have been putting together. If not, maybe we might want to start tracking, say, a 7-year old who might have encountered something but it

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2 doesn't play out 'til their 13 or 14. That puts
3 them on the road to being sexually exploited by
4 the time they become later on in life. Start
5 having those conversations.

6 And what kind of assessments are
7 being done when a family does encounter ACS to
8 find out if a 7-year old, even though we're
9 dealing with the 14-year old in the house, are we
10 touching base with the 7-year old or the 8-year
11 old to find out what else is going on? Because,
12 like I said, a child doesn't just all of a sudden,
13 14-year olds don't know how to read, something
14 happen when they was in third grade that they
15 didn't know how to start it, and it's the same
16 thing with this type of behavior also.

17 My next question would be are
18 there--and I think I might have heard something
19 similar that Council Member Palma touched on--are
20 there any sweeps being done where we know where
21 this activity is occurring throughout the city to
22 stop that activity? Because if there aren't any
23 demand, the supply we can kind of eliminate. Is
24 that being happening right now, sweeps of those
25 areas that they're high prostitution areas? I

1
2 know I saw something about working with the
3 district attorney and NYPD, but how is that really
4 having an impact?

5 Also, for those young people who
6 don't want help--it's hard to help somebody who
7 doesn't want to be helped--how do we get through
8 to them to let them know that, you know, you're
9 not going to be that 17-year old being exploited,
10 you don't have to live this way, you know, what is
11 life going to look for you at 25. How is DYCD,
12 those agencies servicing these young people to
13 help them pull themselves out of that? So I'm
14 going to stop right there and just to hear what
15 you have to say on that. Thank you.

16 RONALD RICHTER: So with respect
17 to--and I guess I'll start by saying it's always
18 helpful to have someone who has been a child
19 protective specialist, because I haven't done the
20 job, but I know that I've been working with child
21 protective specialists my whole career and, unless
22 you have done the job, you can't possibly know how
23 hard it is. And so adding this, you know, I
24 handed Chair Palma the desk aid, you know how many
25 desk aids our CPS have and how much is in their

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2 head when they're trying to do this job of
3 assessing safety and it's a very hard job so..

4 COUNCIL MEMBER KING: It is.

5 RONALD RICHTER: So to answer your
6 question, the profile of the sexually exploited
7 child, if you will--you know, Sue Morley knows a
8 lot more about it than I do--but generally
9 speaking, more often than not--and this is a
10 generalization--the young person has been sexually
11 abused at some point in their life, probably when
12 they were younger, and the prostitution, I think
13 you said the studies show started in between 12
14 and 14 years old, the trafficking, if you will,
15 started between 12 and 14, I think this is for
16 young people who we know in the United States
17 young people who have been sexually exploited. So
18 there are signs that we can look for. So if a
19 child was sexually abused when they were younger,
20 there is a greater likelihood that they might be
21 sexually exploited and something that we should be
22 thinking about that is part of our training in
23 terms of identifying sexually exploited young
24 people. And so it gives us something to go on.

25 And I do think that the more that

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2 we know about what we can provide to our staff,
3 the better we'll do at identifying who these young
4 people are.

5 So in terms of the street outreach,
6 we do know that there are particular parts of the
7 city where young people tend to congregate at
8 night, hot spots for sexually exploited youth and
9 we are working with Streetworks, in particular,
10 which is a part of Safe Horizons, to target those
11 parts of the city in order to do the best job we
12 can at providing services to young people who are
13 being sexually exploited. So there is some
14 knowledge here in the city about where these kids
15 are.

16 And I don't know, Sue, do you want
17 to add to either of those answers?

18 SUSAN MORLEY: Actually, one of the
19 conversations I had with the vice coordinator is
20 to asked him for a training for the investigative
21 consultants to start with on what they're seeing
22 and what are the areas, just to keep us updated.
23 I mean, we know the typical areas that a lot of
24 the kids come through the Port Authority and they
25 get victimized there. But we're also fighting

1
2 technology now. The kids have iPhones, it's not
3 always on the street like years ago, there are
4 still some on the street, but with technology,
5 that's the other thing that we have to keep up on.
6 And it also sometimes helps us find the kids too,
7 though, so..

8 COUNCIL MEMBER KING: So let me
9 just follow up.

10 RONALD RICHTER: You had a third
11 question, I think--

12 COUNCIL MEMBER KING: Yes, okay,
13 please.

14 RONALD RICHTER: --is more for
15 DYCD.

16 DEBORAH HARPER: Right. In terms
17 of identifying the young people and helping them
18 to understand that this isn't a lifestyle that you
19 want to keep and one day you will be 25 and this
20 isn't what you want to be doing, we provide as
21 much information at every entry point within our
22 continuum as we can. So the street outreach
23 workers, they have literature with them about
24 sexual exploitation and, you know, and the gamut
25 of youth services within New York City. And also

1
2 they're given information of where our drop-in
3 centers are. If they do not want to be
4 transported when the street outreach team
5 encounters them, they are given information and
6 directions on how to get to one of our drop-in
7 centers so that if they want to do that at another
8 time, in the morning, you know, they are given
9 that information.

10 So there's but so much that you can
11 do when the youth is not willing to come in and
12 receive services, but we do try to inundate them
13 with the information so that when they do have
14 that moment that they wake up and say, hey, this
15 is it for me, they know exactly where they can go
16 for services.

17 COUNCIL MEMBER KING: Okay. Thank
18 you. Just two more. Just want to follow up, you
19 mentioned that you all do know where the hotspots
20 are, a number of hotspots are, so what is the plan
21 to kind of shut down those hotspots?

22 DEBORAH HARPER: Well DYCD's role
23 is really to get the young person out of that
24 hotspot into a safe space. I think that maybe
25 what you're asking is in terms of law enforcement?

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COUNCIL MEMBER KING: Yeah, I'm just trying to hear because if we know there's a drug spot here, we try to shut it down. So now if we know this is a spot where prostitution, what's the plan to try to shut it down and, you know, pull those kids out of there into safety?

RONALD RICHTER: Well so I use the expression hotspot, it's more--it's a place where kids hang out so it's not like they're out breaking the law where they're hanging out, they're--it's where kids congregate, so--

COUNCIL MEMBER KING: I see.

RONALD RICHTER: --they're not doing anything bad while they're hanging out other than being, you know, kids. So it's an issue of the opportunity to go out and talk to kids and educate kids where they are and where they're at, and so we have to take advantage of that opportunity more than we have been doing. Because a lot of those young people, we think, are actually in foster care and so they go from where they're hanging out and get involved in bad stuff, whether it's through activity they're involved in on the Internet or through pimps that they know,

1
2 et cetera. And so we know where they're hanging
3 out and--

4 COUNCIL MEMBER KING: Okay.

5 RONALD RICHTER: --we need to do a
6 better job of providing them with information on a
7 wavelength that they can connect with and we
8 haven't, I don't think, been doing that as
9 effectively as we could be.

10 COUNCIL MEMBER KING: Okay. So it
11 leads me to my next question, just if you just
12 bear with me.

13 RONALD RICHTER: [Interposing] And
14 I do want to answer your other question as well,
15 which is I think what makes this the most
16 challenging issue maybe we have, which is that,
17 you know, the Gateways program, which is a
18 fantastic program that JCCA runs for this
19 population works when a young person is ready to
20 sort of give up the life, they've sort of had this
21 epiphany and they say I'm ready to work towards
22 changing my life. Many of these young people are
23 not there--

24 COUNCIL MEMBER KING: Right.

25 RONALD RICHTER: --they're very

1
2 happy with this life: They're getting money,
3 they're experiencing going out to restaurants and
4 living a life that they've never had before. And
5 the best comparison I can make from when I was a
6 teenager is people who I knew who got involved in
7 a cult and they were sort of living this life
8 where they had to be deprogrammed--

9 COUNCIL MEMBER KING: Right.

10 RONALD RICHTER: --and our kids
11 really do need to be deprogrammed when they--

12 COUNCIL MEMBER KING: True.

13 RONALD RICHTER: --get involved in
14 this because it's a total separate thing from what
15 their home life is about and they've made a very
16 deliberate choice to be a part of it, and getting
17 them out of it is really about deprogramming.

