

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GENERAL WELFARE

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June 16, 2014
Start: 1:27 p.m.
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HELD AT: Committee Room
City Hall

B E F O R E: Stephen T. Levin
Chairperson

COUNCIL MEMBERS:

Anabel Palma
Fernando Cabrera
Ruben Wills
Donovan J. Richards
Vanessa L. Gibson
Corey D. Johnson
Carlos Menchacca
Ritchie J. Torres
Daniel Dromm

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

Letitia James
Public Advocate

Benita Miller
Deputy Commissioner for Division of Family
Permanency Services

Jackie Roth
Associate Commissioner of Central Operations

Sabine Cherry
Assistant Commissioner Office of Older Youth
Services and Residential Care Monitoring

Peter Nabozny
Division of Policy Planning

Jessica Maxwell
Youth and Care Coalition Children's Aid Society

Donald Fields
NYSA

Apurva Mehrotra
Community Service Society of New York

Noah Franklin
Federation of Protestant Welfare Agency

Latonya Smitherman

Stephanie Gendell
Citizens Committee for Children

Emicia Parker
Miss Plus New York

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

Gary Parker

Thomas Hilliard
Center for Urban Future

Priti Kataria
Adolescents Confronting Transition Project

Krista Gunderson
Adolescents Confronting Transition Project

Melinda Nimmons
Community Voices Heard

Susan Rivers
Diverse Marketing Company

Bill Busk
Community Voices Heard

Kathleen Keller
Legal Aid Society

John Krinsky
Community Voices Heard

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COMMITTEE ON GENERAL WELFARE

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CHAIRPERSON LEVIN: Good morning everybody. Sorry for the delay. We had some technical difficulties but they have now been cleared up and so the public can now see this hearing streaming on the web and that's very much in accord with our open data that we like to do here at the council and that we have passed laws to ensure. So, thank you all very much for your patience. Good morning. I'm Council Member Stephen Levin, Chair of the General Welfare Committee and I am joined this morning by Council Member Fernando Cabrera, serves on the committee, Council Member Carlos Menchacca, also on the committee, Council Member Annabel Palma, also on the committee, Council Member Ritchie Torres in the committee, a sponsor of one our bills today, Council Member Danny Dromm, Council Member Donovan Richards serving on the committee, sponsor of one of the bills, Council Member Laurie Cumbo, sponsor of the third bill, Council Member-- excuse me, Public Advocate Letitia James, and committee member Vanessa Gibson. I'm going to read a brief opening statement, then I'll turn

1
2 it over to Public Advocate James and Council
3 Member Cumbo for opening statements and if
4 Council Member Dromm wishes to as well. Good
5 morning, I'm Council Member Steve Levin, Chair
6 of the City Council's Committee on General
7 Welfare. Today we are going to be conducting an
8 Oversight Hearing on Youth Aging out of Foster
9 Care and hearing three bills requiring the
10 Administration for Children's Services to
11 report on certain important aspects of the
12 lives of young people in foster care. First,
13 Introduction 104 sponsored by Public Advocate
14 James requires the collection and reporting of
15 data on youth who have aged out of foster care.
16 Introduction 107 by Council Member Danny Dromm
17 requires ACS to collect and report data on the
18 success of obtaining government-issued
19 identification for foster care youth. And
20 finally, Introduction 187 by Council Member
21 Laurie Cumbo which requires ACS to collect and
22 report the high school graduation rates of
23 youth in foster care. All three of these bills
24 seek to collect more information on the
25 outcomes of young people in foster care which

1 will help shape the creation of more informed
2 policy here in New York City. Although the
3 foster care census has been on a consistent
4 downward trend for the past several years, each
5 year approximately 800 young people aged 18 to
6 21 are discharged from foster care. If by 21, a
7 young person in foster care has not been
8 reunified with a family or been adopted, he or
9 she will be discharged from foster care to
10 independence. According to ACS's Preparing
11 Youth for Adulthood Plan, out of the group of
12 18 to 21 year olds who are discharged from
13 foster care annually, approximately 80 percent
14 are young people who are left to rely primarily
15 on themselves. Numerous studies have indicated
16 that young people who age out of foster care
17 tend to experience worse outcomes than their
18 peers in the critical areas of education,
19 employment, criminal justice, criminal justice
20 involvement, mental health, income insecurity
21 and housing. Given the realities of the New
22 York City housing market, it is even more
23 difficult for our young people to secure
24 permanent housing for themselves by the age of
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2 21. Further, we know that even young people who
3 are able to curate New York City Housing
4 Authority or supportive housing unit often are
5 unable to maintain the rent and end up losing
6 their housing. Inevitably, these young people
7 end up homeless. In a recent report by the
8 Federation of Protestant Welfare Agencies, six
9 young people who had aged out of the foster
10 care system in the city were interviewed and
11 all discussed their inability to maintain
12 housing due to a lack of education and skills.
13 ACS and its contracted foster care agencies
14 work hard to ensure these young people who age
15 out of care, that make sure to ensure--sorry--
16 work hard to ensure that these young people who
17 age out of care are prepared for an independent
18 adulthood at the age of 21. Today, this
19 committee's interested in learning what steps
20 are taken to prepare these young people and
21 what could be done to better improve policy and
22 practices in order to ensure successful
23 outcomes for all young people who age out at
24 21. I want to thank you all very much for
25 attending today's hearing, and again, apologies

1
2 for the late start and I want to turn over to
3 Public Advocate Letitia James for an opening
4 statement.

5 PUBLIC ADVOCATE JAMES: Thank you all
6 for being here. Before I want to--before I
7 begin, I'd like to thank Chair Steve Levin and
8 his staff for organizing today's important
9 hearing. I'd also like to thank my colleagues,
10 Council Member Dromm and Laurie Cumbo of
11 Brooklyn as well as all the other colleagues
12 who were here today and those joined me at the
13 press conference earlier. I am a City Council
14 member. I'm an ex-officio member of the City
15 Council, so you can still refer to me as the
16 City Council Member/Public Advocate. I'd like
17 to thank the advocates and individuals who
18 joined us earlier. I understand that the
19 Administration has demonstrated preliminarily
20 willingness to work with us on this
21 legislation, and I thank them for that and look
22 forward to working with you on this issue.
23 There are 12,000 children and youth in foster
24 care in our city, many who are struggling every
25 day against all odds to make it. Each year

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2 nearly 1,000 young people age out foster care
3 only to enter back into city services because
4 they weren't given the tools to make it. Being
5 a child in foster care should not be a
6 guarantee of an adult life of homelessness,
7 dependence on welfare or prison, yet all too
8 often it is. For a long time, we have known
9 that young people aging out of the foster care
10 system between the ages of 18 to 21 confront
11 greater challenges than those who are adopted
12 before leaving the system. While 20 percent of
13 these young adults are discharged into the care
14 of an adult, the remaining 80 percent on their
15 own. Between 18 to 26 percent of foster youth
16 who age out of the system are in homeless
17 shelters. The city has set aside only about 100
18 apartments in New York City Housing Authority
19 for age--for youth who age out and
20 approximately 50 percent of foster youth fail
21 to find employment after aging out of the
22 system. Looking at these statistics, we know
23 that more needs to be done, which is why I'm
24 happy to reintroduce Intro 104, which as we all
25 know was a bill that was introduced by the

1
2 former Public Advocate, now Mayor of the City
3 of New York Bill de Blasio, and the bill would
4 ensure that we track these young adults after
5 they leave the system to better understand what
6 support and resources they are availing
7 themselves of, problems that they might
8 encounter with homelessness or law enforcement
9 and coordinate amongst a relevant agencies to
10 ensure this information is more readily
11 available. These quarterly reports would make
12 the data of foster care youth who have aged out
13 of the system available to the public, and we
14 will raise awareness. I would like to use
15 today's hearing to better understand how we can
16 make Intro 104 a better bill and move it
17 towards passage. In addition to that, I know
18 that there are a number of state laws that
19 already require alternative plan, permanent
20 living arrangements as well as databases, and I
21 would like to know how ACS is complying with
22 all of the state mandates. Resolving the issue
23 that confront young adults that age out of
24 foster care is no doubt a complicated
25 proposition. The first step in addressing that

1
2 challenge is tracking these individuals and
3 better understanding the problems that they
4 confront so we can begin to strengthen our
5 support network. We heard earlier from three
6 amazing individuals who provided testimonials
7 and we'll be hearing from them today at the
8 hearing, and I congratulate them for all that
9 they have done. They truly represent heroes and
10 sheroes [sic] in the child welfare agency in
11 the foster care system. They are the face of a
12 lot of those individuals transitioning out, and
13 we should applaud them here today. I want to
14 ensure that a child could in the foster care
15 system does not seal your fate, and in fact,
16 your past should not be a predictor of your
17 future, and that's why I applaud the three
18 individuals who testified earlier and I look
19 forward to hearing from them this morning.
20 Thank you.

21 CHAIRPERSON LEVIN: Council Member
22 Laurie Cumbo?

23 COUNCIL MEMBER CUMBO: Thank you.
24 Good morning. I am Council Member Laurie Cumbo
25 and I'm Chair of the Women's Issues Committee

1 and I certainly want to echo the sentiments of
2 our Public Advocate Letitia James and really
3 wanted to thank all of you who testified this
4 morning at the press conference. It really gave
5 us an understanding of under--of gaining a
6 greater understanding of the complexities of
7 what each of you and so many others are facing
8 throughout New York City. So I thank you for
9 your bravery and your courage and your ability
10 to share your challenging stories and I'm so
11 happy that you have found a way and a direction
12 out of a challenging system and that you're
13 able to speak on behalf of others. I want to
14 thank our Council Member Steve Levin for
15 holding this hearing today and giving me the
16 opportunity to discuss such an important bill
17 that I am sponsoring today. Intro 187 will
18 require the Administration for Child Services
19 to provide annual reports of graduation rates
20 for children in foster care, many of whom
21 struggle to graduate and find employment after
22 emancipation. As elected officials, we are
23 responsible for ensuring that all the children
24 of New York City have the resources they need
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1 to become active, independent members of
2 society, and as I said in our rally today, our
3 press conference, we need to become that
4 village that it takes to raise a child, all of
5 New York City. Education is one of the most
6 important tools that we have to create that
7 security and is particularly vital when it
8 comes to empowering our most vulnerable
9 populations. This spring will bring
10 transparency to a shocking gap in educational
11 opportunities in our city and allow us as
12 elected officials to take a more proactive
13 approach to ensure that our most vulnerable
14 population will receive a dynamic education.
15 Almost 400,000 New York City children are in
16 foster care and these youth are 44 percent less
17 likely to complete high school than their peers
18 under the current Administration. While this
19 report will show us where students in foster
20 care are currently graduating/performing, it's
21 real potential is a spring board for reform.
22 This new data will give this council the
23 information it needs to improve ACS and to
24 provide support to the young people who need it
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2 most by creating sustainable pathways towards
3 success. Once again, thank you, Council Member
4 Levin for holding a hearing on Intro 187 that
5 will bring about much needed change to ACS, and
6 I look forward to the testimony of everyone
7 here today, and I just want to add that Intro
8 187 is simply a start. There needs to be a much
9 more intensive legislation, much more
10 evaluation. We need to have a greater
11 understanding of how our resources in New York
12 City are impacting the youth that are in our
13 foster care agency, and Intro 187 is just the
14 beginning to understand where we are as a city
15 and what more we need to do. So thank you very
16 much, and I thank all of my colleagues for
17 their support.

18 CHAIRPERSON LEVIN: Thank you very
19 much, Council Member Cumbo. Now we will hear
20 from the Administration. Thank you again for
21 your patience, and before we start I have to
22 swear you in. If you wouldn't mind raising
23 your right hand please. Do you affirm to tell
24 the truth, the whole truth and nothing but the
25 truth in your testimony before this committee

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2 and to respond honestly to Council Member's
3 questions?

4 BENITA MILLER: I do.

5 CHAIRPERSON LEVIN: Actually, can
6 everybody do it, just in case you are--you all
7 have to respond. Do you affirm to tell the
8 truth, the whole truth and nothing but the
9 truth in your testimony before this committee
10 and to respond honestly to Council Member's
11 questions?

12 PANEL: I do.

13 CHAIRPERSON LEVIN: Thank you very
14 much. You may proceed. Thank you.

15 BENITA MILLER: Okay. Good morning,
16 Chair Levin and members of the General Welfare
17 Committee and Public Advocate Letitia James. I
18 am Benita Miller, Deputy Commissioner for the
19 Division of Family Permanency Services. With me
20 this morning is Jackie Roth, Associate
21 Commissioner of Central Operations, Sabine
22 Cherry, Assistant Commissioner for the Office
23 of Older Youth Services and Residential Care
24 Monitoring, as well as Peter Nabozny from our
25 Division of Policy Planning and Management.

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2 Thank you for the opportunity to brief you on
3 the programs and services we offer to young
4 people in foster care. As a system and as a
5 city, we are committed to doing everything we
6 can to ensure that young people transitioning
7 out of our care and custody have developed the
8 skills and connections they need to become
9 successful adults. I am pleased to be here
10 today to share with you the work we have been
11 doing. We are eager to work with the council
12 and with the Public Advocate's Office to figure
13 out how ACS can legally, accurately and
14 transparently collect and present aggregated
15 data about the young people in our care. As you
16 mentioned, the New York City foster care census
17 is at a historically low number. Currently,
18 11,554 children are in our care. While we are
19 happy to report that this reflects a continued
20 downward trend, the teenagers and young adults
21 who come to our attention have particularly
22 complex needs, including mental health and
23 behavioral challenges. As such, connecting
24 older foster youth with caring adults who are
25 willing to be long term resources is a

1 challenge, and a number of young adults leave
2 foster care without a permanent resource. The
3 bills pending before the City Council seek
4 information about how ACS and our foster care
5 provider agencies help prepare young people who
6 are not being adopted and where reunification
7 with family is not possible transition to
8 independent adulthood. Namely, the bills seek
9 to address the issues of whether these young
10 people are educated, whether they are able to
11 meet their financial needs through sustained
12 employment and whether they are able to secure
13 stable affordable housing. Given that these
14 young--given that the young people who come
15 into our care are in many cases already at a
16 significant disadvantage before they came to
17 our attention, ACS is working very hard to
18 address their needs. While we do have some
19 legal, technical and philosophical questions
20 about some of the specific data requests, I am
21 pleased that we have already begun to discuss
22 some of our challenges and some potential
23 solutions together. I want to be very clear
24 that ACS is committed to both improved outcomes
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2 and to transparency in our process for
3 improving them. ACS cannot control the
4 circumstances that bring young people into
5 foster care. However, we know that if a youth--
6 that if youth who are in care, they have some--
7 they have endured some level of trauma. While
8 they are in our care, we have an opportunity to
9 help them address and overcome the challenges
10 that brought them into care and worked with
11 them to successfully transmission into
12 adulthood. One initiative ACS has designed to
13 assist young people in foster care to
14 successfully transition into adulthood is
15 called Preparing You for Adulthood, also known
16 as PYA. PYA seeks to strengthen both our
17 foster care providers and our efforts to
18 achieve positive outcomes for youth exiting
19 foster care at ages 17, 18, 19 and 20
20 regardless of their permanency plans. PYA
21 involves coordination among provider agency
22 partners, community-based organizations as well
23 as other government agencies, both local and
24 state to take advantage of expertise of each
25 lien [sic] so that our youth can be connected

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2 to services or supports. PYA seeks to promote
3 mental, physical and emotional well-being of
4 young people by setting developmentally
5 appropriate goals designed to encourage healthy
6 interpersonal relationships, educational and/or
7 vocational achievement. And the development of
8 the skills they will require to meet their
9 needs for housing, food, clothing, health and
10 safety as they mature into adulthood. ACS's
11 Office of Older Youth Services and Residential
12 Care monitoring also known as OYS is
13 responsible for permanency planning and
14 promoting shorter lengths of stay and
15 residential placement for youth and care. OYS
16 provides a number of programs and services
17 designed to meet the unique needs of our youth
18 including residential care monitor, which is a
19 unit responsible for reducing their length of
20 stay at the residential care facilities for
21 youth who are older than 17. The unit
22 currently serves 690 young people, monitors the
23 permanency meetings and the goals of those
24 transitioning from residential care facilities,
25 and assists with referrals for employment,

1 housing and mental health services. ACS's team
2 specialist unit supports pregnant and/or
3 parenting youth in foster care as well as in
4 DYJ in some instances, which I'll explain. TSU
5 partners with external experts, professionals
6 and internal cross-divisional partners to
7 develop and enhance parenting skills. TSU also
8 trains our foster care and preventive providers
9 to develop their expertise in this area and
10 provides information about community based
11 resources for pregnant and parenting youth.
12 Currently, TSU is working with 114 pregnant and
13 parenting youth in residential mother/child
14 blended programs or if they are cross-over
15 youth. We work with them as well. TSU's
16 fatherhood initiative offers support to
17 expectant and parenting fathers. One such
18 program which we partner with is Clairmont
19 [sp?] Neighborhood Bay Services. Through this
20 program, young fathers develop an appreciation
21 for their role in the lives of their children
22 and receive support in navigating the
23 complexities of co-parenting. ACS recently
24 hired a community associate in this unit, a
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2 former foster care youth and a young father who
3 knows about some of the parenting challenges
4 first hand to provide forms for young parents
5 to learn about child welfare practices, empower
6 other young fathers to be engaged and to
7 facilitate conversations between young parents
8 in foster care as well as members of the child
9 welfare community. Our associate has become an
10 important resource in improving the outcomes
11 for young parents in foster care the Young
12 Parent's Speakers Bureau engages young parents
13 by providing a forum for them to continue
14 having conversations with the child welfare
15 community about their experiences in providing
16 guidance on becoming engaged fathers.
17 Information learned from those forums is used
18 to inform our practices, policies and delivery
19 of services to young parents. Our Youth Justice
20 Unit assists and monitors cross-over youth,
21 those who are involved in both the foster care,
22 juvenile justice and criminal justice systems
23 to ensure that a permanency plan is in place
24 and that our cross-over youth are visited in
25 detention, placement or incarceration. The

1 missing children's outreach unit provides
2 guidance to staff at the residential and foster
3 board and agencies on conducting diligent
4 searches for young people who leave care
5 without permission. Residential care reduction
6 in IPASCW [sic] also known as Intensive
7 Preventive Aftercare Services for Child
8 Welfare, provides intensive preventive
9 aftercare services in all residential care
10 facilities through the use of functional family
11 therapy, an evidence based model that helps
12 support youth ages nine to 17 years old who
13 have returned to their permanent adult
14 connection on a trial discharge. Additionally,
15 IPASCW monitors the permanency of all youth in
16 residential care settings as well as lengths of
17 stay for youth placed in residential care
18 setting. In addition to our programs and our
19 work with providers, ACS is also working with
20 other city agencies and external partners to
21 improve outcomes for young people in care. In
22 October 2013, ACS and the DOE initiated Project
23 School Success, a collaboration designed to
24 ensure educational stability and academics
25

1 success for children in foster care. Project
2 School Success has three major components, data
3 sharing, training, and support and development
4 of curricula for provider agency staff with a
5 focus on improving youth education outcomes.
6 Among our nonprofit partners is Fair Cap [sic]
7 an organization that helps people overcome
8 barriers and works toward economic
9 independence. Fair Cap developed a program
10 called Prep Now [sic], a web-based curriculum
11 and interactive tool designed to enhance the
12 capacity and motivation of foster parents to
13 prepare those in their care for college.
14 Currently 200 of our foster parents use Prep
15 Now which includes interactive primers on
16 FASFA, SAT, personal essay, college visits and
17 academic advocacy. ACS and the de Blasio
18 Administration share the City Council's goal of
19 improving outcomes for former foster care
20 youth. We are committed to finding ways to
21 improve the services we provide to our young
22 people and look forward to working with the
23 City Council and the Public Advocate staff to
24 develop and implement a methodology that will
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1
2 lead to accurate valuable data about these
3 outcomes. In addition, we expect that ACS's
4 ongoing participation in the New York City's
5 Children's Cabinet will continue to generate
6 meaningful dialogue, foster important
7 relationships and cultivate vital resources
8 that will further strengthen our mission. In
9 particular, data sharing amongst city agencies
10 is a goal that the cabinet is already
11 addressing and will help inform ACS's approach
12 to these issues. I hope today that my testimony
13 helps illustrate ACS's commitment and work
14 toward improving and providing our young people
15 in foster care with the opportunities and
16 skills they need to become successful adults.
17 There's still much work to be done and we look
18 forward to building on our efforts. Thank you
19 for inviting us to discuss these important
20 items with you today and we welcome your
21 questions.

22 CHAIRPERSON LEVIN: Thank you,
23 Deputy Commissioner Miller. I just wanted to,
24 before we get to questions, welcome the
25 students and the chaperones from PS 527 who are

1
2 here today including Assembly Member Dan Quart
3 who I understand son is in the class. Welcome
4 Assemblyman, how are you? Thank you all for
5 joining us. I hope you have a good time. Enjoy
6 City Hall, guys.

7 PUBLIC ADVOCATE JAMES: I told them
8 to complain about any issues related to
9 playgrounds.

10 [laughter]

11 CHAIRPERSON LEVIN: So, thank you,
12 Deputy Commissioner. So I'm going to ask a
13 couple of questions.

14 COMMISSIONER MILLER: Okay.

15 CHAIRPERSON LEVIN: Just kind of
16 basic questions and then I'll turn it over to
17 Public Advocate James.

18 COMMISSIONER MILLER: Okay.

19 CHAIRPERSON LEVIN: So first off, how
20 many young people right now are in foster care
21 between the ages of 18 and 20? Do we have that
22 data?

23 COMMISSIONER MILLER: Yes, we do.
24 Between 18 and 20 we have 1,040 children who
25 are older than 18, so between 18 and 20.

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CHAIRPERSON LEVIN: One thousand and
40?

COMMISSIONER MILLER: Uh-hm.

CHAIRPERSON LEVIN: Okay. And how
many young people choose to leave foster care
every year at the age of 18?

COMMISSIONER MILLER: I'm going to
defer to Jack--I mean, that varies. So I'll
defer to the--for the specific numbers I'll
defer it to.

CHAIRPERSON LEVIN: Okay.

JACKIE ROTH: So, in calendar year--

CHAIRPERSON LEVIN: [interposing] If
you--sorry, you need to please speak into the
microphone.

JACKIE ROTH: My apologies.

CHAIRPERSON LEVIN: And identify
yourself for the record.

JACKIE ROTH: Hi, I'm Jackie Roth,
I'm the Associate Commissioner in ACS's Office
of Centralized Services. So at age 18 in
calendar year 2013, 165 young people chose to
leave foster care. So after age 18 you consent
to remain in care; 165 youth did not.

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2 CHAIRPERSON LEVIN: Okay. Does that--
3 -do most people that stay in once they turn 18,
4 do they stay in until they're 21 or is that--
5 often they--throughout in that time period
6 decide or opt to leave?

7 JACKIE ROTH: Yes, so each year,
8 they are required to continue to consent to
9 remain in care, so young people ages 18, 19, 20
10 as they are approaching 21 continue to consent
11 to remain and on average, it's around the same
12 number that discharge to themselves. You will
13 see 165, 100, but the majority of young people
14 that choose to stay in, probably it's the
15 largest number that ages out at 21, which is
16 around 450.

17 CHAIRPERSON LEVIN: 450 age out at
18 21? So then that 165 is just the ones that age
19 out at 18 or age out somewhere in between the
20 ages of 18 and 20.

21 JACKIE ROTH: Eighteen, that number
22 is young people who did not consent to remain
23 in care at age 18.

24 CHAIRPERSON LEVIN: And the young
25 people that leave at 18 or 19 or 20, are they

1
2 required to have a permanent and stable living
3 situation when they opt out of foster care?

4 JACKIE ROTH: So, the goal is for
5 them to have a permanent and stable living
6 situation, but again it is all required
7 consents. So we at age 18 can assist them in
8 applying for housing subsidies and other
9 subsidy grants that may, you know, support them
10 while they're leaving care, but it is--we
11 cannot allow a young person to not leave foster
12 care if they choose to do so. We cannot oppose
13 their non-consent. We cannot force them to
14 remain in care.

15 CHAIRPERSON LEVIN: Even if they
16 don't have a stable living situation set up at
17 that time.

18 COMMISSIONER MILLER: Right. If a
19 young person decides at 18 not to consent to
20 remain in our care, we cannot require them to
21 stay with us.

22 CHAIRPERSON LEVIN: But so there are--
23 -but you, ACS does help prepare them or try to
24 prepare them?

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COMMISSIONER MILLER: Right, that's our goal.

CHAIRPERSON LEVIN: Right.

COMMISSIONER MILLER: To help prepare them, but if at 18 they decide they would like to as some kids call it sign themselves out, we cannot stop them, and say, "You have to stay with us."

CHAIRPERSON LEVIN: Right, and I'm--a lot of that has to do with, I mean, I think looking at the housing options that are out there and looking at the unique challenges of New York City of the housing market, maybe we can get to that a little bit later in the hearing, but you know, three options that are out there are--the three options are going to a private setting, right, private apartment, New York City Housing Authority, or supportive housing. And knowing that the latter two have-- is a severe shortage of those options, raises some concerns about looking how to expand those and potentially have other options on the table.

