

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, 2016  
Start: 10:15 a.m.  
Recess: 1:54 p.m.

HELD AT: 250 Broadway, Committee Room-16<sup>th</sup> Fl.

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

COUNCIL MEMBERS:

Annabel Palma  
Fernando Cabrera  
Ruben Wills  
Vanessa L. Gibson  
Corey D. Johnson  
Ritchie J. Torres  
Barry S. Grodenchik  
Rafael Salamanca, Jr.

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

Letitia James  
Public Advocate

Julie Farber  
Deputy Commissioner of Division of Family  
Permanency Services at NYC ACS

Andrew White  
Deputy Commissioner for Policy Planning and  
Measurement at ACS

Kathleen Hoskins  
Assistant Commissioner for Office of Educational  
Support and Policy Planning at ACS

Jill Kraus  
ACS

Iris Kaplan  
Assistant Commissioner at ACS

Darlene Jackson  
Foster Advocate Counselor District 13

Julio Omedo [sp?]  
Foster Youth

Ivan Mendez  
Foster Youth Advocate

Anna Sanchez

Brieanna Hayes  
You Gotta Believe

Anni Keane  
You Gotta Believe

Stephanie Gendell  
Citizens Committee for Children

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

Laruen Shapiro  
Brooklyn Defender Services

Lena McMahon  
Legal Aid Juvenile Rights Practice

James Purcell  
COFCCA

Jeffrey Marrenfield



1  
2 CHAIRPERSON LEVIN: Good morning. I'm  
3 Council Member Steven Levin, Chair of the City  
4 Council's General Welfare Committee. Today, we are  
5 here to discuss foster care in New York City. We are  
6 also hearing today the following resolution and eight  
7 bills that I, along with my colleagues, are  
8 sponsoring, and this will be these bills first  
9 hearing. We will be hearing Resolution Number 1074  
10 sponsored by Council Member Rafael Salamanca and  
11 myself, a resolution calling upon the State, New York  
12 State Legislature, to pass and the Governor to sign,  
13 Assembly Bill 7756-A to increase the amount of  
14 housing subsidy from 300 dollars to 600 dollars per  
15 month and to extend the age of eligibility from 21 to  
16 24 years old for youth who have aged out of foster  
17 care. We'll be hearing Introduction Number 1187  
18 sponsored by Council Member Danny Dromm in relation  
19 to a report on obtaining government issued  
20 identification for youth, Introduction 1190 which I  
21 am a sponsor, and that is a bill to report on the  
22 educational continuity of children in foster care.  
23 Intro 1191 sponsored by myself and Council Member  
24 Barry Grodenchik, and that bill will look at calling  
25 on ACS to report on certain indicators for the youth

1 who have spent the greatest length of time in foster  
2 care. Intro Number 1192 sponsored by myself and  
3 Council Member Donovan Richards, and that will call  
4 on ACS to create a foster care taskforce, an  
5 interagency foster care taskforce. Intro Number 1196  
6 sponsored by Council Member Palma and myself, and  
7 that will require ACS to report on a set of  
8 permanency indicators to identify barriers to  
9 permanency for youth that are aging out of care.  
10 Introduction Number 1197 sponsored by the Public  
11 Advocate Letitia James and Council Member Julissa  
12 Ferreras-Copeland and myself in relation to  
13 information collected and reported about youth in  
14 foster care. And then Intro Number 1199 sponsored by  
15 Council Member Donovan Richards, Council Member  
16 Mathieu Eugene and myself, and that would require ACS  
17 to offer surveys to youth in foster care regarding  
18 their experience with foster parents. And lastly,  
19 Intro 1205 sponsored by Council Member Laurie Cumbo,  
20 and that would require ACS to report on high school  
21 graduation rates of youth in foster care. Last  
22 October, the Council hosted a foster care shadow day.  
23 Members of the Committee on General Welfare and Youth  
24 Services were paired with a young person who was in  
25

1 or had recently aged out of foster care. For me and  
2 for many of my colleagues, that experience left a  
3 lasting impression on us and led us to-- it led to  
4 increased dialogue here at the Council about how we  
5 can better serve the thousands of children and youth  
6 that spend time in the foster care system each year.  
7 One topic that was raised several times by young  
8 people that day and has been raised continuously in  
9 our follow up conversations is that there must be a  
10 greater emphasis on finding young people permanent  
11 families. The vast majority of young people,  
12 including those who did not grow up in the foster  
13 care system are nowhere near ready to be fully  
14 independent at the age of 21. One recent study found  
15 that almost 60 percent of parents of non-students  
16 ages 18 to 39 were providing their children with  
17 financial support, and yet we expect young people who  
18 age out of the foster care system without a family to  
19 be fully financially independent by the age of 21,  
20 often with very little support. Beyond financial  
21 security, families provide the emotional support that  
22 we can never replace with subsidies and Independent  
23 Living Skills classes. In 2015, over 650 young  
24 people aged out of the foster care system. Those 650  
25

1  
2 young people have no entered adulthood without the  
3 support of a family and without the assistance of ACS  
4 to fall back on. Today, we would like to have  
5 meaningful conversation with ACS on how we can reduce  
6 that number and how we can better support and more  
7 fully support both emotionally and otherwise those  
8 young people aging out. Directly related to the  
9 number of youth who have aged out is the fact that  
10 children in foster care in New York City spend almost  
11 twice the amount of time in care compared to children  
12 in the rest of the country, 3.2 years versus 1.7  
13 years. With children spending so much time in care  
14 without being reunified with family or adopted, it is  
15 not surprising that so many young people age out of  
16 care without a family, and we look forward to hearing  
17 from ACS what efforts are being undertaken to reduce  
18 that length of time in care, and also, what measures  
19 or what impacts are-- what causes are in place that  
20 are making those-- that time longer, and what we're  
21 doing as a system to rectify that? As I mentioned  
22 today we are also hearing several pieces of  
23 legislation that I'm sponsoring along with my  
24 colleagues that seek to collect and report data on  
25 outcomes of youth in foster care. I'm also

1 sponsoring legislation that will create a taskforce  
2 comprised of members of the Administration, the  
3 Council, advocates, providers, and young people, and  
4 we will be modifying that bill to add the Public  
5 Advocate. That will serve to develop recommendations  
6 on how to improve outcomes for youth in care. This  
7 taskforce will serve to create a blueprint on how it  
8 can improve outcomes for these young people. This  
9 morning, I am eager to hear ACS's position on these  
10 bills and also to hear from those in attendance  
11 today, particularly the young people who have spent  
12 time in or are currently in foster care on their  
13 suggestions to improve these bills. I would like to  
14 thank the advocates, providers and youth who helped  
15 us prepare for today's hearing and gave us fantastic  
16 input on these pieces of legislation. Young people  
17 have shared their stories with us and their input has  
18 been and will continue to be critical in this  
19 process, and I want to particularly thank those young  
20 people who have given their time and their expertise  
21 to this process, and we look forward to continuing to  
22 work with them. I would like to thank staff for  
23 their work today on preparing for the hearing,  
24 Counsel Andrea Vasquez, Policy Analyst Tonya Cyrus,  
25

1 and Finance Analyst Brittany Moresi [sp?]. I would  
2 also like to thank my Chief of Staff Jonathan Bouche  
3 [sp?], Legislative Director Julie Biero [sp?], and  
4 Budget Director Edward Paulino, and I want to give a  
5 special shot-out to two of my new interns who I met  
6 during the Foster Youth Shadow Day who just walked  
7 in, Anna Sanchez and Ivan Mendez who are both alum of  
8 the foster care system and are excellent additions to  
9 the Council family and Council staff, and we look  
10 forwarded to hearing from them as well. And with  
11 that, I will turn it over to the Public Advocate  
12 Letitia James for opening comments.  
13

14 PUBLIC ADVOCATE JAMES: Thank you. Let  
15 me also congratulate your interns. Where are they by  
16 the way? Where? Oh, okay. So, shout-out to the  
17 interns who are somewhere outside. So good morning  
18 everyone. I want to thank all of you for being here,  
19 and of course, I want to thank my friend Chair  
20 Stephen Levin, and of course my other good friend,  
21 Council Member Richards, and I want to thank your  
22 staff for organizing today's important hearing. I  
23 also would like to thank in her absence Council  
24 Member Ferreras-Copeland and Chair Levin for joining  
25 me in co-sponsoring Intro 1197, and finally, I'd like

1 to thank all the advocates in the room and  
2 individuals who tirelessly work for the children of  
3 New York City and to improve our foster care  
4 children, in particularly on behalf of children who  
5 unfortunately are in the shadows. Today, our most  
6 vulnerable children are being lost in a system that  
7 is meant to protect them. there are 12,000 children  
8 and youth in foster care in our City, many who are  
9 struggling each and every day against all odds to  
10 make it, and each year nearly 1,000 young people age  
11 out of foster care only to enter back in the city  
12 services because they weren't given the tools to make  
13 it, and I often find these young people unfortunately  
14 on the streets of New York City. In 2014, I  
15 introduced Intro 104 to better understand the state  
16 of our youth who age out of foster care. Intro 104  
17 became law in September 2014, and pursuant to Local  
18 Law 46, the Administration for Children's Services is  
19 required to submit an annual report on youth and  
20 foster care that includes categories that reflect on  
21 where our youth go after they age out of the system  
22 and what training and support they receive prior to  
23 doing so. It's basically a tracking system. in  
24 addition to the passage of the law, I also joined  
25

1 with 19 foster children and filed a class action,  
2 yes, against ACS and the New York State Office for  
3 Children and Family Services, and I am pleased to  
4 report that we reached a proposed settlement with the  
5 State Defendants, which is currently going through  
6 the court approval process, and while we have made  
7 much progress, there is much more work to be done to  
8 improve the City's foster care system, and I hope  
9 that we can address a lot of the issues that were  
10 part of the litigation with ACS. The bill before you  
11 today that I am sponsoring, Intro 1197 aims to expand  
12 and improve the recording mechanisms of ACS's annual  
13 report and better compare the improvements being made  
14 by the agency to protect and serve the youth in  
15 foster care and youth aging out of the system.  
16 Amendments to Local Law 46 would break down the age  
17 groups in greater detail and uniformity when  
18 reporting these categories, and these revisions are  
19 motivated by the advocacy community who regularly  
20 reviewed these numbers to identify trends and  
21 patterns. These changes are in line with the changes  
22 being made to some of the bills that are being heard,  
23 such as Council Member Dromm's Intro 1187 and Council  
24 Member Cumbo's Intro 1205. Intro 1197 would also  
25

1 expand reporting on the number of youth over 21 years  
2 of age who have aged out of care and who enter a  
3 homeless shelter or receive financial assistance such  
4 as SNAP benefits. I am hopeful that today's hearing  
5 will be informative and instructive. I once again  
6 thank Chair Levin and Council Member Ferreras-  
7 Copeland and the rest of the bill's co-sponsorers  
8 [sic] for partnering with me on this important  
9 legislation. I look forward to hearing on all these  
10 wide range of issues, and I hope in the future we do  
11 not have to resort to litigation. I do know that the  
12 number of advocates were on both sides of the aisles,  
13 but my position is I'm here for the residents and for  
14 the young people who I constantly meet in shelters,  
15 on the street and sleeping in New York City who  
16 unfortunately are lost and aged out of the foster  
17 care system. I thank you, Mr. Chair, and I look  
18 forward to the testimony.

20 CHAIRPERSON LEVIN: Thank you very much,  
21 Public Advocate. I want to ask my colleague Donovan  
22 Richards for to make an opening statement as well.

23 COUNCIL MEMBER RICHARDS: Thank you.  
24 I'll be short, because I want to hear from ACS, but I  
25 want to thank Council Member Levin for his leadership

1 in this area and Public Advocate Letitia James. Just  
2 around, I believe, last summer Council Member Levin  
3 spearheaded a Foster Youth Day here at the Council,  
4 and it had such a profound impact not only on me, but  
5 I know several members in the Council, and dialoging  
6 with a lot of our young people who in particular  
7 participated. You know, they felt in many cases,  
8 especially those who aged out that, you know, some of  
9 the foster care parents looked at them as just a big  
10 check, and it was unfortunate to hear that the basic  
11 necessities that you would think parents would  
12 provide their children were being provided for these  
13 young people, but they were not. So, with that, you  
14 know, I went home and sort of thought about it, and a  
15 young lady who shadowed me-- 16 years old, and she's  
16 graduating high school this year, which was an  
17 amazing story based on some of the experiences she  
18 went through, but one of the things we wanted to do  
19 was to ensure that young people would have a voice,  
20 in particular, as they stayed, in particular, in  
21 foster care. So, I sponsored Intro Number 1199 which  
22 would amend the Administrative Code of the City of  
23 New York in relation to surveys for youth in foster  
24 care regarding the experiences with foster care. And  
25

1  
2 it's sad that we really have to introduce a bill like  
3 this, which would basically require ACS to provide  
4 all youth in foster care 13 years and older who  
5 reside with a foster parent to issue an annual survey  
6 regarding the experiences with their foster parents,  
7 things like, you know, do you get food on a regular  
8 basis, if you're allowed to enter the kitchen to  
9 access food. You know, these are questions we  
10 shouldn't have to ask in this day and age. We would  
11 hope that parents who are taking this responsibility  
12 one would actually, you know, provide young people  
13 with the necessity, and as a new father, I couldn't  
14 fathom not providing my son or someone not providing  
15 him with care and love that he deserves. So, with  
16 that being said, my bill would also require ACS to  
17 aggregate the data from surveys and report it to the  
18 City Council and post it on their website on an  
19 annual basis, and the bill would take effect  
20 immediately. So, I want to thank you and thank once  
21 again Chair Levin for his leadership on this issue.  
22 We hope ACS supports every bill on here as we look to  
23 strengthen the foster care system. Thank you.

24 CHAIRPERSON LEVIN: Thank you very much,  
25 Council Member Richards. So, one thing before we

1  
2 hear from ACS, is there's a lot of pieces of  
3 legislation here today and we'll hear ACS's comments  
4 and opinions on proposed legislation. For those of  
5 you that are advocates here today or providers or  
6 youth who are foster care alum or those of you that  
7 have-- that were foster care or foster care alum that  
8 were in the system and are now adults, we look  
9 forward to hearing your feedback as well. So, we--  
10 this is the first hearing on these bills. We want to  
11 hear what you have to say as well. So, please feel  
12 free to contact my office either through our website,  
13 our email address, twitter, Facebook, however you  
14 want to contact us. We look forward to hearing your  
15 feedback as well. So, with that I will ask  
16 representatives from the Administration for  
17 Children's Services to testify. We are joined-- you  
18 can all identify yourself. But, first I'm going to  
19 ask you to all raise your right hand. Do you affirm  
20 to tell the truth, the whole truth and nothing but  
21 the truth in your testimony before this committee and  
22 to respond honestly to Council Member's questions?

23 : I do.

24 : I do.

25 CHAIRPERSON LEVIN: Thank you.

1  
2 JULIE FARBER: Good morning, Chair Levin,  
3 Public Advocate James, Council Member Richards, staff  
4 of the Council, and I also just want to acknowledge  
5 the providers, foster care providers and advocates  
6 that are here. I want to thank you all for your  
7 opening remarks, and in particular your attention to  
8 youth in foster care and the commitment shown by  
9 having a Foster Youth Shadow day which is an  
10 excellent demonstration of the Council's commitment  
11 to that issue and to really understanding the  
12 experiences of youth in foster care and an excellent  
13 experience for those youth who have the opportunity  
14 to shadow you in the Council. So, we really  
15 appreciate that. I'm Julie Farber, Deputy  
16 Commissioner of the Division of Family Permanency  
17 Services at the New York City Administration for  
18 Children's Services. With me today is Andrew White  
19 who's Deputy Commissioner for Policy Planning and  
20 Measurement and Kathleen Hoskins who is Assistant  
21 Commissioner for the Office of Education, Support and  
22 Policy Planning. That's a long title, Kathleen. On  
23 behalf of Commissioner Carrion, thank you for the  
24 opportunity to discuss foster care in New York City  
25 today. Before I address the bills that are the

1 subject of today's hearing, I want to take a few  
2 minutes to provide the Committee with an overview of  
3 some of the work, very important work that is  
4 happening at ACS. As many of you have heard, and the  
5 Public Advocate mentioned this, for the first time in  
6 many decades, the number of children in foster care  
7 is at an all-time low. Twenty years ago when ACS was  
8 inaugurated as a standalone agency, there were 42,000  
9 children in foster care, and now that number is, you  
10 know, around 11,000. The decrease in this census is  
11 due in large part to a significant expansion of the  
12 availability of preventive services for families in  
13 their own homes and communities and changes at the  
14 front door, and by that I mean changes in our  
15 investigative practice where we have workers with  
16 lower caseloads and who are better trained and who  
17 have the opportunity to provide preventive services  
18 to children versus removing everyone to foster care.  
19 So there's some critical facts that we would like the  
20 Council to know and to really understand about the  
21 New York City foster care system, and they include  
22 the following. Of the, you know, number of kids in  
23 foster care, the vast majority are placed with  
24 families. Fewer than nine percent are in congregate  
25

1 care settings. This is the best and lowest rate of  
2 congregate care placement in the country for  
3 comparable urban areas, and so that is a really  
4 significant point. The majority of children who enter  
5 foster care, and this is a, you know, sort of a first  
6 point, go home to their parents, right? And those  
7 who aren't going home to their parents are placed  
8 with relatives or other families who are going to  
9 adopt or assume guardianship for them. So that's  
10 just an important context to have. Overall, the  
11 total amount of time that children are spending in  
12 foster care is falling dramatically. So, from 2010  
13 to 2015, the total number of days that New York City  
14 children spent in foster care has declined by almost  
15 30 percent. We also have fewer youth aging out of  
16 care. We have better outcomes for youth aging out of  
17 care with far fewer numbers and proportions of youth  
18 ending up in the homeless shelter. We have extended  
19 care for older youth. So it's great that older youth  
20 can stay in the system beyond 21 so that we have  
21 opportunity to help them advance and achieve their  
22 educational and employment goals and achieve better  
23 stability. Placement stability is also another  
24 strength in the system. Clearly there are some kids  
25

1 that are moving from placement to placement, but the  
2 fact is, and you know, the data is important, is that  
3 most children in foster care experience only one  
4 placement during their time in care. So it's just  
5 important to have this context. All of this adds up  
6 to fewer children coming into care than in years  
7 past. The vast majority of children who do come into  
8 care go home to their families, get adopted or  
9 achieve permanency through guardianship, and we are  
10 working on many fronts to reduce the time that  
11 children spend in care. We know that that is an area  
12 that requires work, and there's work to be done  
13 there, and that work is happening intensively and on  
14 many fronts. So there are multiple efforts that are  
15 ongoing now that are directed at improving both the  
16 experience of children in care as well as reducing  
17 the length of time, right? So, and I'll talk about a  
18 few of these, but we're working to both enhance case  
19 practice as well as streamlining certain bureaucratic  
20 processes that impact time to permanency. It's also  
21 critical to understand that the Family Court plays a  
22 critical role in the length of time that children  
23 remain in foster care, as all foster care cases are  
24 reviewed in the Family Court hearings and final  
25

1 decisions about permanency are made in Family Court.  
2 So, ACS has created a foster care strategic blueprint  
3 that identifies our key priorities and provides a  
4 framework for guiding our work in order to improve  
5 outcomes for children in foster care. We've provided  
6 you with a copy of our Implementation Status Report,  
7 and you know, if I had the time I'd love to go  
8 through every single item on there because we're  
9 proud of all the work that's happening, but we'll hit  
10 a few highlights, but it's an important document  
11 because it really reflects our strategic plan for  
12 foster care, and that report identified the many,  
13 many initiatives that are underway towards the goals  
14 that we've set. So, the blueprint reflects our  
15 objectives and identifies five major areas of focus:  
16 Family reunification, kinship placements, foster care  
17 placements, adoption, and older youth. And cutting  
18 across all five is an agency-wide focus on improving  
19 child well-being. This Administration has taken the  
20 critical steps to create the conditions within the  
21 child welfare system that are necessary for success.  
22 This includes lowered caseloads. This Administration  
23 has provided an unprecedented 160 million dollars  
24 over five years to lower caseloads for foster care  
25

1 caseworkers. It includes professional development  
2 opportunities for staff through the new ACS workforce  
3 institute. This if 14 million dollars to train  
4 foster care agency staff. That commitment on the  
5 City has never previously existed. So, training of  
6 foster care agency staff was left to the  
7 responsibility of the agencies themselves. This is a  
8 major and historic development. So, in addition to  
9 low caseloads and this intensive professional  
10 development commitment of the workforce institute,  
11 we're implementing major evidence based practices  
12 across both our preventive services and foster care  
13 services. So, I want to pause on this for a minute,  
14 because this is truly significant. Having this sort  
15 of perfect wonderful storm of lowered caseloads,  
16 worker training and evidence-based practice is our  
17 conditions that have not previously existed in this  
18 system, right? And so now that these basic  
19 condition are in place, we are actually positioned to  
20 move the dial on permanency outcomes for children in  
21 care, right? So, this is a really significant moment  
22 in the life of the child welfare system. As noted,  
23 we are working hard to further reduce children's  
24 length of stay in foster care. Under our No Time to  
25

1 Wait initiative we have identified and addressed  
2 barriers to permanency and there's a tremendous  
3 amount of work happening around this. For example,  
4 we found that the processes of acquiring birth  
5 certificates and adoption subsidies were slowing  
6 adoptions down. This is pure bureaucratic process,  
7 right? So, in response, you know, we sort of did a  
8 Six Sigma-like approach, right, looking at this  
9 business processes and we significantly streamlined  
10 both processes. So, previously-- to give you a sense  
11 of the impact to this, previously only four percent  
12 of adoption subsidy applications were processed  
13 within 30 days. Now, that rate is almost 70 percent,  
14 right? And so that process by being able to approve  
15 adoption subsidies more quickly is going to result in  
16 shaving time off of permanency. Now, that is not  
17 going to make the front page of the New York Times,  
18 right? It's not you know, but it is a critical part  
19 of the work that we're doing to reduce the time to  
20 permanency right? Because remember, as I said  
21 earlier, the vast majority of kids that are going to  
22 be adopted are living already with the families who  
23 are going to adopt them, and so we need to make the  
24 bureaucratic process move more quickly, right? And  
25

1 that's the work that's happening here. So there's a  
2 tremendous amount of process improvement work  
3 happening that is going to start shaving months and  
4 months and months off of each child's time to  
5 permanency, and then that's going to add up to, you  
6 know, shorter time to permanency. So, related to  
7 that, I'm very pleased to announce that ACS is  
8 partnering with the national expert, child welfare  
9 expert organization, Casey Family Programs and our  
10 foster care agencies to conduct a case review of  
11 thousands of children who have been in care for two  
12 years or more, thousands. Just want to make sure  
13 people are capturing that. These reviews will  
14 identify barriers to permanency and also lead to a  
15 better understanding of the systemic issues that are  
16 contributing to long stays in care. These reviews  
17 actually launched on Tuesday this week, and we're  
18 piloting them in June and July with a few agencies,  
19 and then these reviews will roll out to all foster  
20 care agencies in August and September, and by early  
21 2017 somewhere in the first quarter there we should  
22 have finished conducting the 3,000 reviews. Now, the  
23 purpose in these reviews is to identify the barriers  
24 that are keeping these children in care and then work  
25