18 COUNCIL MEMBER KING: Yeah. So I
19 don't want to beat the foster care system over the
20 head, I don't want to do that because I know it's
21 challenging enough, but what do you do when you
22 have programs that you find that are ineffective--
23 and I'm not just talking about the kids that need
24 to be deprogrammed, but if you have programs that
25 you find that are ineffective or even if you have

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2 workers who, no matter how amount of training
3 they've gone through, they just can't seem to
4 deliver young people to sanity again, what do we
5 do with that team that you have in place? How do
6 you deal with that?

7 RONALD RICHTER: So we have, at ACS
8 we have monitors that monitor our programs and we
9 have a scorecard is what we call it that scores
10 our agencies, and we have a whole range of ways
11 that we go about ensuring that our programs are
12 delivering the outcomes that we expect. We
13 currently have programs that are on heightened
14 monitoring that are on different levels of
15 probation, and we take their contracts away if
16 they don't perform the way that they're supposed
17 to perform.

18 I mean, we obviously give programs
19 an opportunity to improve. We have an Agency
20 Program Assistance department that goes out and
21 helps programs try to improve. We shut down
22 intake for programs that are not performing
23 properly. But we ultimately take away contracts.

24 COUNCIL MEMBER KING: Okay.

25 RONALD RICHTER: Is that your

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question?

COUNCIL MEMBER KING: Well thank you because that's good to know because I've been in the foster care system or working in it and I've seen how some of them just aren't doing what these children need to get done--

RONALD RICHTER: Yeah.

COUNCIL MEMBER KING: --but still they get the contract, they still get the funding, and at the end of the day, our kids are the ones that still struggle. So thank you, thank you for answering my questions, and I appreciate--

[Crosstalk]

CHAIRPERSON FIDLER: [Interposing] Thank you, Council Member. And we've been joined by Council Members Lander and Brewer.

And Council Member King actually touched on a couple of the areas that I was going to follow up on, so let's just go with that last one. You know, what happens when you identify a sexually exploited young person and the problem is at their foster care placement? It's either if another young person there or, God, even worse, a supervisor, what do you do then?

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2 RONALD RICHTER: Okay. So if it's
3 a--first of all, if a crime is occurring, the
4 police are called. And I have found myself saying
5 that to a foster care provider, you know, if
6 there's criminal activity afoot, then the police
7 are contacted because that's what should happen.

8 CHAIRPERSON FIDLER: Do you have
9 any statistics on how often that happens in your
10 system?

11 RONALD RICHTER: I don't have it at
12 the ready, but--

13 CHAIRPERSON FIDLER: [Interposing]
14 But you compile those?

15 RONALD RICHTER: Do we compile data
16 on--

17 CHAIRPERSON FIDLER: [Interposing]
18 Right, do you know how often one of your providers
19 calls the police because there's criminal activity
20 going on?

21 RONALD RICHTER: [Interposing] I
22 don't think I do, I don't think I do.
23 Fortunately, I don't think it's something that's--

24 [Crosstalk]

25 CHAIRPERSON FIDLER: [Interposing]

1
2 Commissioner, wouldn't you think that's something
3 you'd want to know? I mean, each time it happens--
4 -

5 [Crosstalk]

6 RONALD RICHTER: [Interposing] Yes,
7 and I'm sure--

8 CHAIRPERSON FIDLER: I mean, if
9 there's one provider that has a repeated--

10 [Crosstalk]

11 RONALD RICHTER: Absolutely.

12 CHAIRPERSON FIDLER: --history.

13 RONALD RICHTER: And I'm sure I do
14 know because they're required to tell me, but
15 whether--your question was do I compile it, and I
16 don't believe I compile it but I am required to
17 know, as the commissioner, when something like
18 that happens, so the answer is, of course, I know
19 about it. The--

20 CHAIRPERSON FIDLER: [Interposing]
21 Would you object if this bill required you as well
22 to compile criminal complaints of a sexual nature,
23 a sexual exploitation nature at your facilities?

24 RONALD RICHTER: You mean with our
25 providers or because, I mean, I think that some

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data is actually collected with respect to our secure facilities and published, if I'm correct.

CHAIRPERSON FIDLER: [Interposing]
Well with respect to your providers in secured-- you know, all the programs that are housing young people, I mean--

RONALD RICHTER: [Interposing]
Yeah, I mean, I would--

CHAIRPERSON FIDLER: --have a problem with that, that'd be--

[Crosstalk]

RONALD RICHTER: I would be happy to review any language that you want to share with me and, obviously, I think this is a very important issue for sure.

CHAIRPERSON FIDLER: Well I'm not asking you to review language we haven't written yet, but I'm just asking whether the concept is okay with you.

RONALD RICHTER: I mean, I think this is a really important issue, I think that kids being the victims of crimes in foster care is something that we all should take seriously, and so I would be happy to look at what you're

1
2 interested in collecting data on and talk about
3 for sure.

4 CHAIRPERSON FIDLER: Okay.

5 RONALD RICHTER: Getting on to your
6 next question though, when a child on child issue
7 occurs in a foster care setting, it should be
8 reported because everyone who works in these
9 settings are mandated reporters under the social
10 services law and that prompts an investigation by
11 our Office of Special Investigations and then
12 there is a child protective investigation that is
13 conducted, and then a determination is made as to
14 whether that investigation results in a finding of
15 some credible evidence of abuse or maltreatment,
16 and so there's an investigation.

17 CHAIRPERSON FIDLER: I'm also sure
18 there's a fine line in the child on child
19 situation, that may be difficult even--

20 RONALD RICHTER: [Interposing] With
21 staff--

22 CHAIRPERSON FIDLER: --to know when
23 someone is consenting--

24 RONALD RICHTER: --with staff as
25 well.

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2 CHAIRPERSON FIDLER: --and someone
3 is--

4 RONALD RICHTER: [Interposing] I
5 mean, I just want to make clear that what happens
6 in those situations in any case, whether there is
7 a criminal investigation or not, there is a child
8 protective investigation.

9 CHAIRPERSON FIDLER: Well but where
10 I was going was that there may be activity that
11 appears consensual but really is more subject to
12 peer pressure or bullying of some kind that can be
13 much more subtle.

14 The other topic that Council Member
15 King touched on was the NYPD. About four years
16 ago, we had a hearing where we had someone from
17 the Dallas PD participate and talked about, you
18 know, what they do in Dallas which sounded
19 strikingly progressive. And the question I have,
20 I assume that this interagency task force you
21 described in your testimony, the NYPD sits on
22 that?

23 SUSAN MORLEY: There is the
24 criminal justice coordinators task force that the
25 NYPD is on as well as ACS, as well as a lot of the

1
2 provider agencies. The task force the
3 commissioner mentioned is more a high-level task
4 force that the deputy mayor runs. So there's
5 different levels of task forces in the city.

6 CHAIRPERSON FIDLER: [Interposing]
7 Oh, on that high-level task force, do we have the
8 NYPD--

9 [Crosstalk]

10 SUSAN MORLEY: [Interposing] Well
11 yeah, she does, she--

12 CHAIRPERSON FIDLER: Okay.

13 SUSAN MORLEY: --she does, yes.

14 CHAIRPERSON FIDLER: All right. So
15 regardless of who runs it, it would strike me that
16 a properly and fully trained police force would be
17 the best--well not the best, but a valuable
18 supplement to any street outreach that we're able
19 to fund and I just want to encourage you to
20 include them in. The cops see a lot of stuff that
21 our very, very limited street outreach team can't
22 possibly get to. And certainly I assume that
23 their handbook does tell them that when they pick
24 up a 16-year old or a 17-year old and they know
25 that they're 16 or 17 for street work, that they

1
2 know right away to treat them as a victim and not
3 as a criminal. I certainly hope that is
4 happening.

5 RONALD RICHTER: I mean, I want to
6 say that we work very closely with the police
7 department on our cases and, you know, the issue
8 for us is always what's the best approach to the
9 individual case that we're working on; and
10 sometimes the police department can be very
11 helpful in an investigation, depending on where we
12 are, and other times, that may not be the case.
13 But we've had a very collaborative relationship
14 with the police department in terms of some of the
15 specific cases that our investigative consultants
16 have been working on to sometimes to very positive
17 results for young people.