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COMMISSIONER MILLER: Well, young people who discharge, choose to discharge themselves from care do have the right to request re-entry into care.

CHAIRPERSON LEVIN: Right.

COMMISSIONER MILLER: If they feel like they need our support and they request through a hearing process. I'm sorry, not through a hearing. They make a request to hold a conference and at that point we work with them to make a determination, whether they should come back into care or whether preventive services can be put in place in a community to sustain them.

CHAIRPERSON LEVIN: And how many return to care once they leave at 18 or 18 and 19?

COMMISSIONER MILLER: I don't have that break down by age, I have it broken down by request. So in calendar year 2013 we received 108 requests and we approved 78 requests to re-enter. This year so far we've received 33 requests and 19 were approved.

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2 CHAIRPERSON LEVIN: So there are
3 those that are between the ages of 18 and 21
4 who request to go back into the foster care
5 that are not approved? Not a large percentage?

6 COMMISSIONER MILLER: Right.

7 CHAIRPERSON LEVIN: Now, why would
8 that be if they're--do they not have like a
9 absolute right to return into foster care if
10 they've been in the system and opted out at 18?

11 COMMISSIONER MILLER: We hold a
12 social work conference and all the parties come
13 to the table and discuss what options may be
14 available in the community to help sustain the
15 young person, including an adult resource that
16 can help them and keep them in stable housing.
17 So if that's identified, they normally choose
18 not to come back into care. So we help to
19 buttress whatever's happening for them already
20 in the community. If we're not able to do that,
21 those are the young people who are likely to
22 come back into care.

23 CHAIRPERSON LEVIN: So if a young
24 person applies and is denied and asks again and
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1
2 it, you know, that--the community connection
3 or--

4 COMMISSIONER MILLER: [interposing]

5 Yes, they can make second request.

6 CHAIRPERSON LEVIN: family is not--is
7 maybe, if there's maybe some disagreement as to
8 whether that's seen as a viable option and ACS
9 thinks it's a viable option, but the young
10 person say doesn't, is that person, can they go
11 back into foster care if they want?

12 COMMISSIONER MILLER: They can make
13 another request, yes.

14 CHAIRPERSON LEVIN: Okay. So those--
15 so those that are--those applications that are
16 not--

17 COMMISSIONER MILLER: [interposing]

18 So that doesn't normally happen. If we through
19 the process of reviewing their record and
20 meeting with the young person, they're present
21 at the conference along with an adult resource
22 and often times their advocate as well. So
23 when that conference happens, a determination
24 is made based on what's presented in a case by
25 case scenario what's best for that young

1
2 person. But there are times when a young person
3 will make a request and say they decide they
4 want to stay with their adult resource; it
5 doesn't work out. They then approach ACS again,
6 and that's open to them to say it didn't work
7 out, I need to come back into care.

8 CHAIRPERSON LEVIN: Okay. One other
9 question and then I'll turn it over to Public
10 Advocate James. For--going back to the housing
11 question or suitable stable housing, if a young
12 person that's in foster care until the age of
13 21 has not been able to secure one of those
14 three options, what then happens after they
15 reach the age of 21, if the NYCHA units because
16 there's a waiting list they couldn't obtain one
17 and supportive housing units, there's just not
18 any out there that are available, and their
19 income is not sufficient or there's another
20 reason why they have not been able to secure a
21 permanent apartment of their own, even with the
22 help of ACS, what then happens to that young
23 person?

24 COMMISSIONER MILLER: So six months
25 prior to their 21st birthday, we ask that our

1
2 provider agencies submit what they call an
3 exception policy. So between that time frame
4 before they approach their 21st birthday,
5 provider agencies notify us and make a request
6 for an exception to policy and those young
7 people stay in care beyond their 21st birthday
8 so that we can ensure that whatever service
9 plan needs to be completed including the
10 housing component, whether applications are
11 outstanding or they're on a waiting list we
12 want to make--we check in to see where they are
13 in that process and for three month time
14 periods they're able to stay in foster care
15 under an exception to policy.

16 CHAIRPERSON LEVIN: Okay. So then,
17 and that's the rule. So if they, if a young
18 person doesn't have a permanent housing--

19 COMMISSIONER MILLER: [interposing]
20 Yes, then we ask that the agency submit a
21 exception to policy request. Those eight--we
22 notify. We updated our guidance on that just to
23 clarify some of the issues, and we reissue that
24 in January. So yes, children or young people
25 who are 21, between the six months prior to

1
2 their 21st birthday, we do ask that our
3 provider agency notify us and to begin a plan
4 of process for discharge.

5 CHAIRPERSON LEVIN: Okay. I'll come
6 back for some follow-up questions on that, but
7 I want to turn it over to Public Advocate
8 James.

9 PUBLIC ADVOCATE JAMES: Thank you.
10 So can you tell--can the Administration
11 indicate their position with respect to Intro
12 104, 137 and Intro 187, what is the position of
13 the Administration, pro or con?

14 COMMISSIONER MILLER: We too, support
15 better outcomes and transparency in achieving
16 the goals that are outlined in the bill, but
17 have legal, technical and philosophical
18 concerns about some of the specific data
19 requests and are working closely with the
20 General Welfare Committee staff and the Public
21 Advocate's Offices to come up with a workable
22 bill that achieves these goals.

23 PUBLIC ADVOCATE JAMES: So, you
24 really didn't answer my question, but I thank
25 you for that statement. That was pretty

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COMMITTEE ON GENERAL WELFARE

concise and very, you know, political. Intro
104, could you tell me what your objections or
your legal or technical concerns are? Is there
counsel here, legislative counsel present?
You're not in the position to--

COMMISSIONER MILLER: [interposing]
Not in the position right now to tell--to
clarify.

PUBLIC ADVOCATE JAMES: And I guess
the same holds true on 137?

COMMISSIONER MILLER: Yes. Yes.

PUBLIC ADVOCATE JAMES: As well as--

COMMISSIONER MILLER: [interposing]
Yes.

PUBLIC ADVOCATE JAMES: 187?

COMMISSIONER MILLER: Yes.

PUBLIC ADVOCATE JAMES: Okay, but you
will continue to negotiate with our staff?

COMMISSIONER MILLER: Yes.

PUBLIC ADVOCATE JAMES: And our
counsel?

COUNCIL MEMBER MILLER: Yes.

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2 PUBLIC ADVOCATE JAMES: And hopefully
3 work on some sort of resolution in support of
4 all three bills?

5 COMMISSIONER MILLER: We will work to
6 get to the outcomes that we share together,
7 yeah.

8 PUBLIC ADVOCATE JAMES: Do you
9 support the collecting and reporting of data
10 related to youth aging out of foster care?

11 COMMISSIONER MILLER: We do. We want
12 our young people to achieve better outcomes. We
13 want to know how they're doing. We want young
14 people who come to the attention of Children's
15 Services to have the best possible lives as
16 just what their peers would want and have in
17 their own--if they didn't come into care.

18 PUBLIC ADVOCATE JAMES: So my
19 understanding is that there was a lawsuit and
20 there was a settlement and it required agency
21 case workers to track foster youth agencies
22 prior to discharge through extensive check
23 lists that are monitored by ACS and legal
24 organizations?

25 COMMISSIONER MILLER: Yes.

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2 PUBLIC ADVOCATE JAMES: Do you
3 currently do that?

4 COMMISSIONER MILLER: We have the
5 APLA [sic] monitoring unit, which is under
6 Associate Commissioner Jackie Roth, yes. So we
7 do have the checklist.

8 PUBLIC ADVOCATE JAMES: If you have
9 that information can you provide it to my
10 office, or have you yet to compile that
11 information?

12 COMMISSIONER MILLER: We will work
13 with our General Counsel's office to get a
14 response to your office.

15 PUBLIC ADVOCATE JAMES: Okay. Again,
16 it's my understanding that there--it was a
17 result of litigation that was filed by some
18 legal services, and you are required by law to
19 track foster youth progress. And so if someone
20 could inform me of the progress of that
21 compliance, that would be greatly appreciated.

22 COMMISSIONER MILLER: Okay.

23 PUBLIC ADVOCATE JAMES: In addition,
24 it's also my understanding that ACS, you have
25

1
2 your own housing unit to help youth and case
3 workers?

4 COMMISSIONER MILLER: Yes, we have
5 the housing support services. About a little
6 over a year ago we developed a more intentional
7 process for young people aging out of foster
8 care or seeking to apply for housing and we
9 have the housing academy collaborative, which
10 focuses on training young people to be better
11 tenants, help to connect them to employment
12 that in our view is training for things that
13 may be beyond low wage work, and also making
14 sure that they have educational resources. So
15 we assess young people who do attend the
16 housing academy to make sure that whatever we
17 could do to fortify not only the application
18 process, but expose them to different
19 educational vocational opportunities and
20 information about being a good tenant. That's
21 what we do in the housing academy. Additionally
22 for pregnant and parenting youth because of our
23 role as a child welfare agency we also give
24 them information about childcare and child
25 well-being and child development and safety.

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2 PUBLIC ADVOCATE JAMES: Just as an
3 aside, given the pre-k applications that are
4 coming out, have you--has the Administration
5 set aside a certain number of childcare slots
6 for youth who are dealing with childcare
7 issues?

8 COMMISSIONER MILLER: For youth who
9 are in foster care, we have a unit within ACS
10 where we work with pregnant and parenting young
11 people and we help them to access childcare. So
12 we did hold fairs. We gave information to our
13 provider agencies to make sure that those
14 young--the children of the youth who are in
15 care had opportunities not only for early
16 childcare slots but also pre-k slots, yeah.

17 PUBLIC ADVOCATE JAMES: Are they
18 given a priority?

19 COMMISSIONER MILLER: Yes.

20 PUBLIC ADVOCATE JAMES: Okay. It's
21 also my understanding that you have access to
22 NYCHA's database, which enables you to track
23 the progress of applications for housing. Is
24 that true?

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COMMITTEE ON GENERAL WELFARE

COMMISSIONER MILLER: Yes, we work with, through the Housing Academy. We work with NYCHA to track the progress of the housing applications.

PUBLIC ADVOCATE JAMES: Could you just walk me through the process of what you do to prepare young people? What is the process for a youth aging out of foster care? Walk me through that process. What happens? I'm about to become 21 and exit the system, what do you-- what services do you provide to me?

COMMISSIONER MILLER: Yeah, it starts earlier than that, but it's individualized. Our ultimate aim is to make sure young people who come to our attention depending on where their starting point to give them the resources that we believe that they need and that they think that they need to get to their goals. So if you--we have young people who are on the college track. We work with them to make sure not only do they get into college, but help them to maintain being in college. If you're in high school, if you're seeking a GED, it's really individualized. It should be nuanced

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2 because our aim is to help young people become
3 self-sufficient and good citizens. So we do
4 have the big benchmarks, which is a focus on
5 educational, vocational and housing, but
6 embedded in that we have some nuance based on
7 the needs of the young person.

8 PUBLIC ADVOCATE JAMES: And what age
9 do you start working with young adults that
10 will be aging out?

11 COMMISSIONER MILLER: Yes, 14.

12 PUBLIC ADVOCATE JAMES: Fourteen?

13 COMMISSIONER MILLER: Yes.

14 PUBLIC ADVOCATE JAMES: So I'm told
15 that you have, ACS has contracts with 31 not
16 for profits who work with foster care youth.
17 I'm told that some agencies are better than
18 others. What standards, what benchmarks, what
19 metrics do you use to determine the standards
20 and how successful these agencies are and what
21 metrics do you utilize?

22 COMMISSIONER MILLER: I'm going to
23 defer to--

24 PUBLIC ADVOCATE JAMES: [interposing]
25 Okay.

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COMMITTEE ON GENERAL WELFARE

COMMISSIONER MILLER: Peter Nabozny who is in our Policy Planning and Management.

PETER NABOZNY: Sure. So, hello everyone. I'd say--so we try to evaluate those 31 providers consistently, transparently. With them we share the kind of methodology that we evaluate them on, you know, prior to a fiscal year beginning, and broadly speaking our evaluation system for them falls into three areas. One's a focus on safety. Are youth safe while they're in foster care? Are they at risk of repeat maltreatment? You know, issues like that. Then there's a focus on permanency. Are youth leaving care? Are they leaving care to a parent, to adoption, or are they, you know, aging out of care? And finally, we focus on well-being. So, are youth getting the educational services that they need? Are the agencies providing care in a culturally competent manner? Are siblings being placed together when they do come into care? And, you know, we in our children staying in, you know, the appropriate settings, the lowest level of care that can maintain them, and you know,

1
2 there's a number of kind of submeasures within
3 in that, but that's a broad overview.

4 PUBLIC ADVOCATE JAMES: And over the
5 years, have you changed any of the--or have you
6 dropped or terminated the contracts with any of
7 these 31 agencies?

8 PETER NABOZNY: Yes.

9 PUBLIC ADVOCATE JAMES: You have?

10 PETER NABOZNY: Well, the 31
11 agencies that--ACS has ended contracts with a
12 number of foster care providers over the years.

13 PUBLIC ADVOCATE JAMES: Right.

14 PETER NABOZNY: The current ones in
15 so far as they have a contract with us, they're
16 going to--they continue to have contracts.

17 PUBLIC ADVOCATE JAMES: They
18 continue? And how long are these contracts on
19 average?

20 PETER NABOZNY: Three years with two
21 renewal periods.

22 PUBLIC ADVOCATE JAMES: And what is
23 the dollar amount for each foster care child
24 aging out?

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2 COMMISSIONER MILLER: It ranges
3 depending on their level of care.

4 PUBLIC ADVOCATE JAMES: Okay. And
5 what happens to young adults that have been
6 convicted of a crime and have been declined
7 housing, employment or any other benefit, what
8 happens to them? Does anyone track them?

9 COMMISSIONER MILLER: We visit
10 through our Older Youth Services Office or
11 Youth Justice work. We visit young people who
12 are on Riker's--Justice involved young people
13 whether they're on Riker's Island or if they're
14 involved in prisons or facilities upstate as
15 well as the DY of J [sic] facilities. So our
16 aim is to make sure that they have a child
17 welfare plan that is underneath whatever
18 sentencing that they have so that when they
19 return to the community that we still have a
20 plan in place and we just sort of pick up where
21 they left off. We don't want to see young
22 people who come out of being incarcerated come
23 back to the community and believe that they
24 don't have a child welfare placement, that they
25 can't return to. Obviously, we need to put

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2 more services in place, but it's better to do
3 that in a way that we've planning all along
4 than have to have a young person show up and we
5 have to start from that point. So we have a
6 team that visits weekly at Riker's Island, in
7 particular.

8 PUBLIC ADVOCATE JAMES: And do you
9 provide assistance? What assistance do you
10 provide youth in terms of getting support for
11 continued education, for employment? What's
12 the mechanism?

13 COMMISSIONER MILLER: What are the--
14 you mean, are you referring to youth who are
15 justice involved, or aging out.

16 PUBLIC ADVOCATE JAMES: Aging out.

17 COMMISSIONER MILLER: We provide a
18 range of support services. We also have our
19 provider agencies who provide supportive
20 services. Some of them have vocational programs
21 that they allow other children, other youth
22 from other agencies to attend, like Children's
23 Aide Society, Next Generation Center, Catholic
24 Guardian Society also has the Yes [sic]
25 Program. We have partnerships and linkages,

1 organizations like Year Up, Fegs [sic] Academy.
2 We try to do our best to expose our young
3 people to a range of opportunities. We just
4 completed a five borough college tour so that
5 young people can visit SUNY and CUNY school's
6 two to four year programs. Throughout the
7 system we took them to apply for college. We
8 want our young people to succeed.

10 PUBLIC ADVOCATE JAMES: So, as I
11 close, let me just say that the best way for us
12 to evaluate your success is through data to
13 determine whether or not in fact you are
14 following your methodology. A number of
15 individuals who have aged out of the foster
16 care system, and you're going to hear from some
17 many of them here today have indicated to me
18 that some agencies are better than others and
19 some have offered those services and others
20 have offered nothing other than a metro card
21 upon their exit. And so I, in order to
22 determine how successful or to determine
23 whether or not these agencies are in fact
24 following the law, we need to ensure that the
25 laws that have been--the legislation that has

1
2 been proposed today is in fact adopted into law
3 so that we can follow and determine, you know,
4 whether or not in fact there's permanency
5 planning going on or whether or not the
6 children or young people are just being shown
7 the door. And I would hope that you would work
8 with my office and I would hope that you would
9 work with the City Council so that we can reach
10 some sort of agreement with respect to moving
11 these bills forward, and I thank you for your
12 testimony here today.

13 COMMISSIONER MILLER: Thank you.

14 CHAIRPERSON LEVIN: Thank you,
15 Public Advocate James. Before I turn it over to
16 Council Member Cumbo, I just have a question
17 about following the outcomes of young people
18 who are aging out. Do we have data of currently
19 how many young people that have aged out of
20 foster care are gone into the DHS system,
21 either in the single adult or family shelters,
22 you know, within a three year time frame?

23 COMMISSIONER MILLER: Let me--one
24 second please.

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COMMITTEE ON GENERAL WELFARE

CHAIRPERSON LEVIN: DHS system or the DYCD system for runaway homeless kids as well.

COMMISSIONER MILLER: Right. We don't have ongoing data match with them about whether young people who left foster care at that point in time and then entered DHS or DYCD. No, we do not have. We did a data match with them before.

CHAIRPERSON LEVIN: Right, there was a data match done in April of 2013, so about a year ago. Is there a barrier to doing an ongoing data match? Is that something you might--

COMMISSIONER MILLER: [interposing] No, there's no barrier to doing an ongoing data match.

CHAIRPERSON LEVIN: So I think that that's part of the legislation being proposed today, but that's something. So there's no--if I, you know, and we maybe we'll get into kind of exactly what in the bill 104 ACS has objections to. That portion, ACS does not have an objection to doing ongoing data match.

COMMISSIONER MILLER: We collected--

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2 PETER NABOZNY: [interposing] So we
3 do have some--just to clarify, we had some data
4 that we regularly exchange with DHS that's
5 within a year of discharge from foster care,
6 not just for youth aging out of care. We'd have
7 to sort of--

8 CHAIRPERSON LEVIN: [interposing]
9 Right, right.

10 PETER NABOZNY: tease [sic] that
11 out, but we want to look more broadly at when
12 families, when children leave care, you know
13 are they--they could be discharged to their
14 parent at age 16. Are they, you know, is that
15 family ending up in the DHS system? Which is a
16 different, slightly different question, but
17 also youth who sign themselves out at 18, are
18 they ending up in that system.

19 CHAIRPERSON LEVIN: Right. You--a
20 young person discharged with a goal of APLA
21 [sic], that would be one way of--

22 PETER NABOZNY: [interposing] Yes,
23 that would--yeah, that would be one way to look
24 at it. It also, you know, it would be useful to
25 look at, you know, 21 and then entering

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2 subsequently. So I think that's--those are
3 things that we have exchanged with DHS in the
4 past and we've--

5 CHAIRPERSON LEVIN: [interposing] We
6 could disaggregate that, I think.

7 PETER NABOZNY: Yeah.

8 CHAIRPERSON LEVIN: I mean, we could
9 look at it and say, you know, and say by what
10 age and the method by which they were--

11 PETER NABOZNY: [interposing] Yeah,
12 exactly.

13 CHAIRPERSON LEVIN: the means by
14 which they were discharged from the foster care
15 system, but that's one area where we have the
16 ability to because there's been communication
17 with your sister agency at DHS to exchange that
18 data. We should be doing that on our ongoing
19 basis, you know, more than--it's now been over
20 a year since the last data match. Because I
21 think that according to the FPWA report that
22 was released on this January between 19 and 21
23 percent of youth who have aged out or were
24 discharges with the goal of APLA have ended up
25 homeless, and obviously the definition of

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2 homeless is also a broader than just in the
3 shelter system. There are young people that are
4 couch surfing and do not have permanent stable
5 housing, but that is--that speaks to obviously
6 a significant challenge and problem and one
7 that, I mean, that's why we're seeking data is
8 so that we can fully comprehend and we can
9 nudge the Administration or push the
10 Administration towards adopting new policies,
11 particularly around housing and education and
12 employment services and support services. But
13 without the data it's hard for us to know. So
14 we're going off of the, you know, the report
15 that shows, you know, 18 to 21 percent which is
16 around one in five. So that's something that we
17 can count on ACS doing in the coming months
18 regardless of this legislation, is that right?

19 PETER NABOZNY: Yeah, I mean, we've,
20 again, we've traditionally looked at within a
21 year, but you know, within three years, I mean
22 there's a--those things are all doable and
23 that's something that, you know, we can go
24 back--

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CHAIRPERSON LEVIN: [interposing]

Okay.

PETER NABOZNY: and work on, yeah.

CHAIRPERSON LEVIN: A year or two, I mean I'll be interested in that information as well. Okay, Council Member Cumbo?

COUNCIL MEMBER CUMBO: Thank you.

Good afternoon. Thank you, Chair. I wanted to ask in terms of the number that you gave in terms of it was 168 young people that aged out at the age of 18 at your last count. Is that number correct?

COMMISSIONER MILLER: Yes, calendar year--

COUNCIL MEMBER CUMBO: [interposing] What year was that in?

COMMISSIONER MILLER: They did not consent to remain in care; calendar year 13, 165.

COUNCIL MEMBER CUMBO: Calendar year 13?

COMMISSIONER MILLER: Yes.

COUNCIL MEMBER CUMBO: 165?

COMMISSIONER MILLER: Yes.

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2 COUNCIL MEMBER CUMBO: So is that
3 number dramatically going up or down over the
4 years?

5 COMMISSIONER MILLER: I mean, in
6 calendar year 12 we had 151 young people who
7 did not consent to remain in care. So it's
8 pretty--in the last two years it's pretty in
9 the same ball park, in the same range.

10 COUNCIL MEMBER CUMBO: Do you have at
11 this time for either years, do you have a
12 breakdown of, or are you able because they've
13 signed themselves out, do you have a breakdown
14 of what their status is currently in terms of
15 if they're enrolled in school, if they have
16 found themselves to be homeless or they have
17 found themselves to be arrested, or do we have
18 an understanding of what's happening
19 specifically and can you give me the
20 percentages of your reports showing what has
21 been the outcomes of those young people signing
22 themselves out?

23 PETER NABOZNY: So the DHS data that
24 we just kind of spoke about, that's one area
25 where we do have existing data exchanges. Other

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2 areas we, you know, we're working and we'd like
3 to--these are some of those legal and technical
4 hurdles that we have to work through for this,
5 but we often don't have access to, you know,
6 information about youth and what systems they
7 ended up in, and you know, we certainly don't
8 get reports from every college that may have
9 enrolled in and they are longer in care, and so
10 there's a question, you know, as to what access
11 could we get for those youth who have left
12 care.

13 COUNCIL MEMBER CUMBO: So currently,
14 a young person could check themselves out, sign
15 themselves out at 18 and currently the agency
16 would have no understanding of the future of
17 those young people and what their current state
18 is.

19 PETER NABOZNY: So there is a
20 requirement for ongoing work by those provider
21 agencies that head the child when they signed
22 out to continue to reach out to that child to
23 see how are they doing if they need assistance,
24 if they need to get connected to services.
25 That goes, you know, it occurs immediately

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2 after them signing themselves out of care
3 because this has been a concern of our system
4 for a number of years.

5 COUNCIL MEMBER CUMBO: So if a young
6 person found themselves arrested or they were
7 going through the criminal justice system in
8 any way, would there be any point in that young
9 person's experience that someone would ask them
10 if they have been a part of the foster care
11 agency? Would anything like that come up so
12 that you would also have that number or record
13 of understanding so that potentially also there
14 could be some services provided to that young
15 person during that time?

16 COMMISSIONER MILLER: You mean, the
17 other agencies asking whether young people were
18 in care?

19 COUNCIL MEMBER CUMBO: Correct.

20 COMMISSIONER MILLER: We don't know
21 exactly what other agencies would ask young
22 people who would come to their attention, but
23 what Peter was referring to is that when a
24 young person leaves care between 18 and 21 that
25 we do have supervision until 21. So our

1
2 provider agencies are in touch with those young
3 people. So if they do have challenges during
4 that time, they come to the attention of
5 provider agencies.

6 COUNCIL MEMBER CUMBO: The only
7 reason why I ask those questions is because I
8 understand in your testimony that you seem
9 positive of the intros, but at the same time
10 you also have a hesitancy in terms of the level
11 of transparency and the care to detail that we
12 may want, but it's also challenging that for
13 these young people that are checking themselves
14 out that today knowing that a lot of this
15 hearing was going to be about numbers and data,
16 that we can't provide that information today or
17 that you can't provide that information today
18 really makes it more--it really makes what
19 we're asking for even that much more important
20 because it's very important for us to have
21 those numbers. I wanted to ask another
22 question. Do you have reasons or have you done
23 surveys to find out why young people are
24 signing themselves out at 18? Is there any way

1
2 to understand what have been the circumstances
3 that have led them to say, "I'm out of here."