1 those cases, right, at an individual level. So we  
2 actually move those kids, but then obviously, the  
3 larger purpose is to draw from those cases what we  
4 learned about the systemic barriers and then try and  
5 bureaucracy bust those, whether they're ACS issues,  
6 issues in the foster care agencies or issues in the  
7 Family Court. Under our Federal Title 4E Waiver we  
8 have reduced caseloads. Again, I can't overemphasize  
9 this, you know. In my prior life, you know, as an  
10 advocate, you know, we were always commenting that  
11 caseloads were in the 20's, right? So, this is truly  
12 historic that foster care case workers now have  
13 caseloads of 10 to 12. Those are finally reasonable  
14 caseloads that position the agencies to do the work  
15 that needs to be done to move permanency. So, under  
16 the waiver we've reduced caseloads, supervisory  
17 ratios, we've implemented a uniform assessment tool  
18 for all children in foster care. It's called CANS.  
19 And we've begun implementing two evidence-based  
20 models. These models are called Attachment and Bio-  
21 behavioral catch-up, ABC, which promotes responsive  
22 nurturing care-giving of young children, and those  
23 services are being provided to both foster parents  
24 and parents around attachment to children who've

1  
2 experienced trauma, and the other evidence-based  
3 model that we're implementing is called Partnering  
4 for Success, which improves children's access to  
5 appropriate mental health interventions while also  
6 focusing intensively on the integration of child  
7 welfare services with mental health services, because  
8 obviously that integration is really important in  
9 many of our families. In the area of family  
10 reunification, ACS is revitalizing the ways in which  
11 children in foster care maintain connections to their  
12 families of origin. We know from research that the  
13 amount and quality of time that children in foster  
14 care spend with their parents is critical to  
15 determining whether reunification can occur and will  
16 occur. So we are focused on engaging with our foster  
17 care providers. We're in the process now of  
18 providing intensive training to all of the providers  
19 so that family visiting is safe and as robust as  
20 possible. We're also focused on facilitating safe  
21 and timely trial discharges to ensure that families  
22 are ready for reunification. There's a lot of work  
23 happening around trial discharge and I'm happy to  
24 talk a little bit more about that. As part of our  
25 focus on wellbeing, we have several efforts underway

1 to help youth in foster care attend college,  
2 transition to the world of work and maintain stable  
3 housing. There's a lot about that in the  
4 implementation document that I gave to you, and I  
5 won't list every single thing that we have going on,  
6 but it's a lot, and we have 400 youth in college and  
7 we're trying to increase that amount and trying to  
8 put in place supports in this Mayor's budget. We  
9 have major new funding for college support  
10 initiatives, which is excellent. We're partnering  
11 with CUNY to help hundreds of students in foster care  
12 attend college through several initiatives as I  
13 mentioned. In January 2016 we established a new  
14 office of employment and workforce development  
15 initiative, and some of my staff from that office are  
16 here, and that office has many, many different things  
17 underway, including that we launched a new  
18 specialized internship program with DYCD this year.  
19 The two cohorts are already filled. It's The Door  
20 and OBT that are providing this, and this is a  
21 specialized internship program for youth in the  
22 foster care and juvenile justice systems. It's  
23 called YEIP [sic] Plus, and we created it because the  
24 existing DYCD YIEP program is not structured to meet  
25

1 the needs of kids in our population, and so we work  
2 with DYCD to create this new program. We also have a  
3 collaboration going with Columbia University  
4 Workplace Center, which is going to providing  
5 training to a bunch of our foster care providers to  
6 enhance their services and interventions around  
7 improving employment outcomes for young people in  
8 foster care. Finally, we have a collaboration with  
9 DCAS to connect foster youth to civil service  
10 employment. Those are good union jobs and we're  
11 preparing young people to both understand that those  
12 jobs exist and prepare them to be able to take and  
13 pass the test. So, they have the opportunity to  
14 apply for civil service positions. There's a lot more  
15 going on there, but I'll keep going. For young people  
16 aging out of foster care to independence we've also  
17 made progress with our partner agencies in City  
18 government to helping young people to secure housing  
19 either through the open market, through NYCHA. We've  
20 had a big increase of young people getting into NYCHA  
21 as well as supportive housing or housing with  
22 relatives or roommates, and again, as I mentioned,  
23 we've had a big decrease in the number of young  
24 people who are showing up in homeless shelters after  
25

1 they age out. Later this year, we're going to launch  
2 a major foster parent recruitment initiative, Home  
3 Away from Home, and we'll look forward to the  
4 Council's participation in that effort. Though Home  
5 Away from Home we're going to revamp and improve  
6 foster parent recruitment and support and really make  
7 fundamental shifts in the way that we place and match  
8 children to the most appropriate foster homes. We've  
9 done over the last six months, an extremely intensive  
10 review of both the data across the system around  
11 foster parent recruitment and retention, attrition,  
12 support, all of the issues, you know, that pertain to  
13 foster parent recruitment, support and retention.  
14 We've also done an exhaustive scan of best practices  
15 nationally, and so that diagnostic phase has now  
16 basically just come to end and we'll be moving to  
17 implementation in the coming year. As Commissioner  
18 Carrion noted during her recent testimony to the City  
19 Council on the Executive Budget, we are extremely  
20 pleased that this budget includes increased funding  
21 for preventive services that keep children out of  
22 care and specialized preventive slots that will  
23 support families after they reunify, right? So when  
24 kids go home on trial discharge, we have received in  
25

1  
2 this Mayor's budget hundreds and hundreds of more  
3 slots for preventive services for those kids and  
4 families to ensure that those reunifications are safe  
5 and stable. We're also pleased that there's funding  
6 in the budget that will help children and families  
7 that are touched by the foster care system. We are  
8 providing increased stipends for foster adoption and  
9 kinship guardianship parents that will cover  
10 children's needs, and we're reinstating discharge  
11 grants to assist children and families as they exit  
12 the foster care system. So that's significant. The  
13 system used to provide discharge grants some years  
14 ago of 750 dollars to, you know, help children and  
15 families, you know, with basic needs so as to shore  
16 up a reunification, and for whatever reason those  
17 grants went away and we've now reinstated them at a  
18 thousand dollars, and so we're very pleased about  
19 that. So there's a lot more that I can say about  
20 what's going on, and I'm happy to answer questions  
21 about what's in the blueprint, but at this point I'll  
22 move to the bills. So, regarding amending current  
23 reporting requirements, ACS is committed to providing  
24 the Council will helpful relevant information that  
25 reflects what's happening in the child welfare

1 system. We are fully committed to transparency and  
2 what to focus with you on the best data that leads us  
3 to the best solutions, focusing on the areas that  
4 need improvement. In 2014 we worked with the Council  
5 to pass three different annual reports related to  
6 youth in foster care, Local Law 46, and Council  
7 Member Levin covered some of this, but requires ACS  
8 to report on the foster care system as a whole  
9 including youth who have recently aged out of care.  
10 Local Law 48 requires ACS to report whether youth in  
11 foster care have government issued identification.  
12 Local Law 49 requires ACS to report the high school  
13 graduation rates of youth in care. Three of the  
14 bills on today's agenda amend those existing reports.  
15 So, Intro 1197 amends Local Law 46 and would expand  
16 certain age disaggregation reporting and require ACS  
17 to report on the total population of youth currently  
18 in care. The bill would also expand the report to  
19 include the number of youth who enter a homeless  
20 shelter within specific time periods measured from  
21 when they age out of care, the number of youth who  
22 receive cash assistance and SNAP benefits from HRA  
23 within 30 days and 60 days of being discharged from  
24 foster care, and the number of youth who age out and  
25

1 transition to Medicaid without gaps in coverage. ACS  
2 is fully willing and able to disaggregate that  
3 information by age. However, the new information  
4 that this bill requests regarding data around  
5 homeless and public assistance is not available to  
6 ACS. We are, of course, willing to discuss with our  
7 partners at HRA and DHS about the possibility and  
8 mechanisms by which that data might be shared. So  
9 moving to Intro 1187 which amends Local Law 48 that  
10 would add the total number of youth aged 17 and older  
11 in care, the total number of youth who aged out of  
12 care, and the total number of youth in those groups  
13 who obtained any type of identification. We support  
14 this amendment to that report. Intro 1205, which  
15 amends Local Law 49, would make technical amendments  
16 to age disaggregation categories in the Local Law and  
17 would add whether in foster care are on track to  
18 graduate high school in four years. ACS is currently  
19 working with DOE to update the MOU that covers data  
20 sharing between our two agencies, and we will keep  
21 the Council apprised as to the availability of data  
22 requested by this bill depends on those discussions.  
23 However, one thing I would note, is that we would  
24 recommend changing the number of years for on track  
25

1 to graduate from high school from four years to five  
2 years because that is the metric that DOE actually  
3 uses. So, regarding bills that are proposing new  
4 reporting requirements, ACS, as I said, is committed  
5 to maintaining transparency and the work that we do,  
6 and we very much support the Council's efforts to  
7 learn more about youth in foster care. And together,  
8 we'd like to work closely with the Council to define  
9 the parameters of these new reports so that we're  
10 better able to provide the information that the  
11 Council needs that will most effectively suit the  
12 purpose of each of the bills. So, Intro 1199 would  
13 require ACS to provide all youth in foster care ages  
14 13 and older who reside with a foster parent an  
15 annual survey which would ask questions about the  
16 youth's experience in the foster home. The bill  
17 would also require ACS to aggregate data from the  
18 surveys, report it to the council and post it on our  
19 website. ACS appreciates and shares the Council's  
20 concern for the experience of older youth in foster  
21 care, and we support the idea of doing a survey.  
22 However, we'd like to work closely with you on the  
23 survey methodology and some revised survey language.  
24 There's a real art and science to doing surveys to

1  
2 make sure that you actually get the young people to  
3 respond that we want to respond and making sure that  
4 we actually have a statistically representative  
5 sample, and there's a number of different strategies  
6 that we can employ including technology, and so we  
7 really want to think with you about the structure and  
8 methodology as well as the substance of the survey.  
9 The other thing that I would mention just related to  
10 that is that some of the questions in the survey like  
11 whether a child has enough food and so forth, I just  
12 want to-- I do want to clarify that issues like that,  
13 if a child does not have enough food in a foster  
14 home, that is an SER reportable concern, right? And  
15 so we do receive reports, you know, when that  
16 happens. I mean, those kinds of incidents in foster  
17 homes are relatively rare obviously and thankfully,  
18 but the vehicle for being notified of that obviously  
19 needs to be more immediate than I think this kind of  
20 survey would be defined to collect, right? Because  
21 if we know that somebody's not receiving food, I want  
22 to address that today. So we're happy to work with  
23 you on the survey, and we'd just like to talk with  
24 you about the methodology and the structure so that  
25 it gets what we all want and what would be helpful

1  
2 for kids. Okay, I went off, you know, off track  
3 here. Into 1191 would require ACS to submit report  
4 on the 200 children who have spent the greatest  
5 length of time in care. The reports would include  
6 age, gender, race, sexual orientation, permanency  
7 plans, length of time in care, barriers to placement  
8 for each of these 200 children. ACS is fully  
9 committed to addressing the systemic issues that  
10 contribute to long stays in foster care, which is why  
11 we are implementing for example this major review of  
12 3,000 cases with Casey Family Programs, and a number  
13 of other initiatives that we have going where we are  
14 looking at data, practice and business process  
15 identify where these barriers are. So, all of those  
16 efforts, really represent critical advances in the  
17 way that we're making changes in the child welfare  
18 system and what we would suggest on this bill is some  
19 more dialogue with the Council about the best ways to  
20 share information around systemic barriers to  
21 permanency. So we're happy to discuss that further.  
22 Intro 1196 requires ACS to report on permanency  
23 indicators for children in foster care. The annual  
24 reports would include the rate of abuse and neglect  
25 of children in foster care and the rate of recurring

1  
2 abuse and neglect, the rate of children who achieve  
3 permanence in certain time frames, the rate of  
4 returns to foster care after discharge, the placement  
5 stability rate and the rate of the children who are  
6 absent without leave from care. So the majority of  
7 this information is already in the MMR, and so we are  
8 happy to discuss with the Council what information  
9 might be lacking, but we did a side by side, and  
10 essentially all of the information with the exception  
11 of maybe one and a half items is in the MMR. Intro  
12 1190 requires ACS to report on the educational  
13 stability of children in care. The reports would  
14 include the percentage of children who remained in  
15 their schools upon-- of origin upon entry into care,  
16 those who remained after transferring foster homes,  
17 the percentage of children in care who did not return  
18 to their schools of origin, and then all of this  
19 disaggregated by reasons that the determination was  
20 made and average school attendance rates of children  
21 in care. As we mentioned earlier, we are working  
22 with DOE on updating our MOU on the data, but we  
23 don't currently receive-- ACS does not currently  
24 receive data on school of origin. So we don't  
25 currently have the capacity to track school of origin

1 and the best interest determination categories on a  
2 system level as this information is documented in  
3 case narratives. So we think there needs to be more  
4 conversation and discussion about that. On the Foster  
5 Care Taskforce, Intro 1192 creates a taskforce with  
6 17 members that would develop and submit to the Mayor  
7 and Speaker of the Council recommendations for  
8 improving services for youth in care. While we  
9 support the intention, clearly, of that, our concern  
10 is with the legislation is that we don't want to  
11 duplicate work that other agencies or taskforces are  
12 currently doing, and we all know that this is one of  
13 those challenges, but we would like to discuss this  
14 taskforce with the Council so that we can figure out  
15 an appropriate place for this attention given other  
16 existing taskforces that are touching on this issue.  
17 So, in closing, I want to thank you all for the  
18 opportunity to discuss foster care with all of you  
19 this morning. As always, we are happy to work with  
20 the committee in our continuing efforts to improve  
21 the system and provide services for the City's child  
22 welfare involved youth, and we are very happy to take  
23 your questions. Thank you.

1  
2 CHAIRPERSON LEVIN: Thank you very much,  
3 Commissioner. So we're going to I think have a lot  
4 of questions, and I'm going to start off with a few.  
5 I might jump around a little bit. I tend do that. I  
6 go from one topic to another--

7 JULIE FARBER: [interposing] We'll allow  
8 it.

9 CHAIRPERSON LEVIN: I'll appreciate your  
10 indulgence. I wanted to start with a few issues  
11 around aging out. So, as the most recent data in  
12 2015, 652 youth aged out and recent federal law  
13 prohibits youth under the age of 16 from having an  
14 APPLA goal.

15 JULIE FARBER: Right.

16 CHAIRPERSON LEVIN: However, according to  
17 our Local Law 46, 20 youth ages 14 to 15 had APPLA  
18 goals in 2015. Is ACS changing that to apply with  
19 the federal law, and do you have a number of current  
20 youth under the age of 16 that APPLA goals?

21 JULIE FARBER: So, yes, we have and we did  
22 change that. So I don't know exactly the time period  
23 the data that you have that you're referring to, but  
24 my understanding--

1  
2 CHAIRPERSON LEVIN: [interposing] It's  
3 been 2015, I guess, is the data that we were showing.

4 JULIE FARBER: Right, you're right, but in  
5 terms of the month, because--

6 JOHN LEE: [interposing] Okay.

7 CHAIRPERSON LEVIN: as I recall, when that  
8 was passed, we did an analysis and were 46 children  
9 who were age 14 and 15 who had an APPLA goals and we  
10 worked with all of the agencies that had those  
11 children to change those goals. So I believe all of  
12 those goals have bene changed, but I can confirm that  
13 and come back to you.

14 CHAIRPERSON LEVIN: I wanted to ask about--  
15 - I'll stay on APPLA for a second here. In our  
16 conversations with youth who have aged out or are  
17 preparing to age out, they have indicated that while  
18 independent living and housing subsidies are  
19 important, the number one goal that they have  
20 identified should always be to connect youth with  
21 families with-- even as-- while they're working with  
22 their providers on developing APPLA protocols that  
23 they-- that there ought to still be efforts underway,  
24 structured efforts to get them into a permanent  
25 family relationship.

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JULIE FARBER: Absolutely.

CHAIRPERSON LEVIN: What is ACS doing now and what practices are evolving or changing to put a greater emphasis on that?

JULIE FARBER: So there are a number of things that are happening around that. I mean, for one, you know, we obviously discouraged APPLA goals and sort of them, you know, the inability to give an APPLA goals to a 14 or 15-year-old we view as a good thing. And we're working across the system around what we call family-finding initiatives, right? So, several of our agencies have foundation grants and other agencies even that don't have foundation grants are doing specialized work where they are looking into the lives of these young people who may be on their face, you know, would say I have nobody, I have no one in my life, but then it turns out that when you really do a thorough review which can involve social media and sorts of research. It turns out that there is a coach, you know, who once was connected to this child and who cared about this child and can you then re-engage with that person. Now, that might not always end up in a legal adoption or a guardianship, but it can end up being an

1 informal permanent adult connection for the young  
2 people. So, there's a lot of work and effort going  
3 into that. In addition, we actually have a project  
4 that is going to be launching in July to dive deeply,  
5 and that's reflected in the implementation report to  
6 really dive deeply into all of the young people with  
7 APPLA goals and look at the data and look at what are  
8 the pathways that young people take in getting to  
9 APPLA and getting from APPLA out of the system, and  
10 from those data analysis, we're going to be  
11 developing additional supports and initiatives around  
12 this population, but it's an extremely-- it's an  
13 extremely important group to us, and while we-- at  
14 the same time I'm very proud of all that we're  
15 putting in place around education and employment, we  
16 have a zillion things going in that regard, I agree  
17 with you strongly that that is not enough, and that  
18 at the same time we want to make sure that all young  
19 people who leave care have a significant and  
20 permanent connection to a loving adult.

21  
22 CHAIRPERSON LEVIN: So, along those lines  
23 in 2015, 456 of the 652 identified somebody to be a  
24 permanent connection to a caring adult. Obviously,  
25 that's a-- there's a gap there of almost 200. Why is

1  
2 that not all 652? In other words there are 200 and  
3 that's a fairly high percentage then, you know,  
4 almost a third of the youth that are aging out in  
5 2015 did not have a connection to a caring permanent-  
6 - a permanent caring adult. What's the why not, and-  
7 - I guess the first question is why not?

8 JULIE FARBER: So, I mean, obviously I'd  
9 have to look in each of those cases, and you know,  
10 the nature of child welfare is also that each case  
11 and each family and each child is so unique, and so  
12 it's hard to draw conclusions, you know, across young  
13 people and families that have very different  
14 circumstances.

15 CHAIRPERSON LEVIN: Just to be clear, the  
16 law encourages youth to have-- that are aging out  
17 with an APPLA goal to have-- it encourages them to  
18 have a connection to a permanently caring adult, but  
19 not-- it does not require it, is that correct?

20 JULIE FARBER: I guess I don't know the  
21 answer to that at the top of my head, but I think  
22 from the practice of, you know, our practice is that  
23 we want that to happen for every young person leaving  
24 care.

25 CHAIRPERSON LEVIN: And then--

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2 JULIE FARBER: [interposing] In terms of  
3 what a federal law requires it.

4 CHAIRPERSON LEVIN: How does-- so when we  
5 spoke to young people who have aged out, this  
6 question we saw a lot of eye rolling going on around  
7 this issue, because in their experience their-- what  
8 we heard was a case worker said, you know, think of  
9 somebody, and you know, they just came up with a  
10 name, and they really-- whether or not the  
11 relationship was really there. And so my sense is  
12 that among those two-thirds that identified somebody,  
13 there's some smaller number of youth that are  
14 actually having that relationship in an ongoing  
15 fashion. And so my question is how does ACS evaluate  
16 the effectiveness of that protocol? Does ACS do  
17 quality assurance essentially and kind of go in and  
18 audit various agencies, how they've been going about  
19 doing it, and seeing whether or not that is  
20 maintained one year--

21 JULIE FARBER: [interposing] Whether  
22 there's really a permanent connection.

23 CHAIRPERSON LEVIN: two years, three years  
24 down the line?

1  
2           ANDREW WHITE: You're looking at one of  
3 the most complicated pieces of social work in the  
4 entire child welfare business, which is how you take  
5 a child who has experienced being cut off from their  
6 family and in care for a long period of time and  
7 reconnect, and I don't know that there's any way to  
8 do quality assurance on that. What there is to do--  
9 first of all, to looking at these children in  
10 specific and the children who are aging out, we are  
11 doing everything we can to reduce these caseloads,  
12 which we have. We put all of this money in over the  
13 last two years, and it's going for the next three, so  
14 every case planner in foster care has only 12  
15 children that they're working with. It used to be 18  
16 to 22. It means they can actually spend the time  
17 with that young person.

18           CHAIRPERSON LEVIN: Twelve is a  
19 manageable number.

20           ANDREW WHITE: It is a very manageable  
21 number, you know, in our assessment, right? And--

22           CHAIRPERSON LEVIN: Should be able to.

23           ANDREW WHITE: They ought to be able to,  
24 right? And so the technical support that we're  
25 giving now is at a level that was never in the system

1 before. As Julie mentioned, we have the 14 million  
2 dollars in the Workforce Institute which just to  
3 clarify a little bit, that's not just for the foster  
4 care frontline. That's for the front line in foster  
5 care, preventive and in Child Protective Services.  
6 That is a -- it's a massive investment that never  
7 existed before. There's also work that Julie will  
8 talk about around senior practice consultants and  
9 technical assistance that we're providing to the  
10 agencies, and then on top of that we can talk some  
11 point during this hearing about the whole quality  
12 assurance and quality improvement system. But  
13 another really critical point to your question, if  
14 you don't break it, you don't need to fix it later.  
15 So the key here is we don't take children into care  
16 anymore unless there's no other option, right? And  
17 so fewer than 2,500 families last year experienced  
18 losing a child to foster care. That used to be, you  
19 know, like you go back years there were 12,000 kids  
20 coming into care back when I first got involved in  
21 this business. So, that's one piece of it. The  
22 other is if you don't put kids in residential care  
23 unless they absolutely need it, which we don't, you  
24 can maintain a family connection. You know, a third  
25

1 of the kids in our system are with kin. So that  
2 relationship is critical. Another very large number  
3 of them are with adoptive parents and it takes time  
4 to get that through the system, longer than we would  
5 like, and we are pushing that down every year, but  
6 there are then the kids that you're talking about,  
7 the young people. I shouldn't even say kids, because  
8 a lot of them are significantly older than kids.  
9 They have lived through this period and this system  
10 when that was less common. There were more people  
11 going into residential, and some of these young  
12 people have been on wait lists for Developmental  
13 Disability Services or other state-funded programs,  
14 and they don't have the connections to families that  
15 they should. So our job is clearly to work with the  
16 providers to change that.

18 JULIE FARBER: But just to, you know, to  
19 answer your question about we do monitor the  
20 providers. So through our case record reviews that  
21 we do, they're called the PAM's reviews that  
22 ultimately become part of the score card. There are  
23 absolutely questions in there that look at kids with  
24 APPLA goals and whether they're getting the right  
25

1 services, whether they have permanent connections to  
2 adults. We absolutely are monitoring that.