18 CHAIRPERSON FIDLER: Okay. Now let
19 me follow up just on a question that Council
20 Member Arroyo, she kind of brought the topic up in
21 general. I know that some studies that we've done
22 on runaway and homeless youth, we've had
23 identifiers put in so we knew we weren't counting
24 the same person multiple times without crossing
25 the line of disclosing their personal identities.

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2 In Intro 866-A, will you guys know whether or not
3 the person that you're reporting as having had
4 contact with ACS is the same or different from
5 someone who had contact with DYCD?

6 RONALD RICHTER: So part of the
7 reason that we want to have somebody look at this,
8 a consultant look at this, is that's one of the
9 reasons that we're interested in that. That you
10 raise one of the issues that we're concerned. In
11 other words, the quality of the data. Because
12 young people sometimes use aliases, our own
13 systems sometimes don't capture information
14 correctly. This is an area around which we want
15 to be cautious so that the data is actually
16 reliable.

17 CHAIRPERSON FIDLER: Oh, so if the
18 legislation were to use the words unique
19 individuals or something like that and leave the
20 process of how you work towards making sure that
21 those individuals unique without disclosing their
22 personal identity, that would be something that
23 we--you could look at it.

24 But I'm also more concerned or as
25 much concerned with knowing which individuals have

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2 passed through both of your systems. I'm sure,
3 well your predecessor would know that, I certainly
4 have commented on the fact that foster care is
5 frequently the biggest spigot onto the runaway and
6 homeless youth population are the kids aging out
7 or kids leaving or kids being driven out of their
8 foster care home the same way they were driven out
9 of their home. So knowing which of these
10 individuals have been in contact with both of you,
11 I think the biggest tragedy of all would be
12 someone who does come into a DYCD street outreach
13 program, they're sent over to ACS, put into a
14 foster care system, and gets abused there. That
15 is just, you know, like double tragic. So I think
16 we want to try and work this bill to the point
17 where we can capture that data, is that something
18 you'd be happy to look at or...? Okay.

19 RONALD RICHTER: Yes.

20 CHAIRPERSON FIDLER: Yes, terrific.
21 Anything?

22 CHAIRPERSON PALMA: Commissioner,
23 on the sex trafficking desk aid, the sex
24 trafficking resources, for JCCA Gateways, youth
25 have to have referrals to enter these programs,

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they can't just call up.

RONALD RICHTER: So I think the answer to your question is yes. In other words, a worker needs to make a referral, is that what you're asking?

CHAIRPERSON PALMA: Yes.

RONALD RICHTER: Yes.

CHAIRPERSON PALMA: And are the 12 beds that JCCA operate, are--they're outside of the city?

RONALD RICHTER: Yes. Yes, they're located outside the city.

CHAIRPERSON PALMA: Oh, why is that? Just...

RONALD RICHTER: So JCCA, I think-- and they would answer this question better than I would--I think that's actually deliberate as part of their model, that--

CHAIRPERSON PALMA: To help them--

RONALD RICHTER: --there is a sense that--a geographic separation for this particular population helps the process of recovery.

CHAIRPERSON PALMA: Okay. All right, I just--

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[Crosstalk]

RONALD RICHTER: [Interposing]

Probably because there's less of a temptation and it makes the rehabilitation process easier in the beginning, I'm sure.

CHAIRPERSON PALMA: Thank you.

[Pause]

CHAIRPERSON FIDLER: Council Member Gonzalez.

COUNCIL MEMBER GONZALEZ: Thank you, Chair. I'll make it real quick in the interest of time. Commissioner, thank you. In your testimony, I believe it's on page five, you spoke about the training in respect to sexual exploitation and that there would be training available for employees, as well as the work with DYCD. The question I have for you, is there going to be availability of ongoing training throughout the year? Is there not just one training, because models of behavior change on and so forth and even approaches. Is that something that you will consider? Is there an outside or maybe internal entity that trains employees ongoing or need be? For example, to identify different things in

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2 different populations. I mean, there are seasoned
3 clinical people, but you still have to go for
4 updates and you still have to stay in touch with
5 new... So I'm wondering, is that something that
6 you've considered?

7 RONALD RICHTER: So I want to say
8 that our goal is to train trainers so that there
9 can be ongoing training--

10 COUNCIL MEMBER GONZALEZ:
11 [Interposing] Available on site?

12 RONALD RICHTER: Exactly. And that
13 that will be an ongoing capacity that we will
14 build with this money so that we will continue to
15 be able to do it at ACS going forward, not just
16 this year, but going forward.

17 COUNCIL MEMBER GONZALEZ: Okay. So
18 those folks would have availability of other
19 training--

20 RONALD RICHTER: Correct.

21 COUNCIL MEMBER GONZALEZ: --that
22 they can come internally and train your team.

23 RONALD RICHTER: Correct.

24 COUNCIL MEMBER GONZALEZ: And also,
25 the folks at DYCD, I would imagine, it's the same

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thing?

RONALD RICHTER: Right, we also have what we will call Program Champions that we are going to develop within the agency who will develop expertise in these issues so that we will have knowledge, we will grow knowledge within ACS and those people will be required to become our subject matter experts in the agency and they will get significant training on these issues. And we will have at least one in each division who will be the repository of this information.

COUNCIL MEMBER GONZALEZ: Well thank you, you answered both questions, thank you. Thank you--

[Pause]

CHAIRPERSON FIDLER: Council Member Brewer.

COUNCIL MEMBER BREWER: Thank you. I'm sure you probably trace this, but that in that some young people may have been in school at one point, may still be in school, it's the same question I asked everybody, and you know probably what it is, but when are we ever going to get and do you support culturally appropriate mental

1 health services in the school so if these young
2 people could perhaps have somebody to talk to so
3 they don't end up? So how do we talk about
4 prevention before we get in this situation? And
5 does that come up in your task force? How do we
6 stop it? Would mental health culturally
7 appropriate services help in the schools, and is
8 anybody advocating for them, except for me?

10 SUSAN MORLEY: Task force is very
11 concerned about the schools and there has been
12 conversations about how to get some training to
13 the teachers, training to the guidance counselors,
14 and there's work going on in that area.

15 COUNCIL MEMBER BREWER: And
16 guidance counselors can't do it all, you need
17 social workers. To be honest with you, the
18 guidance counselors are swamped. So would the
19 discussion of what I just described come up maybe
20 in the future?

21 SUSAN MORLEY: Yeah, we certainly
22 will bring it back, but it is one of the areas
23 that perhaps is the toughest to tackle and the
24 conversations are going on in the task force on
25 that.

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2 COUNCIL MEMBER BREWER: I won't
3 belabor it, but you get the point. Thank you, Mr.
4 Chair.

5 CHAIRPERSON FIDLER: That is a good
6 point. Thank you for your testimony, I appreciate
7 it. We can be sure that our counsels will be in
8 touch with you about trying to come to language
9 that includes everything that needs to be included
10 in a way that you can accept. I'd ask DYCD as
11 well to look at any programs within your aegis
12 other than drop-ins, crisis shelters, and TILs,
13 that it might be appropriate. I don't want to
14 paint with too broad a brush but I think if we can
15 find some others, that'll be great. And I trust
16 that all four of you will take back to the Office
17 of Management and Budget the point about one-shot
18 funding and how that doesn't work for our
19 providers in RHY either. So thank you very much.

20 DEBORAH HARPER: And thank you.

21 CHAIRPERSON FIDLER: We have three
22 panels, unfortunately, we have to be out of this
23 room at 1 o'clock, so I apologize for that. So
24 I'm going to ask each of you, even though we don't
25 actually have a physical clock in the room, to go

1
2 for about three minutes, please don't read your
3 testimony, just submit it, but just hit the high
4 points for us. I think that would be the most
5 productive use of our time because, otherwise,
6 Barbara's going to come upstairs and kill us.