4 COMMISSIONER MILLER: I mean,
5 qualitatively, anecdotally, we do know from
6 young people they may want to return to their
7 family. They--being in foster care for young
8 people also requires them to accept services
9 and accept us as being part of their lives. For
10 them at some point, young people may say what
11 you said, "I'm out of here. I don't want to do
12 this things anymore. I don't want a case or a
13 contact. I don't want to come to your BYE [sic]
14 workshop." So those are some of the things that
15 come up. I mean, as--

16 COUNCIL MEMBER CUMBO: [interposing]
17 But there's not an exit kind of survey or
18 understanding of--

19 COMMISSIONER MILLER: [interposing]
20 We have a final discharge conference with young
21 people where we work with them and talk to them
22 about what is the plan going forward. So young
23 people, 90 days before they're discharged or
24 when they decide not to consent, we do work
25

1
2 with them. So those questions are addressed at
3 that conference.

4 COUNCIL MEMBER CUMBO: I also wanted
5 to know, I thought that was a great step that
6 they have gone on tours of different college
7 campuses, on the SUNY and CUNY levels as well,
8 but outside of the tour, and I understand that
9 you do prep work, is there any kind of real
10 pipeline or connection or partnership with
11 those universities in order to prepare those
12 young people to be prepared for college and
13 once they enter into college, is there any kind
14 of real, real, real partnership, something
15 that's in writing, something that lets us know
16 what is that pipeline and tracking system to
17 getting our young people into those
18 institutions?

19 COMMISSIONER MILLER: So our--our
20 young people do--we do benefit from the
21 relationship that New Yorkers for Children also
22 has with our young people so they are part of
23 the conversation for young people who are
24 accessing or want to access college. We are
25 working with CUNY to see what data share we

1
2 could do with them because we do want--if you
3 get to college, we want you to succeed. So we
4 really are--work with them and we also have on
5 our staff a college advisor, so to speak, who
6 helps young people with, some of the variance
7 for them could be, "I don't understand
8 financial aid. Where am I going to stay when
9 college goes on break?" Or, "I'm having
10 difficulty with a foster parent."

11 COUNCIL MEMBER CUMBO: I apologize
12 for interrupting you. You said that you have a
13 college advisor. Is it not a department, or is
14 it a team, or is it--

15 COMMISSIONER MILLER: [interposing]
16 It's two people. I mean, this is particularly
17 for young people who are 21 or 23 who are still
18 in college and connected to ACS. We continue to
19 support young people between the ages of 21 and
20 23 if they are in college. So that person
21 because they're no longer connected to a
22 provider agency necessarily. We have a point
23 person right at ACS where they can call to help
24 them navigate whatever issues come up.

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COMMITTEE ON GENERAL WELFARE

COUNCIL MEMBER CUMBO: What about prior to that? How many people are on staff?

COMMISSIONER MILLER: That's in our provider agencies. That's the role of the provider agency. So our college person does work with our provider agency, but they have case planning staff and case management for that young person, up until the age of 21.

COUNCIL MEMBER CUMBO: Who is that case provider?

COMMISSIONER MILLER: It depends on the provider agency. You were--let me back out of it a little bit.

COUNCIL MEMBER CUMBO: Please.

COMMISSIONER MILLER: So, between 18 and 21--

COUNCIL MEMBER CUMBO: [interposing]
Yes.

COMMISSIONER MILLER: the case planner in the provider agency would be the main point person for working with a young person in access in college. Between--

COUNCIL MEMBER CUMBO: [interposing]
So this would be, and excuse me because I'm new

1
2 to this. So this would be a whole other
3 organization--

4 COMMISSIONER MILLER: [interposing]
5 Yes.

6 COUNCIL MEMBER CUMBO: that you're
7 outsourcing.

8 COMMISSIONER MILLER: Our contract
9 agents.

10 COUNCIL MEMBER CUMBO: Or you're
11 contracting with?

12 COMMISSIONER MILLER: Yes, which is
13 our 31 provider agencies.

14 PETER NABOZNY: So every child, every
15 child in foster care in New York City is placed
16 with one of these 31 provider agencies. And
17 that agency has responsibility for case
18 planning as Benita was saying, which includes
19 all sorts of different activities, but one of
20 those activities is educational planning and
21 support for that young person.

22 COMMISSIONER MILLER: Right.

23 COUNCIL MEMBER CUMBO: How robust is
24 it? How expansive is it? How are they
25 evaluated? Does it change from year to year? I

1
2 mean, I--when I hear of the amount of young
3 people coming through ACS and through our
4 foster care agency, these are tens of thousands
5 of young people. So when we're talking about
6 one or two people or we're talking about people
7 that are--or agencies that are doing that and
8 something else, really want to get an
9 understanding of--

10 COMMISSIONER MILLER: [interposing]

11 So through Project School Success, ACS also has
12 their education unit who work--that unit works
13 with those case planners and the provider
14 agencies to make sure that they have accurate
15 and up to date information about from zero to
16 21 what's happening for educational, the
17 educational needs of young people, specifically
18 for the sli--young people you've identified, 18
19 to 21, we do have outreach with them, and they
20 also have opportunities to attend training
21 workshops that are provided through New Yorkers
22 for children.

23 COUNCIL MEMBER CUMBO: Are you happy
24 with this system and the results?
25

1
2 COMMISSIONER MILLER: We could always
3 work harder and do better for children.

4 COUNCIL MEMBER CUMBO: Okay, thank
5 you.

6 CHAIRPERSON LEVIN: Thank you,
7 Council Member Cumbo. I'm going to turn it
8 over to Council Member Vanessa Gibson.

9 COUNCIL MEMBER GIBSON: Thank you
10 very much, Chair Levin and our Public Advocate
11 for your leadership and my colleagues that are
12 sponsors of the bills. Thank you for coming
13 this morning. I appreciate your testimony and
14 information. I guess I'm a little troubled. The
15 three pieces of legislation that we are
16 proposing, while there is no position, I
17 certainly hope that the agency would continue
18 to have conversations with us, because in your
19 testimony you've talked about so many different
20 organizations, the Teen Specialist Unit, the
21 Fatherhood Initiative; Claremont is in my
22 district in the Bronx, so I know the great work
23 that they do, the Young Parents Forum, the
24 Youth Justice for Cross-over Youth, and I guess
25 my question is, is we still have a major

1
2 disconnect. There are still thousands of young
3 people that are in the foster care system and
4 for some reason many of them are leaving at 18,
5 and I guess one of the things that I've seen, I
6 represent Bronx County, and in my district
7 Highbridge has one of the largest
8 concentrations of children in foster care. Some
9 of the conditions that they are in the midst of
10 in foster care is a reason why many of them
11 leave and just simply not having people that
12 really understand their needs, because so many
13 of the foster care children come from poverty
14 stricken neighborhoods and other challenges. I
15 just want to understand some of the
16 collaborations that you have. In addition to
17 the 31 contracts that you talked about with
18 providers, what other types of collaborations
19 do you have to really get to the heart of some
20 of these challenges? Because although we've
21 had a steady decline in the number of youth
22 aging out of the foster care system, overall,
23 we still have a high population of youth that
24 are 12 years and older. So I feel like there
25 has to be specifics on how we get to the older

1
2 youth that are in foster care and what types of
3 collaborations do you have other than just the
4 contracts that you have?

5 COMMISSIONER MILLER: I mean, for us,
6 we want to strengthen our collaborations and
7 community, because that's where young people
8 live, that's where young people thrive.
9 Specifically, when we talk about young people
10 who are in care over the ages of 12, we need--
11 we will and we try to deepen our relationships
12 with Department of Education, where young
13 people show up already, right? Because before--
14 -we don't pick when young people come to us.
15 It's our job to help them once they get there.
16 So it matters that we have these deeper
17 relationships with the Department of Education
18 or child touching agencies, so to speak. We do
19 work with community-based organizations such as
20 Claremont, but again, it's very nuanced based
21 on how young people show up to us. So we did
22 see--the reason why we developed those
23 relationships that exist now was based on what
24 we--the profile of the young people that we
25 were seeing and the needs and how they've

1 articulated to us what they need to be better
2 prepared to leave our system. So we had young
3 parents in our system. We wanted to build a
4 network of services and support for them,
5 because as we all talk about, those are the
6 young people who tend to come back to us as,
7 you know, child welfare involved parents.

9 COUNCIL MEMBER GIBSON: Right.

10 COMMISSIONER MILLER: For young
11 people who are justice involved, it makes sense
12 for us to deepen our work with our agencies
13 such as DOC and cross divisionally with the
14 Department of--Division of Youth and Family
15 Justice to make sure if you are a young person
16 who were in foster care and you came to the
17 attention and became justice involved, that we
18 had a set of services and support for you so
19 that when your child welfare plan was--they
20 were still happening. So we, as best we can,
21 we're trying to meet the gaps, and we do work
22 with community based organizations so that
23 we're more of a an external facing agency so
24 that our kids and our young people are getting
25 the services and support that they need not

1
2 only from us but from the people that they see
3 every day in their communities.

4 COUNCIL MEMBER GIBSON: Right. So
5 the other two questions I have relate to
6 employment and housing. So Bronx County has one
7 of the highest unemployment rates in the state.
8 Jobs is one of the most important components of
9 youth aging out to Segway into jobs. What unit
10 or what types of collaborations do you have
11 with getting young people employable,
12 skillable, those that can get into
13 apprenticeship programs so that they can build
14 some of the technical skills that are really
15 important because of all the development going
16 on around the city. The Mayor's Housing New
17 York Plan, I applaud, has a supportive housing
18 component, but what I don't know is where that
19 falls in on housing specific for youth aging
20 out of the foster care system. I know that
21 there is an allotment of 100 apartments for
22 public housing. That's certainly not enough at
23 all. So I know that we need to make that more
24 available, but also the subsidy. Rents are
25 really high across the city. How are we

1 providing the opportunities? The 300 dollar
2 subsidy is certainly not enough for any young
3 person or any adult for that matter to live in
4 the city of New York. So are you working with
5 the Mayor, with HPD to see how we can tap into
6 the supportive housing specific for youth aging
7 out of the foster care system, because I think
8 a lot of the providers are getting that that is
9 a good concept, but we don't have enough of it.
10 I also want to, you know, say in the Bronx I'm
11 really proud because we have the very first
12 grandparent raising their grandchildren,
13 keeping them out of the foster care system. So
14 it's a successful model that works and I
15 encourage us to continue to look at other types
16 of models like that because the cycle continues
17 as intergenerational cycle of poverty, and if
18 we don't provide open doors of opportunity for
19 these young people we're setting them up to
20 fail. And all of these great programs we talk
21 about, nothing gets done. It sounds good on
22 paper, by my question is how do we translate it
23 into reality.
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COMMITTEE ON GENERAL WELFARE

COMMISSIONER MILLER: I'm going to start from the--

COUNCIL MEMBER GIBSON: [interposing] That's fine.

COMMISSIONER MILLER: Try to start from the top.

COUNCIL MEMBER GIBSON: That's fine. Jobs, economic development, yes, jobs.

COMMISSIONER MILLER: So our aim at ACS is to help our young people move beyond low wage work or those first work experiences. We do use young adult internship programs in those things, but to really, really sustain yourself as an adult, we know that our young people need access to higher wage work or opportunities to learn--

COUNCIL MEMBER GIBSON: [interposing] Right.

COMMISSIONER MILLER: a skill. So we do try to connect our young people to programs like Year Of [sic], Fegs [sic] Academy, through New Yorkers for Children; they have opportunities so that there's a program at Walgreens so the young people can learn how to

1
2 be pharmacists. So we try to--if I--we can't--
3 all of the young people don't fit neatly into
4 boxes. Our goal and our aim and our relentless
5 desire is to figure out where you are in your
6 life and give you what you need. So that's what
7 we really work to do, and that means that we
8 have to work hard to build relationships with a
9 range of partners both public and private so
10 that we can get services and supports to young
11 people. Specifically, we do work with the Adore
12 [sic]. We do work with Job Core Co-opt, to Fegs
13 Academy, Fair Cap [sic] and with DYCD. So those
14 are some of our specific programs that we work
15 with. And again, as young person shows up,
16 it's our opportunity and our obligation to help
17 explore resources that matter to them. As I
18 mentioned, many of our provider agencies also
19 have job training programs. Catholic Guardian
20 Society has the Yes program, which helps young
21 people get employment at the airport, and
22 that's a good opportunity because it's 24
23 hours. So no--whether you're in school, if
24 you're parenting, it gives you a opportunity to
25 work. In terms of public housing, I just want

1
2 to state that we don't have a hundred set aside
3 apartments, what we have is a priority code
4 with NYCHA, which allows young people to apply
5 for NYCHA under a priority code. What we know
6 is that our young people do have access to
7 NYCHA apartments, but there is no set aside
8 slot necessarily. So I just wanted to say
9 that. Housing subsidy, there is a bill being
10 introduced at the state level to increase the
11 housing subsidy from 300 to 600 by Kareem
12 [sic]--

13 COUNCIL MEMBER GIBSON: Kamara [sp?].

14 COMMISSIONER MILLER: Yeah, because I
15 butcher people's names. So he's introduced a
16 bill to increase that. But wedded [sic] to
17 that, we do know that we still need to make
18 sure that young people are employable and that
19 they're educated and that they're prepared to
20 be self-sufficient good active citizens. So
21 that's our goal. Lastly, with the five borough
22 housing plan, we have been involved in
23 conversations with--we were part of that and we
24 are working continued with the advocate SHNY
25 [sic] as well as HYPD to get support, increase

1
2 the supportive housing slots that are available
3 to young people, particularly those who are
4 parenting as well as young people who are
5 exiting the justice system. And lastly, we do
6 know the Grandparents Network. We're very
7 involved with that through our adoption, and
8 Ken Gap [sic] Support Services, so we are in
9 regular contact with them as well.

10 COUNCIL MEMBER GIBSON: Okay, thank
11 you.

12 COMMISSIONER MILLER: You're welcome.

13 COUNCIL MEMBER GIBSON: Thank you,
14 Mr. Chair.

15 CHAIRPERSON LEVIN: Thank you Council
16 Member Gibson. Council Member Carlos
17 Menchacca?

18 COUNCIL MEMBER MENCHACCA: Thank
19 you, Chair Levin, and thank you again for
20 testifying today. What I want to do is we've
21 had a lot of really in depth questions, and so
22 I'll focus on a little bit of what I think
23 could have been just an oversight, but I want
24 to hear more about in addition to your
25 testimony you gave and that's really two

1
2 different populations that are within the
3 foster care system, and that's the LGBT youth
4 population and immigrant, English language
5 learners that are part of this foster care
6 system. And so really, maybe I'll start there
7 and give you the opportunity to speak first
8 before I go into some of the questions that I
9 have. But how do those two populations relate
10 to the work you're doing and specifically about
11 the reporting we're asking you to do and the
12 three bills that I've signed onto.

13 COMMISSIONER MILLER: So as you know,
14 we do have the Office of--Rose Perry is our
15 Senior Director or Director of the Office of
16 LGBTQ Policy Planning and Measurement. I
17 believe that's what his office called evolves
18 [sic]. At any rate, we do focus on making sure
19 that we're creating a firm system so that young
20 people, LGBTQ youth have an opportunity to get
21 the same set of services and enhances services.
22 So we have partnerships with Allie Forney
23 [sp?], the LGBTQ Center, as well as with
24 Hendrick Martin, and also with fairs. We want
25 young people to be able to get a set of

1
2 services, but to also be young people while
3 they're in care. So we--

4 COUNCIL MEMBER MENCHACCA:

5 [interposing] How does that look across the 31
6 agencies that are currently being contracted,
7 and do you feel confident that that's a
8 consistent measure of cultural competency
9 across the system?

10 COMMISSIONER MILLER: I feel

11 confident that that's our consistent message to
12 them and our instruction to them that they will
13 be in a firmer [sic] system. We continue to
14 train and identify when they fall short of our
15 expectations. So we do, on individual cases.
16 Rose works with a licensed clinical social
17 worker who helps to instruct and inform our
18 provider agencies when young people or staff
19 people identify issues that come up.

20 COUNCIL MEMBER MENCHACCA: Well, what

21 I want to do is just go back to--I think there
22 were several Council Members/Public Advocate
23 questions that really pertain to the fact that
24 anyone is opting out of services that we're
25 providing for them as a city and just in the

1 cases, the handful of cases that I've been
2 intimately involved in and just tracking
3 myself. There are issues with the LGBT
4 cultural competency across the board, and so I
5 hear you, and so we're going to want to make
6 sure that we continue to understand what those
7 gaps are and filling them in. Tell me a little
8 bit about the immigrant, specifically English
9 language learners youth that are in the system
10 that you're interacting with.

12 COMMISSIONER MILLER: Well, in our
13 Office of Advocacy we do have a person
14 dedicated to helping and assist when there are
15 issues that come up with English language
16 learners. We do work to make sure the English
17 language learners are in the appropriate foster
18 care placement so that they get the services
19 and support that they need, which requires us
20 to be very intentional about our recruitment of
21 foster parents as well as focusing, helping our
22 agencies to focus on making sure that they have
23 culturally competent services, not only
24 culturally competent, but they also have what--
25 for older young people what they tend to say is

1
2 one to have someone to speak with them, both in
3 their--which is, you know, they should in their
4 language or also know about where they come
5 from and their set of services and needs.

6 COUNCIL MEMBER MENCHACCA: What are
7 the major issues that you're finding for
8 immigrant youth in the foster care system? As
9 they start to age out.

10 COMMISSIONER MILLER: Anecdotally,
11 you want anecdotally? We--

12 COUNCIL MEMBER MENCHACCA:
13 [interposing] Do you have any data or--so let's
14 just say anecdotal.

15 COMMISSIONER MILLER: Anecdotally,
16 what's been reported to us is making sure that
17 they stay connected to their family. If they--
18 their religion in the instances particularly
19 for Muslim youth, helping us to identify homes
20 for older youth that are culturally competent
21 and could provide the set of services that they
22 need. Making sure that they stay connected to
23 their community and their culture. So that's
24 what we really focus on making sure that our
25

1
2 agencies get the message that that is the
3 expectation.

4 COUNCIL MEMBER MENCHACCA: Great.

5 Well, I'm going to pause there because I know
6 there are a lot of folks that want to testify
7 but I just want to let you know that I'm going
8 to be fiercely committed to making sure that we
9 move from anecdotal, which is all I have right
10 now and what all I'm hearing right now is what
11 you have, to move into a real sense of data
12 crunching so that we understand what's
13 happening to both of these populations and that
14 the bills that we're moving forward in the
15 committee can help address that information for
16 both of us. And so these are--you know, when
17 we look at that vulnerable populations that the
18 youth, our foster youth are already compared to
19 their peers in school in the city, there's just
20 absolutely no reason why they should be opting
21 out and I'm hoping we can move to a place where
22 they want to stay in for the full, the full
23 time and are actually receiving high quality
24 services from all the services providers. And
25 so a lot of us are just in now from the City

1 Council and we're going to be working together
2 to make sure we can get us there. Thank you.

3 CHAIRPERSON LEVIN: Thank you,
4 Council Member Menchacca. Public Advocate
5 James has a follow-up question.

6 PUBLIC ADVOCATE JAMES: I just want
7 to close by saying--by just providing you with
8 some information. So, in 2006, ACS developed a
9 plan for preparing youth for adulthood. As you
10 know, the acronym is PYA, the goals of PYA are
11 one, youth with have permanent connections to
12 caring adults. Two, youth will reside in stable
13 living conditions. Three, youth will be
14 afforded opportunities to advance their
15 education and personal development. Four, youth
16 will be encouraged to take increasing
17 responsibility for their work and life
18 decisions. Five, young people individual's
19 needs will be met, and six, youth will have
20 ongoing support after they age out of care.
21 That's what PYA--those are principals of PYA,
22 and you've incorporated that into your policy,
23 but the reality is that NYCHA apartments are
24 very limited. Residents, individuals who are
25

1
2 aging out are not given a priority. Individuals
3 with special needs are not given a priority and
4 in fact, based upon my research, ACS has really
5 no established system of after care services
6 for youth who have aged out of the system. So
7 notwithstanding PYA, the reality is is that
8 there really is no aftercare program, after
9 care services for youth who are aging out of
10 foster care. I don't know if I mentioned the
11 bill that I've introduced, Intro 104 is the
12 same bill verbatim that was introduced by then
13 Public Advocate Bill de Blasio, our Mayor. It
14 is the same bill, and we find ourselves at a
15 difficult point in that a bill that was
16 sponsored by Public Advocate Bill de Blasio,
17 now Mayor Bill de Blasio, his Administration
18 has raised concerns. There's--that raises a
19 conflict, an embarrassing conflict. And so I
20 would hope that you would work with my office.
21 I would hope that you would work with the City
22 Council in moving this bill forward and finding
23 some common agreement and in providing services
24 to these young people who are aging out, and
25 also let me just say, individuals with

1 disabilities, people with special needs, young
2 people with special needs, I think should be
3 given special consideration and we should look
4 at exceptions to the rule for individuals with
5 special needs who are aging out of the system.
6 Those are really my comments. I've heard a lot
7 of today. Needless to say, I'm sort of
8 disappointed and I hope that we can continue to
9 work together to address the needs of the most
10 vulnerable in the city of New York, and I thank
11 you.
12

13 COMMISSIONER MILLER: Much
14 appreciated.

15 CHAIRPERSON LEVIN: Thank you,
16 Public Advocate James. So, Deputy Commissioner,
17 I'm going to try to keep this as quick as
18 possible, but there's a number of questions
19 that we've prepared that we want to get in for
20 the record here and if everybody--I know that
21 that's waiting to testify. Again, I apologize
22 for taking so long to start this morning. I'll
23 try to get through this as quickly as possible.
24 I want to actually follow up and go back to
25 what Public Advocate James was just referring

1 to which is the PYA report from 2006. So in
2 reading through this over the weekend, each of
3 those goals that Public Advocate James just
4 mentioned in the report is followed by action
5 plans and then measurable outcomes. And
6 looking at the measurable outcomes, what struck
7 me was how much the measurable outcomes from
8 the PYA report jive with the legislation being
9 currently proposed. So I want to go through
10 these measure by outcomes if we could one by
11 one here. They're not too many of them. So
12 within the goal number one of youth will have
13 permanent connections to caring adults, the
14 first measurable outcomes was to increase the
15 percentage of teens discharged to
16 adoption/reunification with family to increase
17 that from 22 percent to 30 percent, and to
18 increase the percentage of teens who have a
19 mentor from six and a half percent to 15
20 percent. This is on page six of the PYA. Has
21 that been achieved at this point? Because this
22 is now eight years from when--

24 COMMISSIONER MILLER: [interposing]

25 Respectfully, I'm trying--I'm sorting through

1
2 the material to find the report that you're
3 referring to.

4 CHAIRPERSON LEVIN: It's the ACS June
5 2006 Preparing Youth for Adulthood Report from--
6 -yeah, from June of '06, which is now exactly--

7 COMMISSIONER MILLER: [interposing] I
8 didn't get--

9 CHAIRPERSON LEVIN: eight years ago.

10 COMMISSIONER MILLER: I didn't get--
11 one second. I just want to apologize. We
12 didn't get these questions in advance, so--

13 CHAIRPERSON LEVIN: [interposing]
14 Okay.

15 COMMISSIONER MILLER: because they
16 were from a prior administration we can follow
17 up and give you the answer.

18 CHAIRPERSON LEVIN: Okay.

19 COMMISSIONER MILLER: At a later
20 time. Is that acceptable?

21 CHAIRPERSON LEVIN: Okay, sure.
22 Yeah, but I do want to go through them.

23 COMMISSIONER MILLER: That's fine.

24 CHAIRPERSON LEVIN: I apologize. I
25 didn't give you these questions in advance. I

1 was going through this over the weekend here.
2 So those were the two measureable outcomes that
3 were sought, identified under the goal of youth
4 will have permanent connections with caring
5 adults. So goal number one is increasing the
6 percentage of discharges to adoption and
7 reunification by 30 percent and the teens that
8 have mentors from six and a half percent to 15
9 percent. Goal number two, youth will reside in
10 stable living situations. The measurable
11 outcome, a baseline measurement of the use of
12 DHS and DYCD shelters by former foster youth
13 will be established over the next year, and the
14 percentage of discharges you shall use these
15 shelters within two years of discharge will
16 decrease. So measurable outcome being a
17 baseline measurement which we spoke about. I
18 mean, there was a data match in 2013.

19
20 COMMISSIONER MILLER: Right.