3  
4 ANDREW WHITE: Yeah, I mean we have a  
5 very-- an extensive monitoring system, I guess and  
6 significantly-- statistically significant samples of  
7 case record reviews for every foster provider program  
8 that tell us these things. They're not able through  
9 documentation, though, to get it the kind of  
10 substance I think you're talking about, and that's  
11 where the technical--

12 CHAIRPERSON LEVIN: [interposing] Right.

13 ANDREW WHITE: assistance comes.

14 CHAIRPERSON LEVIN: I'm going to, I  
15 think, I'm going to ask one more question about  
16 APPLA, and then I'm going to ask a couple questions  
17 about housing alternatives with my colleagues, but  
18 I'm probably come back later to APPLA. But one thing  
19 that's come up, and I imagine you guys have seen the  
20 recommendations that were as part of a-- in the 2014,  
21 FPWA did a report called keeping foster youth off the  
22 streets. They have a list of recommendations. A  
23 thing that came up in those recommendations-- we've  
24 heard a quite a bit, and it's common sense actually--  
25 aftercare services for youth aging out. Not--

1 obviously the formal guardianship relationship  
2 between ACS and the youth in foster care will cease  
3 to exist, but there still needs to likely be some  
4 kind of relationship, and what we know is that some  
5 agencies that have the ability to privately fundraise  
6 are able to do aftercare with private money. So they  
7 know as agencies. They're, you know, they're  
8 mission-driven agencies and presumably they're  
9 effective agencies, that they're putting resources  
10 into that type of programming. Does ACS do aftercare  
11 services for youth who have aged out? If not, why  
12 and is this something that we should be looking at to  
13 put public resources into this, because, you know, if  
14 agencies didn't think it was valuable they wouldn't  
15 be privately fundraising for it.

17 JULIE FARBER: So, it's an important  
18 question and I appreciate you asking it. So yes,  
19 there are several things underway. You know, and  
20 could it benefit from being expanded? I think the  
21 answer to that is yes, but there's a few things that  
22 are significant that we provide. So for example, for  
23 young people who choose to age out at 18 and then,  
24 you know, six months later, a year later, two years  
25 later realize that they maybe could use some help.

1 We have a unit that's headed by my colleague over  
2 there, Assistant Commissioner Sabine Chery, Older  
3 Youth Services that provides a range of services to  
4 young people helping connect them to resources,  
5 education programs, housing, if necessary coming back  
6 into foster care if they need that support again. So  
7 that exists. There's also resources available  
8 through our partners, New Yorkers for Children,  
9 though a number of different programs that support  
10 young people who have aged out of foster care. HRA  
11 has also opened an office, a special office for  
12 youth, who have left foster care and so that they  
13 don't have to go through the broad door with  
14 everybody else. They can go to the specialized  
15 office. You're going to say?

17 CHAIRPERSON LEVIN: Well, but is there an  
18 opportunity for them to go back to their provider, to  
19 their agency and get these services directly through  
20 them? So, can somebody go back through a foster care  
21 agency that they had aged out with and say, you know,  
22 I need some resources--

23 JULIE FARBER: [interposing] Yeah.

24 CHAIRPERSON LEVIN: and that will then  
25 link them up with--

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JULIE FARBER: [interposing] Yes.

CHAIRPERSON LEVIN: your Assistant  
Commissioner or New Yorkers for Children--

JULIE FARBER: [interposing] Yeah.

CHAIRPERSON LEVIN: or, you know, the  
menu of options that are available--

JULIE FARBER: [interposing] Yeah, well I  
think there's a couple--

CHAIRPERSON LEVIN: to them today?

JULIE FARBER: of ways that-- I mean, the  
answer to that is basically yes.

CHAIRPERSON LEVIN: Does that happen in  
reality?

JULIE FARBER: And I think it does  
absolutely happens in reality, kids who had  
connections with their case planners will call their  
former case planner, you know, at Children's Aid  
Society or J.C.--

CHAIRPERSON LEVIN: [interposing] I've  
heard feedback that it's not happening.

JULIE FARBER: Right. Yeah, so I'm sure  
that's the case as well, but they absolutely can call  
their agencies and, you know, would either get  
referred to Sabine's unit or if some of the agencies

1 as you've said have services available, I also  
2 understand that there's a new center planned with HRA  
3 through the Young Women's Initiative that is going to  
4 be for youth aging out. I just learned about this  
5 yesterday, so I don't know about all of the details  
6 of that. And then there are organizations like The  
7 Door that also runs the Bronx Youth Center in the  
8 South Bronx that are open for young people aging out  
9 that are open to young people who have aged out of  
10 either the foster care or juvenile justice systems,  
11 and so I think there's some-- there's a good baseline  
12 of services that are happening that we can build  
13 from.

14  
15 CHAIRPERSON LEVIN: Okay. I'm going to  
16 move to housing for a couple questions and then I'm  
17 going to turn it over to my colleagues. Of the 652  
18 youth that aged out in 2015, 229 went into NYCHA.  
19 Only 48 utilized the ACS Housing Subsidy. According  
20 to our data, between zero and 10 went into supportive  
21 housing. So, I know you mentioned in your testimony  
22 that that-- there seems to be an increase in the  
23 number of youth going into supportive housing. It  
24 didn't happen in 2015, because only between zero and  
25 10 of 652 kids that aged out-- one of the three

1 pillars of resources for housing essentially was  
2 statistically unutilized, and we're talking now of if  
3 less than 300, because 229 plus 48 plus zero to 10 is  
4 less than 300, less than half were in-- received some  
5 type of housing of some kind. Where did the others  
6 go? And do you track the youth that are couch  
7 surfing? Because I know that we have data that shows  
8 that, you know, of the 180 youth that aged out  
9 between October 1<sup>st</sup> and December 31<sup>st</sup> of 2015, eight  
10 went into the DHS system. So that's over four  
11 percent, over four percent of the youth that are  
12 aging out are going to the DHS system. DHS is last  
13 resort, last resort. A young person that is 19 years  
14 old going to the DHS system, that's like, you know,  
15 they have no other options, and you know, we-- there  
16 are different definitions of homeless and McKinney-  
17 Vento quantifies or qualifies homeless as doubled-up,  
18 and I'm wondering how many of those over 300 that  
19 don't, that aren't in NYCHA-- and we'll talk about  
20 NYCHA in a minute-- aren't in NYCHA and aren't using  
21 the subsidy and clearly are not in supportive  
22 housing. Of those, how many are sleeping on somebody  
23 else's couch?

24  
25 JULIE FARBER: Yeah.

1  
2           ANDREW WHITE: We'll have to after the  
3 hearing figure out where you got your numbers because  
4 those don't match ours--

5           CHAIRPERSON LEVIN: [interposing] PMMR.

6           ANDREW WHITE: remotely. The supportive  
7 housing? No, we have 300 children went into  
8 supportive housing last year, 302 actually.

9           CHAIRPERSON LEVIN: That's--

10          ANDREW WHITE: [interposing] So, we'll  
11 have to clarify those numbers after the hearing.  
12 That's New York, New York Three Supportive Housing.  
13 So, that's a big number, a big difference there.

14          CHAIRPERSON LEVIN: Big difference, okay.

15          ANDREW WHITE: The homeless numbers-- no  
16 child is by law allowed to leave housing, you know,  
17 or by policy, allowed to leave foster care for  
18 shelter with the numbers we report to the City of if  
19 they do show up in shelter within a year, but reality  
20 is a lot of those touch for one night we want to know  
21 because we can then work with them and get them back  
22 into some kind of housing. They're-- I mean, it's  
23 very clear that homelessness is not an appropriate  
24 discharge. In fact, children leaving care  
25 immediately have to-- I mean, when they leave care

1  
2 they have to have a destination or we can't discharge  
3 them. There are a small number that you know, I  
4 mean from our reports to the Council that show up in  
5 shelter over the course of a year within a year after  
6 care.

7 CHAIRPERSON LEVIN: I mean, according to  
8 the FPWA--

9 ANDREW WHITE: [interposing] We need to  
10 get those--

11 CHAIRPERSON LEVIN: report, they quantify  
12 that of the youth that aged out in 2011-- this is a  
13 couple years old here-- that within three years,  
14 because I mean, obviously this number of four percent  
15 is after like five months.

16 JULIE FARBER: Right.

17 CHAIRPERSON LEVIN: When you look at  
18 three years it said as many as 231 of the youth that  
19 aged out in 2011 are likely to come back into the  
20 shelter system. So, that's the shelter system. So,  
21 are you looking-- are you able-- are you measuring  
22 this out three years? I mean, are you looking at--

23 ANDREW WHITE: [interposing] We are. I  
24 mean, I think there's a lot of--

1  
2 CHAIRPERSON LEVIN: [interposing] I mean,  
3 I'm assuming the numbers go up.

4 ANDREW WHITE: I mean, we can't-- we  
5 aren't looking at the three year point, and I think  
6 one of the great challenges in New York as you know  
7 is affordability of housing, and the young people who  
8 are in our system come from the same communities that  
9 are experiencing very high rates of homelessness.  
10 So, this is a big issue when you're talking about  
11 young people over age 21 who often have families of  
12 their own who may end up in shelters three years  
13 after they left foster care, the characteristics of  
14 those families, the experience of those young people  
15 and their children is a lot like other children in  
16 their communities, and this is something that this  
17 Administration has been intensely committed to in  
18 terms of opening up shelter as widely as it needs to  
19 be opened, and it's creating supportive housing and  
20 investing in affordable housing. These are really  
21 big problems when you're talking about young adults.

22 CHAIRPERSON LEVIN: Do you--

23 ANDREW WHITE: [interposing] And those  
24 with children of their own.

1  
2 CHAIRPERSON LEVIN: Do you track in terms  
3 of the number of youth that are couch surfing?

4 ANDREW WHITE: There's no real clear way  
5 to do that, because you know, there's no data system  
6 that tells you that somebody is couch surfing.

7 CHAIRPERSON LEVIN: Other than self-  
8 reporting, is there an opportunity for them to self-  
9 report?

10 ANDREW WHITE: Think about the experience  
11 of a 22 or 23-year-old out in the world on their own,  
12 what is the likelihood that they're going to make a  
13 self-report of where they are living that's going to  
14 be quantifiable--

15 CHAIRPERSON LEVIN: [interposing] If they  
16 maintain a relationship with the foster care agency--

17 ANDREW WHITE: [interposing] That's the  
18 goal.

19 CHAIRPERSON LEVIN: that they're with.

20 ANDREW WHITE: That is the goal.

21 JULIE FARBER: It's possible.

22 CHAIRPERSON LEVIN: Then those numbers--  
23 at least anecdotally they'd be known, whether--

24 ANDREW WHITE: [interposing] Anecdotally,  
25 yes.

1  
2 CHAIRPERSON LEVIN: Whether it's, you  
3 know, verifiable data is another question, but we  
4 would know anecdotally whether youth that were. You  
5 know, if somebody's caseload is only 12, they should  
6 be able to maintain a relationship with the youth  
7 that have aged out, at least for a couple of years, I  
8 would think, you know, at least not lose track of  
9 them. If they're out there couch surfing, they  
10 should be able to check in and say hey. You know,  
11 call them every once every six months and say, "Are  
12 you living somewhere? Do you have your own  
13 apartment?"

14 JULIE FARBER: I think this issue is of  
15 huge concern to us and there's like a few prongs to  
16 it, right? One is that education and employment are  
17 the best routes, right, for young people to be doing  
18 well, right? The best way for this to happen is that  
19 they graduate from high school, maybe go to college  
20 or not, and have jobs where they can, you know,  
21 afford housing, right? So we're trying to take it on  
22 that track, and then the second track is we need more  
23 housing in New York City, and the Mayor has made that  
24 a priority. And then the third track I would say is  
25 the like starting back from the beginning, right? We

1  
2 want to-- you know, we're making reforms such that,  
3 you know, our goal is that there are going to be  
4 fewer kids that every land in the APPLA zone in the  
5 first place, and so all those three things are on  
6 their tracks.

7 CHAIRPERSON LEVIN: I'm going to turn it  
8 over to my colleague Letitia James, our Public  
9 Advocate, but I just want to say before I do that,  
10 that ACS report on youth in foster care 2015 shows  
11 supportive housing as an asterisk and the asterisk  
12 says the number of youth in cells [sic] with less  
13 than 10 youth are not shown to protect anonymity.  
14 So, that's--

15 JULIE FARBER: [interposing] Yeah, that  
16 must be in--

17 CHAIRPERSON LEVIN: [interposing] NYCHA's  
18 229, ACS Housing Subsidy 48, Section 8 voucher  
19 asterisks, supportive housing asterisk, and adult  
20 residential care asterisk.

21 JULIE FARBER: So we'll come back to you  
22 with all of that because we know that we have a few  
23 hundred kids in those categories.

24 CHAIRPERSON LEVIN: Okay. I'll turn it  
25 over to my colleague Letitia James.

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JULIE FARBER: Thank you.

CHAIRPERSON LEVIN: Public Advocate for questions.

PUBLIC ADVOCATE JAMES: Thank you, Mr. Chair. First, let me thank you in regards to the bill that I've introduced, Intro 1197, which would expand certain age disaggregation reporting. I thank you for your willingness to discuss this with your partners at HRA and Department of Homeless Services about the possibility and the mechanisms that might be available to implement this bill.

JULIE FARBER: Absolutely.

PUBLIC ADVOCATE JAMES: Thank you. As an aside, does the Department of Homeless Service notify ACS whenever a child which is exiting foster care show up at the in-take center?

JULIE FARBER: Yes, we do. We have a system for that.

PUBLIC ADVOCATE JAMES: And what happens? What is the process for extending foster care for that particular child for getting that child assistance, or that young person I should say?

JULIE FARBER: Yeah, so we have staff I think in Sabine Chery's unit that reach out and work

1  
2 with those young people, and you know, if it's  
3 possible for them to come back into foster care we  
4 make that possible, or if they're-- you know, that's  
5 not desired by the young person or, you know, for  
6 whatever reason isn't possible, we look at helping  
7 them with other options. So, I think that we've  
8 created now a good relationship between a data, both  
9 a good data sharing relationship as well as a "let's  
10 connect on these kids" relationship, and so that's  
11 happening.

12 PUBLIC ADVOCATE JAMES: So you have a  
13 staff member who is located in the Bronx intake  
14 center?

15 ANDREW WHITE: We do for the family  
16 shelter system.

17 PUBLIC ADVOCATE JAMES: The family  
18 shelters.

19 ANDREW WHITE: Yes, we have staff there.

20 PUBLIC ADVOCATE JAMES: What about single  
21 adults?

22 ANDREW WHITE: And we're standing up two  
23 additional units that are going to be based outside  
24 of that building that are devoted to working with  
25 those families that come in that have been involved

1 with our system in the past who are currently  
2 involved with it.

3 PUBLIC ADVOCATE JAMES: SO most of these  
4 are-- most of the young people who are aging out are  
5 single adults. Do you have any staff person--

6 ANDREW WHITE: [interposing] A lot of them  
7 have children with them.

8 JULIE FARBER: Some of them have  
9 children.

10 PUBLIC ADVOCATE JAMES: With children, so  
11 they're still in the-- so they would be in the foster  
12 care in the family system.

13 ANDREW WHITE: If they have children with  
14 them, yes, they are in the family system, right.

15 PUBLIC ADVOCATE JAMES: And if they do  
16 not?

17 ANDREW WHITE: Or if they're a couple  
18 that want to stay together they are in the family  
19 system.

20 PUBLIC ADVOCATE JAMES: And if they're a  
21 single adult?

22 ANDREW WHITE: If they're single adults,  
23 they're coming into the single shelter system, and  
24 that there if they're under age 21, then we do find  
25

1 out about it quickly. If they're over age 21 that's  
2 a different--  
3

4 PUBLIC ADVOCATE JAMES: [interposing] You  
5 say you find out about it quickly, that means a staff  
6 member is not in that system?

7 ANDREW WHITE: I don't-- I would-- I'll  
8 have to get back to you. I don't think-- Sabine, do  
9 we have somebody in the adult? No, that's through  
10 the data match.

11 PUBLIC ADVOCATE JAMES: It's just a data  
12 match?

13 ANDREW WHITE: For the adult system.

14 PUBLIC ADVOCATE JAMES: Are you looking  
15 into the possibility of having a staff member  
16 assigned to the single adult?

17 ANDREW WHITE: Yeah, I mean our ideal  
18 would be not only that, but to have an automatic flag  
19 in the system which is-- which would require like an  
20 operational connection with our data, not just a  
21 match, and that's an ongoing discussion with the  
22 Department of Homeless Services.

23 JULIE FARBER: I believe the data match--  
24 am I right, Sabine, are daily? Right? They're  
25 daily.

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ANDREW WHITE: They're daily.

JULIE FARBER: It's daily, yeah.

PUBLIC ADVOCATE JAMES: Okay. Can you perhaps give us an update, if you know, what is the status of the state legislature passing the bill to increase the housing subsidy for young people aging out of foster care from 300 to 600? Because we all know based on conversation with my friends at Legal Aid and Legal Services that 300 dollars is inadequate--

JULIE FARBER: [interposing] Yeah, we support--

PUBLIC ADVOCATE JAMES: in the housing market.

JULIE FARBER: WE strongly support the increase to 600. I don't know if my colleague Jill has an update on where it stands.

PUBLIC ADVOCATE JAMES: No update?

ANDREW WHITE: No update.

PUBLIC ADVOCATE JAMES: And what is the updating regards to New York, New York Four, the supportive housing initiative in Albany, does anyone know? The likelihood that it's going to pass before the end of session?

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ANDREW WHITE: No, no update.

PUBLIC ADVOCATE JAMES: No one. Albany doesn't know, according to Council Member Torres. He's probably right about that.

ANDREW WHITE: We are eager to have that as well.

JULIE FARBER: We're eager, yes.

PUBLIC ADVOCATE JAMES: Do you-- so, in terms of lobbying these two measures, do you rely upon the Mayor's lobbyist or do you have a lobbyist of your own? Is there someone who is embedded in Albany perhaps?

JULIE FARBER: I'll ask my colleague Jill to address.

JILL KRAUS: [off mic] The Mayor's Office has an entire team in Albany that--

PUBLIC ADVOCATE JAMES: Okay. Okay. And you don't have an update from any of them, do you?

JILL KRAUS: As of right now.

PUBLIC ADVOCATE JAMES: As of right now. Okay. As they come to a close in Albany--

ANDREW WHITE: [interposing] We can get back to you on that for sure.

PUBLIC ADVOCATE JAMES: Okay, thank you.

In your testimony, Commissioner, you stated that obtaining one's birth certificate and getting adoption subsidies was one of the reasons why it was slowing down permanency planning for young people in the foster care system. Can you further elaborate on that?

JULIE FARBER: Yeah. So the system used to be on the birth certificate side that all 27 of the foster care agencies would go individually themselves to DOHMH and deal with the bureaucratic process themselves. So, in looking at that we realized that wasn't efficient, wasn't a good business process, so we centralized that at ACS, and so now ACS handles all of the birth certificate requests, and so that has streamlined the process and made it much simpler for all the reasons that you can imagine, because it's just ACS dealing with DOHMH on behalf of all of our agencies. So that's like one of the small business processes that can make such a difference. On the adoption subsidy issues, so we took a look at ACS's adoption subsidy process, and it had like 28 steps to it, and we realized, you know, this could be significantly streamlined, it could be

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made much easier, and so we streamlined it over the last year from, you know, 28 steps to 12 steps or something--

PUBLIC ADVOCATE JAMES: [interposing]

Right.

JULIE FARBER: like that. And as a result of that, I mean, this is one of these for anyone who's a business process nerd as I am, it was a very satisfying change to make, because by simplifying the process, retraining the foster care agencies who were very thankful for our simplified process, we went from processing only four percent within 30 days literally to over a few months processing 70 percent within 30 days. The other thing just to give you another example of business process changes that are boring, but you know, can really make a difference and shave time off of care, is we realized that in some cases adoption subsidies were being filed, you know, right when a TPR is filed, because you can and you should, right?

PUBLIC ADVOCATE JAMES: Right.

JULIE FARBER: But in some cases, for whatever reason, just business process, you know, was

1  
2 that they weren't filing adoption subsidies until  
3 after the TPR was granted.

4 PUBLIC ADVOCATE JAMES: Oh.

5 JULIE FARBER: So it's such an easy thing  
6 to change, though, right? So once we identified it,  
7 and now all the agencies are, you know, working like  
8 mad to change their business process, and that's  
9 going to shave off several months on every child. So  
10 it's things like that that are making a difference.

11 PUBLIC ADVOCATE JAMES: IN your testimony  
12 you alluded to Family Court being maybe part of the  
13 problem in slowing down these adoptions. Can you  
14 further elaborate? Because I have my own opinion  
15 with regard to Family Court. What are your thoughts  
16 on the role that Family Court plays in slowing down--

17 JULIE FARBER: [interposing] Sure.

18 PUBLIC ADVOCATE JAMES: the adoption  
19 process?

20 JULIE FARBER: So there are a few things.  
21 You know, I think the average time to disposition is  
22 nine or 10 months, so you know, that's one to start.  
23 And then, you know, other issues are, you know, that  
24 have been around for many, many years with the Family  
25 Court are the lack of continuous calendaring of

1 trials and multiple continuances and so forth, and  
2  
3 I--

4 PUBLIC ADVOCATE JAMES: [interposing] And  
5 the continuances are related to just Counsel not  
6 being ready, or?

7 JULIE FARBER: The continuances are  
8 related to a number of things. I mean, sometimes  
9 it's related to, you know, any one of the parties not  
10 being ready and other times it's related to court  
11 calendaring issues. And so this is a nut that, you  
12 know, we'd love to be able to crack.

13 PUBLIC ADVOCATE JAMES: What I'm hearing  
14 from my friends at Legal Aid and Legal Services, part  
15 of the problem is the fact that individuals are just  
16 not getting the mandated services that they are  
17 required, you know, by statute required to receive.  
18 What I'm hearing is individuals who are in let's say  
19 Brooklyn in your contracted agencies they don't offer  
20 certain services and they have to go out-of-borough,  
21 and that's a major problem. So, the question is to  
22 what extent are your contracted agencies, do they  
23 have all of the requisite necessary services to  
24 address the needs of litigants?

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2           ANDREW WHITE: So, in a reasonable-- I  
3 mean, not-- ninety-seven percent of our cases, the  
4 court determines there have been reasonable efforts.  
5 That's a high number I think given, you know, the  
6 kinds of things Legal Aid and Legal Services are  
7 talking about do happen, no doubt about it. And we  
8 are working closely with them in fact to learn how to  
9 address that. The number of reports being filed by  
10 the providers in court is going up, up, up steadily,  
11 which is a big improvement, but one of the things  
12 that Legal Aid and Legal Services can tell you too is  
13 that this state and city have real respect for due  
14 process for parents. New York is one of the few  
15 places where parents have institutional  
16 representation that actually allows them the chance  
17 to fight for their rights and participate in the  
18 court process to keep their families together, and  
19 that's a good thing. We support that. That's  
20 something that many of us at ACS were involved with  
21 creating years ago.