7 So our first panel is Janice
8 Holzman from GEMS, Elizabeth Schnur from JCCA, and
9 Camelia Tepelus from ECPAT-USA.

10 [Off mic]

11 CHAIRPERSON FIDLER: And we've been
12 joined by Council Member Mealy.

13 [Pause]

14 CHAIRPERSON FIDLER: In the
15 interest of time, one of you just jump in there
16 and start please, 'cause I want to give every--

17 [Pause]

18 JANICE HOLZMAN: Is that better?
19 Okay.

20 [Off mic]

21 JANICE HOLZMAN: Okay, great. Good
22 afternoon, I'd like to extend a thank you to the
23 City Council for convening this hearing and an
24 opportunity to testify about reporting data
25 related to sexually exploited youth.

1
2 I'm Janice Holzman, I'm the chief
3 development and communications officer at Girls
4 Education and Mentoring Services, GEMS. I'm going
5 to skip over our mission, I've got to cut the
6 testimony down a little bit.

7 So I think most people know what
8 GEMS does: We serve girls between 12 and 24 who
9 have been victims of commercial sexual
10 exploitation. We're the largest agency of our
11 kind in the United States, and we are the only
12 nonprofit in New York dedicated to serving this
13 population exclusively. We were founded in 1998
14 by Rachel Lloyd, a survivor of commercial sexual
15 exploitation--

16 CHAIRPERSON FIDLER: [Interposing]
17 I thought we were going to skip over the--

18 JANICE HOLZMAN: Yeah, I am, I was--
19 -

20 CHAIRPERSON FIDLER: --CV.

21 JANICE HOLZMAN: Okay. Of the 350
22 girls and young women GEMS serves every year,
23 approximately 75% have had some form of child
24 welfare involvement. In calendar year 2012, we
25 received a total of 57 housing referrals for the

1
2 eight beds funded through DYCD; and that's just
3 for our population that we serve under 21. We
4 received a total of 74 housing referrals that
5 year.

6 We've witnessed a significant
7 increase in public awareness over the last five
8 years and a dramatic improvement in the City's
9 response to the issue. But I think we all know
10 that this is a pivotal moment and what we do at
11 this moment is really going to impact how we
12 address this issue going forward.

13 Documenting the number of youth in
14 contact with ACS is a great step forward.
15 Training the staff, providing technical
16 assistance, and supporting ACS in ongoing direct
17 service work and crisis response service is
18 something that GEMS has been doing for ten years
19 with ACS. If documentation or counting is going
20 to be required, the methodology is really
21 critical. Without survivor-informed support in
22 developing the systems to gather this information,
23 we're certain to miss youth. Only with survivor-
24 led and informed support that service providers
25 will be able to create an environment where young

1
2 people feel that they can disclose a history of
3 commercial sexual exploitation without
4 experiencing stigmatization.

5 The proposal raised a few questions
6 for GEMS. Obviously, where are the funds going to
7 come from to pay for training of case workers?
8 What's the cost associated with this? Does this
9 really mean that hundreds of thousands of dollars
10 designated for counting while direct services by
11 providers go unfunded year after year? Does the
12 count happen at initial intake? If so, do they go
13 back afterwards to amend records? How does one
14 achieve unduplicated accounts, which was
15 mentioned? And will a young person's disclosure
16 follow him or her through the system? What
17 happens when someone is counted? Where is he or
18 she referred? What services do they receive and
19 how are those services funded? And what about
20 youth who are already counted? As I mentioned,
21 GEMS serves a significant number of ACS-involved
22 young people. Where is the support to serve those
23 who are already in services and need food,
24 transportation, shelter?

25 At this time, there is still no

1
2 designated crisis beds for commercially sexually
3 exploited youth in New York City. Most
4 critically, are the services going to be in line
5 with survivor-informed models? While there is no
6 evidence-based models, there are survivor-led
7 models that work and have documented successes,
8 like My Life My Choice in Boston, MISSEY in
9 Oakland, California.

10 We can't emphasize enough that
11 survivor leadership is critical in the creation
12 and the development of implementation of services.
13 And GEMS' own survivor-led training victim
14 survivor leader is being trained on all over the
15 country, but not in New York City, except for
16 external service providers.

17 Separate, but related, we're
18 focusing a lot of energy on this aspect of it, but
19 what's happening to the boys who are in the
20 system? And not just those who need services, but
21 how are we helping young men not become exploiters
22 themselves who are ACS involved?

23 In order to gather information
24 that's accurate, city agencies will need
25 widespread training and technical assistance to

1
2 develop a supportive and judgment-free environment
3 throughout youth services to create an environment
4 where young people do feel like they can disclose
5 this information. ACS needs a tolerant policy
6 beyond a resource guide that would, you know,
7 reflect appropriate language. Education on the
8 issue that's beyond case workers and
9 administration believing that young people would
10 like to do this, or actually enjoy commercial
11 sexual exploitation. And understand that a young
12 person with a trafficker does not have access to
13 money and that the opportunity to go out to dinner
14 probably means a trip to McDonald's.

15 They also need materials that are
16 available to young people that are youth friendly,
17 that will create an environment and a culture
18 where it is okay to share this information.
19 Because the idea that a young person is going to
20 share this information to someone they've just met
21 is really unrealistic.

22 We appreciate the urgency to bring
23 this issue to the forefront and to start
24 documenting the scale of it. At GEMS, we've been
25 waiting for this kind of acknowledgment for a long

1
2 time, but we need to slow this process down and
3 bring major stakeholders, not simply as part-time
4 case managers, but as leaders to create a system
5 that young people will benefit from. Survivors
6 are being left out this conversation. There are
7 no magic questions you can ask that are going to
8 ensure a young person will disclose a history of
9 abuse to someone they've just met. An answer of
10 yes will likely mean yes, but a response of no is
11 by no means a definitive no. If we start this
12 project without survivor input, we run the risk of
13 developing a system that misses the majority of
14 exploited youth and creates a false perception
15 that there isn't a problem.

16 We would caution against focusing
17 so closely on counting that youth aren't being
18 served or aren't being served well. That's why
19 we're all here and the young people need to be
20 remain central to this conversation. Thank you
21 again.

22 CHAIRPERSON FIDLER: Thank you.

23 And before we go to the next--

24 [background noise]

25 CHAIRPERSON FIDLER: --I just want

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2 to point out that I think everyone who is familiar
3 with this is aware of the fact that whatever
4 numbers come out of this will be an undercount.

5 JANICE HOLZMAN: Right.

6 CHAIRPERSON FIDLER: It's obvious
7 to anyone who's been working on this problem for
8 five minutes. The motivation behind this bill is
9 to establish empirically the inadequacy of
10 services for this population, that's the point.
11 Because I can get anecdotal testimony from any
12 provider about the length of their waiting list,
13 but we will never move beyond the service capacity
14 that we have now, particularly with the ridiculous
15 funding that we get from the state and the virtual
16 absence of funding from the federal government, to
17 meet the actual need unless we can prove it, and
18 that's the point.

19 So next, please.

20 DR. ELIZABETH SCHNUR: Hi, good
21 afternoon, my name is Dr. Elizabeth Schnur and I'm
22 the chief strategy officer at Jewish Child Care
23 Association, JCCA, and I welcome the opportunity
24 to address you all. And I thank Council Member
25 Fidler and Palma and all the members of the Youth

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Services--

[Pause]

DR. ELIZABETH SCHNUR: It's not on.

[Pause]

DR. ELIZABETH SCHNUR: Is that
better?

CHAIRPERSON FIDLER: Please don't
read your testimony--

[Crosstalk]

DR. ELIZABETH SCHNUR:

[Interposing] Okay. I thanked you all, you're all
wonderful for supporting this important
initiative, thank you.

So I'm going to try and skip about
the agency, you've heard a lot about our programs,
our Gateways program, which actually now, because
of the expansion with NSP, is serving 19 young
women at a time so--or ten, that's our capacity.

So the continued need for services
with this population, obviously, can't be
overstated. The Justice Department estimates that
there are between 100,000 and 3 million
adolescents who are sexually exploited each year
in this country. And I want to point out that

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2 this huge range in the estimate, that's like--I'm
3 a researcher, and that's like a ridiculous range,
4 and I think that's a really a good indicator of
5 why this kind of enterprise is important to get
6 some kind of estimate--better estimate of what the
7 problem is and what it looks like.

8 Just 16% of the girls in JCCA's
9 Gateways program are under the age of 14, and we
10 have served girls as young as 11 in this program.