21 CHAIRPERSON LEVIN: And but working
22 towards decreasing that percentage of children
23 that are former foster youth from using those
24 shelter systems. We can go--I don't want to go
25 all into every action that is put forward as

1 part of the plan. It's on--this is on ACS's
2 website. The goal number three is youth will be
3 afforded opportunities to advance their
4 education and personal development. In
5 talking, the actions would be working with the
6 resources, working with and resource as
7 providers to improve educational outcome such
8 as attainment of high school diplomas, GED,
9 post-secondary education and ongoing work and
10 collaboration of the Department of Education
11 which you spoke to before. But the measureable
12 outcome, the baseline measurement of the number
13 of youth achieving high school diplomas and GED
14 will be established over the next year and the
15 percentage of youth achieving high school
16 diplomas and GEDs will increase. So that would
17 then speak to Bill, which bill, Council Member
18 Dromm sponsored bill to get a baseline of the
19 number. That's one thing that we--certainly we
20 need to know what the percentage is of youth in
21 foster care who have received high school
22 diplomas and GEDs in order to increase that
23 number, obviously. Baseline measurement, the
24 percentage of youth entering a credit post
25

1 secondary educational programs will be
2 established over the next year and the
3 percentage of youth entering such programs will
4 increase is another measureable outcome put
5 forward. In goal four, youth are encouraged to
6 take increasing responsibility for their work
7 in life decisions and their positive decisions
8 will be reinforced. Going through one of the
9 actions in this is actually the other bill--I'm
10 sorry, I apologize. The bill, it was Council
11 Member Cumbo's bill is the high school diplomas
12 bill, but this one speaks to Council Member
13 Dromm's bill, which is Children's Services are
14 required that youth must be in possession of
15 necessary records including driver's license,
16 state ID, birth certificate, immunization
17 records at the time of discharge from foster
18 care. And the measureable outcomes, baseline
19 measurement of the percentage of youth enrolled
20 in vocational programs will be established over
21 the next year. Percentage of youth enrolled in
22 these vocational programs will increase. A
23 baseline measurement of the percentage of youth
24 with work experience will be established over
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1
2 the next year and that percentage will increase
3 and the number of youth sentence through DJJ
4 and corrections will decrease. Obviously, we
5 would need to know what that number is and
6 establish the baseline in order to measure the
7 decrease. Goal number five, young people's
8 individual needs are met. The--one thing that
9 came up actually in this--one of the actions
10 here in terms of parenting teens is ACS is
11 partnering with New York Department of Health
12 and Mental Hygiene to enroll foster youth who
13 are mothers in the evidence based Nurse Family
14 Partnership to ensure good outcomes for the new
15 mother and child. That was one thing that
16 jumped out at me because with--you mentioned in
17 your testimony we know the number of young
18 mothers that are in the foster care system, and
19 it's--you said it was a 100 and--

20 COMMISSIONER MILLER: [interposing]

21 That's who are in our Mother/Child blended
22 residential settings.

23 CHAIRPERSON LEVIN: Right.

24

25

1
2 COMMISSIONER MILLER: And then we
3 have young women who are in treatment family
4 foster care or family foster care.

5 CHAIRPERSON LEVIN: Okay. We have a
6 Nurse Family Partnership system in New York
7 City that could reach every single one of those
8 young moms. Are we--I mean, this is one
9 question that I want to see happen, it's one
10 thing I want to see happen is every young mom
11 that has, that's either in the foster care
12 system or was in the foster care system should
13 have a Nurse Family Partnership case.

14 COMMISSIONER MILLER: Right. So one
15 of the--I don't want to say challenges. One of
16 the, again, the nuance of children or youth in
17 care, there are requirement with NFP that, you
18 know, you have to be under 28 weeks pregnant,
19 first time pregnancy.

20 CHAIRPERSON LEVIN: Right.

21 COMMISSIONER MILLER: So, sometimes
22 our young parents don't always tell us, right,
23 until it's later term--

24 CHAIRPERSON LEVIN: [interposing]
25 Yeah.

1
2 COMMISSIONER MILLER: where they're
3 making a decision whether they want to enroll
4 or they are experiencing--although we've seen a
5 decrease of secondary birth.

6 CHAIRPERSON LEVIN: Right.

7 COMMISSIONER MILLER: Right? Or they
8 come into care pregnant already, which is why
9 we had obtained specialist units so that we
10 cannot only provide services. They can have
11 NFP, but a set of services that are provided
12 that will also meet their needs if they're not
13 eligible for those basic requirements under
14 NFP, the Nurse Family Partnership. But we do
15 have a relationship with DOHMH to make sure
16 that young people who want to enroll can
17 enroll.

18 CHAIRPERSON LEVIN: Right. If they
19 qualify, they should have that case. I mean,
20 that Nurse Family Partnership evidence based
21 has a, you know, clear outcomes and support for
22 young moms would be very effective in that
23 setting. So I'm glad to hear. I would love to
24 know how many of the young mothers in the
25

1
2 foster care system have a Nurse Family
3 Partnership case.

4 COMMISSIONER MILLER: Okay.

5 CHAIRPERSON LEVIN: Do you know the
6 number off hand or?

7 COMMISSIONER MILLER: I do not know
8 that number off hand. We can find that out for
9 you.

10 CHAIRPERSON LEVIN: I would love to
11 know what it is.

12 COMMISSIONER MILLER: We could also
13 give you--

14 CHAIRPERSON LEVIN: [interposing] And
15 then working--

16 COMMISSIONER MILLER: [interposing] a
17 breakdown of what other services if they fall
18 outside of that, that they're having access to
19 as well as--

20 CHAIRPERSON LEVIN: Great, okay.
21 And then just going back to the PYA, the last
22 goal which is aged out youth will have ongoing
23 support, and the action is Children Services
24 will provide technical assistance for foster
25 care providers to strengthen the discharge

1
2 planning process including ensuring that all
3 youth are connecting a caring adult at
4 discharge. The measurable outcome baseline
5 level of usage of after care programs will be
6 established and program elements funded by ACS
7 will be tailored to reflect the needs of former
8 foster youth. And so that one, I think, broadly
9 speaks to why we're having the hearing today,
10 which is that I think we need to start looking
11 at what we can do for youth beyond what we're
12 currently doing for youth that have aged out
13 and creating a baseline level of usage as the
14 PYA says funded through ACS for after care.

15 COMMISSIONER MILLER: I just want to
16 say that ACS isn't saying that we are refusing
17 to provide the data requested. We do not
18 collect all of it, and we want to work with you
19 to explain what we can collect and what we can
20 share. We're not prepared to present the data
21 requested because as I understand it, we just
22 started these conversations. So we want to work
23 with you to build on what we've learned today
24 and go forward.

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COMMITTEE ON GENERAL WELFARE

CHAIRPERSON LEVIN: Okay. But I think one thing to go back to is go back to now, you know, the PYA being the manifesto or the document by which we are--it's the agency's document, the agency's blueprint. And we should be looking, going and saying how have we done in adhering to that blueprint, and if the blueprint needs to be updated. Its eight years ago. It's a different realities on the ground now. You know, maybe we can update that. But I think that that's one thing we should really be looking at closely.

COMMISSIONER MILLER: Okay.

CHAIRPERSON LEVIN: Okay, I'm going to--

COMMISSIONER MILLER: [interposing]
And may I just also add--

CHAIRPERSON LEVIN: [interposing] Of course.

COMMISSIONER MILLER: Around NYCHA, again we do have a priority code with NYCHA. I just want to--because I think we've said it twice that we don't have a priority code. We do have a priority code, and for special

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2 populations who need to access services,
3 particularly to OPWDD and OMH systems. We do
4 work with those young people, and we work with
5 them beyond their 21st birthday to make sure
6 that they are in stable living situations.

7 CHAIRPERSON LEVIN: Okay. A
8 different priority code than the N0 [sic]
9 priority.

10 COMMISSIONER MILLER: We have it, N0,
11 right? We have N0.

12 CHAIRPERSON LEVIN: N0, right. For
13 every child that's--for every young person
14 that's aging out.

15 COMMISSIONER MILLER: Yes.

16 CHAIRPERSON LEVIN: So it's not a
17 different one for those other--okay. Because
18 okay, so then speaking to NYCHA because I do
19 want to actually bring up an issue that we've
20 now encountered here. The issue of the
21 presumptive budget letter, something we've
22 heard quite a bit about. Young people cannot
23 get that, it seems like, in time in order to
24 get that priority code. So aside from the fact
25 that we don't have--just a second. Aside from

1
2 the fact that there's not enough units in NYCHA
3 and we spoke about this, that there's only a
4 couple of hundred studio apartments and NYCHA
5 will only allow young people to be aging out of
6 the foster care system to be in a studio
7 apartment. Then--and there's only a couple of
8 hundred of those, or how many are available?

9 COMMISSIONER MILLER: So--

10 CHAIRPERSON LEVIN: [interposing] A
11 year? How many we get turned over?

12 JACKIE ROTH: Three to four hundred.
13 Three to four hundred NYCHA studio apartments
14 turn over annually.

15 CHAIRPERSON LEVIN: And how many
16 applications from young people coming out of--

17 JACKIE ROTH: Probably over--between
18 6-700 applications.

19 CHAIRPERSON LEVIN: And--

20 JACKIE ROTH: Are submitted.

21 CHAIRPERSON LEVIN: And every one of
22 those that becomes available is placed by a--
23 with the NYCHA--with a child opting out of--or
24 aging out of foster care is that right?

1
2 JACKIE ROTH: So, all of our young
3 people between the ages of 18 to 21 are
4 eligible to apply for this priority code. NYCHA
5 actually finds them eligible and issues the
6 priority standing. I want to go--can I address
7 the presumptive budget?

8 CHAIRPERSON LEVIN: Yes. Yes.

9 JACKIE ROTH: So the presumptive
10 budget letters are issued by HRA.

11 CHAIRPERSON LEVIN: Right.

12 JACKIE ROTH: We actually, in our
13 centralized area, have a collaborative
14 relationship with HRA where when a presumed
15 [sic] budget letter which is for an income
16 requirement in order to be able to, you know,
17 secure NYCHA housing. When they request it, HRA
18 will issue us a presumed budget letter if a
19 young person is between the ages of 20 and a
20 half--

21 CHAIRPERSON LEVIN: [interposing]
22 Right.

23 JACKIE ROTH: and 21.

24 CHAIRPERSON LEVIN: Right. So, but
25 if they--you know, is that--because what we've

1
2 heard is that that's not always--it doesn't
3 always come by the 21st birthday.

4 JACKIE ROTH: So, if it's requested
5 and there is not a long turnaround. I think
6 last year we requested about 110 presumptive
7 budget letters from HRA and the wait is not
8 long. It is usually within one business week.
9 Is that correct?

10 CHAIRPERSON LEVIN: Okay. So if there
11 are challenges and I'll guess we'll hear from--

12 JACKIE ROTH: [interposing]
13 Absolutely.

14 CHAIRPERSON LEVIN: the public in a
15 little bit that--do you know what those
16 problems then would be?

17 JACKIE ROTH: So it might be for
18 younger than 20 and a half. So young people
19 between the ages of 18 and 20 and a half that
20 are requesting presumptive budgets do not meet
21 the HRA requirement for the age range up to 20
22 and a half.

23 CHAIRPERSON LEVIN: And therefore,
24 they couldn't qualify for a NYCHA apartment?

1 JACKIE ROTH: They would not be
2 eligible to get the presumptive budget letter

3 CHAIRPERSON LEVIN: And therefore
4 wouldn't be able to get into a NYCHA apartment.
5

6 JACKIE ROTH: Unless they had another
7 source of income.

8 CHAIRPERSON LEVIN: Which is--

9 JACKIE ROTH: [interposing] So which
10 would be either, you know, which would be
11 stable employment or SSI.

12 CHAIRPERSON LEVIN: But it presents--
13 I mean, so if a young person wanted to opt out
14 of the foster care system before the age of 20
15 and a half, they couldn't--because they can't
16 and they don't have enough income to satisfy
17 the NYCHA requirement and they can't qualify
18 for cash assistance because they're under ACS's
19 care, then they can't do any of that until they
20 reach the age of 20 and a half. So what if a 19
21 or a 20 year old, before 20 and a half, wants
22 to try to do this?

23 JACKIE ROTH: So we've opened up the
24 conversations with HRA regarding this
25 presumptive eligibility. And we're trying--

1
2 CHAIRPERSON LEVIN: [interposing] And
3 is that an--sorry. Is that an HRA rule or is
4 that a state law?

5 JACKIE ROTH: That I could not tell
6 you. I--it's a rule.

7 CHAIRPERSON LEVIN: It's a rule. It's
8 a HRA rule. So HRA has the discretion to
9 change that rule then?

10 COMMISSIONER MILLER: And we've been--
11 --we started conversations with them about this
12 is an issue.

13 CHAIRPERSON LEVIN: Okay. Now that
14 just makes the challenge of the lack of units
15 more difficult because there are more young
16 people that are qualifying and there's not more
17 units coming online. Then it makes the units
18 more competitive. So we need to get more units
19 at NYCHA. So one--so then speaking to that,
20 one thing that's come up is that NYCHA will not
21 allow two young people, say two siblings or two
22 friends, to be in a roommate type situation in
23 a one bedroom or two bedroom apartment at
24 NYCHA. So say for example you have two young
25 people that have been in a foster home together

1
2 want to move out on their own together, they
3 could not qualify for a NYCHA apartment
4 together. They could only qualify separately
5 in studios.

6 COMMISSIONER MILLER: Right. They
7 have to hold two different leases. The lease--
8 they cannot share a lease together, no. That's
9 correct.

10 CHAIRPERSON LEVIN: Would ACS be in
11 support of NYCHA changing that rule?

12 COMMISSIONER MILLER: I mean, our
13 young people would be in support of being able
14 to live together if they wanted to.

15 CHAIRPERSON LEVIN: Okay. Is that a
16 Ny--do you know if that's a NYCHA rule or a
17 state law?

18 COMMISSIONER MILLER: I believe
19 because NYCHA's governed--

20 CHAIRPERSON LEVIN: [interposing] Or
21 a federal law.

22 COMMISSIONER MILLER: Right, federal
23 law, yes.

24

25

1
2 CHAIRPERSON LEVIN: So it's the
3 federal law that does not allow a roommate type
4 situation or a apartment--

5 COMMISSIONER MILLER: As we
6 understand it--yeah, that's what [off mic]
7 Going to say that. We're going to check with
8 NYCHA.

9 CHAIRPERSON LEVIN: Okay, and we'll
10 check with NYCHA too, because--and that's one
11 area that I think aside from just the number of
12 units available, obviously if it's limited just
13 to this very, very narrow apartment size studio
14 apartment which is not the majority by any
15 means in NYCHA units, then that is something
16 that we'd want to look into. And that's an
17 area that we can have clear improvement. I want
18 to go to some of the recommendations that came
19 out of the FPWA report from earlier this year.

20 COMMISSIONER MILLER: Uh-hm.

21 CHAIRPERSON LEVIN: Sorry, lots of
22 paper around here. Create an interagency task
23 force with power to address the interagency
24 issues with youth aging out of care,
25 specifically ACS, DYCD, DOE, CUNY, DCAS, NYCHA,

1
2 HRA, DOHMH, and DHS as well as community level
3 grassroots organizations to take stock of the
4 existing services that they provide. That would
5 be an interagency task force whose mission is
6 to address the issues of youth aging out of
7 foster care. I know that there's a children's
8 cabinet.

9 COMMISSIONER MILLER: Right, I was
10 going to say--

11 CHAIRPERSON LEVIN: [interposing] I
12 also know that the children's cabinet does not
13 have community level grassroots organizations
14 as part of it, nor does it have the New York
15 City Council as part of it either. But--or the
16 Public Advocates Office. So I suppose this
17 area could fall within that jurisdiction.

18 COMMISSIONER MILLER: Yes.

19 CHAIRPERSON LEVIN: But would you be
20 willing or is the Administration willing to
21 open up the Children's Cabinet so that perhaps
22 a representative of the New York City Council
23 or provider organizations, FPWA for example
24 would probably be--
25

COMMISSIONER MILLER: [interposing]

We would have to--we would have to come back to you with that answer.

CHAIRPERSON LEVIN: Okay. I strongly urge the Administration to bring in folks from outside the Administration to be part of the Children's Cabinet, particularly advocates that are, you know, in the field just in order to--I mean, I honestly believe that it's important to, you know, break up the echo [sic] chamber if you will. I mean, I don't mean to say that there's a--necessarily that that's what's happening, but it would be important to have somebody from outside the Administration in the room so that there's--so that we have outside voices as part of the conversation. I think it's very important. So, strongly, strongly urge that.

COMMISSIONER MILLER: We'll take that back, yeah.

CHAIRPERSON LEVIN: Alright. They also recommend reducing the barriers that we just spoke about reducing the barriers to housing and NYCHA, improving coordination. If

1
2 you were to look at--if you were to look at
3 ACS's relationship with NYCHA, where is there
4 room, where do you think we could improve here?

5 COMMISSIONER MILLER: I mean, we have
6 a close working relationship with NYCHA and we
7 meet pretty regularly to talk about issues that
8 our young people face in accessing the
9 apartments and how they're doing, which is how
10 we created the Housing Academy Collaborative,
11 to work closely with agencies, city agencies,
12 who provide housing for young people to better
13 understand their needs once they're there and
14 to develop a set of services that we could
15 offer young people that may reduce or minimize
16 some of the stressors such as not understanding
17 rental over yours [sic], landlord tenant
18 relationships and access and employment. So
19 that housing academy was a outgrowth of our
20 relationship with NYCHA, in fact.

21 CHAIRPERSON LEVIN: Okay, and then
22 what exactly is the Housing Academy? Can you
23 explain it a little bit to us as to what did
24 they--what does the Housing Academy--how long
25 does it last, what type of topics are covered?

1
2 Is it a classroom based thing or is workshops?

3 You know, what is the Housing Academy?

4 COMMISSIONER MILLER: The Housing
5 Academy--the Housing Academy is designed to
6 better prepare young people to maintain long
7 term possession of NYCHA supportive housing or
8 whatever housing that they have access to when
9 they transition from foster care. We provide
10 them with information about NYCHA, supportive
11 housing, low and moderate income apartments,
12 lottery apartments, landlord/tenant rights,
13 access and eviction assistance, resume, career
14 building, applying for ACS assistance such as
15 obtaining the One Shot [sic] Housing Subsidy
16 grant and ensuring Medicaid coverage upon
17 discharge, employment and career planning,
18 educational goal setting and planning,
19 financial literacy, entitlement versus
20 empowerment, in child-proofing the home and
21 obtaining childcare. So that's the--that is
22 the set of services that are linked to the
23 staff that does not only just the applications,
24 but also having point people that can help
25 young people navigate systems.

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COMMITTEE ON GENERAL WELFARE

CHAIRPERSON LEVIN: How many staff members, I'm sorry?

COMMISSIONER MILLER: It's about ten, ten or so staff members. About 10, so yes.

CHAIRPERSON LEVIN: And how many young people have participated?

COMMISSIONER MILLER: So we have 108 young people complete the academy. It's not a mandated services, mandated service for a young person. We invite them and we strongly encourage them to access these services because it gives them an opportunity to not only get the information, but also what young people need to get to build peer networks and relationships with each other while they're going through the classes together across agencies.

CHAIRPERSON LEVIN: Sorry, I apologize. At what age do they attend?

COMMISSIONER MILLER: They can start at 16.

CHAIRPERSON LEVIN: They start at 16?

COMMISSIONER MILLER: Uh-hm.

1
2 CHAIRPERSON LEVIN: Now that would
3 be--is this considered part of the independent
4 living plan that ACS is working with? I mean,
5 is that part of that overall structure?

6 COMMISSIONER MILLER: It's in
7 addition to.

8 CHAIRPERSON LEVIN: Okay.

9 COMMISSIONER MILLER: Because it's
10 not a mandated service, it's what we strongly
11 encourage young people who are--to give them a
12 extra set of services beyond just a provider
13 agency, something that ACS because they were
14 coming to us to do their housing applications.
15 It was a opportunity for us to also give them a
16 set of services.

17 CHAIRPERSON LEVIN: Okay. Going
18 back to the PWA report, another recommendation,
19 restore, create or increase funding for housing
20 programs that aid both youth aging out and
21 former youth in foster care. One suggestion
22 specifically is reinstituting the Automatic
23 Discharge Grant of up to 750 dollars per youth.
24 That was, I guess, something that existed in
25 the past, is that right?

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COMMITTEE ON GENERAL WELFARE

COMMISSIONER MILLER: Yes.

CHAIRPERSON LEVIN: When was that cut?

JACKIE ROTH: I want to say that was cut in 2010.

CHAIRPERSON LEVIN: As part of a PEG?

JACKIE ROTH: Yes, it was part of a PEG.

CHAIRPERSON LEVIN: Because it was actually--because in looking at the PEGS over the years, there's been significant PEGs to the system. I think it was from--in terms of after care going down from 19 million dollars to I think 16 million dollars. Is that right? Is-- so this is one where it really was no about the number of youth that are in system decreasing, it was a PEG on an actual subsidy, if you will. So is there--how much would that cost to reinstitute?

JACKIE ROTH: So we would probably need to go back to our Department of Finance and Budget to actually consult with them on that, but this was not PEG'd just for the APLA

1 [sic] population. This was PEG'd for the entire
2 system.
3

4 CHAIRPERSON LEVIN: The entire?

5 JACKIE ROTH: System. So
6 reunification.

7 CHAIRPERSON LEVIN: Reunification.

8 JACKIE ROTH: This actually hit every
9 permanency planning.

10 CHAIRPERSON LEVIN: Okay, so then
11 it's--

12 JACKIE ROTH: [interposing] So we can
13 go--

14 CHAIRPERSON LEVIN: [interposing] So
15 if it's for every child leaving the foster care
16 system, automatically used to receive a 750
17 dollar--

18 JACKIE ROTH: [interposing] So it was
19 a grant for up to 750 dollars for every child
20 leaving.

21 CHAIRPERSON LEVIN: What was--why
22 would it be less? Or was it less often, or
23 what was the--

24 JACKIE ROTH: [interposing] So,
25 because I think there were certain criteria as

1
2 to what it could be used for if, you know, if
3 it was 697 dollars, you know, worth of whatever
4 you needed to actually help, you know, move you
5 into the house if it was household goods,
6 items, you know, pots, pans, sheets, linen,
7 toiletries, that kind of--

8 CHAIRPERSON LEVIN: Okay.

9 JACKIE ROTH: But it was up to 750,
10 and most people maxed it at 750.

11 CHAIRPERSON LEVIN: Okay. Can we get
12 that back on the books? Can we get that
13 program back?

14 JACKIE ROTH: Can we bring it back?

15 COMMISSIONER MILLER: We need to talk
16 to our division of finance.

17 CHAIRPERSON LEVIN: I think that that
18 would be smart. I think it would be a good
19 thing to do. In terms of the ACS Housing
20 Subsidy of 300 dollars a month, does the
21 Administration believe that that's enough?

22 COMMISSIONER MILLER: We're working--
23 we are--there's legislation being--

24 CHAIRPERSON LEVIN: [interposing]
25 Right.

2 COMMISSIONER MILLER: introduced to
3 increase it and we would be supportive of that
4 legislation.

5 CHAIRPERSON LEVIN: The reason it
6 can't go above 300 is from state law?

7 COMMISSIONER MILLER: Yes.

8 CHAIRPERSON LEVIN: Okay. And that's
9 capped--is that--that's--why is that? What's
10 the--what law is that?

11 COMMISSIONER MILLER: I'm not exactly
12 certain of the law, but we do know it's 300
13 dollars per--up to 10,800 and 300 dollars per
14 month.

15 CHAIRPERSON LEVIN: I see.

16 COMMISSIONER MILLER: Yes.

17 CHAIRPERSON LEVIN: Okay.

18 COMMISSIONER MILLER: So there is a
19 proposal by Assemblyman--

20 CHAIRPERSON LEVIN: Karim Camara.

21 COMMISSIONER MILLER: Yes, to
22 increase it to 600.

23 CHAIRPERSON LEVIN: Okay. Okay. If
24 you--we would like to see that obviously
25 increased, and maybe we can work together on a

1
2 council, the council doing a resolution on that
3 as well.

4 COMMISSIONER MILLER: Okay, thank
5 you.

6 CHAIRPERSON LEVIN: So going off
7 track, and I apologize.

8 COMMISSIONER MILLER: That's okay.

9 CHAIRPERSON LEVIN: One thing that
10 we're--sorry. Well, actually, no I apologize.
11 Moving onto the next one. Building up and
12 extending after care to young adults aged out
13 of the care up to 25 years old through the
14 provision of housing, employment, education,
15 health, mental health support, what type of
16 support and services, after care services, are
17 available to young people after the age of 21
18 right now. We have, I know we have the--with
19 those in college, we have the ETD [sic] that
20 you said is available to young people up to the
21 age of 23. Are there any other services that
22 are funded by the city with provider agencies
23 for young people after the age of 21 right now?

24 COMMISSIONER MILLER: No.
25

1
2 CHAIRPERSON LEVIN: Okay. Because
3 that's--that's something I think that we
4 collectively we need to look at, we need to
5 figure out how we can prioritize developing
6 that, establishing a budget for it, doing that
7 type of support services. There's nothing that
8 prohibits us from doing it, right? I mean we
9 can--we're allowed to do programs for youth
10 that have aged out of foster care, right?
11 There's no state law prohibiting it?