22           PUBLIC ADVOCATE JAMES: Sure.

23           ANDREW WHITE: So, the result of that--

24           PUBLIC ADVOCATE JAMES: [interposing] And  
25 also--

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2           ANDREW WHITE: [interposing] is that it  
3 takes time.

4           PUBLIC ADVOCATE JAMES: Just to let you  
5 know, I was-- family reunification is something that  
6 I've worked on for a very long time. As you know, my  
7 background, former Counsel at [sic] Children and  
8 Families in Albany. So I know a little bit about  
9 this and about kinship care and subsidies and all of  
10 that. And so family unification is really one I want  
11 to focus on, and what I keep hearing is again  
12 mandated services, problems associated with mandated  
13 services. I hear that over and over again, and so  
14 whatever we can do, perhaps additional resources to  
15 contracted agencies to provide mandated services, we  
16 really need to focus on this. And from time to time  
17 I too go into court and offer my service pro-bono and  
18 still a problem.

19           ANDREW WHITE: Yeah, I don't think  
20 there's-- there's no doubt that making sure families  
21 are getting services they need is fundamental, and in  
22 fact, that's probably the single most important  
23 driving force behind bringing those caseloads down.

24           PUBLIC ADVOCATE JAMES: Yes.  
25

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2           ANDREW WHITE: Brining the caseloads and  
3 the foster care system down to 12 children means that  
4 those workers whose responsibility is not just  
5 supporting the foster child, it is supporting the  
6 foster child's family when reunification is a goal.

7           PUBLIC ADVOCATE JAMES: And--

8           ANDREW WHITE: [interposing] And we are  
9 tracking that work with the families very closely.

10          JULIE FARBER: The other thing that I  
11 would add to that is that is the focus of the 4E  
12 Waiver, right? So, the two evidence-based  
13 interventions that I mentioned, detachment, Bio-  
14 Behavioral Catch-up, ABC, and Partnering for Success  
15 are around the service interventions and improving  
16 the richness of those interventions for parents.

17          ANDREW WHITE: And the--

18          JULIE FARBER: [interposing] It's  
19 critical.

20          PUBLIC ADVOCATE JAMES: And I'm glad that  
21 the number of children are-- that more and more  
22 children are being placed with family members because  
23 you know the law requires that ACS engage in due  
24 diligence and inquire with regards to the  
25 availability of family members, and I do know that

1  
2 there was some of these workers who were just  
3 removing a child without any inquiry.

4 JULIE FARBER: Yeah.

5 PUBLIC ADVOCATE JAMES: So, I'm glad your  
6 numbers are up. What about unaccompanied minors,  
7 when a child who has an unaccompanied minor status  
8 comes under the jurisdiction of ACS, whether as a  
9 result of a sponsorship fall-out or runaway youth,  
10 what kind of efforts are being made by ACS to meet  
11 the special needs of these-- to meet the special  
12 circumstances of unaccompanied minors?

13 JULIE FARBER: I mean, first of all, it's  
14 very, very rare, but certainly in these circumstances  
15 we bring all the resources to bear that we can. I  
16 mean, if the minor truly has no connections in the  
17 community, then, you know, we're looking for a foster  
18 home or supportive placement for that child, and  
19 putting in place all the services that, you know,  
20 they would otherwise be entitled to and trying to  
21 build a community around that child if it is truly a  
22 child who like literally has no one, and so then it's  
23 our job and our function to build a community around  
24 that child and to figure how we're going to support  
25 that child, but fortunately that's quite rare.

1  
2 PUBLIC ADVOCATE JAMES: And I-- so I want  
3 to thank the Chair for indulging me, but I don't--  
4 and I unfortunately, this is not meant to attack you  
5 or to engage, you know, surprise "gotcha" tactics,  
6 but I was just forwarded and audit that was just  
7 completed by the Comptroller, Comptroller Stringer,  
8 and it was dated to day and it says-- and the header  
9 says as follows: "Comptroller Stringer Audit,  
10 inconsistent, incomplete and shoddy investigations at  
11 ACS put abused children at risk." It goes on to  
12 read, just the header, "Even after 30 deaths under  
13 ACS's watch in the last decade, this agency still  
14 can't do its job. ACS continues to put children in  
15 harm's way and required managerial reviews for two-  
16 thirds of the most urgent abuse cases were late or  
17 incomplete, leaving children in potentially dangerous  
18 situations. In mandatory meetings to assess if  
19 children were in danger were late and in one instance  
20 case workers didn't meet with a child for over a  
21 month." That's just the header. That's really not  
22 the substance. All of you can go online. It's  
23 online right now. It was just forwarded to me I guess  
24 from someone from the audience. I know you haven't  
25 had an opportunity to read it, but I would urge you

1 obviously to read it. Clearly, a lot of the  
2 allegations that are part of this audit were part of  
3 the litigation that we put forward, and as you know  
4 for capacity reasons we were not able to overcome our  
5 motion; however, the state has settled with us and we  
6 are looking forward to working with the state of New  
7 York under leadership of Governor Cuomo to appoint  
8 the monitor over ACS.  
9

10 ANDREW WHITE: We would just encourage  
11 people to read our response to that audit, which in  
12 fact I can read that right now. But at its heart are  
13 25-- this is about DCP practice and it looks at 25  
14 cases, and all 25 of those cases, those children are  
15 safe and in stable situations, which was not  
16 acknowledged in this report. The ACS Division of  
17 Child Protection Staff investigates over 60,000  
18 reports of child abuse and neglect every year  
19 involving more than 80,000 children. This report  
20 looked at a sample of 25, which seems to be a habit  
21 of oversight organizations looking at small samples  
22 that are biased. ACS has among the lowest child  
23 protective caseloads in the United States at 10.2  
24 cases per CPS worker. Our 2015 average caseload  
25 remained under our target of 12 per CPS worker. In

1 the coming year we're hiring quite a few new Child  
2 Protective Specialists, 475. We've created new child  
3 protective offices, and we've created the training,  
4 and we've created export. Okay, in the coming year,  
5 ACS intends to hire an additional 475 Child  
6 Protective Specialists and 25 Child Protective  
7 Specialist Supervisor Level I. ACS has created two  
8 new Child Protective Offices in the Bronx and  
9 Brooklyn, the boroughs that handle the largest number  
10 of child protection cases and has added over 300  
11 child protective staff there. The new funding on  
12 training has allowed ACS to create 14 million dollar  
13 Workforce Institute to train over 5,000 frontline  
14 child welfare staff across the City, which we spoke  
15 about, both ACS staff and the contract providers.  
16 The institute has already trained 3,000 front line  
17 staff and supervisors since January. ACS is engaged  
18 in Casey Family Programs to conduct a full analysis  
19 of the agency's policies and procedures for child  
20 safety practices and decision making. They will  
21 analyze selected data and conduct case record reviews  
22 to determine how the actual practice compares with  
23 the agency's policies and practices and make  
24 recommendations. The de Blasio Administration has  
25

1  
2 invested over 122 million to strengthen the child  
3 welfare system, 50 million dollars alone to increase  
4 staffing and training for those who carry out the  
5 critical work of protecting children, and we will  
6 continue to strengthen our administrative processes.  
7 However, it's important to note that in each of the  
8 25 cases that the Comptroller reviewed, the children  
9 involved are safe and the families have received  
10 appropriate services.

11 PUBLIC ADVOCATE JAMES: If you could  
12 forward me a copy of that I appreciate it and I thank  
13 you.

14 ANDREW WHITE: Yeah, you bet.

15 PUBLIC ADVOCATE JAMES: Thank you, Mr.  
16 Chair.

17 CHAIRPERSON LEVIN: Thank you very much,  
18 Public Advocate James, and I'm sorry, I apologize to  
19 my colleagues that I was remiss in not identifying  
20 everybody who's here. In addition to the Public  
21 Advocate and Council Member Richards, we also have  
22 Council Member Barry Grodenchik, Council Member  
23 Rafael Salamanca, and Council Member Vanessa Gibson,  
24 and Council Member Salamanca has to run back to the  
25

1  
2 Bronx, but he wanted to make a statement regarding  
3 his legislation.

4 COUNCIL MEMBER SALAMANCA: Thank you very  
5 much, Mr. Chair. I just want to make a quick  
6 statement. I am proud to join together with a number  
7 of my colleagues who each introduced common sense  
8 measures that will go along with helping to support a  
9 very vulnerable population, youth in our foster care  
10 system. Specifically, I am grateful to be able to  
11 sponsor Resolution 1073 with Council Member Stephen  
12 Levin which urges our New York City Legislature to  
13 pass A77568 [sic]. This bill makes very simple but  
14 much needed changes to the child welfare housing  
15 subsidy utilized by youth ages 18 to 21 who have aged  
16 out of the foster care system but are still  
17 considered very vulnerable and susceptible to falling  
18 into homelessness. That's why nearly 30 years ago  
19 the State Legislature created the subsidy, which  
20 currently amounts to 300 dollars a month that can be  
21 utilized to help pay for housing. However much has  
22 changed in 30 years and as we all know it's much more  
23 expensive today to live in the City of New York. As  
24 a result, this legislation aims to do three things.  
25 Doubling the 300 dollars a month subsidy to 600

1 dollars a month to help youth better find safe and  
2 clean affordable housing. Coincidentally, if the 300  
3 subsidies is adjusted for inflation using the United  
4 States Department of Labor Consumer Price Index  
5 Inflation Calculator, 300 in 1988 has the same buying  
6 power as 602 dollars and 11 cents today. Number two,  
7 it allows for youth receiving the subsidy to now have  
8 roommates. When passed in 1988, the law prohibited  
9 those receiving the subsidies to live with others,  
10 which we all know is incredibly difficult to do today  
11 in New York City as a young person. This legislation  
12 will repeal that requirement. And number three, the  
13 legislation raises the age from 21 to 24 for those  
14 eligible to receive the subsidy. Essentially,  
15 because it is believe that there are still many young  
16 persons between the ages of 22 to 24 that could  
17 benefit from this program. With these kids already  
18 highly susceptible to drugs and gang activities and  
19 violence, it is absolute-- it is crucial that we  
20 support them in any way we can to keep them on track  
21 to success. Quality affordable housing is crucial to  
22 this success, and I urge all my colleagues to sign on  
23 to Resolution 1073. My only question is, does your  
24 agency support this resolution?  
25

1  
2 JULIE FARBER: We absolutely support the  
3 intent of it, and we support the increase from the  
4 300 to the 600 dollars. That would be obviously  
5 tremendous for our young people. In terms of the  
6 raising of the age, I understand that we're working  
7 with OMB around that.

8 ANDREW WHITE: Yeah, I think another  
9 valuable piece to it is to allow young people to live  
10 with roommates, because we all know that's how we did  
11 it when we were that age. You can't be required to  
12 somehow find your own apartment for a 300 dollars.

13 COUNCIL MEMBER SALAMANCA: Now, is there  
14 any advocacy from your agency to the state so that it  
15 can pass this resolution?

16 ANDREW WHITE: Yes.

17 JULIE FARBER: Yes.

18 ANDREW WHITE: And from City Hall as well.

19 COUNCIL MEMBER SALAMANCA: Alright, thank  
20 you very much, Mr. Chair.

21 CHAIRPERSON LEVIN: Thank you very much,  
22 Council Member Salamanca. Council Member Donovan  
23 Richards for questions.

24 COUNCIL MEMBER RICHARDS: Thank you,  
25 Chair. Just a few questions. So, on-- so obviously

1  
2 we were talking of the legislation around the surveys  
3 in particular. So, can you go through how currently  
4 if you're foster care young person, how do you file a  
5 complaint if there's an issue with the foster parent?

6 JULIE FARBER: Sure. So, I mean, there's  
7 a couple of routes. I mean, one, hopefully they have  
8 a good relationship with their case planner from  
9 their foster care agency and other staff from the  
10 foster care agency that they could certainly make a  
11 complain to. They also can contact-- ACS has an  
12 advocacy office that they could contact. Those  
13 office are our older youth services. We also have a  
14 Youth Advisory Council, and so that's an opportunity,  
15 you know, for youth to have voice, and obviously they  
16 could call in an SCR call, but I would say the most  
17 common, you know, process would be for them to speak  
18 to their case planner.

19 COUNCIL MEMBER RICHARDS: And how many  
20 complaints did you receive last year?

21 JULIE FARBER: From foster youth?

22 COUNCIL MEMBER RICHARDS: Uh-hm.

23 JULIE FARBER: I don't know the number.

24 COUNCIL MEMBER RICHARDS: Through that  
25 process.

1  
2 JULIE FARBER: Right. I don't know the  
3 number of that off the top of my head, but it's not--

4 COUNCIL MEMBER RICHARDS: [interposing]  
5 Would you project thousands, or?

6 JULIE FARBER: No. It's not a large  
7 number. The other way that youth also have the  
8 opportunity if they have complaints about their  
9 foster homes is obviously through their legal  
10 advocates, some of whom are sitting in the audience.

11 COUNCIL MEMBER RICHARDS: So, you know,  
12 one of the things we heard was they were afraid of  
13 retaliation--

14 JULIE FARBER: [interposing] Right.

15 COUNCIL MEMBER RICHARDS: in particular.  
16 So how does ACS, you know, how do you finesse [sic]  
17 that? How do you ensure that if there are complaints  
18 that there won't be retail-- retaliatory actions?

19 JULIE FARBER: Well, we absolutely don't  
20 tolerate retaliation, and we actually just sent out a  
21 notice to all of the providers, sort of a  
22 whistleblower notice that was focused towards staff,  
23 but sort of giving staff at a foster care agency a  
24 pathway at ACS of staff at a foster care are  
25 concerned about something happening at that agency

1 that they want to report to ACS that they don't feel  
2 is being addressed by the agency's management. We  
3 have an internal monitor. Her name is Denise Padia  
4 [sp?], and there's a process through which staff can  
5 report those issues, and clearly, you know, we have  
6 no tolerance for retaliation against whistleblowers  
7 and if we learned that that's happening we will  
8 intervene and, you know, take all, you know,  
9 appropriate steps to address that.  
10

11 COUNCIL MEMBER RICHARDS: Okay. So, I'm  
12 13 years old. I have an issue with my foster parent.  
13 I'm afraid of retaliation. You know, what advice  
14 would you give to a young person in foster care?

15 ANDREW WHITE: If you don't trust your  
16 case planner and speak to your lawyer--

17 JULIE FARBER: [interposing] Yeah.

18 ANDREW WHITE: That's-- if there is an  
19 issue anybody in foster care should now their rights  
20 as far as-- some of the things on your survey, for  
21 example, as Julie said earlier, are fundamental  
22 requirements of care, that you have access to food,  
23 for example. I mean, that's, you know,-- and that  
24 you feel safe. If a child does not feel safe in care  
25 and they can't get a response from their case planner

1 or don't feel safe talking to their case planner and  
2 can't reach their lawyer, they can call the SCR.  
3 They can call our Office of Advocacy. The SCR, once  
4 a call goes through the State Central Register and  
5 comes to us, we are obligated to investigate and  
6 mandated to investigate that call.  
7

8 COUNCIL MEMBER RICHARDS: So, when they  
9 enter foster care, there's some sort of Bill of  
10 Rights given to them? You know, is there something  
11 tangible in their hand given to them to ensure that  
12 they are aware of the information that you're given?

13 JULIE FARBER: There is.

14 COUNCIL MEMBER RICHARDS: So we're  
15 positive every foster child, every-- so when they  
16 testify today they're going to say that we know who  
17 to contact in the case.

18 JULIE FARBER: I mean, obviously, I don't  
19 know every single one who will testify today, but  
20 they-- there is a Foster Care Bill of Rights, and  
21 that is part of what they're supposed receive from  
22 all of the foster care agencies.

23 COUNCIL MEMBER RICHARDS: And what's the  
24 penalty if per say there's a foster parent who is  
25 taking half their check or something of that nature

1  
2 or is being retaliatory or threatening them? What is  
3 the penalty if they were-- if this was reported? How  
4 would ACS handle it?

5 JULIE FARBER: Yeah, so if, you know,  
6 serious concerns are reported that are endangering a  
7 child's wellbeing, right, that gets reported to the  
8 State Central Register and then it gets investigated  
9 as child abuse and neglect in the investigation.

10 COUNCIL MEMBER RICHARDS: And how long  
11 does investigation take?

12 ANDREW WHITE: They show up within 24 to  
13 48 hours depending on the report, and it's 24 hours  
14 generally, and that if there is a level of credible  
15 evidence of possible abuse and neglect, then--

16 JULIE FARBER: [interposing] Kids are  
17 removed.

18 ANDREW WHITE: kids are removed and put in  
19 a different home, and most-- and that home would be  
20 closed. I mean, the-- in other situations it's a  
21 licensing question. There are issues like inadequate  
22 sleeping arrangements, for example, or a fire code  
23 violation. That wouldn't rise to a level in SCR or  
24 of a substantiated case if it had been found by a  
25 Division of Child Protective staff, but we would

1  
2 require that that licensing violation be addressed  
3 immediately and we require our provider agency to  
4 follow up on it and we check on that within 48 hours.  
5 Usually they are almost always-- they are resolved  
6 very quickly. If they're not, then we issue a  
7 corrective action.

8 COUNCIL MEMBER RICHARDS: So what  
9 proactive measures are being taken by particularly  
10 the agencies, in particular to ensure that, you know,  
11 we're not depending and I'm-- while I'm happy we're  
12 going to pass this survey bill, you know, how do we  
13 ensure that we're being proactive in reaching out to  
14 our young people within the system--

15 JULIE FARBER: [interposing] Right, so  
16 there's--

17 COUNCIL MEMBER RICHARDS: before it gets  
18 all bottled up. And obviously, if I'm going through  
19 that, I'm not going to have trust in anyone, right?  
20 I mean, you know, I need a roof over my head. I may  
21 not want to mention it to my case manager, right?  
22 Because if I'm removed, I'm scared of the next place  
23 I would go, right? Or perhaps I got comfortable in  
24 my school setting. I got comfortable in a  
25 neighborhood. So how do we ensure that we're taking

1  
2 proactive measures to ensure that the foster care  
3 parents who are taking these young people in are  
4 actually treating them like family?

5 JULIE FARBER: Yeah, so those are all  
6 important questions. So there's a couple different  
7 answers to that. I mean, one is through the foster  
8 parent recruitment and screening process. You know,  
9 there's a whole number of requirements in order to  
10 become a foster parent, and so--

11 COUNCIL MEMBER RICHARDS: [interposing]  
12 But we know some people do it for the check, right?  
13 So, you know, I mean, just is what I hear.

14 JULIE FARBER: Right. Yeah, and I know  
15 that, you know, that's a perception and probably a  
16 reality in some cases. I think it's probably a  
17 minority. But so number one is the screening and  
18 recruitment process, you know, as a check on that  
19 issue. Number two, every kid in foster care has a  
20 case planner who is supposed to be visiting with that  
21 child, you know, one or more times a month and  
22 visiting with the home. Children are also in school.  
23 They're in therapy. You know, the case planner is  
24 checking in with the teachers and the therapists and  
25 coordinating, and you know, so there's a few possible

1 inputs of information about how this child is doing.  
2 Number three, the child has an attorney and probably  
3 a social worker at the Attorney's Organization that  
4 they're working with and there's hopefully good  
5 communication there about how things are going for  
6 that child and with the foster home. Number four,  
7 the case is being, you know, reviewed in court every  
8 six months. And number five, we at ACS have a, you  
9 know, part of our assessments and measures of the  
10 providers includes reviews of foster home  
11 recertification files to make sure that foster homes  
12 have all the proper recertifications, right? And  
13 when you're doing a recertification, part of the  
14 requirements of recertification is that foster care  
15 agencies when they're recertifying a home, in  
16 addition to make sure that the foster parents have  
17 all the updated clearances and medicals and fire  
18 extinguishers and all of that, part of that process  
19 is also talking with a young person. So, there's a  
20 number of both sort of human to human, you know,  
21 strategies where, you know, we're in touch with  
22 what's happening in a foster home as well as a sort  
23 of, you know, co-qi [sic], you know, quality  
24 improvement processes.  
25

1  
2 COUNCIL MEMBER RICHARDS: Okay. Can you  
3 just go through 1199? So, how would you strengthen  
4 the survey, the survey in the bill a little bit?

5 ANDREW WHITE: Yeah, I think, you know,  
6 first and foremost I want to say that we don't want  
7 to-- people to leave this meeting with a perception  
8 that somehow the foster parents of New York City are--  
9 -

10 COUNCIL MEMBER RICHARDS: [interposing] Of  
11 course, of course. And that's why I said some.

12 ANDREW WHITE: This is-- it's very easy  
13 to demonize foster parents based on a small sample of  
14 critiques. And while we truly, truly value  
15 individual stories, those are-- we do deep case  
16 reviews every day of kids in foster care, of young  
17 adults who have aged out of families experienced in  
18 our system. So we learn a lot from anecdotes, but  
19 the really important thing to remember is the law of  
20 small numbers. A small sample size is going to give  
21 you a very biased perspective. You've got to look at  
22 the system as a whole, and the vast majority of our  
23 foster parents are doing--

24 COUNCIL MEMBER RICHARDS: [interposing]  
25 Absolutely.

1  
2           ANDREW WHITE: a very good job as are our  
3 foster care case planners, and we value them and I  
4 think one of the issues we need is we need more  
5 really good foster parents. That's the core to our  
6 Home Away from Home initiative that's coming up. We  
7 need people to really see the value and importance of  
8 this work. The pay is not good. It's not like it's a  
9 job. It's not like you're going to make money doing  
10 this. This is work that people do out of the  
11 goodness of their heart and the value that they place  
12 on helping raise a child and helping that child move  
13 back home. I mean, it takes somebody who's willing to  
14 collaborate with a family, another family when a  
15 child is going to be returned home. So that's the  
16 gist of that. On the survey, we've got a few things  
17 in progress that we want to figure out how to make  
18 sync with your proposal. We're awaiting the research  
19 board approval on a scientific anonymous survey of  
20 our foster youth by Columbia University that will  
21 tell us about their experiences in care, including  
22 gender identity and many of the issues outlined in  
23 your survey, but in a very different way, more a  
24 combination of strength-based questions, questions  
25 about their personal experience and characteristics

1 of their own history, and it's going to be done with  
2 a randomized sample of young people in our system as  
3 opposed to being put out as a questionnaire to people  
4 who may have complaints. CUNY is also developing a  
5 survey about the educational experiences of young  
6 people in foster care with an eye toward college and  
7 career readiness and educational supports. And so  
8 those two are going to be really valuable tools.  
9 When we-- when I look at the legislation that's been  
10 proposed, I think there's two things. One is to  
11 understand the experiences of legitimate sample of  
12 kids in our system, right? That's really important  
13 and that we want to do with a randomized high quality  
14 survey. The other is to get at these operational  
15 questions like some of the things you brought up  
16 about kids not having access to the refrigerator or  
17 kids being locked out, those kinds of things. We've  
18 got to find another way to get that kind of  
19 information, right? That-- first of all, we do  
20 require our agencies to field a survey every year of  
21 their young people in care. Problem with that is  
22 it's not aggregated up to the system, and I've heard  
23 from Councilman Levin and others that there's some  
24 doubt about all of them doing it, and we think that's  
25

1 true. If they have a Council on Accreditation, they  
2 are all doing it, but not all of our agencies have  
3 that accreditation. But what we have been talking  
4 about just recently is developing an approximately  
5 that could be-- and we've talked to a couple of  
6 potential developers who could do this, is to create  
7 an app that provides young people the opportunity to  
8 give feedback to other young people and staff and ACS  
9 about their foster home, but to pose the questions in  
10 a way that is not like giving a list of negatives,  
11 but asking really substantive questions about would  
12 you recommend this home for children of--

14 JULIE FARBER: [interposing] Right.

15 ANDREW WHITE: your age. And a series  
16 like that, but leave room for comments if somebody  
17 has like urgent things they want to communicate. So,  
18 these are things that are on the table. I think we  
19 got to be real clear on what are the goals here and  
20 how to get to those different goals. So, I think it  
21 can be a fruitful discussion.