11 So I'm not going to tell you about
12 my credentials, I'm a researcher, I just want to
13 put that out there because what I mostly want to
14 say is some concerns we have and some
15 recommendations we have about how the data are
16 collected. And so first we want to encourage
17 whomever--ACS and NYPD--in collecting the data to
18 consider the individuals who are going to provide
19 the information. The service line staff members
20 are often the ones we go to and they're the ones
21 who are the most overtaxed with work, so to the
22 extent that we have existing data, it would be
23 really good to mine that data for the kind of
24 information we need.

25 And, as my colleague pointed out,

1
2 they will need technical assistance, whomever is--
3 are the people to whom we're going. I think I
4 agree with you that we need to consult with a
5 large set of stakeholders, including staff at
6 direct service organizations who are working with
7 these young people, researchers to help really
8 understand how you get an accurate estimate,
9 representatives from juvenile justice, and the
10 youth themselves to create a thoughtful and
11 meaningful data collection tool and ensure an
12 appropriate sampling. And the sampling question
13 is a huge one, so that's why you need researchers.

14 It's obviously inadequate to
15 collect data based solely on youth who have been
16 referred for services specifically for this
17 population given the dearth of programs, both
18 citywide and nationwide, this will necessarily
19 result in an undercount. Many youth also present
20 signs of CSEC [phonetic] involvement well after
21 initial intake--I think this was part of what your
22 point was--so suggesting that an initial screening
23 tool when people come in the front door, which I
24 heard some discussion of, will--it will yield
25 significant underestimates of prevalence, it's

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really a problematic way to go.

Perhaps more importantly, we believe that the greatest number of youth involved in CSEC are not easily identifiable and will not self-identify, and also are represented in a large range of non-specialized, non-referred settings, including schools. Many youth involved in CSEC are invisible and unknown to any law enforcement or child welfare systems, but they were the ones who ultimately will come into the systems.

So we need to think about how these tools will engage and count youth who exist outside these systems. For example, although JCCA runs programs specifically for CSEC survivors, a recent quick survey of staff in our agency programs that do not explicitly serve this population demonstrated the presence of a fairly large number of children who staff strongly suspect have been or are currently involved in CSEC activity.

We also need to understand that there's not a defined set of standards or symptoms to identify a youth who has been involved with commercial sexual exploitation. This term covers

1
2 a spectrum of experience and needs and we need to
3 clarify what is actually included, rather than
4 lumping everybody together.

5 Similarly, when developing
6 estimates, we need to be clear that we are all
7 using the same criteria to define this population.
8 For example, although many young people involved
9 in commercial sexual exploitation have also been
10 sexually abused, these terms are not synonymous
11 and have different treatment implications, really
12 different treatment implications. And I can just
13 tell you that we--our campus in Westchester County
14 has about 250 young people on it, I would estimate
15 80% of them have experienced sexual abuse, a much
16 smaller number have been involved or are involved
17 in sexual exploitation. So just... So we need to
18 address the fact that the populations of sexually
19 exploited youth may vary dramatically in terms of
20 identification and treatment need and ideally the
21 data will reflect this diversity.

22 The trajectory and needs of boys
23 and young men who are sexually exploited--and
24 other people have raised this--may differ
25 dramatically. We believe they do from those of

1
2 girls and young women. And age is an important
3 variable as well. We've seen in our program that
4 working with 11 and 12 and 13-year olds is very
5 different than working with the 15 and 16-year
6 olds.

7 The more we are able to accurately
8 characterize the population in the estimates, the
9 more we ultimately will be able to target
10 effective interventions. And I really want to
11 stress interventions because there's a lot of
12 discussion about identifying the kid, finding the
13 problem, and then there's not a lot of treatment,
14 specialized treatment, out there designed to work
15 with this population. And generic therapy,
16 generic counseling is not an effective tool.

17 CHAIRPERSON FIDLER: Which is why
18 the funding of the Safe Harbor Act at the level
19 that it's being funded at is so outrageous.

20 DR. ELIZABETH SCHNUR: Exactly.
21 Exactly. So--

22 CHAIRPERSON FIDLER: [Interposing]
23 Ask you to sum up though, I'm sorry.

24 DR. ELIZABETH SCHNUR: Beg pardon?

25 CHAIRPERSON FIDLER: Have to ask

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you to sum up, I'm sorry.

DR. ELIZABETH SCHNUR: I'm summing up, I'm done. Basically, we want to reiterate our enthusiastic support for data collection and encourage the City Council to use this information to support direct service and specialized treatment to this populations. The most immediate way to help this population is to get youth off the street and into crisis beds, of which there are shamefully few in the city, and to provide them with specialized treatment, which is even scarcer.

Thank you for your interest in the issue, and we look forward to working together. And I just want to add really quickly, if anybody wants me to talk a little bit about Gateways and why it makes sense for it not to be in the city, I would be happy to do that, but I'll wait until someone asks--

CHAIRPERSON FIDLER: [Interposing]
You can do that offline.

DR. ELIZABETH SCHNUR: Okay.

CAMELIA TEPELUS: May I? Yeah.
Hello, good morning, many thanks to Council Member

1
2 Fidler and Palma for convening this important
3 hearing. ECPAT-USA is a 22-year old agency,
4 international known for working exclusively on
5 protecting children from sexual exploitation. We
6 carried out over the last 22 years research
7 advocacy for policy and legislative changes and
8 implementing a wide range of programs to protect
9 sexually exploited children in New York and
10 nationally. We also work closely with the private
11 sector, especially the travel industry, to
12 implement corporate policies to ensure travel
13 businesses are not facilitating, willingly or
14 unwillingly, child sexual exploitation on their
15 premises.

16 Lack of adequate--accurate--

17 [Crosstalk]

18 CHAIRPERSON FIDLER: [Interposing]

19 Again--

20 CAMELIA TEPELUS: --information--

21 CHAIRPERSON FIDLER: --I apologize

22 but I have to ask you not to read two pages of
23 testimony--

24 CAMELIA TEPELUS: [Interposing] I

25 will not, I will--

CHAIRPERSON FIDLER: --just hit the highlights.

CAMELIA TEPELUS: --skip half of it--

CHAIRPERSON FIDLER: Thank you.

CAMELIA TEPELUS: --do not worry. Lack of adequate information is often referred to as a reason why existing child protection laws and related child welfare services are insufficiently funded. ECPAT-USA expresses its strong support for the proposed Local Law 0886 that would request ACS to submit yearly reports to the City Council documenting the number of sexually exploited children.

In 2008, ECPAT-USA actively advocated for New York Safe Harbor law aimed to protect minors, victims of sexual exploitation from criminal prosecution and ensuring specialized services for them. Since its enactment in New York in 2010, based on ACS information, as of November 2012, 29 minors have been processed as trafficking victims in the state. Several loopholes and weaknesses of Safe Harbor became apparent. Failure of accurately identifying

1
2 victims still remains a primary barrier, and I
3 think ACS, in their testimony, explained what they
4 will do to address this matter.

5 A very important point from the
6 ECPAT-USA point of view is that although federal
7 legislation define all children younger than 18
8 years old as trafficking victims in need of
9 protection, New York State law enforcement and
10 courts still identify children younger than 18 as
11 delinquent prostitutes, considering them criminals
12 instead of [off mic] them on a rehabilitative
13 child welfare course. There is no minimum age for
14 arresting a child for prostitution in New York
15 which makes it possible for exploited children 14,
16 15 years old and sometimes younger to be detained
17 for a crime for which they technically have no
18 capacity to consent to. Based on these
19 considerations, ECPAT-USA would like to convey to
20 New York City Council its strong support for the
21 proposed Local Law 0886 to improve accountability
22 and support better informed decision-making
23 policies to protect children in New York.

24 Our request to pass the resolution
25 in support of the recently introduced New York

1
2 State Paulin Lanza bill Trafficking Victims
3 Protection and Justice Act that will support
4 correcting an important problem in Safe Harbor
5 legislation that the criminal justice system still
6 treats 16 and 17 year old victims as criminal
7 defendants, not as victims of trafficking, support
8 increased funding for available specialized
9 services to commercially sexually exploited
10 children, and in particular, long-term safe
11 housing options.