12 COMMISSIONER MILLER: Right, upon
13 their consent, yes. If they want to be part of
14 a set of services, yes.

15 CHAIRPERSON LEVIN: And we can do
16 that through ACS, right?

17 COMMISSIONER MILLER: There's nothing
18 prohibiting ACS from offering it, no.

19 CHAIRPERSON LEVIN: Because I think
20 that it's clear that that--that we need to help
21 young people that have aged out of the system.
22 I mean, we need resources. We need funding in
23 place to do that. Again, just going back to
24 the PYA report, it was a recommendation of ACS
25 back in '06. We need to--I think that

1
2 collectively again, I mean, we have a role in
3 city budget as well here at the New York City
4 Council. We like to work with the
5 Administration on developing that. Maybe this
6 can be something that is added to the
7 Children's Cabinet. I mean, is there youth that
8 are--you know, obviously these are young people
9 that are no longer children, but do obviously
10 need our support. And you know, again, we feel
11 like they fall between the cracks here. Sorry,
12 because I know we have a lot of questions here
13 and I realize people are still waiting here.
14 With New York City Housing Authority, A, on
15 NYCHA's questionable family member policy, a
16 young woman with children in foster care can be
17 barred from NYCHA if the father of the child
18 has a criminal record. Is that something that
19 we're working with NYCHA on, amending--

20 COMMISSIONER MILLER: [interposing]

21 Yes, this is the issue--

22 CHAIRPERSON LEVIN: [interposing]

23 that policy?

24 COMMISSIONER MILLER: that we've
25 been--we've brought to NYCHA's attention, and

1
2 they've been supportive in working with us on
3 it, yes.

4 CHAIRPERSON LEVIN: Okay. So is
5 that--is NYCHA's recent policy of easing the
6 restriction on both the criminal records, is
7 that going to affect that as well, or is that
8 part of it?

9 COMMISSIONER MILLER: We will bring
10 it back to NYCHA, but again, like I mentioned,
11 we have a ongoing relationship and regular
12 conversations with them, so we could address
13 that at the next meeting.

14 CHAIRPERSON LEVIN: One thing,
15 staying on NYCHA for a second, that has come up
16 is that young people have had a hard time,
17 they've--young people that have come out of the
18 foster care system that have gone into NYCHA
19 frequently have had trouble maintaining their
20 apartments. Can you speak a little bit as to
21 why that is and what role ACS plays then in a
22 young person--in a young person's relationship
23 with NYCHA as their landlord to support them
24 through that process, is that--

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COMMISSIONER MILLER: [interposing]

Yeah, I mean, what we know is that one of the challenges for young people as they age out and they do obtain a NYCHA apartment is that they go into rental arrear, sometimes a lack of employment, underemployment, so our aim is to make sure that they have adequate employment and they also understand the process of going to their housing manager if they face difficulties to have those rental arrears addressed. There is a housing subsidy available to young people who do have rental arears, so they have an opportunity to bring that to our attention, where they can get a onetime payment for rental arrears. So through the Housing Academy, that information is shared with them.

CHAIRPERSON LEVIN: And so the ACS subsidy of 300 dollars is that--

COMMISSIONER MILLER: [interposing]

No, it's a separate--

CHAIRPERSON LEVIN: [interposing] Is that available to them? Is that available to the young people living in NYCHA?

2 COMMISSIONER MILLER: Let me just
3 clarify--

4 JACKIE ROTH: So there--you cannot
5 have two subsidized housing options at the same
6 time. So the One Shot grants that young people
7 are eligible for, one for broker's fees,
8 personalized month's rent as well as like
9 furniture and things for the apartments. Those
10 are One Shot grants. Those are absolutely fine.
11 They come out of the Housing Subsidy Budget.
12 The recurring 300 dollars cannot be applied
13 toward another form of subsidized apartments.

14 CHAIRPERSON LEVIN: Because that
15 would be like the city paying itself, is that
16 right? Or double subsidy?

17 JACKIE ROTH: Yes, it would be a
18 double subsidy.

19 CHAIRPERSON LEVIN: Are you able to
20 combine the subsidy for the NYCHA with public
21 assistance, though? A young person's able to
22 have a PA case, right?

23 COMMISSIONER MILLER: That's the
24 presumptive--yes, because they can use the
25 presumptive budget letter.

CHAIRPERSON LEVIN: Right, right.

Okay, and then I'm going to--two more questions here. With one other main complaint that we have heard frequently is the independent living skills are not meeting the needs of young people, that the trainings are not--that they've described them as repetitive, not helpful. And the models that are in place seem to be an issue as well. Are we looking at, are we taking that feedback and looking at best practices and seeing what's working and seeing what's not and taking young people's opinion into account as to what's been working and what's not been working. The FPWA report has many pages of testimony from young people that have gone through the system and have not found, you know, aspects of that to be helpful. What are we doing? What's the plan to see what's working? Is one on one more effective?

COMMISSIONER MILLER: Right.

CHAIRPERSON LEVIN: Where are best practices? Are we going to national conferences and finding out what's--what other cities are doing that are working and being

1
2 innovative and, you know, exploring best
3 practices.

4 COMMISSIONER MILLER: Right. So on
5 two fronts, for residential care obviously
6 we're in close contact with young people
7 through the office of Older Youth Services and
8 Residential Care Monitoring. So that is a
9 feedback loop for us to see how young people
10 are faring, and to assess what services are
11 offered to them on a chill level basis, but
12 also as part of the waiver demonstration
13 project that we're part of, the 4E Waiver
14 Project. We are working with case and family
15 programs to assess what services we need to
16 provide to young people in foster care and we
17 did have young people as part of a focus group,
18 so we heard directly from them about what sets
19 of services they need to achieve independence.

20 CHAIRPERSON LEVIN: And then my last
21 question has to do with providers, foster care
22 providers who have told us that they will
23 continue to provide services after a young
24 person leaves their foster--that's aged out or
25 has left foster care. They'll continue to

1
2 provide those services but they will not--
3 they're not getting reimbursed for those
4 services. Is the Administration engaged in
5 conversations with the provider community on
6 establishing reimbursement for those services
7 for say six months after a young person is out
8 of care?

9 COMMISSIONER MILLER: So we are in
10 constant conversations with our provider
11 agencies about the set of services and about
12 what should be offered and what they're
13 required to do. So supervision to 21 is
14 something that they are required to do. If a
15 young person is on trial discharge, they are
16 required to still supervise that trial
17 discharge.

18 CHAIRPERSON LEVIN: Are they getting--
19 --but they're not getting reimbursed?

20 COMMISSIONER MILLER: Under the
21 waiver we've reduced their case loads and it--
22 and we also offer the opportunity where they
23 will be considered pay cases. So that's built
24 into their care day rate.

2 CHAIRPERSON LEVIN: Okay, so then
3 under the waiver then they will be able to get-
4 -

5 COMMISSIONER MILLER: [interposing]
6 Yes.

7 CHAIRPERSON LEVIN: reimbursed for
8 those services?

9 COMMISSIONER MILLER: They are being
10 paid for those services.

11 CHAIRPERSON LEVIN: They're getting
12 paid for those services?

13 COMMISSIONER MILLER: Yes.

14 CHAIRPERSON LEVIN: Okay. I want to
15 thank you very much for your time. I want to
16 re-enforce or reiterate though that I think
17 that it's very important that we look towards,
18 and going back to the PYA and the
19 recommendations that came out of the FPWA
20 report this year, and what we all know, which
21 is that we need to support young people that
22 are coming out of foster care better than we
23 are now, that the--that it's our collective
24 responsibility. It's a smart and prudent use of
25 tax dollars. It saves our city money. It's a

1
2 wise social investment, and it's the right
3 thing to do. And we should be looking towards
4 establishing protocols, establishing funding
5 streams, coming up with new money and new
6 programs and new resources because we have a
7 provider community that wants to do it. You
8 have willing partners here in the City Council
9 where we collaborate on the budget. You have a
10 Public Advocate who's leading the charge, and
11 it's really the thing that we ought to be doing
12 right. And so we look--we very much urge the
13 Administration to start getting to work with us
14 on that because that's where I think we need to
15 go moving forward. Public Advocate, do you want
16 to add anything? Thank you very much for your
17 time.

18 COMMISSIONER MILLER: Yes. We look
19 forward to working with you.

20 CHAIRPERSON LEVIN: Okay. We will
21 hear the first panel now. I want to call up
22 Jessica Maxwell, Youth and Care Coalition,
23 Children's Aid Society, Donald Fields of NYSA,
24 former foster youth. Thank you, Donald, for
25 being here. Apurva Mehrotra, Community Service

1
2 Society, and Noah Franklin from FPWA. Okay. So
3 we're not going to use the clock, but we
4 encourage you to keep it brief because we do
5 have--or you know, keep it concise because we
6 do have three panels and we have another
7 resolution to hear after this, but I want to
8 thank you all very much for your patience and
9 for sitting through the Administration's
10 testimony and the questions. We had to get a
11 lot of that on the record, so we wanted to make
12 sure that it was all there, but we're very
13 eager to hear what you have to say. So you can
14 begin at any time, whoever wants to go first.

15 NOAH FRANKLIN: Good morning, or
16 actually good afternoon. My name's Noah
17 Franklin. I'm the Senior Policy Analyst for
18 Child Welfare the Federation of Protestant
19 Welfare Agencies. I'm here on behalf of our
20 Executive Director Jennifer Jones Austin.
21 Thank you, Chairman Levin and members of the
22 General Welfare Committee for the opportunity
23 to testify today on this very important issue.
24 I'd also like to take a moment to recognize
25 Public Advocate Letitia James for continued

1 attention to the needs of youth in foster care.
2 FPWA is dedicated to advocating for and serving
3 vulnerable New Yorkers operating 1,200 programs
4 throughout the metropolitan area and reaching
5 over 1.5 million low income New Yorkers
6 annually. FPWA represents 23 child welfare
7 agencies designed to promote the wellbeing of
8 vulnerable children providing a variety of
9 services such as preventive services, foster
10 care services and residential care service for
11 children in need of specialized care and
12 attention. Our core belief is that every child
13 has the right to a stable home has led to a
14 particularly strong focus on the housing,
15 employment, educational challenges that foster
16 youth face after aging out of care. As you
17 mentioned, we drafted and released earlier this
18 year a report entitled Keeping Foster Youth Off
19 the Streets, Improving Housing Outcomes for
20 Youth Aging Out of Care. And as was cited
21 before, it's estimated that approximately 900
22 youth age out of the foster care system each
23 year. That's about 13 percent of the 6,700
24 that were discharged. And many of these youth
25

1
2 are often left without a safety net or a family
3 to support them. I think the figure's about 80
4 percent of the youth who aren't reunited or
5 adopted. And often times for many of these
6 youth there's negative outcomes. We've
7 estimated and it's interesting to hear that
8 they have--still have data that they're
9 collecting. It's often very hard to find any
10 data about housing outcomes, but between 18 to
11 26 percent of those who age out, 20--13 will
12 end up homeless and that turns out to be about
13 230 youth. And we are working on a report. We
14 found that it was often very difficult to
15 gather basic data about outcomes from youth
16 aging out of care, such as the number of youth
17 involved at the homeless shelter system. And
18 as you pointed out, Council Member Levin, just
19 looking at the follow up data from the report
20 from 2006, Preparing Youth for Adulthood, they
21 outlined a number of fairs that they were going
22 to be working on in trying to find out what the
23 outcomes were in those things. It was very
24 difficult to find out. So tracking outcomes
25 systematically with youth aging care would be a

1
2 crucial step in the right direction, eventually
3 formulating policy to better improve these
4 youth's life chance at success. And as you
5 mentioned, some of the challenges include
6 ending of homeless or couch surfing, having to
7 move back in with neglectful or relatives,
8 bureaucratic hurdles and delays in the public
9 housing system, lack of easily accessible
10 general aftercare services and lack of job
11 opportunities due to educational backgrounds.
12 Given these challenges, it's very important
13 that we be able to obtain good data regarding
14 the outcomes of youth aging out of the foster
15 care system, such as the presence in the
16 homeless shelter system and perhaps most
17 importantly, the adult life outcomes of these
18 youth including mental and physical health,
19 employment status, income, education attainment
20 and criminal involvement. Tracking these
21 important outcomes is certainly possible. In
22 California, they have an effective system for
23 tracking youth aging out of care. I understand
24 they have a system they track quarterly for
25 youth aging out of care. And so the proposed

1
2 legislation would move us in the right
3 direction. Intro 137 would require ACS to
4 report to the council about the number of
5 youth, foster youth, with government
6 identification which is important because
7 foster youth are particularly vulnerable to
8 identify theft since their documentation
9 changes hands very often as they go--they
10 switch from foster homes. They may come in
11 contact with different relatives or case
12 workers. And there have been instances where
13 identity--youth have lost their identity.
14 Intro 187 requires ACS to report to City
15 Council the number of foster youth having
16 graduated from high school in the school year
17 prior to the one in which each annual report is
18 issued, as foster youth are known to suffer
19 comparatively poor education outcomes. Precise
20 knowledge of exactly how these outcomes are
21 characterized is a necessary step remedying
22 [sic] the low educational attainment of foster
23 youth. And then talking about Intro 104, we
24 think this a very comprehensive bill that would
25 allow for an increased collection of data

1
2 regarding the outcomes of foster youth aging
3 out of care. It might even be possible to
4 combine the three bills, because they address a
5 lot similar things, perhaps in one large bill.
6 We took the trouble to reach out to about 20
7 national experts on foster care across the
8 country, and so we have a couple amendments to
9 the bill. We agree with the bill. We just
10 suggest a couple of areas where it could be
11 strengthened. I think particularly since the
12 bill, since the Public Advocate reintroduced
13 the bill from several years ago there's been
14 advanced and research about foster youth that
15 could be incorporated in making the bill
16 stronger. So we suggest an increase commitment
17 to collecting data on mental and physical
18 health outcomes rather than simply outcomes on
19 employment, education and housing. We recommend
20 the incorporation of data on longitudinal
21 evidence based interventions used to inform
22 clinical practice and care. This data would
23 include the effects such interventions have on
24 homelessness and details dosage, competition of
25 treatment, perceive effectiveness and

1 satisfaction of services. So as you know, the
2 systems in foster care are much more focused on
3 evidence based. So to look at how that's
4 working; how is that improving outcomes of
5 foster youth? We further recommend the data
6 collected be disaggregated by race, ethnicity,
7 gender, immigration status. Council Member
8 Menchacca talked about that, immigration
9 status. And there are significant difference to
10 the extent of which subgroups receive services.
11 This would help our understanding of whether
12 the receipt of such services leads to improve
13 outcomes for different groups of foster youth.
14 Given that youth aging out of care transition
15 from one place to another, such data collection
16 will necessitate integrated shared data system,
17 which would allow for the coordination of
18 collection between different sites and
19 institutions through which aged out youth move.
20 I know in talking with ACS and with the DHS
21 there's been some efforts to kind of
22 collaborate together. I think, hopefully
23 there'll be some more formal system established
24 where they could collect regularly. So data
25

1
2 regarding physical location of youth should be
3 included as there is geographical difference in
4 the quantity and quality of services that
5 foster youth receive. Data should also be kept
6 on adult permanent resources that foster youth
7 have. If these figure change and whom they're
8 placed to. Many times we've heard about youth
9 who've aged out have adult permanent resource
10 and that turns out to be unstable. So it would
11 be good to know what's happening, data
12 regarding that. Let's see. Any data kept
13 related to successful or failed such as
14 attempts or successes in finding youth
15 biological family members or former foster
16 parent's resources should be reported. I know
17 that at the point of discharge. While the
18 current bill focuses primarily on youth 18 and
19 21, we recommend a focus to include also a
20 focus 21 to 24. This is an important period of
21 transition to adulthood. And unfortunately, as
22 the New York City Housing Authority due to lack
23 of federal funding has frozen section eight
24 vouchers for youth aging out of care. We
25 should recommend the bill should remove

1
2 references to section eight housing. So we've
3 presented this testimony. The reasons we
4 support the bills under consideration, Intro
5 137 and 187 and 104, and with certain
6 amendments we feel these bills are a step in
7 the right direction to gathering better data on
8 youth aging out of foster care. And foster
9 youth is just like any other group of
10 adolescents aspire to better themselves and
11 achieve success in life if we implement the
12 kind of policy it would optimize the chance of
13 this group's success. We can be sure that they
14 will have improved chances in life and a
15 pipeline to success, rather than a series of
16 obstacles. Thank you. I can also comment on
17 some of the things ACS said, but maybe I'll
18 wait until my colleagues testify.

19 CHAIRPERSON LEVIN: Great. Thank
20 you, Mr. Franklin. Thank you.

21 JESSICA MAXWELL: Good afternoon.
22 Good afternoon. My name is Jessica Maxwell.

23 CHAIRPERSON LEVIN: Sorry, you have
24 to have the light on.

1
2 JESSICA MAXWELL: Okay, good
3 afternoon. My name is Jessica Maxwell, and I'm
4 the coordinator of the statewide Youth and Care
5 Coalition and also a former foster youth, and
6 I'd like to thank Chair Steve Levin, the
7 honorable members of the General Welfare
8 Committee and the Public Advocate Letitia James
9 with opportunity to testify today about the
10 issues facing young people aging out of the
11 foster care system and to introduce bills 104,
12 137, and 187. The mission of the Youth and
13 Care Coalition is to improve the socioeconomic
14 health, mental health, housing and educational
15 outcomes and foster a successful transition to
16 adulthood for young people aging out of the
17 foster care system. The Coalition is comprised
18 of concerned providers, advocates and youth who
19 are committed to advocating for the policy
20 changes and services for youth who are in care
21 and aging out of care. The statewide coalition
22 is housed at the Children's Aid Society and the
23 research partner for the Coalition is the
24 Community Service Society of New York. The
25 Youth and Care Coalition is the first of its

1 kind in this state, specifically dedicated to
2 examining the outcomes and approved policies of
3 the system. The first goal of the Youth and
4 Care Coalition is a campaign advocating for the
5 establishment of the statewide Foster College
6 Success Initiative that would include financial
7 and supportive services necessary to help young
8 people who have aged out of the foster care
9 system enroll in college and graduate from
10 college. The Children's Aid Society is the one
11 of the nation's oldest and largest anti-poverty
12 organizations. We provide family therapeutic
13 and medical foster care and adoption services.
14 In 2013 alone, we served about 700 children and
15 youth and families and family-based foster
16 homes and completed 90 adoptions. The term
17 aging out foster care system refers to youth
18 that is discharged from care without family
19 reunification, adoption, guardianship or
20 permanent placement with a relative or other
21 caring adult and is therefore emancipated. Each
22 year, approximately 20,000 young people age out
23 of the foster care system nationally and in
24 2013, about 1,078 youth aged out of the foster
25

1
2 care system in New York. Already burdened by
3 the experiences of abuse, neglect and
4 abandonment, young people that emancipate out
5 of the foster care system do so without the
6 adequate skills to transition to adult hood and
7 with limited support or inadequate plans to
8 achieve economic self-sufficiency and live
9 independently. Additionally, these youth who
10 age out of the foster care system often do so
11 without family support or a permanent
12 meaningful connection to positive adults. Youth
13 aging out of the foster care system are often
14 unequipped with the skills to find gainful
15 employment, often suffer from mental illnesses
16 or untreated trauma and do not have stable
17 housing options. Therefore, these youth are
18 likely to be homeless, unemployed, have
19 unplanned pregnancies or get in trouble with
20 the law. Additionally, they're less likely to
21 have a high school diploma or a GED and those
22 that have completed high school are less likely
23 than their peers to attend a post-secondary
24 institution or vocational training program.
25 Youth and foster care often experience some

1
2 disruption in their education. Over a third of
3 young adults who aged out of the foster care
4 system reported having had five or more school
5 changes. While the exact data is not available,
6 estimations indicate that only 18 to 24 percent
7 of foster youth enroll in post-secondary
8 education after high school as compared to 60
9 percent of the general population. Even those
10 young people that are able to secure housing
11 upon discharge are at a great risk of becoming
12 homeless, most often within the first three
13 months of discharge. Many youth simply do not
14 possess the skills necessary to maintain
15 housing. Often, they have not had experience in
16 maintaining monthly payment plans and budgets
17 and have not seen others manage these
18 responsibilities successfully. Additionally,
19 many youth leave care without any form of
20 safety net. When barriers or obstacles emerge,
21 many don't have savings, relatives or friends
22 to rely on in case of emergency. When
23 discharged, youth are expected to learn how to
24 be an adult through trial and error. When
25 presented with obstacles, youth are left to

1
2 navigate the complexities of the adult public
3 safety and benefit systems. These are all
4 crucial issues. The Coalition seeks to address
5 in having adequate reporting on data for the
6 youth aging out of the foster care system and
7 ensuring that youth aging out have proper
8 documents are extremely important, which is why
9 the Statewide Youth and Care Coalition fully
10 supports the goals of all the proposed
11 legislation. Introduced bill number 104 in
12 relation to collecting and reporting data to
13 youth aging out of foster care system. Without
14 a solid understanding of the outcomes youth
15 face when transitioning out of the foster care
16 system, the city cannot fully adjust their
17 needs. Bill number 104 is the first step in
18 beginning the necessary collection of
19 information needed to accurately evaluate the
20 problems and improve services. While trying to
21 obtain data on educational outcomes for our
22 first report fostering independence, the need
23 for a statewide foster college success
24 initiative and our foster college success
25 campaign, which we launched in May of this

1
2 year, the Coalition experienced firsthand the
3 difficulty in securing data on youth aging out
4 of care. We were not able to obtain conclusive
5 data regarding the number of young people in
6 care currently attending college with the New
7 York State and are working with legislators on
8 having this information and it's extremely
9 important. While the intent to collect data
10 and evaluate outcomes to improve service,
11 implementation is commendable, we are
12 interested in learning how this data and the
13 overlapping services between ACS, Department of
14 Homeless Services and DYCD will be collected
15 and shared between government agencies and made
16 publicly available to community based
17 organizations who also work and advocate on
18 behalf of this vulnerable population. While we
19 are excited about learning--we're excited about
20 this legislation allowing for more data to be
21 collected on this transient population, we are
22 also concerned that agencies will be mandated
23 to do this without being provided the adequate
24 resources. Creating the infrastructure and
25 hiring the staff to maintain systems is costly

1
2 and we hope that the city will ensure that the
3 legislation comes with the necessary resources
4 to put these systems in place. Bill number
5 187; 187 would require ACS to report to the
6 City Council the graduation rates of youth in
7 foster care, including the total number
8 involved in high school disaggregated by age.
9 Furthermore, the proposed legislation should
10 include the reporting number of youth enrolled
11 in high school equivalency diploma programs and
12 other alternative programs, the number of
13 youth that are on track to graduate, the age at
14 which they graduate. This would provide the
15 city with a more comprehensive understanding of
16 the current status of the educational outcomes
17 for young people. Bill number 137 would require
18 ACS to report that their success in obtaining
19 government issued personal identification for
20 youth and foster care youth aging out of the
21 foster care system, in particular, need access
22 to a baseline of personal identification in
23 order to make a successful transition to
24 adulthood. Often times, for employment, opening
25 up a bank account, educational or public

1 benefits, applicants are required to provide at
2 least two pieces of identification, many times
3 a birth certificate and social security card in
4 addition to a photo identification. Therefore,
5 it is extremely important that the city works
6 to ensure that every young person aging out of
7 the system has a birth certificate, social
8 security card and a New York State non-driver
9 or driver's identification card. The current
10 data available for youth aging out of the
11 foster care system presents a bleak outlook,
12 homelessness, unemployment, reliance on public
13 benefits and the possibility of incarceration,
14 and is unfortunately the sad reality for many
15 young people transitioning out of the system.
16 The Youth and Care Coalition fully supports the
17 introduction of bills 104, 137 and 187 and is
18 hopeful that the data collected will help the
19 city advocates and providers to become better
20 equipped to implement programs and services to
21 eradicate these poor outcomes. We know that if
22 provided the opportunities to develop skills
23 and access to resources, these young people can
24 become more resilient and succeed. We commend
25

1
2 the City Council for putting us on track to
3 better support the city's most vulnerable young
4 people aging out of the foster care system and
5 look forward to working with the Administration
6 in addressing these challenges. Thank you again
7 for the opportunity to testify.