22 COUNCIL MEMBER RICHARDS: Thank you.  
23 Thank you. I look forward to continuing to work with  
24 you on this.

25 JULIE FARBER: We do too.

1  
2 CHAIRPERSON LEVIN: Thank you very much,  
3 Council Member Richards. Council Member Grodenchik?  
4 Before you start, Council Member, I just want to  
5 acknowledge all the people that are in the overflow  
6 room. There are a lot of folks that are in the  
7 overflow room and a lot of folks that joined us at  
8 our press conference earlier. I feel bad because  
9 they joined us at our press conference and then they  
10 came here and the room was full. So, everybody over  
11 in the overflow room, we know you're there and we  
12 thank you for joining us today.

13 COUNCIL MEMBER GRODENCHIK: Thank you, Mr.  
14 Chair. Good morning. Good morning, everybody. Good  
15 morning to the overflow room. How many Child  
16 Protective Specialists are there currently at ACS?

17 ANDREW WHITE: Well, Division of Child  
18 Protection on a whole is more than 3,000 staff. So  
19 how many of those are CPS, we'll have to get back to  
20 you on that.

21 COUNCIL MEMBER GRODENCHIK: Well, my math  
22 tell me there has to be-- if there are 10,000 kids in  
23 foster care, and that number is probably a little  
24 high, and you've got 12 per case--

25

1  
2           ANDREW WHITE: [interposing] No, no, those  
3 are-- you're conflating two different things. We're  
4 talking--

5           COUNCIL MEMBER GRODENCHIK: [interposing]  
6 Okay, I'm here to be educated.

7           ANDREW WHITE: Yeah, no, that's cool.  
8 There are more than 50,000 investigations over a  
9 year. That's what the Child Protective Specialists  
10 do. They handle the investigations. The foster care  
11 case planners are the ones who at our provider  
12 agencies, they are the ones who handle the cases of  
13 children in foster care. They're far, far fewer of  
14 those.

15           COUNCIL MEMBER GRODENCHIK: Okay. Well,  
16 there'd have to be at least 833 of them if you're  
17 going to hit your average.

18           ANDREW WHITE: Yeah. Well, there's 27  
19 foster care agencies, and they each have units of  
20 foster care case planners and supervisors who handle  
21 all of these cases.

22           COUNCIL MEMBER GRODENCHIK: And how do  
23 those people travel about this very large city  
24 generally?  
25

1  
2           ANDREW WHITE: They are ideally allocated  
3 by geography. As we know over time that has not  
4 fully taken hold. Some case planners have to travel  
5 long distances, but we have a good transit system.  
6 Some of them have cars.

7           COUNCIL MEMBER GRODENCHIK: It's a long  
8 trip and Council Member Richards and I can attest to  
9 that.

10          ANDREW WHITE: Indeed.

11          COUNCIL MEMBER GRODENCHIK: I tried to  
12 drive in today, but took the subway.

13          ANDREW WHITE: But our agencies are based  
14 in the boroughs. I mean--

15          COUNCIL MEMBER GRODENCHIK: [interposing]  
16 They are based in the boroughs, I understand that,  
17 but our-- you kind of alluded to my next question.  
18 They are bundled by geography because, you know, I  
19 understand there may be cases where you have, you  
20 know, two children in foster care on the same block  
21 in different homes, and you might have them miles  
22 apart, and I'm just wondering what efforts are made  
23 by ACS to ensure that those agencies are getting the  
24 maximum bang for the buck by bundling. Is there  
25 requirement for bundling?

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JULIE FARBER: So, I think--

COUNCIL MEMBER GRODENCHIK: [interposing]

Because it hate to think that somebody's going from Tottenville to Fort Totten, which is as far as you can go in the City of New York.

JULIE FARBER: So, this relates to the work that I mentioned that we're doing under this Home Away from Home initiative where we've done the last six month this intensive data diagnostics and looked at every map and where every foster home is located and where agency is located, and one of the things, you know, that we've seen is that even though the agencies are "located in certain boroughs," many agencies do have foster homes all over the City, right? And so that raises the issues that you're talking about, about sort of efficiency and travel, and if you have a case planner who has a case in the Bronx and a case in Staten Island and so forth. And so part of the goal of the initiative that we're going to be launching this year to recruit a substantial new number of foster homes will also be linked to trying to figure out some type of hub model, right, where even if there are different agencies working in the same community district, can

1  
2 we figure out a way that those agencies come together  
3 to support all the foster parents in that community  
4 district even if those foster parents are working  
5 with a few different foster care agencies. So these  
6 are the things that we're in the process of figuring  
7 out now, and then the ultimate goal of that is really  
8 so that it translates into children staying in their  
9 communities.

10 ANDREW WHITE: And geography is a top  
11 priority, one of the top priorities when a placement  
12 is being made, particularly from the perspective of a  
13 young person. We want them to be placed close to  
14 their community of origin and their school of origin.

15 COUNCIL MEMBER GRODENCHIK: I would think  
16 school of origin would be-- we've heard some  
17 testimony at a previous hearing about that, and I've  
18 seen unfortunately kids that are placed in the  
19 homeless shelters in my district which are, you know,  
20 they're-- you know, some of them are literally across  
21 the street from Nassau County, that's how far out  
22 they are, and the kids are there for a few days and  
23 then they're sent back somewhere, and it's-- you  
24 know, these are very young children, talking about  
25 kids as low as kindergarten. So it's not a really

1 good set-up for them. Well, I would appreciate  
2 hopefully at a future hearing, Mr. Chairman, hearing  
3 more about your bundling, because I know traveling  
4 across this great city of ours I allow, and I'm sure  
5 Donovan, I'm sure Vanessa as well, allows-- I don't  
6 know about the Chairman, he has a helicopter. But--  
7 he's closer than the--

8  
9 CHAIRPERSON LEVIN: [interposing] A close  
10 district.

11 COUNCIL MEMBER GRODENCHIK: Closer in.  
12 You know, it takes-- I have to allow three hour round  
13 trip. It's just it's a long, long day. I wish I  
14 didn't, but those are the realities of New York City  
15 right now.

16 JULIE FARBER: Absolutely.

17 COUNCIL MEMBER GRODENCHIK: So, thank you  
18 very much, and thank you, Mr. Chairman.

19 CHAIRPERSON LEVIN: Thank you very much,  
20 Council Member Grodenchik. Okay. So I'm going to  
21 jump around.

22 JULIE FARBER: Okay.

23 CHAIRPERSON LEVIN: I appreciate you've  
24 been here for almost two hours, and I do appreciate  
25 everybody who's come to testify as well. So we'll

1  
2 try to keep the remaining questions succinct. I hope  
3 to ask succinct questions, and you know, hope there  
4 are succinct answers, too. The DOI report references  
5 the foster care system. Obviously, it's-- a lot of  
6 it has to do with the Child Welfare System. Two  
7 things that jumped out at me with the foster care  
8 system, and this is somewhat counterintuitive I think  
9 based on a lot of the feedback that we get around--  
10 you know, and the broader trends of prioritizing  
11 reunification. That's the stated policy of the City  
12 of New York. However, it is-- DOI found that ACS did  
13 not move to terminate parental rights when they were  
14 required to under, I think, federal law. Is that  
15 correct?

16 JULIE FARBER: Yes.

17 CHAIRPERSON LEVIN: In their finding, the  
18 percentage of children for whom the termination of  
19 parental rights petitions were filed in a timely  
20 fashion, I think, under federal law or state law.  
21 Sorry, pursuant to state law, excuse me, and ACS  
22 policy, 17 months of being in a foster or kin setting  
23 was 18 percent for FY 13, 18 percent for FY 14, and  
24 17 percent for FY 15. Can you speak to that finding

25

1  
2 and how that comports with the state law and ACS  
3 policy?

4 JULIE FARBER: Sure. You want to do that  
5 or you want me to do it?

6 ANDREW WHITE: Sure, I mean, first of all  
7 we're reducing time to adoption. We've shaved off  
8 two months just in the last year. So, that's  
9 important. The--

10 CHAIRPERSON LEVIN: [interposing] But the  
11 petition for--

12 ANDREW WHITE: [interposing] The filings--

13 CHAIRPERSON LEVIN: termination of  
14 parental rights is not--

15 ANDREW WHITE: [interposing] This gets  
16 back to what we talked about earlier which is due  
17 process, and the desire to move towards reunification  
18 in this city is very strong in as many cases as  
19 possible. In fact, half of the filings, the median  
20 time I should say to appropriate filing of a TPR is  
21 24 months at this point in New York City, and given  
22 what goes on in the court, that's not as good as we  
23 would like, but it's not terrible. We want to make  
24 clear that a significant majority of children with a  
25 goal of adoption are placed in pre-adoptive homes

1  
2 already. So, this is a process issue once the TPR  
3 has happened. To just reiterate, there are parent's  
4 attorneys who are protecting the rights of the  
5 families through our institutional providers, and  
6 they know how to press hard for the rights of parents  
7 to keep their families intact. What the court has  
8 ruled, and this is not in the DOI report for some  
9 reason despite our efforts to get them to mention it.  
10 Ninety-seven percent of our cases, the Family Court  
11 finds reasonable efforts to move towards the goal  
12 appropriately, including TPR's. We are making  
13 reasonable efforts under the federal standard in 97  
14 percent of our cases.

15 CHAIRPERSON LEVIN: But that reasonable  
16 effort, 97 percent reasonable effort translates to 18  
17 percent filed within-- I'm just saying--

18 ANDREW WHITE: [interposing] We--

19 CHAIRPERSON LEVIN: [interposing] I--  
20 we're within a-- we have a framework within the state  
21 of New York that prioritizes reunification,  
22 prioritizes parental rights, creates due process--

23 ANDREW WHITE: [interposing] Right.

24 CHAIRPERSON LEVIN: that may not exist in  
25 other states--

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ANDREW WHITE: [interposing] Right.

CHAIRPERSON LEVIN: but that's the system we have in New York, and the 17-month timeframe is also the system that we have in New York. So, it's kind of it's all of a statewide legal requirement, and within ACS policy, right?

ANDREW WHITE: Well, it's an aspiration in the law. The--

CHAIRPERSON LEVIN: [interposing] It's an aspiration, not a requirement.

ANDREW WHITE: Right, and they cannot file that TPR if there are compelling circumstances not to file, which is often the case. One of our challenges is getting the compelling circumstances properly documented. So that's what we're saying when the court is acknowledging that reasonable efforts have been taken in 97 percent of the cases, that's because the court is acknowledging that there are either these compelling circumstances or the process is moving ahead as it should. Whether that is landing in the documentation and the statistic that we provided to DOI is another matter.

CHAIRPERSON LEVIN: Another one of the findings in the DOI report, this somewhat speaks to a

1 concern that I have that we have not put forward  
2 legislation on. I considered putting forward  
3 legislation on, but the issue of ACS agency oversight  
4 over foster care agencies. The concern that I have,  
5 just to spell it out, just make it for public record,  
6 is you know, it seems like it's a bit of a roll of  
7 the dice for a kid going into the foster care system  
8 whether they're going to be with a really good agency  
9 or not so good agency, with a really good case  
10 planner or a not so good case planner, and in talking  
11 to youth that have been in the foster care system,  
12 you know, some of them had good experiences and some  
13 have really bad experiences. And the issue that that  
14 raises to me is where is the-- what type of oversight  
15 are we doing? How is that oversight made available,  
16 the findings of that oversight made available to the  
17 public? Where are our standards across the board?  
18 What does ACS, as an oversight and contracting agency  
19 or the ultimate responsibility for these children,  
20 what are you doing for these children? What are you  
21 doing to ens-- and it kind of goes back to like  
22 quality assurance? What are you doing to ensure that  
23 every child has-- is getting with roughly the same  
24 level at the same access to care in service?  
25

1  
2           ANDREW WHITE: Absolutely. So, under  
3 this Administration we came in-- I've been there two  
4 years today. Over the last two years--

5           CHAIRPERSON LEVIN: [interposing]  
6 Congratulations.

7           ANDREW WHITE: Thank you. ACS has  
8 thoroughly overhauled its provider monitoring and  
9 evaluation system by implementing what's called  
10 Collaborative Quality Improvement. We have  
11 structured continuous improvement for every provider  
12 program. We've also been revising the provider score  
13 card evaluation tool so that-- and the PAMS, which is  
14 a provider agency monitoring system. These are data  
15 collection systems, one of which looks strongly at  
16 outcomes. The other is pulling data from the case  
17 records and doing a deep analysis of a statistically  
18 valid sample of case records in foster care and  
19 preventive services. These are all pulled together  
20 into this quality improvement process where we are  
21 working closely with every agency program, and every  
22 one of those programs has an improvement plan based  
23 on what we find in the data and when we talk through  
24 it with the agency leadership and supervisors. And  
25 what we're finding is, or what we, you know, what we

1  
2 went into this as a premise is every single agency  
3 can improve. There's not an organization in the  
4 world frankly that shouldn't be doing constant  
5 improvement. So there premise there is there's  
6 always something you can find in that data that  
7 points to something that needs to be done better,  
8 whether it's a process of supervision or visiting, or  
9 whatever it is in foster care system that may be not  
10 up to the highest possible level. So we're focused  
11 on that. The-- alongside of that, when there is a  
12 situation where a provider is not up to the standards  
13 that are required of them, they will be put on  
14 heightened monitoring, and right now there is one  
15 agency on heightened monitoring. Others have come  
16 off recently. In fact, in late 2014 we closed one  
17 agency foster care program because it's the results  
18 simply were not there. Corrective actions happen at  
19 times as well. So, there is a very strong process in  
20 place. That said, you are always going to get these  
21 anecdotal stories and those are really important.  
22 We're not discounting them, but we use--

23 CHAIRPERSON LEVIN: [interposing] Yeah,  
24 absolutely.

25

1  
2           ANDREW WHITE: primarily this aggregate  
3 data that can show us very clearly. And through  
4 scorecard we're owning it and honing it so that it's  
5 focused on outcomes and practices that align with  
6 those outcomes.

7           CHAIRPERSON LEVIN: And the question that  
8 I went into this, you know, in terms of crafting  
9 legislation was how do we get that in-- what level is  
10 that information relevant to the public and  
11 appropriate to be out there in the public? Right  
12 now, the scorecard is not made available to the  
13 public, is that right?

14           ANDREW WHITE: Yeah, well part of the  
15 reason for that is because it is a quality  
16 improvement tool, and if any of you have worked in  
17 quality improvement you know it has to be a process  
18 that is done with trust, and you know, I--

19           CHAIRPERSON LEVIN: [interposing] Right,  
20 nobody wants to be exploit--

21           ANDREW WHITE: used to be a reporter and a  
22 researcher, and I always wanted every bit of  
23 information I could get. But the reality is once  
24 something becomes public it changes its--

1  
2 CHAIRPERSON LEVIN: [interposing] The  
3 dynamic, right. We have tabloids in New York City  
4 that would-- that, you know, make a lot of sensation  
5 out of stuff like this, so I'm sensitive to that.

6 ANDREW WHITE: So, what I would say is  
7 like what we've been thinking about going forward  
8 given that, you know, it's also-- the scorecard  
9 itself is something that has evolved year after year  
10 after year, and since we've been there we've been  
11 making really dramatic changes to it to make it  
12 stronger and more focused on results.

13 CHAIRPERSON LEVIN: Right, but the point  
14 is that it's not an arbitrary measure, and--

15 ANDREW WHITE: [interposing] Right.

16 CHAIRPERSON LEVIN: It's not an arbitrary  
17 measure. I'm trying to wrestle with this. From a  
18 public policy perspective, to what extent should the  
19 public know what you're knowing?

20 ANDREW WHITE: Right, I mean, I think  
21 there's a version of it that could be created  
22 conceivably for public use, but it's not like a  
23 Health Department letter grade on a restaurant, you  
24 know?

25 JULIE FARBER: Right.

1  
2           ANDREW WHITE: This is complex social  
3 work--

4           CHAIRPERSON LEVIN: [interposing] Right.

5           ANDREW WHITE: that needs to be assessed  
6 in a whole bunch of different ways so it can't just  
7 be the outcome [sic] data. It has to be the other  
8 sources of data that we pull into the CQI.

9           JULIE FARBER: It's not a consumer guide,  
10 and any agency that was not within the proper band of  
11 performance gets put on heightened monitoring  
12 corrective action or closed.

13           CHAIRPERSON LEVIN: Right. Just for the  
14 record, and you all know this, the DOI finding was  
15 that ACS failed to adequately oversee its foster care  
16 provider agencies is what DOI is saying. So--

17           ANDREW WHITE: [interposing] Well, again,  
18 DOI based their systemic findings on three cases.  
19 So, I leave that to you to judge.

20           CHAIRPERSON LEVIN: Understood. Let's  
21 see. As I said, I'm going to be jumping around.  
22 The-- just to clarify this issue of supportive  
23 housing, you're not saying that 300 youth that aged  
24 out of that 652 that aged out in 2015, 300 of them  
25 didn't go into supportive housing, because there

1  
2 wasn't that many supportive housing units being  
3 created under New York, New York Three in 2015.

4           ANDREW WHITE: Yeah, we're going to have  
5 to figure out the data.

6           CHAIRPERSON LEVIN: Maybe that's the total  
7 number of youth having aged out that in supportive  
8 housing now, but I don't--

9           ANDREW WHITE: [interposing] We will let  
10 you know.

11           CHAIRPERSON LEVIN: Alright, okay.

12           JULIE FARBER: We'll let you know.

13           CHAIRPERSON LEVIN: Got it. Okay. Let's  
14 see. I apologize here. The issue of-- with NYCHA of  
15 youth being able to double-up, to have roommates,  
16 that's currently disallowed under NYCHA rules.  
17 Obviously that is something that would be great  
18 benefit to youth aging out of foster care. They're--  
19 it's not a bad-- look, I would say 80 percent at  
20 least of the young people graduating from college  
21 that move to New York move in with roommates. Right?

22           JULIE FARBER: At least 80 percent.

23           CHAIRPERSON LEVIN: At least 80 percent.

24 That is--

1  
2 ANDREW WHITE: [interposing] If not  
3 parents.

4 CHAIRPERSON LEVIN: That is the--

5 JULIE FARBER: [interposing] If not the  
6 parents.

7 CHAIRPERSON LEVIN: That is the norm.  
8 That is absolutely the norm.

9 JULIE FARBER: Absolutely.

10 CHAIRPERSON LEVIN: And we are denying--  
11 we are offering-- on the one hand we are offering an  
12 option of an M-zero [sic] status for youth aging out  
13 of foster care to get into NYCHA, but at the same  
14 time we are just kind of putting them on their own,  
15 and it's a-- with a roommate there's a lot of social  
16 reasons why it's a good set up for young people, the  
17 positive reinforcement if they're both working. You  
18 know, it's a type of, you know, it's socializing  
19 mechanism. I remember when I was first running for  
20 office I was knocking on doors in NYCHA, and I met  
21 somebody, a young person who had aged out of foster  
22 care, and I kind of remember asking them, you know,  
23 "How's it going?" And they looked a little  
24 frightened, a little overwhelmed. They said it was  
25 not going all that great, and I can imagine being

1  
2 alone. And so what is ACS doing to get NYCHA to  
3 relax that standard, specifically they don't have to  
4 do it for everybody. They don't have to say anybody  
5 in the world has access, you know, can have a  
6 roommate. They can make an exception I think  
7 probably within their rules and regulations for youth  
8 aging out of foster care.

9 JULIE FARBER: So, my colleague,  
10 Assistant Commissioner Iris Kaplan, does a tremendous  
11 amount of work with Iris-- with NYCHA, and I think  
12 she can speak to a couple of these questions.

13 IRIS KAPLAN: So, we have ongoing  
14 meetings with NYCHA where we are trying to have them  
15 relax their rules. As we know, it is difficult for  
16 them to change some of their rules. Most of our  
17 youth who do age out are in studio apartments in  
18 NYCHA. They're not offered one or two bedrooms. So  
19 that's an issue too of a roommate in a studio  
20 apartment. And again, we would encourage, we would  
21 love to have, you know, siblings even to go and share  
22 an apartment together. So we are working with NYCHA  
23 around that issue. There are other issues too that  
24 we want to address with them so it makes it easier  
25

1  
2 for our youth to get an apartment and to do well when  
3 they're on their own.

4 CHAIRPERSON LEVIN: Do you have sense of  
5 whether NYCHA is receptive to those efforts or  
6 whether they'll be interested in any timeframe in  
7 which they'd be interested in revising the policy?

8 IRIS KAPLAN: I think they're working  
9 with us. I mean, we are actually working on a  
10 project with them to-- right now, our youth are not  
11 afforded section 8 vouchers because there aren't any  
12 for youth or even our families, too. So we're  
13 actually working with a project on them to have a  
14 limited amount available for our youth. So we're  
15 making some in-roads with NYCHA, and hopefully with  
16 that relationship we can build with them and get more  
17 of what we're seeking for our children.

18 CHAIRPERSON LEVIN: Because what we're  
19 seeing is that the-- you know, NYCHA turns out to be  
20 the most effective resource. If there's 229 out of  
21 652 is a pretty good number actually, and if we could  
22 increase that to, you know, 450 or 500 that would be  
23 remarkable. That'd be significant. And so that  
24 would, you know,-- the more that we could do there in  
25

1  
2 utilizing this city resource, NYCHA being a city  
3 resource, would be advisable.

4 IRIS KAPLAN: We definitely support that  
5 and appreciate your support in that regard.

6 CHAIRPERSON LEVIN: I would just, you  
7 know, say it's one city, you know, and we have one  
8 city-- both agencies of the City of New York, and so  
9 if that's something that would, you know, would  
10 clearly benefit this population and is something that  
11 ACS supports. You know, again it's-- you're on the  
12 same team.

13 ANDREW WHITE: But similarly on the  
14 private market, I mean, if we get-- if that subsidy  
15 is made at 600 and two young people are living  
16 together, that's an affordable small apartment.