12 We would also like to call for the
13 City Council's support to the raise the age
14 legislative initiative of New York Chief Judge
15 Lippman to raise the age of criminal liability in
16 the state of New York from 16, as it currently is,
17 to 18. New York is one of the last two states in
18 the country that did not yet reform its juvenile
19 justice system to this effect. This change,
20 although it will likely involve a long-term phase
21 implementation process, will also address
22 implicitly important gaps in protection of all
23 youth under 18 years old from all forms of sexual
24 exploitation.

25 Once again, many thanks from ECPAT-

1
2 USA to the New York City Council Committee for
3 Youth Services and General Welfare for the
4 opportunity given to us for testifying to this
5 hearing. We, of course, remain available to you
6 for further information.

7 One final note, we are in the
8 process of compiling a study specifically
9 exploring the situation of boys in commercial
10 sexual exploitation of children. There is a stark
11 lack of awareness and services at all levels, both
12 in government as well as for city providers, that
13 the [off mic] population that is currently
14 unaddressed and just lives in the shadows. Thank
15 you.

16 CHAIRPERSON FIDLER: Thank you very
17 much. And, again, the point of the bill, I mean,
18 we know that the data that's being collected is
19 going to represent probably even a small
20 percentage of the actual number of young people
21 that are involved, and the concept here would be
22 that the bill would require the two agencies to
23 collaborate on regulations, not only to answer
24 some of the questions you've raised about
25 definitions, but also process. And, obviously,

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2 that would be our hope that they would be in
3 constantly--consultation with people like you. So
4 that the issues and difficulties that you all see
5 could be addressed in that way. I don't think
6 it's something that would be appropriate to
7 micromanage in the bill itself, but okay?

8 CHAIRPERSON PALMA: Just have--

9 CHAIRPERSON FIDLER: Question?

10 CHAIRPERSON PALMA: --one quick
11 question. The 19 beds currently run by JCCA, the
12 expansion, are all the beds contracted by ACS or
13 only the 12 that the commissioner spoke about in
14 his testimony?

15 DR. ELIZABETH SCHNUR: Actually, I
16 think it's 13 that are the initial contract.
17 Those are the NSP beds, the non-secure placement
18 beds, the additional six beds. So those are OCFS
19 that were transferred to ACS beds, yeah. So the
20 answer is yes, they're all ACS--

21 CHAIRPERSON PALMA: [Interposing]
22 Oh, all 19.

23 DR. ELIZABETH SCHNUR: --we have
24 the capacity to take a few more youth and not
25 every youth is necessarily ACS, but the majority

1

2 are. Some come--we have I think one from
3 Westchester DSS.

4

CHAIRPERSON PALMA: The number, you
5 said we have the capacity to take a few more,
6 what's that few more number?

7

DR. ELIZABETH SCHNUR: Well in one
8 of--the cottage that we specialize for NSP, it's
9 really licensed for 12, right now we're limiting
10 any to six as we roll out the NSP and we keep that
11 population separate. But ultimately, when we're
12 able to mix populations, we can probably expand
13 the capacity there.

14

CHAIRPERSON PALMA: And then your
15 expansion to address the need in the male
16 population who are sexually exploited, what will
17 be the increase or what will be the capacity for
18 the male--

19

DR. ELIZABETH SCHNUR:
20 [Interposing] So we don't currently have a
21 contract or a plan for a residential program for
22 young men, that population we will be serving in
23 our specialized foster care program, and it's
24 really--we're rolling it out now and we're
25 learning. And we're very excited to learn about

1

2 your study because there's just so little
3 information out there.

4 CHAIRPERSON PALMA: So there won't
5 be no dedicated beds for the male population,
6 just--

7 DR. ELIZABETH SCHNUR:
8 [Interposing] In the specialized foster care,
9 there are 24 beds, they are not specialized male
10 or female, it's whomever needs them, whoever's
11 referred, we'll take both males and females and
12 transgender and anyone else who--

13 CHAIRPERSON PALMA: Okay.

14 DR. ELIZABETH SCHNUR: --needs the
15 service.

16 CHAIRPERSON PALMA: Thank you.

17 CHAIRPERSON FIDLER: Thank you very
18 much. Let me call up our--we have two more
19 panels. First is Safe Horizons, we have John
20 Welch and Caroline Strudwick [phonetic].

21 You know, I know, like, and you and
22 those of you who are waiting to testify are, like,
23 our go-to people, I just really apologize, so
24 thanks.

25 JOHN WELCH: There we go. Okay.

1
2 Hi, I'd like to thank the committee for hearing my
3 testimony today. I'm John Welch, senior director
4 at Streetwork, a Safe Horizon program for homeless
5 youth, including shelter, outreach, and drop-in
6 centers.

7 We support the effort to collect
8 data on sexually exploited youth and also wanted
9 to offer some cautions. Through working closely
10 with homeless youth for nearly three decades,
11 we've learned that youth without appropriate
12 shelter enter the sex trade. Too often, the only
13 alternative to, say, spending a night on the
14 subway illegally is to sleep with someone in
15 exchange for a place to stay. We know that young
16 people are asking for more options because we are
17 the ones they're asking, we know that they're
18 looking for voluntary, accessible, emergency
19 shelter beds because we have a waiting list full
20 of names. We believe that the first step to
21 addressing this issue is to listen to the young
22 people most impacted by it and to respond to their
23 self-identified needs.

24 The first thing that needs to be
25 said is that there is no typical experience of the

1
2 sex trade or profile of youth engaged in the sex
3 trade. We know this population includes youth of
4 all genders, sexual orientations, races,
5 ethnicities, citizenship statuses, ages, and
6 family backgrounds.

7 It can be very challenging to learn
8 whether our clients have been sexually exploited.
9 There are many reasons for this. Young people
10 choose not to disclose because they have too often
11 had experience of being judged for their decisions
12 and circumstances, even by well-meaning service
13 providers. As with survivors of all kinds of
14 abuse, young people frequently internalize
15 feelings of shame, and that also stands in the way
16 of their sharing their experiences. Many young
17 people fear that if they disclose, child
18 protective services or the police will get
19 involved and they may returned to a placement they
20 don't consider safe or welcoming, or they may even
21 be arrested. In fact, young people are so
22 reluctant to become involved with ACS that those
23 who are under 18 years of age will often lie about
24 their ages in order to access services or even
25 decline service options such as shelter that might

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lead to ACS involvement.

Also, youth do not trust that their disclosure will lead to helping them get what they truly need: Jobs, shelter, housing, and mental health care. These are the things that can pull people out of the sex trade.

Over the past few decades, our working and engaging and providing services to vulnerable youth has taught us that youth need room to discuss their ongoing struggles without feeling that they have failed or fearing that they could lose access to services.

We found that by creating a safe and supportive environment, we can build trust with our clients and, over time, learn more about their experiences. Our client-centered practice, including safety assessment, risk management, and a non-judgmental approach, promotes safety, increases options, builds trust, creates dialogue, and helps young people make safer choices for themselves. We acknowledge from the very outset that our clients are the experts in their own experiences and we find that when a relationship is built on trust, our clients are more likely to

1
2 feel a sense of ownership on their own path to
3 safety.

4 This is our critical point: We
5 wish to caution the Council as well as our
6 partners at DYCD and ACS against data collection
7 strategies that place too much reliance on initial
8 screening of young people before trust has been
9 built, and also in the absence of critical
10 concrete resources. This may have the unintended
11 consequence of driving young people away from the
12 very programs that are designed to help them by
13 forcing them to answer intrusive questions before
14 they're ready.

15 We agree with the Council that
16 there is a pressing need to learn more about the
17 prevalence and impact of sexual exploitation on
18 the city's youth and we hope to see city
19 government utilizing such information to create
20 more comprehensive plans to meet the needs of
21 young people who are at risk. We would advise the
22 City Council to proceed with care and caution,
23 securing advice from experts and from service
24 providers who work with this population to ensure
25 that the data collected is sound and that the

1
2 process for collecting it does not inadvertently
3 harm the very young people we all hope to aid.