8 CHAIRPERSON LEVIN: Thank you.

9 APURVA MEHROTRA: Good afternoon.

10 Thank you. My name is Apurva Mehrotra. I'm
11 with the Community Service Society of New York.
12 We're a 170 year old organization that works to
13 advance upward mobility for low income New
14 Yorkers. Community Service Society is a member
15 of the Steering Committee of the Statewide
16 Youth and Care Coalition, an effort just
17 described by Jessica, that's working to seek--
18 that's seeking to improve the outcomes of
19 foster youth in New York. So thank you for the
20 opportunity to testify. I'll make this really
21 quick. I don't think I really need to go over
22 again the challenges that foster youth face and
23 when we talk about the outcomes we're obviously
24 all in this room well aware that their outcomes
25 are quite poor in a lot of different areas. Of

1 course, in New York City, we know that to be
2 the case, but we really don't have that backed
3 up by any data, and that sort of is a huge
4 issue. CSS, commissioned by the Youth and Care
5 Coalition recently completed a report looking
6 at post-secondary education enrollment for
7 foster youth found that fewer than one in four
8 youth enroll in college. Center for an Urban
9 Future did a report in 2011 showing that fewer
10 than half of youth aging out of foster care are
11 able to obtain to jobs. We've talked, you know,
12 in a great detail about FPWA's work in terms of
13 foster youth and homelessness, but really none
14 of these reports we're really able to rely on
15 any sort of real data. They were all relied on
16 national studies, interviews, focus groups,
17 surveys with practitioners, people in the
18 foster care system and data from other sources,
19 and that is really unfortunate and it's a
20 detriment to the youth themselves, to the
21 advocates, to the City Council as we try to
22 figure out, you know, how we can best help this
23 population. Just as one example and you know,
24 one of the bill I know touches on this, as far
25

1 as high school graduation data. I can go on
2 the DOE website right now and get high school
3 graduation data going back a number of years by
4 race and ethnicity, by gender, for English
5 language learners, for students with
6 disabilities. CSS recently did a report that
7 relied on DOE data that we requested and
8 received for every student in the DOE system
9 going back multiple years, high school
10 graduation and other outcomes across many
11 different student characteristics. Yet, when we
12 tried to get high school graduation data for
13 foster youth, it was just about impossible and
14 would could never really could get meaningful
15 data even after many conversations with DOE,
16 with ACS, with CIDI. It just--it just wasn't
17 there, and people wanted to help, but they just
18 couldn't because the information wasn't there.
19 So not only does high school graduation data
20 need to be reported and publicly available, but
21 also data related to employment earnings,
22 housing, and a host of other things, because
23 it's otherwise just impossible to know whether
24 or not what we're doing is working and whether
25

1
2 all these goals that Chair Levin mentioned in
3 the 2006, you know, PYA, we have no idea eight
4 years later whether or not we've, you know,
5 what the benchmarks even were originally in the
6 first place. So how do we know if we're, you
7 know, making any progress. So thank you again
8 for the opportunity to testify and obviously I
9 and the community Service Society are
10 supportive of these bills and would look
11 forward to working with the council.

12 CHAIRPERSON LEVIN: Thank you very
13 much.

14 DONALD FIELDS: Okay. Good
15 afternoon. I'd like to thank Public Advocate
16 Letitia James and you, Mr. Stephen Levin and
17 the City Council membership. I'm here on
18 behalf of myself as well as other foster youth
19 that are presently in care and has aged out of
20 care. I'm also a member of the Steering
21 Committee of the National Youth and Care
22 Coalition. Some of the issues that you faced
23 are just dire and important in nature. When we
24 look at some of the aspects when it concerns
25 housing, education and especially employment we

1
2 can see that the numbers suggest that these
3 outcomes are deplorable and I believe that we
4 must do something about them in order to fix
5 the certain trends that are happening. One, I
6 would like to touch on a couple of issues. One
7 is the housing aspect of it. I sat through and
8 I heard the Administration testimony on
9 housing, especially the number of units that
10 are provided which is 3-400, and if each year
11 youth are a thousand or a 1,078, which was the
12 number that was presently by my colleague
13 Jessica Maxwell, and there's only three or four
14 units. And obviously that is not fitting the
15 need of the people that are aging out. So, we
16 don't have enough resources to compile together
17 to get more aggregated data, but to understand
18 that there's 1,078 young people aging out of
19 foster care and only 3 or 400 have the
20 possibility to a studio apartment in a NYCHA
21 development, and most of the time that number
22 is skewed because it goes to other populations,
23 whether it be seniors or special need cases.
24 Also, I will propose that we look at other
25 models for housing than just NYCHA, because

1
2 some of the--I believe that you're placing a
3 young child that was in foster care, which is
4 already a traumatic experience and then
5 transporting them to a NYCHA development that
6 is in neighborhoods that is riddled with crimes
7 and drugs, and we're just transporting one
8 traumatic situation to another. I believe we
9 need to find more creative and imaginative ways
10 to engage this housing issue, and I believe
11 that we have so many luxury housing buildings
12 and high rises and complexes are being erected
13 all across the city. I believe that we should
14 have legislation in place where we seek to
15 address some of the needs, especially in those
16 high rises that have certain apartment sizes
17 set up, set aside for youth in care. We cannot
18 seek to improve the life of youth if we
19 continue to keep putting them in these
20 dehumanizing situations, which housing is.
21 When you're faced with crime rates and you're
22 faced with unemployment, it just some of the
23 things that we have to address. Schooling is
24 one. I know for me it was a struggle. Luckily
25 I was able to find other programs that assisted

1 within my furthering my education. I was able
2 to get my Bachelor's in Philosophy and my
3 Master's in Philosophy as well this May of the
4 21st. But most people don't share that story,
5 and I know that I am not in the majority but I
6 am in the lesser known parts and I believe that
7 there's more things that could be done on the
8 educational front. I believe that one--I
9 believe the Administration should have a more
10 comprehensive approach to education, whether it
11 be tutors and secondary care providers that
12 speak directly to the issues of education. I
13 believe that we need more stringent process in
14 how we go about it. Because what the numbers
15 suggest is that only 48 to 52 percent of youth
16 that are in care graduate with a high school
17 diploma. Nationally, that average is 76
18 percent. And if we could find 76 percent of
19 the average of American students graduating
20 with a high school diploma, then what are we to
21 say about 48 to 52 percent of foster kids,
22 foster youth that are graduating with a high
23 school diploma. It is a despicable number, and
24 it is a disparity that continue to keep playing
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1
2 out when we look at the national public, when
3 we look at how college success rates and only
4 three percent of foster youth graduate from
5 college with a diploma. These are issues that
6 continually continue to face youth, and if we
7 don't have no programs, substantial programs
8 that seek to address these needs, then we are
9 to continue to keep seeing these numbers, and
10 it's a downward spiral. And there haven't
11 really been anything that it's introduced. It
12 really hit at these numbers and seek to better
13 the outcome of youth in care. And the last
14 part, trauma is a real issue in the foster care
15 system. Being ripped away from a parent and
16 being placed into a home and learning how to
17 navigate that, especially--I can speak from my
18 own experiences. On average New York State has
19 the worst permanency, time to permanency in all
20 50 states. We have the worst. The numbers
21 support it and it has been a national study
22 where New York has bottomed out at the bottom.
23 And on average, when you enter foster care, the
24 time of length that you stay in foster care and
25 the number of replacements that you have to go

1 through while you're in foster care is a big
2 issues, which is on average is about five to
3 six different placements while you're in foster
4 care. With that much change and then changing
5 from community to community, school to school,
6 it creates a level of apathy with foster
7 children, but it also creates a level of
8 mistrust because you don't know who can trust
9 and you have this mistrust of system and this
10 mistrust of people, because as soon as you get
11 to connect with a person you are snatched away
12 and you are put into a different environment
13 and now you have to matriculate all over again.
14 And with these types of issues it creates
15 trauma. It creates trauma and it creates PTSD
16 that goes unaddressed and unnoticed. And I
17 believe that we need, in order to really start
18 to tip away at this problem, we need to start
19 looking at these issues and really finding out
20 ways on how we can correct some of these, and I
21 believe counseling is one issue in which we can
22 better address the issue of youth that are in
23 care, and especially hit home at this, at the
24 trauma issue that we don't speak about. Those
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2 are the issues that I have. Some of the things
3 I would like to see--I've read through the
4 bills, which is 104, 137 and 187, I believe. In
5 terms of the data sharing collection, I believe
6 we need to have some protocols in place to see
7 how we're doing that, how invasive we are in
8 that process and what terms are we sharing data
9 at between the agencies and making sure that
10 the youth is not compromised. So I believe that
11 we need to have a level of oversight in place
12 where it's watching how much data is being
13 shared between which people and how we're
14 effectively doing that. I do support the bills.
15 That is just a issue that I have, and that,
16 because I don't think that it really address
17 how that would be implemented. And that's it.
18 If you have questions, I'm more than happy to
19 answer. Thank you.

20 CHAIRPERSON LEVIN: Thank you.
21 Thank you. Public Advocate James?

22 PUBLIC ADVOCATE JAMES: Sure. Just
23 one question to the gentleman who just
24 testified. How did you make it?

25

1
2 DONALD FIELDS: I'm lucky. And
3 sometime luck don't fall on other people as it
4 does others. I was blessed to have a great
5 support system. I was--

6 PUBLIC ADVOCATE JAMES: [interposing]
7 Is that support system provided to you by ACS?

8 DONALD FIELDS: No, I found it in my
9 church and found it on people that didn't give
10 up on me. I was also fully aware of the finite
11 shelf life that I had in ACS. I understood that
12 this wasn't something that was going to last
13 forever and unfortunately, a lot of people are
14 not prepared because they do not have this type
15 of mindset that I've had. It is that this
16 doesn't last forever. Especially when you're
17 dependent so much upon a agency that it takes
18 away from your ability to now reinforce things
19 to yourself.

20 PUBLIC ADVOCATE JAMES: When were you
21 placed in foster care?

22 DONALD FIELDS: Off and on since I
23 was three weeks old until I aged out around
24 about 21, but I left 20, a week before my 21st
25 birthday.

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2 PUBLIC ADVOCATE JAMES: Were you in a
3 agency or were you in a foster home?

4 DONALD FIELDS: I was in a group
5 home. I was in a foster home and I was in a RC
6 as well, a residential treatment, RTC program
7 as well.

8 PUBLIC ADVOCATE JAMES: And what
9 agency were you associated?

10 DONALD FIELDS: I was associated
11 with a number of agencies.

12 PUBLIC ADVOCATE JAMES: A number of
13 agencies.

14 DONALD FIELDS: Whether it be Harlem
15 Dollin [sic], I was home with Salvation Army
16 before the close. I was Edwin Gule [sic]. I was
17 with Graham Wayham [sic]. I was with the Jewish
18 Board. I was with a number.

19 PUBLIC ADVOCATE JAMES: And who
20 provided you with access to college?

21 DONALD FIELDS: I applied because I
22 knew that if I didn't go to college these was
23 the outcome that was going to continue to play
24 out in my life at some point. You have to make
25 a decision if you want better, you have to seek

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2 other opportunities that's going to afford you
3 that. And sometimes the information might not
4 be readily available, but I was lucky that I
5 had other people on the outside that--

6 PUBLIC ADVOCATE JAMES: [interposing]
7 Was it a case worker or someone in the house
8 asked you, urged you to apply for college?

9 DONALD FIELDS: No, like I said, I
10 knew that this--I knew I had to go to college
11 it wasn't a question or it wasn't a choice. I
12 knew that this was the only way I would--

13 PUBLIC ADVOCATE JAMES: [interposing]
14 And where did you learn that?

15 DONALD FIELDS: From just looking at
16 my surroundings. I've been to about 12 or 13
17 different group homes. I've been to about nine
18 or 10 different foster homes. So I gathered
19 that data from just looking at the
20 circumstances that other individuals faced and
21 I understood that a lot of them didn't have
22 high school diplomas, and the environment in
23 which we're in, you had to kind of alter your
24 personality in order to survive there, and also
25 the funding aspect of it also led other people

1
2 to not consider school as a priority, but I
3 just knew that school was it for me.

4 PUBLIC ADVOCATE JAMES: Did someone
5 stay with you from agency to agency? Was there
6 one consistent case worker or social worker or
7 individual?

8 DONALD FIELDS: I had 22 case workers
9 in my time.

10 PUBLIC ADVOCATE JAMES: You had how
11 many?

12 DONALD FIELDS: Twenty-two.

13 PUBLIC ADVOCATE JAMES: Twenty-two.

14 DONALD FIELDS: I had 22 case
15 workers in my time in care. So that's not a
16 reliable aspect in which I thought I can lean
17 on. I understood that every couple of months or
18 every couple of years I would get a new case
19 worker. It was kind of like Christmas. You
20 knew when it was coming around.

21 PUBLIC ADVOCATE JAMES: Tell me about
22 housing. When you got out where were you?

23 DONALD FIELDS: I was placed in a
24 NYCHA development. My first week there the cops
25 shot, fired 51 shots.

1
2 PUBLIC ADVOCATE JAMES: You were
3 placed there by yourself in a studio apartment?

4 DONALD FIELDS: Yes. I don't believe
5 that--I don't believe that young people,
6 especially aging out of foster care should be
7 just stuffed in NYCHA or stuffed in a studio
8 apartment. I believe that we should have more
9 creative and more imaginative ways to approach
10 this housing situation instead of just placing
11 them in NYCHA or other subsidies that are
12 finite just like subsidy living. I know that
13 they have the apartment comes furnished, but
14 it's only a finite time with that too. It's not
15 permanent, and it seeks to get people to have
16 housing skills before they allow them. Most of
17 the time there's no safety net.

18 PUBLIC ADVOCATE JAMES: Right.

19 DONALD FIELDS: And even just a
20 story that ran on ABC not too long ago when
21 they was intro--when they was interviewing
22 youth that recently aged out of foster care,
23 and the reality is is that some point you will
24 become homeless because there's not a
25 sustainability aspect to it.

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PUBLIC ADVOCATE JAMES: Right.

DONALD FIELDS: We focus so much on when they age out and finding them housing, but if we don't equip them with the tools to keep the housing that they get, then we're doing all this for not.

PUBLIC ADVOCATE JAMES: So did you get--so your aftercare services, did it consist of a grant or anything like that?

DONALD FIELDS: No. Once I aged out I was on my own.

PUBLIC ADVOCATE JAMES: Once you aged out it was over?

DONALD FIELDS: Yeah, I was on my own.

PUBLIC ADVOCATE JAMES: That was--you were on your own? And it was basically just sheer--your constitution and your relationship with your local church that made you, that put you through?

DONALD FIELDS: Yes, I also understood that in addition to myself, I have other people that's looking at me for guidance, not only for guidance but to know that they can

1
2 make it. And I still go. I talk every Tuesday
3 and Thursdays to children and youth that are in
4 care, and I understood at that point that if I
5 gave up, then that gave them license to give up
6 on their dreams and their hopes as well, and I
7 did not want to be a part of the malignant
8 culture that exists within the foster care
9 system. So I made a priority to go to school,
10 but not only go to school, but to finish school
11 because I--there's no greater testimony and
12 there's no greater inspiration than to see one
13 of your own get through it, and that lets you
14 know that you can do it as well. So that always
15 stuck with me in the back of my mind and it
16 also was in the forefront in everything that I
17 do, so I do advocacy work. I was just in D.C.
18 for the National Congressional Foster Care
19 Month and I was advocating on behalf of
20 Congress on certain issues that affect foster
21 youth wide, and it just--it's one of the things
22 because I met 67 other people that face some of
23 the same issues or some even dire, more dire,
24 more straight issues and to understand that
25 this is not only a New York problem but this is

1
2 a statewide problem that needs to be addressed,
3 and I always point to phrase [sic] that youth
4 that are in care, whether it be adoption, group
5 homes, boarding homes, orphanages, I always
6 consider us the forgotten people of society. I
7 believe that we're always pushed into the
8 collective unconscious of the American psyche
9 and the only time we are pushed to the
10 forefront is when something traumatic happens,
11 like the death of an infant or the mistreatment
12 or the neglect and the severe neglect, and I
13 believe that we need to start shining a light
14 on other positive cases as well, but just
15 overall raising the level of awareness when it
16 comes to foster youth and foster care in a
17 child welfare system, being a little bit more
18 transparent but also really engaging in
19 fruitful conversation that doesn't happen at
20 the behest of a traumatic experience, but--

21 PUBLIC ADVOCATE JAMES: [interposing]
22 I want to thank you.

23 DONALD FIELDS: more frequently.

24 PUBLIC ADVOCATE JAMES: I want to
25 thank you for your--sharing your testimony with

1
2 us. It's been very enlightening and just want
3 to thank you for your inspiration to others.
4 Thank you.

5 DONALD FIELDS: No problem. Thank
6 you.

7 CHAIRPERSON LEVIN: Council Member
8 Gibson?

9 COUNCIL MEMBER GIBSON: Thank you.
10 Wow, my head is filled with so much, but I'll
11 keep it very brief. I want to thank all of you
12 for being here today, for your strong advocacy
13 and certainly to you. I wouldn't say you were
14 lucky. I would say you're blessed and that's
15 because someone believed in you and discovered
16 that through all of the situations there's
17 always a way out. And although you seem very
18 strong, very commitment, I guess my concern is
19 there is so many foster care children that are
20 nowhere near the level that you are, and those
21 are the ones that we have to capture. And as
22 you said, sometimes we tend to be very
23 proactive, no, reactive instead of being
24 proactive and looking at some of the untold
25 stories, the hidden stories. I always say the

1 hidden victims that struggle in private that
2 those stories never make the media. And I
3 always look at that. I am a big fan and I
4 certainly will work with my colleagues. We have
5 to push this Administration to provide housing
6 for youth aging out of foster care, but with
7 supportive services. We do that in the field
8 of mental illness and developmental disability.
9 We have all these beautiful units that have
10 social workers and counselors right on site. So
11 I don't necessarily agree with just pushing
12 them into public housing because you're there
13 by yourself, and I believe that you are a
14 living testament that you can survive. And so I
15 encourage you to continue to spread that
16 message and tell your story because so many
17 young men and women don't see a way out, and
18 not until, unfortunately something happens does
19 that come to our attention, and we as elected
20 officials, as advocates, we have to do a lot
21 more of listening because sometimes I feel like
22 we're making these decisions but we lose that
23 human aspect of it. And with all these
24 incredible programs we've talked about, we're
25

1 still at a crossroads right now and I guess
2 that's what I was trying to say. We're looking
3 at how we can track data which is good, how we
4 can get reports on how many students are
5 graduating from high school, all of that is
6 great, but we shouldn't wait for that to happen
7 while, you know, all of the children are still
8 struggling in the system. I used to serve as a
9 state elected official so I worked a lot with
10 OCFS on a lot of this work that we've done so I
11 really understand a lot of it and certainly
12 want to do more to help, but we need people
13 like you at the table, because you bring that
14 human aspect to the table. You are the reality
15 that we talk about. You are sometimes the
16 defining story that we need to share. I always
17 talk about statistics because I come from a
18 borough where we're defined on statistics in
19 the Bronx. Every bad factor, the Bronx is
20 number one. So I live this reality each and
21 every day, but when I hear stories like yours
22 of triumph and success, I know that we serve an
23 incredible God and I know that things will
24 certainly work out. And I'm a firm believer in
25

1
2 that. So I thank all of you and these bills in
3 addition to other things, we have to continue
4 to have these conversations because the time is
5 now. Too many young people don't see a way out
6 and we have to help these young people before
7 something happens. So I applaud your work and
8 thank you for coming here, and know that you
9 have tremendous support is here at the City
10 Council.

11 DONALD FIELDS: Thank you.

12 COUNCIL MEMBER GIBSON: Thank you.

13 CHAIRPERSON LEVIN: Thank you,
14 Council Member Gibson. Both Jessica and
15 Donald, I want to thank you very much for your
16 testimony. I thank the entire panel for your
17 testimony, but you two in particular for really
18 first inspiring us, inspiring everybody in this
19 room, and you couldn't see while you were
20 testifying, but there--I saw a lot of people,
21 you know, tending to their eyes because they
22 were tearing up. It was very moving, your
23 testimony, and I would ask you as you are
24 moving forward, first to work, to work with us.
25 We would very much welcome your input as we

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2 advance policy and we want to see what's going
3 on as we're moving forward to changing the
4 system and working with the Administration, and
5 as we kind of look towards what we could do in
6 the system at large, we would very much welcome
7 your input and in your collaboration. I want to
8 commend you for your dedication to making sure
9 that other youth in foster care have an
10 inspiration and that they know that they can
11 achieve great things, and that there's a mentor
12 out there for them, and providing them with the
13 support system that unfortunately the city is
14 not quite providing right now, and for filling
15 that need and working towards filling that need
16 is something that we commend you on and we
17 thank you for, and I look forward to working
18 with both of you, and again, you're very
19 inspiring to all of us truly. And we want to
20 thank you very much for your testimony today.

21 DONALD FIELDS: Thank you. I
22 appreciate it.

23 CHAIRPERSON LEVIN: Next we will
24 have Emicia Prancer [sic], Parker, sorry,
25

1
2 Latonya Smitherman [sp?], and Stephanie
3 Gendell. Okay, whoever wants to go first?

4 LATONYA SMITHERMAN: Thank you.

5 Good afternoon. My name is Latonya Smitherman.
6 I am an alumni of foster care. I aged out of
7 Grand Wyndham [sp?] Agency. I'm here to testify
8 today on my belief and in support of these
9 bills. I wanted to touch on what Deputy Miller
10 said. She says, "They don't choose when kids
11 come to us." I find that a false statement. At
12 the age of nine or 10 I was taken away from my
13 Great Aunt who was my provider at the time. My
14 mother and father weren't--they didn't really
15 raise me and I always with my aunt. I didn't
16 choose to go into foster care, obviously, and
17 my grandmother very much wanted me to remain as
18 well my siblings. At the time it was eight of
19 us that were in her care, and we were in
20 unstable living conditions, and I literally
21 have the documents from that case in the 90's.
22 Like, I don't know how, but I kept those
23 papers. So now that I'm older and I'm able to
24 understand the terms, there was so much false
25 information given, because I know for a fact. I

1
2 remember very much clearly that time during my
3 life, and I know that my grandmother was a
4 great provider. I know that she did fulfil the
5 requirements to move the eight of us into a
6 bigger house, actually from an apartment. So I
7 didn't choose to go into foster care. My
8 grandmother did not choose to put us in foster
9 care. We were taken from her, and she was a
10 very fit provider. She also said, "We can
11 always do better." So fast forwarding, I don't
12 see how much ACS has supported the agencies
13 that I've been in. I've been in a number of
14 agencies as well. A lot of what Donald had to
15 say I could definitely agree with and I am in
16 support of. They can always be doing better.
17 They can always be doing more. To not--to say
18 that they start planning after care at 14 until
19 21 means there's six or seven years that you
20 guys are planning and the number of people who
21 age out and are in need of support are
22 ridiculously high. So with six or seven years
23 of planning for that child to eventually be on
24 their own and to not have a solution, that's
25 just ridiculous. I can say that I was fortunate

1
2 enough to have the support of Grand Wyndham as
3 my final provider and school and assisting me
4 with getting into college. Literally, or
5 specifically, Harry Bavrian [sic] is--which is
6 a member of Grand Wyndham who has become my
7 great mentor and I don't know where I would be
8 without him, but you know, just having that
9 support of that one person and his personal
10 passion for myself and youth who age out who
11 don't have the support at all. Just, like you
12 said, just pushed out into where I am now in my
13 studio apartment in NYCHA, which I've been and
14 I've been able to maintain that through the
15 support and constant passion of Harry's
16 support. You know, him personally advocating
17 for me for Grand Wyndham, which who's also
18 funding my schooling, because I'm now currently
19 in Hunter College. So having that support of--
20 thank you--of that one person meant the world
21 of difference. I have 11 siblings, and not any
22 of them have their high school diploma, college
23 credits, stable job or their own house. So I am
24 a success story for sure. Don't make me
25 emotional. But I find myself to be a success

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2 story because of the support. And I know that a
3 lot of people don't--they are turned away and
4 they choose to go back home because they can't
5 find that common ground is very much needed.
6 Like, we want to be back with our families, of
7 course. We want to be with them, but to not--to
8 have the option to go home or to have the care,
9 to have the assistance of aftercare shouldn't
10 be an option. It should be something that is
11 mandated to have these families work together
12 with the system so that prevention, which is at
13 all costs should be at firsthand. So let's have
14 prevention to not have these kids in foster
15 care. Let's have these people who want their
16 kids to--and need understanding and guidance to
17 how to keep their kids and keep their
18 apartments and keep jobs. Let's have those
19 programs institutionalized as opposed to what
20 happens. Let's not wait until it's too late to
21 say, "Oh, now they're homeless." Or "Now, they
22 didn't graduate." Let's prevent that at all
23 costs. Let's prevent them even having to go
24 into foster care, and once they are in foster
25 care, that shouldn't be a penalty for them.

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2 They shouldn't have to suffer to be taken away.
3 They shouldn't have to continue to suffer to
4 find an apartment or education or employment,
5 which happens. I never have to look far because
6 I look at my siblings and they're struggling
7 all around me always. So I just wanted to say
8 on my personal testimony that it makes the
9 world of a difference to have the support
10 beforehand so to not have to suffer, because
11 there's suffering all around, and if we can
12 prevent that, that would be the best thing to
13 do prevent it, to not even have to worry about
14 aftercare and these high rates of unsuccessful
15 stories. So, thank you.