17 JULIE FARBER: Very helpful.

18 CHAIRPERSON LEVIN: Well, it's getting  
19 there, yeah. I mean, if it's--

20 ANDREW WHITE: [interposing] You're not  
21 going to live in Lower Manhattan or the Upper West  
22 Side, or maybe not even Williamsburg.

23 CHAIRPERSON LEVIN: Right.

24 JULIE FARBER: Definitely not  
25 Williamsburg.

1  
2 CHAIRPERSON LEVIN: Definitely not  
3 Williamsburg. But, you know, obviously, there are--  
4 you know, the options available, I mean, on top of  
5 that supportive housing the Mayor is putting forward  
6 the supportive housing plan; the Governor's putting  
7 forward his own supportive housing plan.

8 JULIE FARBER: Right.

9 CHAIRPERSON LEVIN: Maybe. And that needs  
10 to be an option that's utilized. In fact, I would  
11 love to see a little more clarity and maybe we can  
12 work towards this of getting some hard numbers. It  
13 is part of the Mayor's plan of how many units will be  
14 dedicated to youth aging out. I think would be-- keep  
15 in mind, that's a 15-year plan. So whatever number  
16 they give, you have to divide by 15 to see what your  
17 annual allocation would be, but--

18 IRIS KAPLAN: We're working with the  
19 Mayor's Office.

20 CHAIRPERSON LEVIN: Okay.

21 IRIS KAPLAN: I'm looking for at least  
22 1,500 apartments for our youth to be a part of this.  
23 We really want to expand it. And the last New York,  
24 New York Three didn't have apartments for parenting  
25

1  
2 youth. So we want to make sure that they're included  
3 in this too in the New York, New York Four.

4 CHAIRPERSON LEVIN: Okay, excellent.

5 Well, it's not a New York, New York Four technically  
6 because it's just a New York at this point.

7 ANDREW WHITE: That's true.

8 CHAIRPERSON LEVIN: You have New York  
9 Plan and then another New York Plan. I like to tease  
10 them about this. Okay, thank you. Do you want to  
11 just highlight specifically what the dollar amounts  
12 are for the new FY 17 budget initiatives? I know you  
13 talked about it in the Executive Budget hearing, but  
14 I think it's worth getting on the record here in this  
15 hearing [sic].

16 JULIE FARBER: Yes, we can do that.

17 Okay. So, for the Foster College Housing and Support  
18 Initiative that's 1.4 million dollars, and that's  
19 supportive housing and tuition and living expenses  
20 for fostering youth in college. If you want more  
21 detail about that, my colleague Kathleen can provide  
22 that. For the increase in the subsidy for foster  
23 parents, adoptive parents and kin-gap [sic]  
24 guardianship parents that's 10.2 million. That's an  
25 increase of five percent. That also includes an

1  
2 increase in something that we'd call Child Wellbeing  
3 Special Payments. Those special payments used to be  
4 175 dollars per child, and they've been doubled to  
5 350 per child, which is great, and then the discharge  
6 grants that I mentioned earlier of a thousand per  
7 child. In addition we also got three million dollars  
8 for a clinical consultation program that expands the  
9 availability of clinical consultation around mental  
10 health, DV, substance abuse for the foster care and  
11 preventive agencies. And then I don't know if I have  
12 the money here, but we have the additional preventive  
13 slots--

14 ANDREW WHITE: [interposing] Yeah, that'll  
15 ramp up over--

16 JULIE FARBER: which you could speak to.

17 ANDREW WHITE: three years to about 37  
18 million for new preventive slots, which include the  
19 trial discharge slots.

20 CHAIRPERSON LEVIN: Primary-- this is a  
21 primary?

22 ANDREW WHITE: No, this is prevention for  
23 cases on court ordered supervision and trial  
24 discharge. There's a separate smaller pot of about  
25 one and a half million for primary prevention.

CHAIRPERSON LEVIN: Got it.

JULIE FARBER: That's the Family Success Centers, which we're also very, very excited about.

ANDREW WHITE: Family Enrichment Centers.

JULIE FARBER: Sorry, enrichment.

CHAIRPERSON LEVIN: Okay. Two more areas of questions and then I'll let you guys go. You mentioned the new evidence-based models that you're working with. Which agencies are you doing that with, and what percentage does that represent of the whole in terms of evidence-base versus general practice and how are you deciding how to do that, how to match that up?

ANDREW WHITE: These are the waiver programs for young people in foster care. ABC, Attachment and Bio-behavioral Catch-up is designed for any child of the appropriate age in the foster care system. initially it's with 17-- well, over the next three years it's with 17-- it's 18, I'm sorry, foster care agencies that are not doing these two other evidence based models that started two years prior. Partnering for Success similar is with those 18 agencies, and it's-- that one is designed to strengthen the alignment between child welfare

1 services and mental health services across the entire  
2 system. the five other agencies that doe family  
3 foster care are in a program called Child Success NYC  
4 which is focused on these two other evidence-based  
5 models, Keep and Parenting Through Change.

7 JULIE FARBER: So, the bottom line is  
8 that all 24 family foster care agencies with all the  
9 thousands and thousands of kids in those agencies are  
10 implementing these evidence-based practices. So,  
11 it's fully--

12 CHAIRPERSON LEVIN: [interposing] So  
13 there'll be-- so that means that it'll be evidence-  
14 based across the board, or it'll be each agency has  
15 an evidence-based model that they're working with in  
16 addition to.

17 ANDREW WHITE: They each are applicable  
18 to different populations. So, I mean, you know,  
19 foster care provision overall, there's no evidence-  
20 based model for foster care provision overall.

21 CHAIRPERSON LEVIN: Right, I know, but  
22 it--

23 ANDREW WHITE: [interposing] It's just  
24 these components of it, but yeah every child and  
25 family foster care as opposed to therapeutic family

1  
2 foster care or residential is in an agency that is  
3 participating in these evidence-based models.

4 CHAIRPERSON LEVIN: But every case will be  
5 under some evidence-based model?

6 ANDREW WHITE: When it comes to--

7 JULIE FARBER: [interposing] Family foster  
8 care.

9 ANDREW WHITE: family foster care, and for  
10 example, Partnering for Success on Mental Health,  
11 that will have an impact on every child because  
12 they're getting this evaluation through CANS, the  
13 Child and Adolescent Strengths and Needs or Needs and  
14 Strengths Assessment, that then if it is appropriate  
15 that it be in an evidence-based mental health program  
16 they will benefit from.

17 JULIE FARBER: So the penetration is  
18 significant. It's not a small sliver. It's, you  
19 know, pretty much every kid in family foster care is  
20 getting these evidence-based models.

21 CHAIRPERSON LEVIN: And then lastly here,  
22 looking at the numbers we're comparing, this is from  
23 the MMR of Fiscal 16 compared to Fiscal 15, the first  
24 four months. We're doing like comparison [sic]. We  
25 saw the number of adoptions and the number of kin gap

1 decrease in terms of percentage. Reunifications went  
2 up by 2.2 percent, but adoptions went down by 4.5  
3 percent and kin gap went down by 8.4 percent.

4 ANDREW WHITE: It's a-- I mean, first of  
5 all, it's a four-month sample, so it's not a good  
6 sample. Things-- there are seasonality particularly  
7 to adoption.

8 CHAIRPERSON LEVIN: Why is that?

9 ANDREW WHITE: Lots of them--

10 CHAIRPERSON LEVIN: [interposing] I saw  
11 that. Why is that?

12 ANDREW WHITE: Lots of them happen in  
13 November--

14 CHAIRPERSON LEVIN: [interposing] February  
15 is very weak and March is very strong. Why is that?

16 ANDREW WHITE: Yeah, exactly. I mean, it  
17 just has to do-- I mean, part of it is like November  
18 is Adoption Month, so a lot of agencies really focus  
19 on it.

20 JULIE FARBER: But the bigger issue is  
21 just the, which is fantastic, the numbers of kids in  
22 foster care is declining.

23 ANDREW WHITE: That's the larger issues.  
24  
25

1  
2 JULIE FARBER: That's the issue, right?  
3 So, you know, four years ago we had, you know, 14,000  
4 kids in foster care. Today we have 10,000 kids in  
5 care. So, the numbers are going to be declining of  
6 numbers in adoption. Right?

7 ANDREW WHITE: In addition, if you look  
8 at--

9 JULIE FARBER: [interposing] There's fewer  
10 kids in care.

11 ANDREW WHITE: Right, and now we're  
12 putting more of an emphasis on kinship guardianship  
13 as well, so the-- while they don't offset each other,  
14 you always have to look at the combination of the two  
15 over the course of the 12-month period.

16 JULIE FARBER: So, it's not a decline.  
17 It's not a real decline.

18 ANDREW WHITE: And as percentage of kids  
19 in care-- you know, another really important point is  
20 a lot fewer kids. Not only are there fewer kids in  
21 care, there are a dramatically fewer kids in care two  
22 years or more. If you compare--

23 JULIE FARBER: Yeah.

24 ANDREW WHITE: If you go back five years,  
25 there's 42 percent fewer kids spending more than two

1 years in care this year than there were, I believe,  
2 in the mid 2000's. I mean, that is-- it's a radical  
3 change. And at the same time, you look at the number  
4 of days that all children are spending in care, it's  
5 29 percent fewer than just five years ago. So, the  
6 system, I mean, the good system of that means this  
7 whole system is becoming much more manageable and  
8 much more open and have the capacity for improvement  
9 because of all the investments that are happening and  
10 all that we're learning.

12 CHAIRPERSON LEVIN: When it comes to  
13 adoption, do you have-- so, of the 254 in FY-- so  
14 sorry. Excuse me. Of the 1000, a little over a  
15 thousand youth adopted in 2015-- 1,023 youth adopted  
16 in 2015. Do you have a breakdown of the age ranges  
17 for that?

18 JULIE FARBER: I don't have it here, but  
19 we certainly could provide that.

20 CHAIRPERSON LEVIN: You do have it. And  
21 what efforts-- there was a, you know, a couple years  
22 ago or a year and a half ago, the contract was  
23 discontinued for-- that was a contract held by You  
24 Got to Believe and COAC [sic] to do work with older  
25 youth on adoption and place, you know, matching to

1 potential adoptive parents. The contract itself I  
2 don't believe has been-- the RFP hasn't been  
3 reissued.

4  
5 JULIE FARBER: Yeah.

6 CHAIRPERSON LEVIN: What is going on  
7 there, because that was, you know, that's an area  
8 where we think we need to continue to focus on which  
9 is connecting. This goes towards other types of  
10 permanency to avoid aging out with an APPLA goal.

11 JULIE FARBER: Yeah, for sure. So, hugely  
12 important issue.

13 CHAIRPERSON LEVIN: And even if the--  
14 just to be clear, even if the number are not  
15 astronomical, it's a difficult process and it's a  
16 difficult-- it's a difficult issue to address, and so  
17 really any impact that can be made there I view as  
18 positive, so I just want to put that into context  
19 here.

20 JULIE FARBER: Thank you. So, achieving  
21 permanency through adoption for older youth, even  
22 youth who are 18, 19, 20, that is something that we  
23 care about and want to make happen. So, part of the--  
24 - a very explicit part of the work under this Home  
25 Away from Home initiative that I mentioned where

1 we've been deep into data diagnostics these last six  
2 months, we're now moving into an implementation  
3 phase, and I'm very happy to report that we've  
4 actually received a 1.14 million dollar grant from  
5 the Hilton Foundation specifically focused around  
6 recruitment and support of foster homes for older  
7 youth, and so we're going to be working with our  
8 foster care agencies and other partners.

10 CHAIRPERSON LEVIN: That's a little  
11 different from finding adoptive homes for older  
12 youth, right? I mean--

13 JULIE FARBER: [interposing] Part in  
14 parcel, because most of the kids that get adopted end  
15 up being adopted by their foster parents. So,  
16 they're--

17 CHAIRPERSON LEVIN: [interposing] Right.

18 JULIE FARBER: They're inextricably  
19 entwined.

20 ANDREW WHITE: A very large majority.

21 JULIE FARBER: Yeah, the large majority.

22 CHAIRPERSON LEVIN: Okay, I mean--

23 JULIE FARBER: [interposing] Yeah.

24 CHAIRPERSON LEVIN: one thing that I  
25 thought was compelling about the model that they were

1 using before was that the agency, for example, You  
2 Got to Believe, not a foster care agency. Their job  
3 was to find, to work with the various foster care  
4 agencies to find youth, older youth that were looking  
5 to be adopted, matching them with the potential  
6 adoptive parents, and so it wasn't-- there wasn't--  
7 my concern is that without a kind of, you know, a  
8 super imposed agency, if you will, or agency that  
9 kind of works then with multiple foster care  
10 agencies, if there's only one point of contact, and  
11 you're going-- you're just going to the random foster  
12 care agencies, that's not-- you're not having--  
13 there's not the access of to make the match. The  
14 match makers, the pools aren't big enough to--

16 JULIE FARBER: [interposing] Right, so  
17 there's a couple things there. One is through the  
18 Dave Thomas Foundation. At ACS we have a Wendy's  
19 Wonderful Kids Recruiter, and he works with these  
20 exact kind of cases where he's looking at older youth  
21 who, you know, could be adopted, and he's really  
22 doing sort of a family-finding model where we're  
23 looking at all the people in that young people's  
24 life, you know, over the years and identifying sort  
25 of opportunities for adoption or permanent

1 connections. We're also looking. There's a few  
2 things on the horizon to expand that work, and in the  
3 bigger picture, though, as we move forward on Home  
4 Away from Home, there may be additional RFP's and  
5 opportunities and we're looking at ways to structure  
6 this. I mean, clearly it's very important to be able  
7 to recruit foster and adoptive parents for older  
8 youth, but we need to do it in a way that is, you  
9 know, actually producing results, and so that's the  
10 focus.  
11

12 CHAIRPERSON LEVIN: I agree. I think  
13 that-- and I appreciate that we're out there getting  
14 foundation support, and that's, you know, it's a--  
15 could be very innovative, but I don't think it's a  
16 substitute for agency city funding to meet those  
17 needs.

18 JULIE FARBER: For sure. I mean, and part  
19 of the work that we're doing around, you know, when  
20 kids first come into the system is around building  
21 our capacity both within DCP's practice, the  
22 investigation component and then as well as in the  
23 foster care agencies to do robust, big searches for  
24 kin and affective [sic] kin upfront, right? Because  
25 if you're doing that up front, it's going to reduce

1  
2 the need for that to happen when the kid's, you know,  
3 17, 18, years old.

4 CHAIRPERSON LEVIN: [interposing] Right,  
5 and I appreciate that, and I think we'll see the  
6 impact of that--

7 JULIE FARBER: [interposing] Yeah.

8 CHAIRPERSON LEVIN: down the line. I'm  
9 also concerned about the kids that are in care now.

10 JULIE FARBER: For sure.

11 ANDREW WHITE: So are we.

12 JULIE FARBER: So are we. So are we.

13 CHAIRPERSON LEVIN: And that are-- and I  
14 do appreciate that everything that you guys are  
15 doing. A lot of it's--

16 JULIE FARBER: [interposing] Yes.

17 CHAIRPERSON LEVIN: geared towards the  
18 front end, right, and I think that that's really  
19 important because I think that that's going to  
20 structurally change the system in important ways.  
21 I'm also, I'm concerned about the kids that are in  
22 the system now and that have been in the system for a  
23 long time that are--

24

25

1  
2           ANDREW WHITE: [interposing] We don't want  
3 to go back over the details, but what was in place  
4 wasn't working.

5           JULIE FARBER: And this is why we're also  
6 doing this permanency review with Casey Family of  
7 3,000 long-stayers, and so some of the kids you're  
8 talking about will be in that review.

9           CHAIRPERSON LEVIN: I mean, working or not  
10 working, I will say that a number of foster care  
11 agencies are using their own funds to contract with  
12 the agencies that use to have a city contract.

13           JULIE FARBER: Right, we're aware of that.

14           ANDREW WHITE: To do a different thing  
15 than those contracts were for, which is--

16           CHAIRPERSON LEVIN: [interposing] Right.

17           ANDREW WHITE: Procurement is a difficult  
18 challenge.

19           CHAIRPERSON LEVIN: Right.

20           ANDREW WHITE: You know, what a contract  
21 say is required is unfortunately what is required by  
22 procurement rules, and that's what has to be used as  
23 the assessment. The beauty of having the private  
24 agencies be able to contract separately--  
25

1  
2 CHAIRPERSON LEVIN: [interposing]  
3 Flexibility.

4 ANDREW WHITE: That actually creates  
5 flexibility.

6 JULIE FARBER: Flexibility.

7 CHAIRPERSON LEVIN: Right. That being  
8 said, you know, we can always-- the contract is not  
9 in operation right now, so we can write up a new RFP  
10 as a city and procure out for services that are more  
11 appropriate or--

12 ANDREW WHITE: [interposing] And we're--  
13 that's-- we're doing Home Away from Home exactly to  
14 under-- to be clear using a solid diagnostic what  
15 those RFP's might look like.

16 CHAIRPERSON LEVIN: Got you.

17 JULIE FARBER: That's absolutely on the  
18 table as a possibility. Obviously, our interest is  
19 in having the most effective organizations that can  
20 product outcomes and, you know, adoptive homes for  
21 older youth. So, the interests are aligned there.

22 CHAIRPERSON LEVIN: In great [sic]  
23 concurrence [sic] there. Okay. Thank you very much.

24 JULIE FARBER: Thank you.  
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COMMITTEE ON GENERAL WELFARE

CHAIRPERSON LEVIN: I really appreciate your time.

JULIE FARBER: We appreciate it.

CHAIRPERSON LEVIN: I would ask you to stick around for a minute because the next panel that we're going to call up--

JULIE FARBER: [interposing] Yeah, we'd like to.

CHAIRPERSON LEVIN: are youth that are in care or have aged out of care.

JULIE FARBER: Yeah, we appreciate that.

CHAIRPERSON LEVIN: Okay, thank you very much. Thank you. It's actually going to be two panels because we have six young people, so. Okay, first panel, Darlene Jackson, Julio Cesar Omedo Manesas [sp?], and Ivan Mendez [sp?].

COUNCIL MEMBER JOHNSON: You may begin in whatever order you'd like.

DARLENE JACKSON: Good afternoon, everyone. My name is Darlene Jackson. Currently, I'm an advocate counselor at a New York City Transfer High School in District 13, a parent of a 13-year-old son in New York City public school and a former youth that aged out of the foster care system. So, I'm

1 speaking on behalf of two foster care high school  
2 students, Sheldon Edwards [sp?], who could not be  
3 here today due to his scheduled college placement  
4 exam, and Francis DePaulo [sp?] who is taking her  
5 exams [sic] today. So, envisioning a stronger foster  
6 care system for our youth would entail a change in  
7 the framework of how contracted foster care agencies  
8 operate. First and foremost, the top priority is to  
9 refocus the mission statement for all foster care  
10 agencies with a goal of restoring families by  
11 identifying and seeking solutions to problems  
12 impacting the safety, permanency, emotional  
13 wellbeing, and education of foster youth within their  
14 own community. To decrease the time from entry into  
15 the foster care system, we must exhaust all possible  
16 placement with immediate family members to ensure a  
17 stable, permanent, supportive, and loving family  
18 through reunification, kin guardianship, adoption or  
19 all other-- or other unconditional adult connection  
20 as a permanency discharge planning goal. We believe  
21 that no one should age out of the foster care system  
22 and that foster care should only act as a temporary  
23 placement that provides preventive and crisis  
24 intervention services while addressing societal and  
25

1 community issues collectively with the constituency.  
2 Child welfare reform can only truly take force while  
3 tackling the underlying issues that will cause a  
4 child to be removed from their home. Investing in  
5 communities with equal access to resources such as a  
6 quality education, affordable housing, healthcare for  
7 all, a living wage, financial literacy, and mental  
8 health services will ensure that people are not left  
9 to be wards of the state. Contracted foster care  
10 agencies should primarily service children and  
11 families within the same district to provide  
12 stability and education, health, and wrap-around  
13 community services towards permanency with a  
14 supportive loving family. The foster care taskforce  
15 that includes ACS, DHS, DOB, DYCD, DOMHM, the City  
16 Council, foster care providers, advocacy  
17 organizations, and youth currently and formerly in  
18 care should work together specifically by district to  
19 develop and advance evidence-based results-driven  
20 practices, policies and programs. The taskforce  
21 should establish and improve performance management  
22 to track and share progress towards priority goals,  
23 strengthen accountability and transparency that is  
24 focused on ensuring that all foster care youth exit a  
25

1 child welfare system to a caring and permanent  
2 family. The child welfare system should change its  
3 contracting practices and must focus on the way its  
4 structures and manages it contracts to develop better  
5 results and demand greater accountability as to how  
6 public funds are spent. The foster care system has  
7 utilized Open Data and evidence to improve outcomes  
8 for young people, their families and communities by  
9 shifting public resources towards evidence-based,  
10 results-driven solutions made available to the  
11 public. Foster care has become another pipeline into  
12 the criminal justice system for many of our black and  
13 Latino youth, especially those struggling with mental  
14 illness, homelessness, unemployment and lack of  
15 education. This vicious cycle of institutionalized  
16 racism targeting those living below the poverty line  
17 as well as the working poor has sustained and  
18 reissued [sic] an economic class system. This must  
19 be addressed through policy reform and accountability  
20 on a local, state and federal level. I am here today  
21 with many of my fellow advocates that has been  
22 directly impacted by the foster care system, and we  
23 are here in solidarity in a call to action for real  
24 child welfare reform and a challenge-- I'm sorry--  
25

1  
2 and to challenge the status quo of these band aid  
3 reforms. Thank you.

4 CHAIRPERSON LEVIN: Thank you, Darlene,  
5 and I want to thank Sheldon and Francis as well.  
6 Good luck to them today.

7 JULIO OMEDO: Good afternoon. My name is  
8 Julio Omedo [sp?], and I'm here on behalf of my  
9 foster youth community. I've feel part of the foster  
10 youth community because I lived four years of my life  
11 in the foster care community. Without the foster  
12 care support, I would not have graduated from high  
13 school and be now on my third year in John Jay  
14 College will [sic] in turn [sic] a major in Criminal  
15 Justice and a minor in Security Management. I would  
16 like to thank the City Council Members for giving the  
17 opportunity to testify today about issues that young  
18 people like me face during and after aging out of  
19 foster care. My foster youth community knows me as  
20 always being working part-time in restaurants to  
21 support myself and my family back in Mexico, that  
22 although English is my second language, I do my best  
23 to keep up with my grades in John Jay College.  
24 Sorry. But if I was not going to have my green card,  
25 I don't know what I would be doing now. The foster

1  
2 care system supported me to get my green card right  
3 before I aged out. This allowed me to apply for  
4 financial aid to pay for my college education.  
5 Otherwise, I would not be able to pay for it out of  
6 my pocket. Also, with my green card I am able to  
7 work legally and visit my family back in Mexico  
8 without having to cross the border again. Working  
9 part time and attending college fulltime is a very  
10 difficult situation for an aged-out foster youth that  
11 can face in life, particularly because if I try to  
12 work few more hours per week, my income will increase  
13 a little bit, but my rent will likely increase a lot,  
14 and my financial aid will decrease also a lot. When  
15 this happens, I had to go back to the foster care  
16 system to ask for support to pay for my books and  
17 other school supplies. Therefore, I support the Res  
18 Number 1192, the taskforce, and Number 1199, foster  
19 parent experience survey, because I believe that they  
20 will provide oversight to the foster care system. a  
21 couple of my recommendations would be one, to include  
22 a special focus on undocumented youth with a specific  
23 timeline for presenting [sic] application of  
24 documentation for child's immigration and housing.  
25 Two, to consider developing a special unit to guide

1  
2 and disseminate information for youth in care that  
3 are undocumented. And three, to provide special  
4 financial aid resources to foster youth that attend  
5 college. Thank you again for the opportunity.