4 Thank you again for inviting us to
5 testify.

6 CHAIRPERSON FIDLER: Thank you.
7 You testifying as well? Only one of you
8 testifying?

9 JOHN WELCH: Yep.

10 FEMALE VOICE: Yeah.

11 CHAIRPERSON FIDLER: Oh, okay.

12 Well--

13 [Crosstalk]

14 JOHN WELCH: --someone else on the
15 panel.

16 CHAIRPERSON FIDLER: Questions?
17 No, thank you, and I've read through your entire
18 testimony, so thank you very much.

19 JOHN WELCH: Thank you.

20 CHAIRPERSON FIDLER: Our last
21 panel, Margo Hirsch from the Empire State
22 Coalition, Stephanie Gendell from the Citizens
23 Committee for Children, and Katherine Mullen from
24 the Legal Aid Society. Thank you all and I,
25 again, apologize for rushing you and making you

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wait.

[Pause]

MARGO HIRSCH: Thank you for these hearings once again. I don't have formal testimony, I'm just going to just actually respond to some of what was said earlier because I had some major questions and concerns.

The money that was provided for Safe Harbor, \$1.5 million, about a third of it, a little less than a third of it went to IOFA [phonetic] for training and planning, so I don't understand why the city is spending some of their very precious money to duplicate those services. IOFA got somewhere between 380,000 and 450,000 to develop a curriculum to do training, they only have to do training in nine counties, five of them are New York City. So you're talking about a very small number of geographic areas where they have to do this training, and yet the City is spending some of their \$600,000 for training. In addition, Safe Horizon does training for ACS all the time through their rescue and restore, so there's money that's already here that's going for training so I would request that that be looked into to see why

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2 we're not funding services, we desperately need
3 services.

4 Which brings me to crisis care,
5 crisis residential services. When there was a
6 meeting with OCFS about planning for Safe Harbor
7 funds, the biggest need was crisis residential
8 care for minors. DYCD seemed to indicate that if
9 they get a 15-year old who comes and needs a
10 crisis placement, that their only options are to
11 call the parent or to call ACS. There is nothing,
12 there is absolutely nothing in New York State law
13 or federal law that would preclude DYCD to provide
14 services for minors in a crisis shelter. The law
15 is very clear that minors can access shelter at
16 any age.

17 CHAIRPERSON FIDLER: I was under
18 the impression that our providers already are
19 doing that so I was a little surprised by her
20 answer.

21 MARGO HIRSCH: Who?

22 CHAIRPERSON FIDLER: That our
23 providers, our DYCD providers, are already
24 providing shelter to children--

25 MARGO HIRSCH: [Interposing] Not

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for 15 year olds--

CHAIRPERSON FIDLER: --under 18.

MARGO HIRSCH: --the only DYCD
funding is for 16 to 21 year olds.

CHAIRPERSON FIDLER: Okay.

MARGO HIRSCH: So there's a
possibility--

CHAIRPERSON FIDLER: [Interposing]
So her answer was accurate below the age of 16 but
not above.

MARGO HIRSCH: DYCD said if--the
question was about a 15-year old--

CHAIRPERSON FIDLER: Okay. Right.

MARGO HIRSCH: --or 15-year old.
And we--

CHAIRPERSON FIDLER: Okay.

MARGO HIRSCH: --know that young
people, if they--you know, a lot of young people
run away from foster care, they try to access
services at a runaway and homeless youth program,
they should be able to have that opportunity. We
need to serve young people at the places where
they choose to be served at those places where
they feel most comfortable where they can get the

1
2 best service. So the fact that DYCD has opted not
3 to provide funding for a shelter for minors--and
4 it can only be a 30-day shelter for the minors--
5 but that opportunity is there for them. And
6 that's a critical opportunity, especially when
7 you're looking at young people who need to get off
8 the streets as quickly as possible with the least
9 bureaucratic red tape as possible to get them off
10 the streets, and that is the runaway and homeless
11 youth system.

12 And if a young person has left
13 foster care, they've left foster care, they are
14 not going to necessarily go back there right away
15 willingly. So that was my second point from the
16 testimony today.

17 Covenant House has done a study--I
18 know nobody from Covenant House is here today,
19 unfortunately, because Jayne Bigelsen has not been
20 well--but I think it's imperative that this
21 committee look at that study and look at the
22 findings in terms of who is being sexually
23 exploited in the runaway and homeless youth
24 system, the numbers. They did a study, a blind
25 study of 200 young people and 50% of them were

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2 male, 50% of them female, more or less, about 15%
3 of their young people were being exploited, most
4 of them were first victimized over the age of 18,
5 which is very different than what we hear about.
6 So I think the fact that Safe Harbor does not
7 provide funding and services for the 18 to 21-year
8 old population is problematic because we really
9 need to make sure--

10 CHAIRPERSON FIDLER: [Interposing]
11 They don't provide funding for services for the
12 people under 18 either, so what's the difference?
13 I mean, just I mean, I know I'm breaking my own
14 rule here--

15 MARGO HIRSCH: Right.

16 CHAIRPERSON FIDLER: --but I was
17 concerned that they were using money for training
18 that we're really supplanting their own agency
19 budget, now when you get down to it, if you just
20 take the street outreach van and staff for another
21 street outreach van, which we can all agree is
22 necessary, you're probably talking about \$400,000
23 over a year. Now that's enough money not to want
24 to waste it, right? But it's not enough money to
25 open up shelter beds, not in any significant way.

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2 So, you know, that's why the gross inadequacy of
3 this fund--I mean, it's almost a joke to have a
4 discussion about it in the overall scheme of
5 things. So I'm sorry for blurting that out, but I
6 couldn't help myself.

7 MARGO HIRSCH: No, that's fine
8 because I agree, there needs to be a more
9 comprehensive plan that looks at not just Safe
10 Harbor funding. I think that Safe Harbor funding
11 probably will get restored, but it's not going to
12 get restored to the levels that is needed
13 especially when you're looking at this as a
14 statewide issue with statewide funding, 1.5, this
15 is not all City money by any means.

16 And then the fact that, as Janice
17 brought up, nobody talked survivor-led services, I
18 mean, that has been a critical element in all of
19 the programs that have been effective. So when
20 you talk about training--training of staff,
21 training of these new investigators--what they're
22 not looking at is that resource within their own
23 services that really could be critical to helping
24 young people disclose and to ask for services and
25 to get those services.

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Thank you.

CHAIRPERSON FIDLER: Thank you--

[Pause]

STEPHANIE GENDELL: Hi, I'm

Stephanie Gendell, the associate executive director for Policy and Government Relations at Citizens Committee for Children. We wanted to thank the Council, both for your continued interest in this issue and for introducing Intro 866-A.

CCC is generally supportive of the introduction. As you noted, knowing how many New York City children and youth have been sexually exploited will help agencies like ACS, DYCD, the City Council, policy makers, and advocates know how much resources we need and what to advocate for. While we're generally supportive of the legislation, we also strongly believe meeting the needs of these vulnerable youth needs more than tracking and reporting. Notably, we need services and we need to make sure the tracking and reporting is done in a way that protects the safety of the young people.

With regard to services, I'm not

1
2 going to reiterate, a lot of people have already
3 talked about that. Just to mention that we also
4 agree we need more services for girls as well as
5 for boys.

6 In addition, if we're going to do a
7 lot of training to ensure that the staff coming
8 into contact with these young people are able to
9 better talk to them about how to disclose, then we
10 need to have services available after they
11 disclose or we've actually made--probably gone
12 negative.

13 Second, not all of the young people
14 who are sexually exploited will present themselves
15 at ACS or DYCD so I think we need a more citywide
16 way of tracking and finding these young people.

17 Next, when we do the tracking, we
18 need to make sure that we protect the safety of
19 the young people. There's a lot of sensitivity in
20 these cases and there's a potential danger to the
21 children and youth if their identities become
22 known, so we would be okay if the tracking was not
23 100% accurate in the sake of safety of the child.

24 And lastly I wanted to talk about
25 the state. The funding for Safe Harbor has been a

1
2 long and arduous battle, in part due to the
3 state's fiscal problems. We've gone from a cut of
4 the \$10 million to \$3 million that was then never
5 spent. Then we went down to zero dollars and then
6 we got \$1.5 million, but now we're once again back
7 where we're going to have zero dollars.

