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Res. No. 22

Resolution calling for the appointment of a special federal prosecutor to investigate alleged human rights violations, wrongful removals, and unconstitutional practices against children and their families by the New York City Administration for Children's Services and its contracted agencies, and to investigate the New York Family Court System for violation of the United States Court of Appeals ruling that "it is unconstitutional for the Administration for Children's Services to remove children from their parents' custody without a court order unless there is an imminent risk of harm."

By Council Members Foster, Perkins, Rivera, Baez, Barron, Comrie, Jackson, Martinez, Monserrate, Reyna, Stewart, Vann, Clarke, Boyland, James and Reed

Whereas, On October 13, 1999, the United States Court of Appeals ruled that "it is unconstitutional for the Administration for Children's Services to remove children from their parents' custody without a court order unless there is an imminent risk of harm"; and

Whereas, The National Action Network organized an "ACS Committee" in 1999 to assist parents who are not "financially, legally, or emotionally capable of dealing with the system" of the Administration for Children's Services in cases of removal of their children from their custody; and

Whereas, The National Action Network has conducted forums in which testimony was presented about widespread abuses by the Administration for Children's Services in removing children from their parents with insufficient cause; and

Whereas, The National Action Network believes that the New York Family Courts are not abiding by the 4th, 5th, 6th and 14th amendments to the Constitution in the removal of children from their homes without the necessary showing of imminent harm, and, therefore, believes that children improperly removed should be returned to their families; now, therefore, be it

Resolved, That a special federal prosecutor be appointed to investigate alleged human rights violations, wrongful removals, and unconstitutional practices against children and their families by the New York City Administration for Children's Services and its contracted agencies, and to investigate the New York Family Court System for violation of the United States Court of Appeals ruing that "it is unconstitutional for the Administration for Children's Services to remove children from their parents' custody without a court order unless there is an imminent risk of harm."

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