6 CHAIRPERSON LEVIN: Thank you very much  
7 for your testimony. Thank you.

8 IVAN MENDEZ: Hello, hello. Guys can  
9 hear me fine? Perfect. So, I just want to say thank  
10 you to everybody for coming out. I also want to give  
11 an extremely huge thank you to all the members of the  
12 Council for their time and for giving us a platform  
13 to just let out and just share with you guys some of  
14 the stories that we've been through. So, dear  
15 Chairman Levin and distinguished members of the  
16 committee, I'm speaking to you today to support the  
17 bills that have been introduced to increase  
18 accountability for the older youth in care that I  
19 work with and to help youth currently in care move  
20 one step forward in their search for stability. I am  
21 here in the hopes that youth will be afforded the  
22 opportunities that I never had. I remember the day  
23 that my mother tried to take my life. I remember the  
24 words she exclaimed after, "I don't want you. I'm  
25 done." These are the words that launched me face

1 first into the foster care system at the age of 14.  
2 It was also during this time that I made a huge  
3 decision for myself. I decided to take things into  
4 my own hands. I advocated to be placed with my  
5 sister; however, it was deemed that she was too young  
6 to take care of me. I knew that she could provide  
7 the stability I desired, and I felt it was wrong to  
8 not be placed into her care, because she could  
9 provide for me. So what did I do you ask? I ran  
10 away. I ran away from the system. What that  
11 consisted of was me moving from home to home.  
12 Anywhere that was offered to me, I stayed, and it  
13 didn't matter where it was or who it was with. So if  
14 I had to sleep on the floor, a couch or even outside,  
15 I would do it, because all I knew was that I deserved  
16 to be placed in the care of someone who could provide  
17 stability for me, but more importantly care for me.  
18 After a year of fighting with the system, I was  
19 granted a court date and was told that I would place  
20 into kinship care with my sister. However, I had to  
21 comply with all of the demands made by the agency or  
22 else I would be removed immediately. Although it was  
23 difficult, we persevered, and because she stepped  
24 into my life I was able to clamp down and finish up  
25

1 high school. I was able to move onto college and now  
2 secure a job as a youth advocate. Currently, as a  
3 youth advocate in my work with the hundreds of youth  
4 I've encountered, I can say with the utmost  
5 confidence that most do not even know that family is  
6 an option. They do not know that family is a right.  
7 I credit my success thus far in life to the support I  
8 received, but it is virtually impossible to focus on  
9 getting a job and ascertaining some form of education  
10 if you are stuck on survival mode where you have no  
11 idea what you're going to eat today and where you're  
12 going to sleep for the night. This is one of the  
13 many unfortunate realities that youth face today.  
14 This is one of the realities that I faced when I was  
15 in the system myself. When I look at these bills, I  
16 see the potential to afford stability to our youth,  
17 to help our youth make steps towards their future,  
18 and to allow youth to voice their concerns. So, with  
19 that being said, it is with the greatest urge that I  
20 ask you all to pass these bills to help ensure the  
21 wellbeing of our youth. Thank you.

22  
23 CHAIRPERSON LEVIN: Thank you, Ivan. I  
24 just want to thank-- I want to thank this panel for  
25 taking on this responsibility of advocating for

1  
2 systemic changes, for advocating for the young people  
3 that are coming after you. You're all successful  
4 people and success stories, and you know that you did  
5 that despite the odds, and you did that despite  
6 systemic obstacles and barriers that were in your  
7 way, and it's very important that you continue to  
8 advocate and continue to look to reform this system  
9 because there are going to always continue to be  
10 young people entering into this system, and as Ivan  
11 as you said, you want to make sure that there are--  
12 that other young people today moving forward into the  
13 future have the opportunities that you weren't  
14 afforded. So, I want to thank you so much for doing  
15 this and taking on this responsibility, and I want to  
16 urge you to continue to make your voices heard.  
17 Thank you. Next up, Anna Sanchez [sp?], Anni Keane  
18 and Brianna Hayes. Whoever wants to begin?

19 ANNI KEANE: Good afternoon. I am here  
20 today advocating for all the youth in the foster care  
21 system. I am too foster care alum, and I too agree  
22 with ACS that education and employment is extremely  
23 important, and I too understand firsthand personally  
24 and professionally understanding that most youth in  
25 care don't graduate on target or at 18 and therefore

1  
2 struggle with finding employment that would help  
3 sustain an apartment. I know that the support of a  
4 family, my family was key to my success, and it's  
5 unfortunate that even though-- I'm going to say even  
6 though there are so many services helping youth in  
7 care, that finding a family is not a priority, and we  
8 need to make that first priority once we realize that  
9 the youth will not be returning home. Family is the  
10 only system where there is no emancipation age. You  
11 don't age out of a family. When you're struggling,  
12 that's where you go. You go to your parents. I work  
13 for an organization who makes foster parents  
14 understand the importance of making an unconditional  
15 commitment to youth who have nowhere else to go from  
16 day one, and we also teach them if they are going to  
17 be temporary parents, that their goal is to support  
18 the families when the youth is returned. So either  
19 way it's a win/win situation. And personally  
20 speaking as a foster care alum, I have to say that I  
21 graduated from college at 28. I had my first child  
22 at 29 years old, and I was independent. I was on  
23 track, independent. My foster care agency was  
24 pushing me to that, but at 28 I felt like I needed to  
25 home for a year before I was able to get on my own,

1 and I think that even-- I think that agencies that we  
2 focus on emergencies, because emergencies happen, but  
3 I think that if we make families a priority, parents  
4 will help with those emergencies, and we need to  
5 support those families with those emergencies. And  
6 you know, ACS, you're only responsible for the youth  
7 until after 21-- until before their 21<sup>st</sup> birthday.  
8 Our goal is to make sure that the youth and young  
9 adult is supported throughout life.

11 CHAIRPERSON LEVIN: So, I can ask, when  
12 you said you went home at 28, where did you go?

13 ANNI KEANE: I went back to my mom's  
14 house, nine months pregnant. I moved back home to my  
15 mom's at 29 years old. At my graduation, when I  
16 graduated college, my mom was there at 28 years old.  
17 So these are the things that-- and I'm, you know,  
18 considered one of the success stories in the foster  
19 care system. And it's so unfortunate that most of  
20 the youth who I work with don't even know that family  
21 is a right or possible at their age. So, it's  
22 changing the mindset of workers, changing the mindset  
23 of older youth in care, educating the general public  
24 on the importance of this need, that there is even is  
25 a need is extremely important.

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COMMITTEE ON GENERAL WELFARE

CHAIRPERSON LEVIN: And when you aged out, did you age out back into a permanent, into permanency or did you--

ANNI KEANE: [interposing] I didn't have to age out. My foster mother kept me.

CHAIRPERSON LEVIN: Oh, okay.

ANNI KEANE: My foster mother kept me even though my foster care agency was pushing me towards independent living, all these amazing programs, my foster parents said no. Like, this is my child. You learn to live independently in a family, and foster care is the only system where, you know, they expect you to go to a class for 45 minutes a month or an hour a month to learn independent living skills. I needed to go back at 23 when I had my own apartment to go back and go, "Okay, tell me how to balance a checkbook again?" Or, "I'm having issues with this. Can you please help me with this?" We need to support the parents in doing that job.

CHAIRPERSON LEVIN: And you still rely on your mom for support?

ANNI KEANE: Oh, absolutely, absolutely. Emotional support, job promotions, questions, buying a condo. When I first had my kid, I felt like I

1 didn't know like what to do or where to go. It's  
2 having that family support. It's a lifetime. It's a  
3 lifetime of support, and we need to prioritize that  
4 when we're working with youth in care and we  
5 understand that they cannot return home for one  
6 reason or the other. We need to make sure that they  
7 have someone in their life to support them throughout  
8 life.

10 CHAIRPERSON LEVIN: Thank you. Thank you  
11 for telling your story.

12 BRIEANNA HAYES: Good evening. My name  
13 is Briana Hayes, and I'm also a part of You Gotta  
14 Believe's Nobody Ages Out Collaborative for the  
15 Youth. I first got into foster care when I was about  
16 15. My mother's drug was men. I would never see  
17 her. I would never-- she would never be there. She  
18 was never around. So, I would have to step up to the  
19 plate and be my sister's parent, you could say. With  
20 that being said, my mother, she put me into-- she  
21 voluntarily placed me into DRC, a Diagnostic  
22 Residential Treatment Center, and I was supposed to  
23 be there for three months. I ended up staying there  
24 for 10 months, and then my next step was either you  
25 go to a group home or you go to the foster care

1 system and actually have a foster parent. So, my  
2 initial choice was to go to the foster parent because  
3 I didn't want to be institutionalized anymore. I  
4 didn't want to feel like I was trapped somewhere.  
5 Then my foster care experience was 20 different  
6 foster homes down the line, and I guess that stems  
7 from the fact that there's no real actual connection  
8 with a foster parent. For me it wasn't. There  
9 wasn't any real actual connection with the foster  
10 parent, and I feel like a lot of the time the  
11 agencies don't really know that. They don't know  
12 that I-- like, for example, my experience was  
13 basically telling my foster parent, "I'm not going to  
14 stay here. I'm going to come when you call me, and  
15 I'll be there before the social worker gets there."  
16 And that's my foster care experience. It hasn't  
17 really been a real connection. It's always been  
18 feeling like we were separated from their real kids  
19 and we were just like on a-- I guess you could say we  
20 were just like just lingering around in her house,  
21 and there was nothing for us really. There was no  
22 real connection. We knew that things were different  
23 when we couldn't wash our laundry upstairs in her  
24 house. We had to go-- when there was holidays we had  
25

1  
2 to go somewhere else, and she would utilize our rooms  
3 for her family, things like this. So, when I think  
4 about the youth that are in care that I work with  
5 now, I think about yeah, okay, you can set them up  
6 for independent living. You can set them up for New  
7 York City housing, but they don't know that there are  
8 youth that like me that had to wait two and a half  
9 years to actually get an apartment. And I was  
10 lingering in different friends' house, and that  
11 wasn't just-- that wasn't my only place to go, don't  
12 get me wrong, but it was-- I spent most of my time  
13 being more homeless than anything. And I feel like  
14 my whole foster care experience was feeling homeless  
15 because there was no actual sense of home. And I  
16 feel like there's a dire need for this, for you guys  
17 to find kids families, for you guys to find potential  
18 resources in your lives that are willing to be a  
19 permanent resource in your life. And I also feel  
20 like there's a dire need because there are friends I  
21 have now that are in foster care currently that have  
22 to have-- they have to go through difficult  
23 situations or difficult times just to have money,  
24 just to survive in their foster home. So, when I  
25 think about why I do this work and why I'm here

1 today, I think about the kids that I see every day in  
2 Union Square, the kids that I see in West Fourth that  
3 are friends of mine. The kids that knock on my door  
4 in my new apartment and say, "Can I stay tonight?"  
5 because they don't have anywhere to go. And I feel  
6 like this is-- this has to be-- like, I don't  
7 understand how this can't be a dire need for youth  
8 and older youth in care. We're the hard-to-place  
9 children. We always been the hard-to-place children.  
10 Nobody wants older youth, and I feel like we're the  
11 easiest kids to deal with. And I feel like if it  
12 wasn't for my moms or You Gotta Believe helping me  
13 find my moms, I wouldn't-- I don't know where I would  
14 be right now. I would probably be homeless, or I  
15 would be on my way to being homeless because I don't  
16 have a support system to help me pay for a home. You  
17 get what I'm saying? So, if it wasn't for You Gotta  
18 Believe helping me find those people and teaching me  
19 how to find people for youth in care, I wouldn't know  
20 what to today. I'd probably be homeless and still  
21 trying to get my GED or just struggling, stealing  
22 soap. Might even be having survival sex, you never  
23 know. But there's a dire need and I feel like it  
24 needs to happen now. You can't keep prolonging it.  
25

1  
2 It has to happen now, because every day that you  
3 prolong it, there'll be a youth aging out of foster  
4 care to homelessness.

5 CHAIRPERSON LEVIN: I think Council Member  
6 Dromm wants to ask you a question, and we've also  
7 been joined by Council Member Corey Johnson as well.

8 COUNCIL MEMBER DROMM: Thank you very  
9 much, and I apologize for coming down late, but I  
10 wanted to be here particularly to hear some of the  
11 youth's testimony. So, I'm glad I was able to make  
12 it. You know, I'm one of the first openly gay  
13 elected officials from the borough of Queens, and one  
14 of my major concerns is LGBT youth in foster care,  
15 and I'm wondering since we have some youth here, at  
16 least people younger than me, if you could share any  
17 ideas or thoughts on that topic as well. Is it still  
18 very difficult for LGBT youth to, you know,  
19 transition? Are LGBT youth facing more-- are they  
20 more likely to be pushed out of their homes because  
21 they come out to their parents? Are those issues  
22 that we still see in the system? I visited a  
23 residence in Southern Queens. It was actually an SCO  
24 [sic] residence where young women were living  
25 together and some of those issues were discussed with

1 me. But I'm curious to know, because I'm also the  
2 Chair of the Education Committee in the City Council,  
3 and that's an issue of importance to me, and I also  
4 have a piece of legislation here about getting ID,  
5 municipal ID card, to young people in foster care as  
6 well. So, I'm just wondering if anybody has any  
7 ideas on that.  
8

9 BRIEANNA HAYES: I think it's most  
10 definitely a problem. Youth that are transitioning  
11 or that are lesbian, bisexual, transgender or queer,  
12 I do feel like they have a hard time in foster care,  
13 and that's because some foster parents aren't--  
14 they're not-- for them it's not normal. They don't  
15 see it as normal, and I guess it's harder. It's hard  
16 when you have to like, "Oh, you can't be here this  
17 morning. You have to leave out the house because I  
18 have kids coming over, and I don't want them to ask  
19 you if you're a boy or a girl." Or, "Oh, do you want  
20 to go-- you going to go to church with me, you got to  
21 change how you're acting." Like, it's just things  
22 like that that make it hard to transition or hard to  
23 be LGBTQ in the foster care system. So, I say yes,  
24 there is. There is as far as like-- I think you just  
25 have to keep training these parents or just closing

1 the homes of the parents that don't want gay kids,  
2 because at the end of the day I feel like we accept  
3 your straight alliance, why can't you accept our gay  
4 alliance? You know? So--

5  
6 COUNCIL MEMBER DROMM: So you're saying  
7 that there remain issues with the providers of foster  
8 care around being culturally sensitive to LGBT youth.

9 BRIANNA HAYES: Yes.

10 COUNCIL MEMBER DROMM: That they're  
11 still-- I know ACS has made great strides and  
12 actually have used their model as a model for the DOE  
13 for beginning to integrate some of these things into  
14 the system and forcing some changes, but we still see  
15 a lot of that happening on the ground. You'd agree?

16 BRIANNA HAYES: Yes, I do agree.

17 COUNCIL MEMBER DROMM: And what about the  
18 struggles, this is for anybody in the panel, for LGBT  
19 youth transitioning out? Are there any different  
20 struggles? Are there any struggles that are  
21 different than maybe what a non-LGBT person might  
22 have?

23 BRIANNA HAYES: Well, I know one  
24 example. Like, one of my friends he has to-- he's on  
25 the exception to policy, and he hasn't had any money.

1  
2 So his first instinct was okay, I have to get dates  
3 [sic], I have to get coins, I have to have money.  
4 And for me, I feel like that's not safe. You  
5 shouldn't have to say solicitate [sic] your body to  
6 someone else for you to have money. You get what I'm  
7 saying? Like, I don't-- or to be able to survive,  
8 because he's using it as a survival technique, and I  
9 don't feel like that's safe. I feel like he  
10 endangers his life every time he goes and does a  
11 date. That's what he calls it, a date.

12 COUNCIL MEMBER DROMM: So, yesterday we  
13 had a LGBT roundtable with the Speaker here in the  
14 City Council, and Carl Sciliciano [sp?], who is the  
15 head of the Ally Forney [sp?] Center which is for  
16 LGBT youth, mentioned this idea of transitioning out  
17 at a very early age at the age of 21 and would like  
18 to see that extended at least to 24, and I think at  
19 that-- he also mentioned that particularly when youth  
20 are pushed out at the age of 21, that as you're  
21 saying survival sex work becomes an option, you know,  
22 not a good option but an option for some of these  
23 youth. So I appreciate you sharing that. Thank you.

24 ANNI KEANE: So, can I just--

25

1  
2 COUNCIL MEMBER DROMM: [interposing]  
3 Sure.

4 ANNI KEANE: You know, there's lots of  
5 talks extending foster care to from 21 to 24 or 18 to  
6 21, which is all good, but we need to make sure that  
7 we are finding these new families, because what we're  
8 doing is we're, you know, we're giving them a whole  
9 bunch of services and then at 25 they're going to  
10 wind up homeless again. So it's what we do with that  
11 time is extremely important, not only extending it.

12 COUNCIL MEMBER DROMM: So, do you mean--  
13 by that do you mean adoption?

14 ANNI KEANE: I mean, however you call it.  
15 You know, some people can't be adopted or some people  
16 don't want to be legally adopted, but that doesn't  
17 mean that they don't have that emotional connection  
18 or that unconditional commitment from a parent,  
19 right?

20 COUNCIL MEMBER DROMM: So, and that's a  
21 little bit of where I was heading with this as well  
22 because I think some of us who are older LGBT people  
23 should really step up to the plate to offer,  
24 particularly LGBT youth the opportunity to have that  
25 extended family.

1 ANNI KEANE: Yes, absolutely.

2 COUNCIL MEMBER DROMM: And I think it may  
3 be more difficult to find LGBT older adults who are  
4 willing to do that.

5 ANNI KEANE: I disagree. Every Saturday  
6 at the LGBTQ center there's a map training, there's a  
7 map class held, and their main focus is adolescent  
8 and unconditional commitment every Saturday, and it's  
9 pretty-- it's always full.

10 COUNCIL MEMBER DROMM: So it's full with  
11 LGBT adults who want to--

12 ANNI KEANE: [interposing] It's full with  
13 a mixture of especially LGBT adults who are looking  
14 to parent older youth in care.

15 COUNCIL MEMBER DROMM: That's good to  
16 hear, good.

17 BRIEANNA HAYES: And You Gotta Believe  
18 they host these trainings.

19 COUNCIL MEMBER DROMM: Yeah, okay, good.

20 CHAIRPERSON LEVIN: Council Member  
21 Johnson? Anna, we haven't forgotten about you.

22 COUNCIL MEMBER JOHNSON: I just want to  
23 thank you both for being here and I look forward to  
24 hearing from you as well, and to the previous panel,  
25

1 Ivan and William and the other folks that testified,  
2 you know, we have sat around together privately and  
3 talked about some of these issues, and it is very,  
4 very powerful, and I think the most powerful thing  
5 that happens to get legislators in government to  
6 actually move things forward and create some sort of  
7 change is personal stories, and so hearing the power  
8 of your personal stories I think is what really moves  
9 us to take action. And I also want to say that, you  
10 know, hearing today from some LGBT youth and some  
11 non-LGBT youth, you know, there is still a major  
12 issue that I don't think we're talking enough about  
13 and I'm glad it's being talked about today as painful  
14 and sad and hard as it is to actually discuss it,  
15 parental rejection. There is still a crisis of  
16 parental rejection even in New York City, which we  
17 like to call the most progressive place in the United  
18 States, there is still a problem with parental  
19 rejection, and we have to have a safety net and a  
20 system in place that when an immoral tragic incident  
21 like that happens when a parent rejects their child,  
22 that the government steps up in an appropriate way to  
23 get that child a lifelong family. And so I just  
24 wanted to say thank you for your stories and thank  
25

1  
2 you for being here. I wasn't here for ACS, but I  
3 like Council Member Dromm wanted to come and hear you  
4 all share your experiences and stories. Thank you.

5 ANNA SANCHEZ: So, Chairman Levin and  
6 distinguished members of the Committee, I am  
7 testifying today and hope that older youth get to  
8 have opportunities that I have never got the chance  
9 to explore and experience when I was in foster care.  
10 I personally feel that there's a strong urgency to  
11 improve this process. I passionately believe that  
12 youth in care deserve so much more. I currently  
13 spend my time willingly advocating for youth in care  
14 because I know what it's like to move from home to  
15 home, what it feels like to be the child and the  
16 parent at the same time. I believe these bills can  
17 contribute to more positive outcomes for those who  
18 are aging out of the foster care system. I entered  
19 into care at the age of 13 for the second time. I had  
20 been adopted from care as a baby and never knew the  
21 difference between being disciplined and being  
22 abused, until one day my adopted mother's friend  
23 called ACS on her, and they came one night to take me  
24 away. I remained in care from age 13 until I became  
25 21, moving through 13 different foster homes in many

1  
2 different parts and sides of the boroughs of New  
3 York. The only goal I thought would benefit me at  
4 the time was the independent living goal, which they  
5 call APPLA, the APPLA goal, because returning to  
6 family wasn't an option for me. Through my  
7 transition through care no worker, not a single one  
8 had ever explained the possibility of having a  
9 forever home or to just have an actual loving family.  
10 I was merely offered independent living training. I  
11 was a 15, 16-year-old girl, believe it or not. I  
12 didn't need anyone to help me, and I didn't want any  
13 help after going through what I've been through. All  
14 I wanted to do was to get out and deal with nobody  
15 from the system. I felt like no one even put--  
16 sorry. I felt like no one even tried to put an  
17 argument about it. I was happy and content that  
18 nobody did, and that was the problem. I shouldn't  
19 have been. At the time, I didn't understand that  
20 someone, some family out there could take me and care  
21 and give me what I needed, which was more than just  
22 the 40 dollars I received for allowance. I didn't  
23 know that I could have a family that would get to  
24 know me instead of making me feel like I was staying  
25 at another temporary hotel as they call it. They

1  
2 wouldn't keep-- and that they wouldn't keep reminding  
3 me every day that I was part of the system, that  
4 would support me, include me and show me affection as  
5 if I was their own. Instead, I wound up aging out of  
6 foster care on my birthday in October of 2013. I was  
7 couch surfing from friend's house to another friend's  
8 house struggling to find my own job, making sure that  
9 I wouldn't go hungry or wind up wandering the streets  
10 at night with nowhere to stay. All the while, I was  
11 waiting for NYCHA housing to call me and tell me that  
12 I would finally get to move to my own apartment. Not  
13 until the end of January of 2015, a year and a half  
14 after that I aged out, did I finally get notified  
15 that an apartment was available for me. I can't help  
16 but to think of all the youth who are in care now or  
17 who have aged out in the past years going through the  
18 same thing. What if I didn't have those friends that  
19 were able to be there for me when I aged out?  
20 Anything could have happened to me, incarceration,  
21 drug use, stealing to survive, sleeping outside on  
22 the streets or even worse. These things are  
23 currently happening right now to youth who are aging  
24 out as we speak. I urge you to pass these bills to  
25 protect youth currently in care, and again-- while in

1  
2 care, and to contribute to a more positive outcome  
3 for those who are aging out of the foster care  
4 system. I'm trying not to cry. Thank you so much  
5 for taking the time to hear from youth and accepting  
6 my testimony today.