8 OCFs, as we've talked about, has
9 decided to spend about \$500,000 on a contract with
10 IOFA, which is a statewide cross-system training
11 package. According to OCFs, IOFA participated in
12 building and implementing this model in Illinois.
13 The OCFs contract is supposed to include training
14 for participants such as child welfare
15 professionals, law enforcement, mental health
16 professionals, and the development of a toolkit
17 tailored to New York which would include screening
18 and assessment tools. IOFA would then be
19 conducting an evaluation of the project. The City
20 is also then planning to use some of their money
21 on training and better ensuring that their staff
22 are able to identify these young people.

23 So one of our concerns is at the
24 end of all of this training, we will have
25 identified a significant number of young people

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2 that we will not have any services to provide to
3 them.

4 We are then very concerned about
5 losing the \$1.5 million that we've received from
6 the state for this one year and so we're asking
7 respectfully, given the Council's interest in
8 commercially sexually exploited youth, that the
9 Council reach out to your counterparts in the
10 state in your state budget advocacy package or
11 write a letter or take what other steps might be
12 necessary on your behalf to help these young
13 people.

14 Thank you.

15 CHAIRPERSON FIDLER: We have done
16 that and we will, and we continue to. My concern
17 is that Amy Paulin, Assemblywoman Paulin is no
18 longer the chair and I think she was probably
19 responsible for getting the funding in the first
20 place and--

21 STEPHANIE GENDELL: Yep.

22 CHAIRPERSON FIDLER: --that's why I
23 screamed on her Facebook page when she took
24 another committee.

25 [Pause]

1
2 KATHERINE MULLEN: Thank you,
3 Chairs Fidler and Palma, my name is Katherine
4 Mullen, I'm an attorney with the Juvenile Rights
5 Practice of the Legal Aid Society, and I
6 appreciate this opportunity to speak with you.
7 I've provided written testimony, I won't go over
8 the points that I made in the testimony, but I do
9 want to raise one nightmare scenario that I think
10 is very important to keep in mind.

11 The Family Court is not just a
12 place where services are provided, it's a place of
13 litigation. And when you have child protective
14 proceedings, you have the City as a party, you
15 have parent or guardian as a party, you have the
16 child as a party. When you have a PINS
17 proceeding, you have a parent as a party and you
18 have a child as a party. ACS case records are
19 discoverable in these proceedings. The worst
20 thing in the world would be for some vulnerable
21 child to make a disclosure to somebody that they
22 have been sexually exploited and have that appear
23 in a case record that then is used in the subject
24 of litigation. So--

25 CHAIRPERSON FIDLER: [Interposing]

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2 Although that wouldn't be the case if we used
3 identifiers that protected their--

4 KATHERINE MULLEN: [Interposing] I
5 would hope--

6 CHAIRPERSON FIDLER: --that were
7 able to identify them as individuals, but not who
8 the individuals are.

9 KATHERINE MULLEN: I think that
10 it's going to be a very difficult protocol to
11 manage both respecting anonymity and not
12 identifying people, yet making sure that referrals
13 and services are made available to people who have
14 disclosed that they have been sexually exploited.
15 So in terms of that protocol, I would again
16 reiterate what has been said several times, that
17 this must be survivor-informed, the voices of
18 youth must be heard in this process. And it is an
19 extraordinary difficult conversation to have with
20 a young person discussing whether or not they've
21 been sexually exploited, and the people who can
22 best inform a protocol for that are the young
23 people.

24 And one example is the victim
25 survivor leadership manual that's been developed

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2 by the GEMS program that was the voices of youth
3 are included and wrote that manual. There are
4 other tools available and I would urge the City
5 Council to endorse including the voices of youth
6 in developing this protocol. The big danger, as
7 you've said Chair Fidler over and over again, is
8 there are going to be underreporting, there's no
9 way that this can be an accurate number. And then
10 somehow having that number tied to the provision
11 of services would be a disservice to the youth.

12 CHAIRPERSON FIDLER: You know, the
13 issue of not identifying the individual but being
14 able to count individuals specifically, it has
15 been something that we've grappled with, and
16 somewhat successfully, I believe. But I would
17 just ask you this question: If someone is in a
18 PINS proceeding, all right, and someone somehow
19 gets from ACS the fact that we're about to return
20 a young person to a home where they're being
21 sexually exploited, don't you think that should be
22 made aware regardless of whether or not the young
23 person is particularly happy about the fact that
24 mommy or daddy or Uncle Joe is abusing them in
25 that household?

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2 KATHERINE MULLEN: I think that
3 that's a different discussion because then they
4 would be subject of an abuse proceeding, a child
5 abuse proceeding, that they wouldn't be in a PINS
6 proceeding. Unfortunately, most frequently, the
7 youth who are being sexually exploited have come
8 from ACS care themselves--

9 CHAIRPERSON FIDLER: [Interposing]
10 I know that.

11 KATHERINE MULLEN: --and most
12 frequently, parents and guardians come in and file
13 PINS petitions and they suspect there might be a
14 problem, the problem isn't in their home, it's
15 what's going on outside of the home.

16 I do think ACS misses an
17 opportunity when parents come in and file PINS
18 petitions and children are missing, that they
19 don't start working with the parents right away to
20 train them on that issue.

21 CHAIRPERSON FIDLER: I asked the
22 question really only to point out the fact that it
23 is a much--it's even more complicated than we've
24 discussed because whether it's ACS--you know,
25 wherever the household is, you have to balance the

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2 child's right not to disclose it with the fact
3 that not disclosing it may be harmful to their
4 health. And, you know, they may not think it's a
5 good idea to say, gee, don't send me back to that
6 foster care facility, someone there is abusing me,
7 with the fact that maybe they're wrong and they
8 really need to disclose it because you don't want
9 to send them right back into that hell. So, you
10 know, I don't think this bill really deals with
11 that, but I just I don't want to leave it out
12 there that the idea of letting a child not say
13 that they're being sent back to an abuser is a
14 good thing.

15 So anybody have any questions?

16 Closing statement? No?

17 CHAIRPERSON PALMA: I just want
18 again to reiterate the points of this bill, and
19 thank you once again, Mr. Chair, for putting this
20 piece of legislation together. I hope that we can
21 bring it to a vote really soon.

22 It's not going to get us to where I
23 think we need to be in terms of services and
24 really getting the real number of children who are
25 being abused, but I think getting the agencies

1
2 used to at least start tracking these children
3 that have been sexually exploited is a really
4 important first step which will enable us then to
5 discuss and have further discussion for greater
6 funding to provide these kinds of services to
7 really ensure that this doesn't continue to
8 happen.

9 Thank you.

10 CHAIRPERSON FIDLER: And I, first,
11 I want to thank you too, Chairwoman Palma. This
12 bill came from a prior joint committee hearing
13 with General Welfare, and you and the General
14 Welfare Committee have been fabulous partners in
15 some of this--most of this stuff.

16 Clearly, there is some work that
17 needs to be done on this bill to make sure that it
18 hits the right note. I've been talking to counsel
19 throughout the hearing about some of the points
20 that you've all made, we'll try and balance them
21 up to the point of regulation because, at that
22 point, the agencies have to be responsible and I
23 think you'll all make yourselves heard on that.

24 The fact of the matter is--and I'll
25 reiterate this as a conclusion--is that the

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2 purpose of this bill is to give all of us, you
3 over there and us over here, the weapons that we
4 need to fight for more adequate funding because
5 the funding levels either at Safe Harbor or RHY or
6 any of these things are so grossly inadequate that
7 they're shameful. And it appears that we fight
8 over and over again for the same ground. And I am
9 going to wrap the words of Commissioner Richter
10 around Mark Page's head on this issue of
11 baselining the RHY funding, I hope you'll all be
12 there for that fight, that argument. I think it's
13 critically important this year, and I mean, fact
14 of the matter is we should be getting more funding
15 and baselining that, but, you know, not wanting to
16 be a pig, I'll settle for baselining what we have
17 at very least.

18 So I thank you all for your help, I
19 thank staff of both committees for their work.
20 And with that, I adjourn this hearing, I think we
21 made the 1 o'clock deadline.

22 [Gavel]

C E R T I F I C A T E

I, Tammy Wittman, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature *Tammy Wittman*

Date March 9, 2013