16 CHAIRPERSON LEVIN: Thank you,
17 Latonya. Thank you.

18 LATONYA SMITHERMAN: Thank you.

19 EMICIA PARKER: Thank you. First of
20 all, thank you guys for giving us the
21 opportunity to testify. I wanted to preface my
22 statements with saying that it was very
23 disappointing to sit through the hearing and to
24 know that this hearing about data and about
25 numbers, and to see ACS so ill prepared. They

1 had no data, and that to me, showed how urgent
2 this bill it. So as far as my own story. My
3 name is Emicia Parker. I am the current
4 reigning Miss Plus New York and my platform is
5 empowering underserved youth. One thing that a
6 lot of people don't know about me is that I
7 actually was that underserved youth that I am
8 now seeking to empower. I was placed in foster
9 care here in New York when I was two months
10 old. I was placed in foster care because both
11 of my parents were addicts, and a result of
12 their illness they would abandon me into the
13 system. They would never come back for me. I
14 was blessed after being shuffled around a
15 little bit to find a loving adoptive home with
16 two parents who were really awesome and
17 amazing. They went on to adopt four more
18 children after me, and they kept about 19
19 foster children in total at different times.
20 They didn't believe in breaking up families. So
21 if there were four kids to be placed, they
22 would take all four. But unfortunately due to
23 my parents advancing age, they would both die
24 before finishing the task of raising me and my
25

1
2 siblings. At the time that my last surviving
3 parent, my mother died, I was able to fend for
4 myself, although just barely. My three younger
5 brothers were not as lucky, and as a result of
6 the timing, they would find themselves in the
7 care of ACS until they would eventually age out
8 of the system. They would tell you emphatically
9 that this was the worst period in their lives.
10 My brothers recount stories of not receiving
11 adequate help in finding housing, not receiving
12 adequate help in finding jobs, not receiving
13 adequate help pursuing education, and not
14 receiving adequate help with the basic skills
15 that they would call life skills. They straddle
16 instability in group homes and also in foster
17 care, and then at 18 they were just released
18 kind of like balloons flying in the air to find
19 their way in the world. ACS seemed to believe
20 that somehow at 18, like by osmosis or
21 something, they would just become adults and
22 know everything that they were supposed to do
23 without receiving that guidance, and
24 unfortunately that's not the case. So I watched
25 my brothers who I once enjoyed school drop out

1
2 of school. I watched my brothers become
3 incarcerated, all three of them. I watched my
4 brothers face homelessness, and then out of
5 desperation to have some place to stay, they
6 would reunify with their parents, their
7 biological parents who unfortunately were still
8 abusing drugs and who would end up stealing
9 from them. When my teenage brother, teenaged
10 brother had a stroke, that's when I knew that
11 the weight of this was too heavy for him. I
12 knew what was going on because I'm their
13 sister, but what's deeply troubling is that the
14 agency that just sat here had no idea that any
15 of this was going on because they just
16 unceremoniously ended contact with my brothers
17 after they aged out of the system. That ought
18 not to be the case. As Miss Plus New York I
19 have had the opportunity to tour many schools
20 and to speak to thousands of students here in
21 New York, and unfortunately this story is more
22 common than it should be. At a recent stop I
23 was able to share with some youth who were
24 formerly incarcerated through Boy's Town, and
25 when I looked into their eyes I just say my

1
2 brother's eyes. So I really urge for this bill
3 and any of these bills that will really hold
4 ACS accountable to be fully supported because
5 they are responsible for these lives. So we
6 must hold them to task because ultimately our
7 children's futures are our own futures. And if
8 our children are failing, we're going to fail
9 as a society. So while other kids may share my
10 brother's fears or they may share my brother's
11 concerns, I really want to make sure that my
12 voice is heard to ensure that these kids will
13 not share my brother's outcomes. Thank you.

14 CHAIRPERSON LEVIN: Thank you so much
15 for your testimony.

16 STEPHANIE GENDELL: Good afternoon.
17 I'm Stephanie Gendell. I'm the Associate
18 Executive Director at Citizen's committee for
19 Children. I just want to thank all of the young
20 people who've testified today because it's
21 their voices that really make a difference,
22 much more than anything I'm about to say. I
23 often find when sitting on panels with youth
24 people who've been in foster care, what we
25 learn is that they succeed despite the system

1
2 but not because of the system, and I think that
3 we need to change that. This hearing also feels
4 a little like Déjà vu. Some of you know my
5 prior life was at ACS. One of the last things I
6 worked on there was the PYA plan, and what we
7 wanted to do when we developed that plan was
8 actually come up with both reforms for the
9 agency as well as items to track to show
10 whether or not we were making improvements, and
11 as you've heard today, we haven't really done
12 that yet.

13 CHAIRPERSON LEVIN: [interposing]

14 Those were the measurable outcomes?

15 STEPHANIE GENDELL: The measureable
16 outcomes, yes. I believed the measurable
17 outcomes. And so did people at ACS. But
18 actually just to put them, you know, 2006 was a
19 rough year for ACS. It's also the year Ms. Mary
20 Brown died. So it was a tough time over there.
21 But in preparation for this hearing I also
22 reviewed--I remember testifying on this issue
23 before and I found my February 2008 City
24 Council testimony that was in front of then
25 General Welfare Chair de Blasio, where I gave

1
2 recommendations on how to help young people who
3 are about to age out of foster care. And I'm
4 going to essentially reiterate almost all of
5 the exact same recommendations from 2008. The
6 first thing, though, I did want to address the
7 local laws that were introduced today. CCC has
8 always supports increased data. We are
9 concerned that the laws may be overly
10 burdensome on ACS and we'd love the opportunity
11 to work together to try to come up with ways
12 that ACS can report on all of the items that we
13 need to know so we can understand the outcomes
14 for youth aging out of foster care. We suggest
15 one way that might be helpful is to look at
16 whatever it is that they're already reporting
17 and collecting. We know that the State Office
18 of Children and Family Services is required to
19 submit data to the federal government on youth
20 who age out of foster care and conduct a youth
21 survey. I do not know what the city is giving
22 to OCFS for that, but it would be interesting
23 to see what and also OCFS is required to when
24 youth turn 17, tell them they're eligible to
25 participate in the National Youth and

1
2 Transition Database, and then they reach out to
3 the young people again on their 19th and 21st
4 birthdays. They tried to create a 2010/11
5 baseline survey and they tried to reach 1,100
6 seventeen year olds, but only reached 286 young
7 people. So it would be also great to see how we
8 could help OCFS find more young people to
9 participate in the survey so we can track
10 better data about young people over time. Some
11 additional recommendations we have to help
12 young people in foster care are to strengthen
13 the preventive service system that we have. The
14 best way to prevent young people from aging out
15 of the foster care system is to prevent them
16 from ever entering the foster care system and
17 maintaining them with their families. As for
18 foster care itself, we think that there's a lot
19 that can be done to try to improve the time
20 when children are in foster care to also
21 prevent them from aging out. What every young
22 person really needs is a family and somebody in
23 their life who will be there for them, and
24 that's what helps young people succeed. And so
25 we really need to do better by the young people

1
2 and try to help them find families before they
3 leave and not age out. If we have 12,000
4 children in foster care, we shouldn't be having
5 1,000 age out. That's a huge percentage. Along
6 those lines, hopefully the state senate and
7 assembly are in the process of introducing a
8 bill today to increase the number of Family
9 Court judges. That has to pass by the end of
10 session on Thursday. It needs to be introduced
11 today to age. That will help decrease the
12 length of time in foster care. On the education
13 front, we believe as everyone, that's
14 education's critical to successful outcomes.
15 For children youth in foster care who have
16 suffered trauma and often times multiple moods
17 and school changes, it can be really
18 challenging for them in school. There needs to
19 be much more work done to ensure that when
20 children first enter foster care we prevent
21 disruptions to their education by maintaining
22 more educational stability when they first
23 enter care whenever it is safe to do so.
24 Similarly when they're--when foster placements
25 change we should really do the best we can to

1 not disrupt school. And as others have
2 testified we are supporting college and free
3 tuition for young people in foster care. In
4 terms of housing, we support the increase of
5 the housing subsidy as we have. We'd also like
6 to go up to age 24 instead of ending at 21, and
7 I appreciate Council Member Levin asking ACS
8 about the idea about having roommates. Most 20
9 year old young people living in New York City
10 on their own, paying their rent, trying to go
11 to school have roommates, and we believe youth
12 in foster care should have access to that same
13 support system. And then lastly, we think that
14 youth in foster care, while they have a lot of
15 needs that need to be met, they're youth at the
16 end of the day. We want them to be treated as
17 youth and have access to all the opportunities
18 of youth programs that every other youth in New
19 York City should have access to like after
20 school programs, summer youth employment,
21 etcetera. And I just wanted to address two
22 items that came up earlier. One is with regard
23 to the re-entry of young people who leave
24 foster care between 18 and 21 and then re-

1
2 enter. ACS said that, because there's a law, a
3 state law change to allow that, and they said
4 they had 108 young people apply and they
5 approved 78, and then this past year 33 applied
6 and they approved 19. That seemed very low, and
7 I worry that they've put in more barriers than
8 this statute has, and they talked about
9 offering preventive services to maintain the
10 young person, but preventive services end at
11 18. So these young people between 19 and 21
12 wouldn't be eligible for those services. And
13 then the other item is the discharge grants.
14 This will really age myself, but Council Member
15 Debreenza [sic] used to have a City Council
16 initiative which is where the discharge grants
17 initially started from and they were paid for
18 by the Council, and then additionally they got
19 base lined, and ACS paid for them and now ACS
20 has cut them and now here we are trying to
21 figure out how to get them back. It's probably
22 too late for this budget season, but I don't
23 know if that's something we want to consider.
24 It's also something to keep in mind for all the
25 items that have just been base lined, that it

1 gives the agencies the opportunity to cut them.

2 Thank you for the opportunity to testify.

3 CHAIRPERSON LEVIN: Thank you very
4 much, Stephanie. Thank you very much to this
5 panel. Public Advocate James, do you want--

6 PUBLIC ADVOCATE JAMES: No. Really
7 great initiatives and again, I congratulate
8 those who have made it and obviously we've got
9 a lot to do and I look forward to working with
10 all of you.

11 CHAIRPERSON LEVIN: And Latonya and
12 Emicia, thank you very much. Truly inspiring.
13 You really make us all want to be better people
14 and be a better city and your strength and
15 fortitude like Donald and Jessica really show
16 us that, you know, we have a lot of strength
17 within us, and what you've shown us is that you
18 have really what it takes and that you've been
19 able to rise to the occasion and may you
20 continue to inspire us. Thank you.

21 LATONYA SMITHERMAN: I just wanted
22 to say thank you for touching even on such a
23 critical issue because if you guys hadn't
24 brought it to light, or stories would mean
25

1 nothing without the politicians enforcing it.

2 So thank you.

3
4 CHAIRPERSON LEVIN: Thank you very
5 much. Okay, and our last panel, Thomas
6 Hilliard, Gary Parker, Priti Kataria and Krista
7 Gunderson. We're going to take a minute break
8 and switch to the Web Press Oaks [sic]. I know
9 that they have that as well. Okay, whoever
10 wants to go first?

11 THOMAS HILLIARD: I'll go first. My
12 name is Tom Hilliard and I am a Senior Fellow
13 with a Center for an Urban Future. We are a
14 think tank that conducts research on important
15 issues concerning economic workforce
16 development and social policy for New York City
17 and we are committed to a broad-based
18 prosperity for the City of New York. So the
19 experience of the Center for an Urban Further
20 with Foster Youth goes back to 2010 and 2011
21 when we researched a study on foster youth
22 called Fostering Careers, in which we examined
23 what's happening with foster youth in New York
24 City and why they have trouble connecting with
25 the labor market, getting jobs, starting

1
2 careers and paying the rent. And I won't go
3 into all of our findings because it's late in
4 the day, but I will say that I got tremendous
5 sense of Déjà vu from listening to the
6 Administration to listening to ACS leadership
7 and to the witnesses because we ran into all of
8 these things. So we found the data on foster
9 youth to be fragmentary and difficult to obtain
10 and if I can offer a theory about that. You
11 know, people are conditioned to think of the
12 child welfare system and neglect in the same
13 sentence, but this is not really about neglect.
14 Everybody is working as hard as they can, as
15 well as they can. It's really about the fact
16 that this used to be a child welfare system of
17 children and that as the number of children
18 have dropped precipitously over the last two
19 decades is become increasingly a system of
20 teens and young adults, but the system has not
21 yet caught up to this new reality. And as a
22 result, the foster care agencies and ACS and
23 the city have not adjusted to creating a city-
24 wide governing focus on foster youth. So one
25 thing I would add is that it is not just ACS's

1
2 job. There's a natural feeling that ACS need
3 to do better and needs to take charge, but many
4 of the things that we want will not come from
5 ACS. They will come from HRA. They will come
6 from the Department of Youth and Community
7 Development or Small Business Services and I
8 think the legislation that we are looking at
9 here today reflects that and therefore I think
10 you're called to open up a task force or a
11 children's cabinet with outside input is well-
12 timed and well-aimed because we very much need
13 a broader discussion and the center researched
14 this report. We researched a follow-up report
15 with more recommendations. We created a
16 symposium at which the Commissioner of ACS
17 spoke and we created a task force meeting of
18 city agency Commissioners and Deputy
19 Commissioners and outside stakeholders to talk
20 about how they could better collaborate to
21 serve foster youth. So people are having these
22 conversations. But they're still not producing
23 the data that enables us to create evidence
24 based policy. So I think that the legislation
25 presented here today is a good first step, and

1 I would say that at least in one respect,
2 collecting data on post-discharge adult
3 outcomes of foster youth is actually a little
4 short of revolutionary. So I will come back to
5 that in just a moment. Here's my biggest
6 concern about the legislation that we're seeing
7 here today. What it would mandate in general is
8 the reporting of raw numbers on the experience
9 of foster youth. And we should think more about
10 rates, percents and longitudinal trends over
11 time. That's how we are able to make
12 comparisons and that will provide better
13 information. To illustrate, I would look to 187
14 which would require ACS "to provide information
15 regarding high school graduation rates of youth
16 in foster care." But in fact, it wouldn't
17 actually do that. What it would require is raw
18 numbers of youth who graduate from high school.
19 This is actually the same information that we
20 got from ACS because I looked at that 2006 PYA
21 report and said, hey, that sounds like
22 something we ought to have. We needed
23 graduation rates for foster youth and what I
24 got you will see in appendix A of our testimony
25

1 here is just a list of foster youth, 18 to 21
2 separated by their outcomes, which tells you
3 very little. So what you need is the cohort
4 definition of graduation rates that we provide
5 for every other subgroup. I assume ACS is
6 saying that they have some trouble getting this
7 information together. That's what CSS seemed to
8 be saying, but they need to get over that. They
9 want to come and tell us about how great their
10 collaboration with DOE then it ought to be
11 possible to make this happen. So I would say
12 that it is a matter of common sense that in a
13 developmental program that is a child welfare
14 system, the acid test for whether the supports
15 we provide foster youth are working are how
16 they fare as adults. And so sections 2C, 2D and
17 2E of intro 105 deserve special praise because
18 they would pull aside the curtain and enable us
19 to find out what's going on in adulthood. I
20 spoke with the policy director for the Jim
21 Casey Youth Opportunity initiative which works
22 with states all over the country on foster
23 youth issues. And her view was that there's no
24 locality anywhere in the country that's doing
25

1
2 this. So New York city would be the first, and
3 I believe it's imminently practical that we can
4 do it, and I would actually encourage us to
5 look at also obtaining employment data using
6 the wage reporting system and educational data,
7 high school graduation rates, college going
8 rates and college graduation rates from the
9 state's student union record system which is
10 now online and available. So in closing, I
11 would simply say that we support the
12 legislation. We hope to be helpful in making it
13 the best legislation possible, and I thank you.

14 CHAIRPERSON LEVIN: Thank you very
15 much. I appreciate it. Thank you.

16 PRITI KATARIA: Good afternoon. My
17 name is Priti Kataria and I'm an attorney with
18 Lawyers for Children here in Manhattan. I'm
19 also the Director of the Adolescents
20 Confronting Transition Project. Excuse me. So
21 that means that my entire job is representing
22 those youth 16 to 21 years old aging out of
23 foster care. These are my kids and that's why
24 we're here today. Lawyers for Children is a
25 not for profit organization and we're lucky

1
2 enough that the Robin Hood Foundation has
3 funded practice in our office that we call the
4 Adolescent Confronting Transition Project that
5 also features a Housing Specialist who is
6 Krista Gunderson who's here to speak more to
7 Intro 104, but just one thing that I want to
8 make sure is also out there for the committee
9 and thank you for giving us the opportunity to
10 testify is not only are we looking at young
11 people who are the subject of abuse and neglect
12 cases, but there is another cohort here in New
13 York City that does represent a large number of
14 these youth who are transitioning to their own
15 independence, and that's children who have been
16 placed through the voluntary placement process.
17 And I'm not sure how familiar anyone on the
18 committee is, but just briefly, if a family
19 does present themselves to ACS asking for help,
20 asking for services and saying that they can no
21 longer care for their child, they can
22 voluntarily place them up until the age of 18.
23 So if you can imagine what a 17 and a half year
24 old who realize their parent is putting them
25 into foster care and then ask them to work with

1
2 the system between 18 and 21, I promise you
3 it'll be okay. You're looking at young person
4 who already is set up to be mistrustful, to
5 have that trauma again and to also not know
6 what the system is that they're supposed to
7 navigate, where ACS is saying that they'll
8 start at 14 if you don't even have them until
9 17 and a half. It's difficult to start that
10 planning with a child who isn't in your care.
11 And so that's one thing that I want to make
12 sure that everyone also has on their radar,
13 because it does make a difference, especially.
14 I'm only going to speak to Intro 137 and 187,
15 but specifically, in terms of the
16 identification and we'll hear about it a little
17 bit more in terms of housing, it is so
18 important for ACS to report on that data, but
19 we'd also ask that the Department of Health,
20 the Office of Vital Records also report on how
21 many birth certificate requests they're getting
22 from ACS. I can tell you from one of my
23 clients, he entered care in March. We asked ACS
24 to request his birth certificate in March.
25 We're now in June and he still does not have

1
2 his birth certificate, which means that he
3 can't apply for his social security card. He
4 can't apply for his state ID and he also can't
5 access the Summer Youth Employment Program.

6 CHAIRPERSON LEVIN: Is that because
7 ACS hasn't requested it or DOH hasn't given it?

8 PRITI KATARIA: It's been requested
9 so far as the agency represents to us. So we're
10 not sure where exactly the breakdown is, which
11 is why we're asking for DOH to also get
12 involved just to see where that breakdown
13 happens.

14 CHAIRPERSON LEVIN: Sure. Okay.

15 PRITI KATARIA: Excuse me. And
16 especially with our older youth because we need
17 that identification so quickly and so urgently
18 to allow them to access any of the system that
19 we're relying on to help them leave foster care
20 successfully. We do need to figure out whether
21 it is ACS, DOH, some combination thereof, the
22 agency, some misunderstanding because whence
23 you have those documents then you can actually
24 figure out where the plan is from there. As to
25 intro 187 when we're talking about our

1 undereducated and underemployed foster youth
2 which we all know is the case, we--the
3 testimony does contain more suggestions, but
4 the one that I do want to make sure is
5 highlighted is that we also need data
6 specifically on what diploma track these young
7 people are on. Not only are they graduating,
8 but what are they graduating with, because a
9 young person who graduates with an IEP diploma
10 cannot access the same programs, colleges,
11 jobs, licensing programs, vocational programs.
12 That diploma unfortunately does not necessarily
13 guarantee any of the success that graduation
14 per say would yield. The other data that really
15 should be collected is also the GED programs
16 because we're not just talking about high
17 school diplomas. A lot of times you have youth
18 with all of the moves that we've spoken about
19 who now have so few credits that they agency's
20 saying, "You know what? Why don't you just get
21 your GED?" Referring them to a GED program, but
22 that doesn't necessarily actually ensure
23 success. That just means that they're being
24 funneled into another system. They may not get
25

1 that GED. Once they're in a GED program, it's
2 less involved by the agency. It's now another
3 agency provider, and so we need data on that as
4 well. So, between the Department of Education
5 and ACS, we do need more information about
6 where our youth are going with what credentials
7 and making sure that the agency realizes that
8 graduating per say is not the end of the story.
9

10 CHAIRPERSON LEVIN: Thank you.

11 KRISTA GUNDERSON: Good afternoon.

12 My name is Krista Gunderson. I am the Housing
13 Specialist Attorney on the Adolescents
14 Confronting Transition Project along with my
15 colleague Priti Kataria, and so my client base
16 is primarily made up of 16 to 21 year olds, and
17 my primary role is to assist my clients as well
18 as all of Lawyer's for Children's clients that
19 are aging out of foster care with obtaining
20 housing. And so as you can imagine, most of my
21 job involves delivering bad news, and it's very
22 unfortunate situation. So, as a result, we are
23 supporting the Intro 104, but we do have
24 additional recommendations with respect to the
25 data that should be collected and mainly that

1
2 has to do with the collaborations with other
3 agencies. You heard ACS before testify that,
4 you know, they love collaborations and they're
5 constantly working on collaborations with other
6 agencies, and so we would be asking that in
7 addition to the data that the bill calls for,
8 that NYCHA be required to report on
9 particularly data involving evictions and
10 eviction rates for the youth that are getting,
11 obtaining apartments successfully through the
12 NO priority, but then are subsequently being
13 evicted or cannot maintain those apartments.
14 Specifically the reasons for those evictions as
15 well as the length of time that they are able
16 to hold the apartment until they are evicted.
17 And then also the--specifically related to the
18 number of proceedings, the evictions
19 proceedings, how they are resolved. Are they
20 resolved because the tenant is able to overcome
21 the proceeding and remain in the apartment?
22 Are they formally evicted or did they
23 voluntarily vacate the apartment because they
24 are just unable to manage a system on their
25 own. And then finally, with respect DHS, the

1 Department of Homeless Services and the entry
2 of youth that have transitioned out of foster
3 care into the shelter system, although there is
4 a state regulation that prohibits ACS from
5 discharging youth to homelessness or even
6 nonpermanent housing, what we are finding from
7 anecdotal evidence from our clients is that
8 many times they are discharged to permanent
9 housing, but then that permanent housing plan
10 fails and they then enter the shelter system.
11 So that permanent housing could be a relative
12 or a family member or some other kind of
13 arrangement but that arrangement isn't
14 permanent in a sense that it doesn't last and
15 then they are re-entering the shelter system.

17 CHAIRPERSON LEVIN: In your
18 experience does that include like essentially
19 couch surfing?

20 KRISTA GUNDERSON: Correct. I mean,
21 you know, of course ACS doesn't want to
22 publicize this, but there is a lot of
23 encouragement by foster care agency staff, the
24 contract agencies as well as some ACS staff
25 towards these youth to make these personal

1
2 arrangements that don't have any lasting
3 guarantees, such as couch surfing, such as
4 reunifying with relatives that they may have
5 been--the relationships were broken previously.
6 I've actually at Lawyers for Children on behalf
7 of one particular client had to file article 78
8 proceedings against both ACS and NYCHA on
9 behalf of the same client because ACS was
10 trying to force her to reunify with her mother
11 and stepfather as she aged out of foster care
12 and this was a stepfather who she had alleged
13 had sexually abused her, and that was ACS's
14 idea of a permanent housing plan to avoid
15 having to keep her in care on an exception
16 policy. So that's just one example.

17 CHAIRPERSON LEVIN: See, but I--
18 sorry. I asked about that previously and they
19 said that anybody that seeks it--

20 KRISTA GUNDERSON: [interposing]
21 That's--

22 CHAIRPERSON LEVIN: [interposing] The
23 exception gets it, right?

24 KRISTA GUNDERSON: That was a
25 misleading answer. They do allow anyone to seek

1
2 it, but there is a strong push back against
3 exceptions policy because it involves money and
4 it involves them paying for these youth beyond
5 the age of 21 to continue in care and they
6 don't get reimbursed from the federal
7 government for those placements, so of course
8 they want to minimize that effect. And so I
9 mean, there were several statements that were
10 made that we scoffed at a little bit in the
11 audience, but the idea that any youth over 21
12 who doesn't have a viable housing option is
13 automatically gifted and exception to policy is
14 just utterly false.

15 PRITI KATARIA: And just to add one
16 more piece to Lawyers for Children's pedigree,
17 we were part of that class action lawsuit
18 against ACS. So we're very aware. We do still
19 participate in the monitoring meetings as well,
20 so there is some data being collected, but it
21 definitely is not as reliable or in as robust
22 of source as any of us would hope coming out of
23 a class action.

24 CHAIRPERSON LEVIN: Well thank you
25 very much for your testimony. My--is there a,

1
2 on a policy level, is there a dialogue between
3 your agency and ACS and so that ACS is taking
4 into consideration what your suggestions maybe,
5 and outside of the litigation setting?

6 PRITI KATARIA: Well, we--actually,
7 the litigation came after a period of time
8 where we were trying to do work group meetings
9 and trying to address this more as a congenial
10 policy. At this point we do still have those
11 policy meetings with ACS, but we also do have
12 our own internal discussions whether there
13 needs to be any further action taken. I've had
14 to at least on my own cases, couple of times
15 gone to the actual members of ACS that are
16 monitoring to report a specific client who
17 needs exactly the kind of housing intervention
18 that the class action was supposed to take care
19 of, but it's still happening. We still have--
20 every day, it still happens that we have a
21 client whose been told that they have to
22 reunify with someone that they haven't seen.
23 ACS has been very willing to send my clients to
24 Colorado, Florida, North Carolina to find
25

1
2 family members as opposed to maintaining them
3 on an exception to policy.

4 CHAIRPERSON LEVIN: What happens if
5 the family members aren't like there when they
6 get there?

7 PRITI KATARIA: We've actually had
8 one of my young men return to New York saying
9 that he got there and as soon as he got to the
10 family that ACS had said that they had spoken
11 to and were ready to take him in, that they
12 weren't really ready. The expected him to be
13 able to pay rent, which he couldn't at that
14 point. He had just arrived in the middle of
15 nowhere that he recognized, and he actually did
16 return to New York.

17 CHAIRPERSON LEVIN: Thank you very
18 much for your testimony. Clearly, we have a
19 lot of work still to do, and I want to thank
20 everybody for being here today. Again, in
21 particular the young people who testified in
22 sharing your experience with us is again very
23 moving, very inspiring and I think that we have
24 a collective responsibility to start working on
25 this, you know, and hopefully we have an

1
2 Administration now that is committed towards
3 reform and you know, the reality of that is
4 that will cost funding. It's not going to be
5 free, but it's--again, it's a collective
6 responsibility that we have in this city. So I
7 want to thank everybody that was here to
8 testify. Thank you for this panel. We're going
9 to take a one minute break and then we will be
10 hearing the Reso on the WEP program. Thank you
11 very much.

12 [break]

13 CHAIRPERSON LEVIN: Hi everybody.
14 Welcome back. I am Council Member Stephen
15 Levin and we will be hearing now Resolution
16 number 257, ending the WEP program sponsored by
17 Council Member Mealy, Dickens and King. This
18 Resolution calls on the State of New York and
19 the legislature to pass and the Governor to
20 sign legislation that would amend the social
21 services law in relation to prohibiting the
22 work experience program in New York State. The
23 work experience program, also known as WEP, is
24 a works program in New York City administered
25 by the Human Resources Administration designed

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2 to place public assistance recipients in work
3 experience assignments in order to receive cash
4 assistance and meet the state's mandated work
5 engagement requirement. In order to receive the
6 maximum temporary assistance for needy family
7 block grant from the federal government, the
8 state must meet a 50 percent work activity
9 engagement rate for all households receiving
10 public assistance. As of June 2014, 10,879
11 people in New York City were enrolled in WEP.
12 The WEP program has been sharply criticized by
13 advocates, public assistance recipients and
14 elected officials for a great many years. WEP
15 participants are not considered employees, do
16 not receive a paycheck and are not eligible for
17 an earned income tax credit, collective
18 bargaining, unemployment or social security
19 benefits. WEP workers in New York City work
20 alongside and are--work alongside and are doing
21 the same tasks as municipal and union employees
22 for below poverty wages. WEP workers serve the
23 people of New York City, conduct essential
24 services at agencies such as Department of
25 Sanitation, Parks Department and the Department

1 of Citywide Administrative Services among
2 others. Resolution number 257 supports
3 Assembly bill 7119A and Senate Bill Senate
4 5120A which would prohibit WEP in New York. The
5 proposed New York State legislation aims to end
6 the practice of forcing New Yorkers to fulfill
7 their work requirements through working without
8 a paycheck and additionally stops the practice
9 of providing agencies and not for profit
10 organizations a pool of unpaid labor. Again,
11 would--excuse me. Would--the proposed
12 legislation ends to aim the practice of forcing
13 New Yorkers to fulfill their work requirements
14 through working without a paycheck and
15 additionally stops the practice of providing
16 agencies and not for profit organizations a
17 pool of unpaid labor resulting in the
18 displacement of full time workers. This--the
19 bill maintains the work activity requirements
20 and the other existing worker activity options
21 for recipients of public assistance. These
22 other work activity options including
23 education, training, and transitional jobs
24 provide more meaningful opportunities for
25

1
2 public assistance recipients to transition off
3 of assistance and into secure jobs that pay a
4 living wage. I now welcome any testimony on
5 Resolution number 257. I'll call up the first
6 panel, John Krinsky, Kathleen Keller, Susan
7 Rivers, Bill Busk and Melinda Nimmons [sp?].
8 Whoever wants to go first can go ahead. Thank
9 you very much to this panel for your patience.
10 I know you've been waiting a long time. Make
11 sure the microphone is on and please say your
12 name for the record.

13 MELINDA NIMMONS: Thank you very
14 much for your patience, Councilman Levin and
15 your very patient assistant. We thank you very
16 much for waiting. You know, you saved the best
17 for last, right? Okay. Good afternoon and happy
18 belated Father's Day if you are a father to the
19 dads present today. My name is Melinda Nimmons,
20 a member of Community Voices Heard. I am here
21 to ask for your support of Resolution 257 to
22 support legislators and the Governor to pass
23 and sign bill A7119A and S5120A to prohibit the
24 work experience program. The bill has been
25 written and introduced in Albany. It passed the

1
2 Assembly, Social Services Committee and we are
3 hopeful it will pass the Ways and Means
4 Committee and the Chamber of the Assembly by
5 the end of the week. CVH members have fought
6 almost two decades to have public assistance
7 recipients fairly compensated with salary for
8 their equal labor and additional contributions
9 in the workforce flow as WEP workers. After
10 carefully preparing and planning continuous
11 days of hard work figuring out the dos and the
12 don'ts of the law, countless lobby trips to
13 Albany as a team, that we have put into
14 arriving at this stage in our intended goal.
15 Our efforts have now reached a high point and
16 we are grateful and relieved to know that
17 someone cares. We take pleasure in expressing
18 our thanks to any and all for efforts that have
19 been previously and recently put into actions
20 by New York legislators and in Albany and
21 Council Members involved in the vital mission
22 geared towards reaching such a huge improvement
23 for thousands of ready, willing and able
24 Americans in need of financial stability. It's
25 good news to sore hears to hear that our bill

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2 will finally be seriously considered and put on
3 the floors of the chambers to be passed and
4 begin to change the world. It will be a
5 historical moment that will profit a great deal
6 of individuals, people from a diverse range of
7 ethnic backgrounds, some young, some older and
8 a better opportunity for individuals with
9 little to no previous work experience. Once
10 the final step has been completed and we have
11 the right people on our side, like you Council
12 Member Levin, there will still be a need for
13 everyone to work together and make this moment
14 that will go down into history as a prosperous
15 starting point for to last a lifetime. It will
16 show Americans that the government really works
17 hard to improve the lives of the citizens and
18 other countries will respect us and know that
19 we are a united country that gets things done
20 for our people in need as well as the wealthy.
21 This doesn't mean that we can just stop at this
22 point and let things linger, because immediate
23 action will be required as soon as possible on
24 bill A7119A, S5120A is officially passed. We
25 must work together and listen to each other in

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2 order to plan the necessary actions to create
3 this vital long in the making change of a
4 richer economy and a stronger, as well as a
5 better country to live in for all. Making this
6 change will most definitely get the attention
7 of millions of people and they'll be open to
8 listening more attentively to what our leaders
9 in the government have to say. It will also
10 create a large outcome during the election time
11 of new supporters of the government that will
12 be more inspired to vote on a regular basis.
13 This is a new beginning. Procrastination and
14 words alone will not be enough. We must take
15 action immediately and we could start with Ms.
16 Nimmons, assign her to her job.

17 CHAIRPERSON LEVIN: Thank you very
18 much, Ms. Nimmons for your testimony.

19 MELINDA NIMMONS: You're welcome.

20 SUSAN RIVERS: Good afternoon. My
21 name is Susan Rivers. Good afternoon,
22 Councilman Levin and thank you for the
23 opportunity to share my testimony with the
24 committee on Human Services. I'm originally
25 from New York and raised four children here as

1 well. I'm divorced. Their dad still lives here
2 and together we're helping our adult children.
3 I worked for the legal industry as a document
4 specialist for more than 25 years. I was also
5 self-employed part time and certified as a
6 disadvantage business enterprise with the MTA.
7 My company, Diverse Marketing Company, is
8 currently registered with the system for Work
9 Management, aka SAM, and with the city and
10 state of New York as a vendor. I've been a
11 member of CPH since February 2014 and after
12 lobbying with them in Albany and here in New
13 York was empowered with the realization that I
14 have choices, especially after meeting members
15 of this new Administration. The previous
16 Administration's one size fit all WEP program
17 must be completely dismantled. It doesn't take
18 a rocket scientist to realize if people have
19 the opportunity to perform work in their area
20 of expertise or obtain training and/or work
21 experience from apprenticeships and internships
22 in sustainable industries, that they will
23 eventually result in transitional jobs and that
24 they'll have a chance to earn a living wage and
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1
2 get out of poverty. So that I would not lose my
3 apartment because I was not one of those who
4 ever received section eight and I raised four
5 children here who are now 35, 33, 30 and 27. I
6 was forced to apply for public assistance in
7 November 2011 after finishing school. Since
8 then I have been seeking employment, but was
9 only able to obtain seasonal employment as a
10 computer instructor with the 32 BJ training
11 fund last year. Although IT recruiters contract
12 me regularly, the positions always require a
13 Bachelor's degree. When much of the legal work
14 I used to perform was outsourced by the legal
15 industry in 2009, I went back to school and
16 graduated from the University of Phoenix by
17 October 2011; I was 52 then, with an
18 Associate's Degree in business and a GPA of
19 3.32. I also attended SUNY's A plus computer
20 networking technology program which I completed
21 in November 2011 and became certified as a
22 Microsoft certified trainer with multiple
23 Microsoft certifications. I was told to report
24 to a maintenance WEP assignment which I--it was
25 a by a conciliation worker in May 2014, which I

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2 rejected, since I feel that a work assignment
3 should align with my work experience, and I
4 felt New York City should be able to find some
5 other aligned work for me to do besides
6 maintenance with the skills that I have and my
7 work experience. Not one of the job vendors I
8 have been sent to has ever, not once have they
9 ever made any attempt to help me find work in
10 any of my areas of expertise. Yet they're
11 receiving a 153 million dollars a year, and
12 there's about 11 job vendors. It just doesn't
13 make sense to me. I decided to find my own work
14 activity, which has been supported by HRA's
15 Director of Work Experience Management, Ms.
16 Cynthia Screen [sp?]. I visited the Department
17 of the agents [sic] website and learned of a
18 website called Volunteermatch.org, and signed
19 up to provide the Catholic Guardian Services,
20 an agency of Catholic Services, of Catholic
21 Charities, with onsite computer tech and help
22 desk support, training and database development
23 services as their agency was seeking assistance
24 in these areas. I am waiting for their
25 extensive background check and other

1
2 particulars to complete before I can begin
3 working with them. I am registered with CUNY
4 for Fall 2014, thank God, to pursue my
5 Bachelor's degree in information technology and
6 project management. I plan to pursue small
7 government contracting opportunities as a DBE,
8 which I did in the past with the MTA while in
9 school and believed that once I complete my
10 education I will then access gainful employment
11 and perhaps will be able to provide that to a
12 few others as well. Thank you for allowing me
13 to testify before this council today.

14 CHAIRPERSON LEVIN: Thank you very
15 much for your testimony.

16 BILL BUSK: My name's Bill Busk. I
17 am a member of Community Voices Heard. I wish
18 to testify in support of Resolution 257 in
19 favor of proposed New York State Legislation
20 S5120A, A7119A, the bill to prohibit work
21 experience programs in New York. I have waited
22 so long to say those words in this chamber. WEP
23 or work experience programs currently the way
24 the city chooses to satisfy the work
25 requirement for anyone who needs safety net

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2 benefits. Almost 12,000 people every day across
3 the city and another 10,000 people across the
4 rest of the state are cleaning office, subways,
5 streets and senior centers without a paycheck.
6 Even military veterans who need assistance are
7 required to do WEP, no matter how many years or
8 how many tours they served, and no matter how
9 often they had been wounded in service of our
10 country. People with mental health problems,
11 physical injury or health barriers to getting
12 employment are forced to do WEP. Mothers of
13 small children and victims of domestic violence
14 have to do WEP if they need assistance for
15 themselves or their families and many members
16 of Community Voices Heard are these people.
17 I've been working since I was 12 and paying
18 income tax since age 16. I commuted to work
19 into New York City from out of state paying the
20 commuter tax back then, New York City and New
21 York State taxes. I worked and lived in New
22 York for 15 years paying city, state and
23 federal taxes. I currently reside in the Bronx.
24 After working and paying--after working and
25 paying taxes for 32 years. In 2009, the worst

1
2 year of the recession, I was out of work, and I
3 was illegally evicted, and I was in need of
4 surgery with no medical coverage. I ended up in
5 the homeless system for two years, in the back
6 to work program for almost one year, and in We
7 Care program doing WEP for almost two years
8 while I dealt with post-surgery medical
9 problems. Human Resource Administration, HRA,
10 told me I had to earn my benefits, even though
11 I had worked and paid taxes for decades. In
12 Back to Work I found a temp job with no help
13 from the Back to Work vendor, even though that
14 is what their job is. That is what you heard
15 earlier testimony that they're getting 150
16 million dollars for. I eventually was declared
17 disabled and won my social security case with
18 no help from the We Care vendor, even though We
19 Care is supposed to screen clients for
20 disability and help them file their social
21 security case. Once again, you heard testimony
22 over 100 million dollars and they're not doing
23 their job. Before I received a single cent
24 from my social security disability award, HRA
25 took money equal to the amount of money paid

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2 for my public assistance cash assistance, food
3 stamps and storage rental fees. So, I worked
4 for two years doing WEP to earn my benefits,
5 which I had already paid for with three decades
6 of taxes. Then I paid for the same benefits a
7 second time from my social security disability
8 money. And I worked two years for WEP for
9 nothing, un gots [sic]. New York City wastes
10 hundreds of millions of dollars on wasteful
11 fraudulent job search center contractors. That
12 money should be diverted to subsidized child
13 programs like the Park Opportunity program,
14 which Community Voices was critical to creating
15 back in November 2001. Numerous studies shows
16 that WEP does not work or you could just ask me
17 and the member of CVH because it never have
18 worked for none of us. Subsidizes job programs
19 are very successful at getting people a real
20 job where they can pay into their social
21 security taxes, become eligible for an earned
22 income tax credit and get a real paycheck.
23 Bill A7119A S5120A will stop this exploitive
24 work experience program. Supporting Resolution
25 257 is one step the City Council can do to

1 help. Mr. Chairman, we need to end WEP now.

2 Thank you.

3
4 CHAIRPERSON LEVIN: Thank you, Mr.
5 Busk. Thank you for your testimony.

6 KATHLEEN KELLER: Hi. I won't take
7 long. My name is Kathleen Keller, here from
8 the Legal Aid Society, and I can't say it any
9 more eloquently than the previous speakers.
10 The Legal Aid Society supports the Assembly and
11 Senate bills to end workfare in New York City,
12 and we see it every day in all of the clients
13 that we represent. What they all want to a
14 person is an opportunity to get off of public
15 assistance with a real job that pays a living
16 wage, and if they can't do a job, then to get
17 disability benefits to which they're entitled,
18 and WEP gets in the way. So I'm just going to
19 say three things that aren't in my written
20 testimony. The first one is that the bill is
21 perfectly legal. TANIF is a federal statute
22 with requirements that are imposed on states to
23 set up certain public assistance programs
24 within certain parameters, but WEP workfare is
25 not a requirement. It's an option. So the bill

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2 is perfectly legal. Somebody asked me that
3 question earlier, so I just wanted to make sure
4 that I got that in the record, and it's not in
5 my written testimony. And the other two things
6 that I wanted to say is I saw in the City
7 Council Resolution supporting passage of the
8 bills that there's reference to the required
9 participation rate that the state has to
10 achieve to get federal dollars without penalty
11 from the federal government for, you know,
12 putting on the public assistance program, and
13 it references the 50 percent participation
14 rate, but what I just wanted to make sure that
15 was on the record was that the participation
16 rate is adjusted by what's called the case load
17 reduction credit. And the case load reduction
18 credit is all about all the people that have
19 gotten thrown off of public assistance over the
20 years that in prior Administrations that was
21 considered a smashing success, that while our
22 economy was faltering, we were cutting people
23 off of public assistance not helping them. But
24 so because we were so successful at that, our
25 participation rate in New York State is much

1 lower. I didn't look up the number before I
2 came today. It's below 15 percent. I think it's
3 13 or 11. I'm sorry I don't have the number
4 right on me, but I just wanted to make sure. I
5 hadn't realized that that was in the
6 resolution. I just wanted to put that on the
7 record. And the last thing I want to say is
8 that one thing that's been an interesting issue
9 at the legal aid society is that we represent
10 people on public assistance and people who are
11 trying to get different kinds of benefits,
12 including disability benefits. We also
13 represent low wage workers, people who are
14 trying to get unemployment insurance and people
15 who have wage and hour claims and
16 discrimination claims against their employers,
17 and so we have seen a number of cases recently
18 where WEP workers who worked at the MTA
19 successfully cleaning subways were not even
20 permitted to apply for paid work at the agency
21 because of the agency knocked them out because
22 of an illegal, I might add, criminal record
23 check. And what's so interesting is that,
24 isn't it interesting that as an unpaid worker
25

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2 they were absolutely just fine to clean the
3 subway cars, but as soon as the MTA needed to
4 cut them a paycheck they wouldn't even take
5 their application. [applause] So those--I just
6 wanted to get all those things on the record
7 and to say that the Legal Aid Society wholly
8 supports this legislation and hope that it
9 passes, and we were glad that you support the
10 resolution.

11 CHAIRPERSON LEVIN: They had no
12 problem with the work being done, they just--

13 KATHLEEN KELLER: [interposing] No,
14 no problem with the work.

15 CHAIRPERSON LEVIN: had problem with
16 compensating them for the work.

17 KATHLEEN KELLER: No problem.

18 CHAIRPERSON LEVIN: Thank you.

19 Thank you for your testimony.

20 JOHN KRINSKY: Hello, Chairman
21 Levin. My name's John Krinsky. I don't actually
22 really represent anyone. I am a solidarity
23 board member of Community Voices Heard and I'm
24 an Associate Professor of political science at
25 the City College of New York, and I've very

1
2 pleased to be able to testify in favor of the
3 resolution before you to urge the State
4 Legislature and Governor to amend the state's
5 social services law to abolish WEP. And my
6 testimony is my own--does not reflect an
7 official position with my institution. I'm the
8 author of a book *Free Labor, Workfare and the*
9 *Contested Language of Neo-Liberalism*. It's
10 about the debates over workfare in New York
11 City in the 1990's, and during the course of my
12 research for the book which began as a doctoral
13 dissertation at Columbia University I came to
14 meet many WEP workers, many of whom described
15 the program as slavery. Though in the course of
16 debates over workfare, this claim was hotly
17 contested mainly by workfare supporters. I want
18 to suggest that from a formal point of view,
19 it's not the worst analogy. WEP is a compulsory
20 work program, and I'm actually not adding that
21 much more to even the Council's own intro here.
22 The conditions of work in the program are below
23 standards set for regular workers, abuse of
24 workfare workers is common, along a range of
25 petty to serious abuses. It's unpaid. One

1 works in return for basic assistance that is
2 significantly below the generally accepted
3 standard for a decent life. It's very structure
4 makes it difficult for WEP workers to escape
5 and it provides all kinds of reason for those
6 who use WEP labor to continue to use it. Very
7 few other kinds of work in our economy share
8 these formal attributes. Just about the only
9 other ones that come to mind are the indenture
10 of trafficked workers and prison labor. This is
11 not the kind of thing we want enshrined in our
12 public policy and that we have had it for so
13 long is a terrible stain. Fortunately, we now
14 have a chance to get rid of it, and it also
15 gives me great pleasure to be able to say that.
16 I just want to--rather than going through my
17 entire written testimony, I just want to point
18 out that what it really consists of is sort of
19 five things that you might hear from opponents
20 of this resolution and what's wrong with those
21 five things. So one is that there's no other
22 good way to meet the work requirements under
23 federal law, and clearly there are and we just
24 heard about some of them. And it's not just
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2 the transitional job program that we already
3 have, but there--you know, there are lots of
4 states around the country that have had or have
5 subsidized work programs. Some of them were
6 created under Era [sic], but and then some of
7 them have actually continued even after Era
8 has--Era funding disappeared. Second one is
9 that the city does not put WEP workers in make
10 work assignments but rather uses them to help
11 meet basic needs. This has been a sort of
12 problem throughout the program, that on one
13 hand the city wants to say, "oh, well they're
14 not really displacing anybody, they're not
15 really doing any work that we really need to
16 get done," and then on the other hand, of
17 course, they say, "Oh, well, it's--we need
18 them. You know, we need them." And you know
19 for dependent on WEP, then we flipped around
20 the whole idea of welfare dependency so
21 thoroughly the comedy would write itself if the
22 irony weren't so awful. If we can't have city
23 agencies that depend on WEP and for various--in
24 various agencies throughout the program have
25 done so.

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2 CHAIRPERSON LEVIN: Or not for
3 profits for that matter.

4 JOHN KRINSKY: Or not for profits
5 for that matter, that's right. Often, of
6 course, with contracts from the city. So it's-
7 -it gets tricky there. Then--I mean, I guess
8 one other thing that I want to mention just for
9 the record is that I'm also doing a research
10 project on parks workers, parks maintenance
11 workers. The one thing that we found pretty
12 consistently is that WEP is really hated by
13 frontline staff, and it's not simply that WEP's
14 displacement effect displeases regular
15 municipal workers, it's also that WEP workers
16 as opposed actually to job training
17 participants, come with all kinds of regulatory
18 problems and specifically because work hours
19 are set by the size of the grant. WEP workers
20 have different work hours from each other. In
21 parks, for example, this means that if you
22 have--if you send out WEP workers on a mobile
23 crew, they may have to be returned to
24 headquarters at different times, meaning that a
25 paid parks worker is really being used as, I

1
2 mean this is an endemic problem anyway, but
3 it's basically being used as a taxi driver.
4 And that's just not a good use of our
5 resources. A third objection might be that WEP
6 has been responsible for reducing the welfare
7 roles in getting recipients into work. Well, it
8 certainly has chased a lot of people off the
9 welfare roles, as for its ability to move
10 people into work. I think you heard from
11 Commissioner Banks not long ago about the
12 massive data problems in this regard, and it
13 also again has to do with tracking beyond the
14 point where the agency doesn't feel responsible
15 for you anymore. It's very similar to the kinds
16 of testimony we just heard about ACS. On the
17 soft skills issue, this is a lousy way to teach
18 soft skills, and we'll just leave it at that.
19 But then, I just--I won't get into it now, but
20 the fifth reason in my testimony is a
21 particularly cynical one, and I'll just leave
22 the--it's that WEP converts welfare recipients
23 into workers, and therefore, is good policy for
24 progressives because we can argue for worker's
25 rights. And the depths of the cynicism of that

1
2 are just--I mean, are--I mean, it's profound.
3 So I'll leave it at that, and thank you very
4 much for considering this resolution which I
5 think is one of the--is of central importance.
6 Going forward not just because we actually have
7 fewer WEP workers now and we have an
8 opportunity to kill off the program, but also
9 because if we leave WEP on the books, it can
10 grow again, and we've seen cycles of that since
11 the, really since the mid 80's, and its time to
12 end that cycle. So thank you.

13 CHAIRPERSON LEVIN: Alright. And I
14 would add to that that if we leave WEP on the
15 rolls, it does not incentivize us to developing
16 better transitional jobs programs.

17 JOHN KRINSKY: That's right. That's
18 right.

19 CHAIRPERSON LEVIN: And I want to
20 thank this panel very much for your testimony.
21 I want to thank Community Voices Heard for
22 being such strong advocates on the issue in
23 general, but its been very profound in terms of
24 your advocacy in recent months and I can't
25 predict the future, but I think that we have an

1 Administration now and a Commissioner now at
2 HRA that feels strongly about this issue. I'm
3 not--I don't want to speak for him, but and so
4 we look forward to working the coming months. I
5 hope to actually have an oversight hearing at
6 some point in either late summer or early fall
7 on HRA's jobs programs, plural, and what the
8 Administration is going to be doing to reform
9 the system if there's any--you know, I guess
10 there's a lot of areas of social services that
11 this committee has oversight over that are in
12 need of reform as we heard in the previous
13 hearing today, but jobs programs is near the
14 very top of the list and certainly taking this
15 action of having the Council on record saying
16 that the WEP program must end and support of
17 state legislation is, I think, important to do
18 for this council in making sure that we're
19 clear and unambiguous in terms of where we
20 stand. I want to thank this committee, because
21 otherwise--I mean, this panel because otherwise
22 we would not be, you know. You are the ones
23 that are leading the charge and I want to
24 acknowledge that and thank you very much for
25

1 that. Unfortunately, we don't have a quorum
2 here to pass this, and obviously with in light
3 of the schedule in terms of the state
4 legislature in session, we have to kind of see
5 how we're going to proceed, but I thought it
6 was important to get this hearing in today. I'd
7 like the council to be on record with a
8 position here and we're working very much with
9 the Administration because the day can't be
10 soon enough when WEP is a thing of the past.
11 Thank you very much for your time. And have a
12 great afternoon. Thank you very much for your
13 patience, and this hearing is adjourned.

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C E R T I F I C A T E

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



Date 06/27/2014