7 CHAIRPERSON LEVIN: Thank you very much,  
8 Anna. I want to thank this panel. You know, it  
9 takes a lot of courage for you to do what you're  
10 doing today and what you are doing every day to take  
11 on the big system like this, and to use your-- the  
12 hardships that you've had to endure in your life to  
13 make other people's lives better, and you know, that  
14 takes real courage. It takes, you know, deep down  
15 guts, and so I salute you. I take off my hat to you  
16 guys. And you know, you have-- you've impressed all  
17 of us, and you know, you always have a home here at  
18 the Council, but it's very-- it really-- it's moving  
19 for us and I know it's moving for everybody else  
20 that's here, and I know that ACS has stayed to hear  
21 your testimony and I'm sure that it's moved them as  
22 well. So, thank you, and keep on doing this because  
23 it's absolutely essential that you do.

24 ANNA SANCHEZ: Thank you.  
25

1  
2 BRIEANNA HAYES: Thank you for having us,  
3 and I wanted to say, if it didn't start with me, who  
4 would it start with, and I feel like we should be the  
5 first imprints on the earth for the kids behind us in  
6 foster care. And that's just it. Thank you.

7 CHAIRPERSON LEVIN: Absolutely. I'm  
8 going to call up our final panel. Excuse me, I'm  
9 sorry, two more panel. Stephanie Gendell, Citizens  
10 Committee for Children, James Purcell from COFCCA,  
11 Jess Dannhauser from Graham Windham. We'll call up  
12 Lena McMahon from Legal Aid and Lauren Shapiro from  
13 Brooklyn Defenders. You guys can just hold on one  
14 minute here. [off mic] before this panel begins, I  
15 also want to thank if there were any youth, foster  
16 alum who attended the hearing that did not testify, I  
17 want to thank you very much for being here as well,  
18 and also those young people that submitted testimony.  
19 We greatly appreciate it and it will be entered into  
20 the record. Whoever wants to begin?

21 : Thank you. I'm Jim Purcell, and I'm  
22 really impressed that ACS stayed to listen to us to.  
23 I also, I want to thank you for putting us on right  
24 after the most powerful speakers that you could have  
25 here today. It's a real thrill. I'm Jim Purcell.

1 I'm the CEO of the Council of Family and Child Caring  
2 Agencies. We have over 50 member agencies in New  
3 York including all of the foster care providers as  
4 well as those agencies that provide about 95 percent  
5 of all the preventive services. They range in size  
6 from large multipurpose agencies to small community-  
7 based preventive service agencies. What I really  
8 want to note is how gratifying it is to our member  
9 agencies and to the larger community of human service  
10 providers that the Council under the leadership of  
11 Chairman Levin and the Committee has taken on the  
12 time to focus on foster care and to examine how we  
13 can continue to do better for the families and the  
14 children. The number and the tenor of the bills  
15 being discussed today tells us that the Committee has  
16 serious intentions to assist in this effort, and one  
17 of the reasons we want to support these bills is  
18 because we recognize the need for the entire child  
19 welfare system, certainly including our agencies to  
20 be accountable for the services they deliver and for  
21 the outcomes for the children and families. In turn  
22 we, the agencies, ACS, and most importantly those  
23 children and families need the fullest support of our  
24 elected leaders to understand or to better understand  
25

1  
2 our work and to join with us in telling the full  
3 story to the extent we can without violating the  
4 privacy of any of these families to the public. Too  
5 often, all that the public hears about situations in  
6 child welfare are the really poor outcomes, and sadly  
7 there are some, and quite frankly there will probably  
8 always be some. We're dealing in so many ways with  
9 complex human relationships. Birth families  
10 sometimes put out of their homes some of the young  
11 people who come out as being gay, lesbian or  
12 questioning or transgendered, and sadly that can  
13 happen with foster families on occasion as well.  
14 Although, over the last year ACS has done a  
15 tremendous amount of training of all of foster  
16 parents to be more accepting, and we continue to  
17 focus on this. We also know that we can learn from  
18 bad cases and from mistakes and from all the data  
19 that you've asked for in the bills. We want and we  
20 expect that the child welfare system in New York City  
21 be the best one in the nation. In general we believe  
22 that all of these bills will help our members'  
23 efforts to rebuild families while keeping children  
24 safe, and I'm not going to take your time now to go  
25 through some of our comments. We do think that some

1 of the bills could be strengthened, and we appreciate  
2 your offer earlier to meet with your staff. We will  
3 certainly do that. I just want to mention just a  
4 couple of things. Any efforts to identify the  
5 barriers, and ACS outlined some of the things they're  
6 doing now, but those are really important. Sometimes  
7 we've just lived with them for too often, and it's  
8 refreshing to take a hard look at those and try to  
9 figure out how to improve on those. A survey of  
10 foster youth is also a very positive idea. We  
11 particularly hope that you'll leave it up to ACS or  
12 either to the agencies to get the answers that you  
13 want, but sometimes framed--and I think ACS said this  
14 as well. In some ways they were negative questions.  
15 You know, do you get enough food? We want to add  
16 some positive questions to that as well. On the  
17 issue of the housing subsidies, we checked sitting  
18 here with our Director of Advocacy in Albany today.  
19 That's not going to happen today. And one of the  
20 problems that maybe we should all work on a little  
21 bit is that there is still not a single bill.  
22 There's a bill in the Assembly. There's a bill in  
23 the Senate. We think they had some discussions, but  
24 they never put the two of them together, and so I  
25

1 think we've all got some work to do over the coming  
2 months on that. And finally, the one thing I would  
3 note is on the idea of a taskforce, one of the  
4 important parties that's not listed there is Family  
5 Court, and they have a large role in this. I also  
6 want-- I'll just close with a comment. The city and  
7 state are required to advocate on behalf of and obey  
8 the federal law that talks about 15 months. It's a  
9 profoundly stupid law. Anybody who thinks that you  
10 can solve all the problems that some of our families  
11 bring to us in 15 months, is wrong. Some states-- I  
12 just heard of a state that files at 15 months to  
13 terminate parental rights. There's very little in  
14 the way of a court hearing. The parents have no  
15 defense. Ninety-eight percent of them get approved  
16 in 15 months. So, they have shorter lengths of stay,  
17 and I hope they're very proud of it. I'm proud of  
18 New York which has a vibrant family support legal  
19 system in place, and as I think some of the ACS folks  
20 said, parents should be able to speak up on that. If  
21 you were trying to terminate my parental rights, I  
22 would want to be court being heard about what I was  
23 doing to improve that. And the way the court system  
24 works in New York City, we're never going to hit 15  
25

1  
2 months, and I think that's not such a bad thing on  
3 behalf of those families. With that, I'll refer to  
4 Stephanie, and I'll agree to anything that she says.

5 CHAIRPERSON LEVIN: In terms of the  
6 Albany legislation, I'll keep my thoughts on what's  
7 going on in Albany to myself, but hopefully they'll  
8 get it together to do that. And yes, and in term of  
9 my questions to ACS, I think that the position that  
10 you just posited and advocated for is very valid.  
11 The DOI put it in their report, and so it's  
12 certainly, you know, needs to be addressed in that  
13 context.

14 STEPHANIE GENDELL: Good afternoon. I'm  
15 Stephanie Gendell. I'm the Associate Executive  
16 Director for Policy and Advocacy at Citizen's  
17 Committee for Children. I just wanted to first thank  
18 the City Council, in particular Chair Levin and all  
19 of your staff who have been amazing at putting  
20 together all these bills, working with CCC on this  
21 and other issues, and to the entire General Welfare  
22 Committee and the Council Members here and Council  
23 Members that we've met with a lot of time on these  
24 issues. You've been incredible and we really  
25 appreciate you taking on and really looking in depth

1 in the issue of child welfare and foster care. It is  
2 a very complex system, as I know we're all learning,  
3 and there's no easy answers, and so we appreciate  
4 that. We agree with a lot of what you've said about  
5 the voice of the youth and the voices of the parents  
6 who have the most information about this system, are  
7 really the best places to look for for our answers to  
8 how we can strengthen the system that we have even  
9 though we've made great strides over time. We  
10 support all the legislation today. We've included in  
11 our testimony a series of recommendations for each of  
12 the bills that I'm not going to go through, but  
13 they're there for your staff. I just wanted to say a  
14 couple of things about a couple of times discussed  
15 today. In general, we feel that the reason that we're  
16 supportive of these bills is that it's important for  
17 the Child Welfare Agency, in our opinion, to be more  
18 transparent with the information about both the data  
19 related to the children, the initiatives that they  
20 have and the outcomes for the young people. The  
21 children are literally of the custody of the City of  
22 New York, and so as New Yorkers we should all  
23 collectively be watching what's happening with these  
24 young people and their families and ensuring that ACS  
25

1 has the resources that it need to meet all of their  
2 needs. We appreciate hearing about all of the great  
3 work ACS is doing and just feel that these bills help  
4 us have a long-- an ongoing way to keep track of  
5 what's happening and figuring out when there are  
6 barriers how we can overcome them, and when things  
7 are going well, how we can expand them and perhaps  
8 even share them with other states and localities or  
9 Upstate. I wanted to talk a little bit about youth  
10 aging out. We've been referring to the goal as  
11 APPLA, which is what we call it for short, and I  
12 think it's important to actually say what it is. It  
13 was intentionally not called independent living by  
14 the federal government. It's Another Planned  
15 Permanent Living Arrangement, and so it's not  
16 supposed to be aging out to homelessness or no  
17 family, and New York has even gone a step further and  
18 added onto the name of it that it's Another Planned  
19 Permanent Living Arrangement with a Long-term  
20 Connection to a Significant Adult. So in theory,  
21 these young people shouldn't just be leaving the  
22 system to APPLA, which is another name for  
23 independent living, and I appreciate everyone talking  
24 about that today. I think ACS talked about it and the  
25

1 young people talked about it, and you've all talked  
2 about how important that is for our young people. In  
3 ACS's testimony earlier on educational stability  
4 issue, which for all of the young people in New York  
5 City, whether they're in foster care or not,  
6 graduating high school is critical to their ultimate  
7 success. We were concerned that the testimony said  
8 that ACS didn't have the information about where the  
9 young people's or all the children's school of origin  
10 is. We feel like putting aside the legislation,  
11 that's a really important piece of information for  
12 ACS to have to be able to figure out whether they are  
13 able to implement educational stability for young  
14 people and figure out what schools they have. And so  
15 we're interested whether it's this legislation or  
16 other in trying to ensure that ACS has the schools of  
17 origin for all of the kids that are in their custody.  
18 We are supportive of the taskforce, which we think is  
19 really important. I like Jim's idea of adding the  
20 Family Court. I've suggested adding parents and  
21 foster parents to it. With regard to the survey, we  
22 agree with the concept of the survey and also have  
23 some suggestions as people who make surveys about how  
24 to make the survey, but in addition to that, the  
25

1 discussion this morning with Council Member Richards  
2 about really getting at the information about  
3 children who need a place, need a safe place to talk  
4 to somebody because they're having a problem in  
5 foster care I think is really important, and perhaps  
6 the survey is a separate tool, and that we do need  
7 some other way to ensure that children not only 13  
8 and older, but six-year-olds, seven-year-olds, eight-  
9 year-olds have a safe place to turn when they're  
10 having a problem in foster care. I did want to just  
11 address the housing subsidy. Thank you for your  
12 resolution in support. It is true the bill is not  
13 going to pass this session. The issue, as I  
14 understand it from being in the middle of it in  
15 Albany, is that we do have two bills. One is just  
16 raises the amount from 300 to 600 dollars, and the  
17 City has supported that bill. The bill that's part  
18 of your Resolution, the Assembly bill, includes also  
19 raising the age from 21 to 24, and that has not  
20 received as much support from the City. I know  
21 there's been ongoing discussions about coming to  
22 resolution about that, but I think that's part of why  
23 the bill didn't pass this session is that we weren't  
24 able to resolve those issues in time for this  
25

1 session. And so my hope for next session is that we  
2 can all work together on that issue. And then  
3 finally, the federal government just moved through  
4 the House Ways and Means Committee the Family First  
5 Act, and it's going to get voted on on the House  
6 Floor and then heads over to the Senate. I'd ask  
7 everyone to be in support of the federal. Believe it  
8 or not, Congress is going to move a really good bill  
9 for us. It will include funding for preventive  
10 services for the first time from the federal  
11 government for any child at risk of foster care  
12 regardless of income. It aims at reducing congregate  
13 care, and it'll allow independent living Chafee funds  
14 for youth up to age 23. So, call your federal  
15 counterparts and urge them to pass that bill this  
16 session for them. Thank you.

18 CHAIRPERSON LEVIN: Thank you, Stephanie.  
19 And for the record, whatever Stephanie says to me I  
20 do as well.

21 [laughter]

22 CHAIRPERSON LEVIN: Go ahead.

23 LAUREN SHAPIRO: Good afternoon, I guess  
24 it is now. My name is Lauren Shapiro. I'm the  
25 Director of the Family Defense Practice at Brooklyn

1  
2 Defender Services and we do represent parents in  
3 child welfare cases. I've been representing parents  
4 for the last 25 years, I'm sad to say. And for the  
5 past nine years I've been working at an institutional  
6 provider representing parents, and we've actually  
7 represented 7,700 clients since we've started, and I  
8 think that's important to mention because it is very  
9 discouraging to hear about reports that come out  
10 against ACS when they're talking about three cases or  
11 25 cases, and in the DOI report, in particular, one  
12 of the cases is actually our office's, and it was  
13 completely misrepresented what happened, and I think  
14 it's important to hear from the people who are  
15 working in the field every day. I could talk to you  
16 for hours and days about what's going on, and you  
17 know, we're not writing reports, but we have the  
18 information that you need. And with respect to that,  
19 I want to say that, you know, thank you for this  
20 legislation. We certainly support it. We think ACS  
21 providing information and being accountable is  
22 obviously extremely important and of course we  
23 support the dialogue that will come from ACS  
24 providing more information. In general, we would ask  
25 that you consider in the legislation the role of

1  
2 parents. I think in-- you know, we have very  
3 specific comments in our testimony, and again we're  
4 happy to meet with you, but in general I don't really  
5 think that you can talk about the wellbeing of  
6 children without talking about their families of  
7 origin, and I know that there are a lot of cases  
8 where the families of origin cannot remain a  
9 significant part of the family, but I believe in most  
10 cases the children no matter what their permanency  
11 plan is, that they're staying connected to their  
12 families. There's an emphasis in general and in  
13 these bills about the length of time in foster care,  
14 and I think it's been alluded to that the idea of  
15 permanency is a really illusive concept, I think for  
16 any child, but particularly for the children that  
17 we're dealing with, and there's a focus on achieving  
18 permanency that I don't think is realistic or  
19 reflects the complexity of family relationships.  
20 And so we would just caution the Council when they're  
21 asking for this information or interpreting the data  
22 that they really think about this, because I think  
23 that this information has been used against ACS  
24 recently in the lawsuit, and I think it really-- I  
25 think it's really problematic, because I think it

1 pushes ACS to develop practices and policies that are  
2 really harmful for families. And I could give you so  
3 many examples that we have where children are  
4 returned to their families sometimes after five  
5 years, sometimes after three years, but during that  
6 time they're often living with kin. They're  
7 maintaining connections with their biological  
8 parents, some of whom are struggling with issues like  
9 mental illness and substance abuse, many of whom are,  
10 and they are with a lot of support able to overcome  
11 those problems. So, we would we just, you know, ask  
12 you to consider that. The final point that I want to  
13 make is that when we're talking about youth in foster  
14 care and aging out of foster care, we're also talking  
15 about our clients, parents who have children. Andrew  
16 White alluded to this, but a lot of children aging  
17 out of foster care are having their own children, and  
18 just last night we had a benefit where we award--  
19 gave an award to one of our clients who she was 21,  
20 had just left the foster care system, had a baby, and  
21 she was homeless, and as a result, and I kid you not,  
22 the allegation of petition was failure to plan for  
23 her child, and the child was removed, and then it  
24 took us over two years, I think almost three years to  
25

1  
2 get her child back home. So, thank you again for  
3 doing this. Happy to answer any questions.

4 CHAIRPERSON LEVIN: Thank you very much  
5 for your testimony. Just a-- I-- we try hard in this  
6 committee and in the Council to try to look  
7 holistically at the issues and not score political  
8 points on some of these things, and so, you know, we  
9 do our best to try to take into account all, you  
10 know, all sides of a very complex issue.

11 LAUREN SHAPIRO: I appreciate that [sic].

12 LENA MCMAHON: Thank you. Good  
13 afternoon, Chair Levin, members of the Committee and  
14 everyone gathered here. My name is Lena McMahon and  
15 I'm a Staff Attorney in the Juvenile Rights Practice,  
16 Special Litigation Law Reform Unit. On behalf of the  
17 Juvenile Rights Practice, I want to thank the  
18 Committee for its efforts to understand the  
19 experiences of children and young adults in foster  
20 care and to thank especially the young people who  
21 testified so compellingly today. We appreciate the  
22 chance to provide input on the proposed bills on  
23 foster care oversight, but before addressing those  
24 bills, I'd like to acknowledge that this  
25 Administration is working collaboratively and

1  
2 successfully with child and parent advocates to  
3 improve foster care in New York City. We have  
4 submitted written testimony, and I'll highlight some  
5 of that. And, you know, as the house [sic] have  
6 said, we do support the bills. JRP supports bill  
7 1190 to require ACS to report on educational  
8 continuity for children in care. We'd like to  
9 emphasize that the most significant barrier to school  
10 stability is lack of yellow bus service, and the only  
11 sustainable solution will require cooperation from  
12 the DOE's Office of People Transportation. One  
13 proposed change to the bill is to specify at what  
14 point in time school stability should be measured.  
15 Often times, planned-- we recommend 90 days after an  
16 initial placement or change in placement. Sometimes  
17 a school placement may not change initially, but may  
18 change a few weeks or months later when arrangements  
19 for transportation can't be sustained. We support  
20 the premise of bill 1191 to require report on  
21 barriers to permanency. We're concerned that the  
22 mechanism proposed for reporting may not yield the  
23 most useful information. One idea is to look instead  
24 at a random sample of children in the longest  
25 quartile of time in care, and as has been mentioned,

1 we urge the City Council not to over emphasize time  
2 to permanency as a measure of success. We like wise  
3 support creation of an interagency taskforce. As has  
4 been said, we note the existence of the New York City  
5 Children's Cabinet and the DYCD Interagency  
6 Coordinating Council. We encourage the City Council  
7 to ensure that efforts are not duplicated. One  
8 important distinction is that neither of those  
9 include young people, and that's critically  
10 important. We applaud the City Council's inclusion  
11 of youth in care, youth who have been in care  
12 previously as well as their advocates. We also  
13 support with important caveats bill 1199 about foster  
14 parent experience surveys. Some of this has come up,  
15 but we've highlighted that ACS should be required to  
16 explain the survey's purpose, confidentiality, any  
17 limits on confidentiality. ACS needs to be required  
18 to ensure that any information shared isn't  
19 attributed to the use without the use permission, and  
20 a young person should be able to review each home,  
21 not just the home in which they're placed at the time  
22 of any survey. Thank you for the opportunity to  
23 speak about these important topics. We're also happy  
24 to meet and discuss further.  
25

1  
2 CHAIRPERSON LEVIN: Thank you very much  
3 to this panel and we look forward to working with you  
4 in the coming weeks and months to make sure that we  
5 get the legislation right. You know, we want to make  
6 sure that whatever we pass out of this committee and  
7 out of the Council is affective and important and is  
8 helping, you know, as many parties as possible, and  
9 is providing information that gives proper guidance  
10 and is not misrepresenting anything. So, thank you  
11 very much. We look forward to continue to work with  
12 you. Thank you. Oh, Council Member-- excuse me.  
13 Excuse me. Sorry. Council Member Johnson has a  
14 question.

15 COUNCIL MEMBER JOHNSON: I actually don't  
16 have a question. I wanted to thank you all for  
17 sticking it out and for coming and leaving us a very  
18 substantive testimony that talks about each one of  
19 the bills and also what you think could be done from  
20 a city perspective to improve this. I really wanted  
21 to just thank the Chair, Chair Levin, because he is a  
22 total mensch [sic] and he has put his heart into this  
23 issue, and this is a public meeting, but the number  
24 of one-on-one private meetings, advocacy, talking to  
25 the Commissioner, talking to Deputy Commissioners,

1 talking to individual Council Members, meeting with  
2 young people, meeting with providers has been very  
3 moving, and you know, he's probably uncomfortable  
4 with me giving him these accolades, but he deserves  
5 it because he has spent an enormous amount of time,  
6 and I know that his advocacy and this hearing and all  
7 the work he's done is going to make a dramatic  
8 difference in the lives of many young people in New  
9 York City. So, thank you.

11 CHAIRPERSON LEVIN: Thank you, Council  
12 Member Johnson. Thank you very much to this panel.  
13 We have one more testimony, Jeff Marrenfield [sp?].

14 UNIDENTIFIED: [off mic]

15 CHAIRPERSON LEVIN: Sure, well I-- I don't  
16 know-- Sure. You know, I don't have-- your letter is  
17 upstairs with my staff. Give me one minute because  
18 I'll get it. Okay, I'm going to be reading Jeffrey  
19 Marrenfield's letter into the record. Jeffrey  
20 Marrenfield, May 17<sup>th</sup>, 2016, 1374 Ocean Avenue.  
21 Sorry, I'll leave your personal information-- excuse  
22 me, scratch that. "To whom it may concern: Disabled  
23 people are often misunderstood, labeled, stigmatized,  
24 taken for granted, and taken advantage of by the  
25 failures of the system and bad decisions. In this

1 context,"-- and I'll leave the names out-- "as  
2 biological parents were treated with disregard and  
3 placed under duress in navigating the legal issues  
4 and fallout revolving around visitation rights to our  
5 child in the final decision that followed. During  
6 her pregnancy, 'blank' knowingly chose not to take  
7 medication in order to prevent undue harm to the  
8 health and development of the child and support the  
9 child to be born healthy and normal. Without these  
10 medications 'blank' was disoriented and not competent  
11 to make major decisions such as adoption. While  
12 still in the disoriented and incoherent state,  
13 'blank' was placed under extreme psychological  
14 pressure to sign adoption papers for her newborn  
15 daughter. She and her partner were tricked against  
16 their will into surrendering their parental rights to  
17 the adoptive parents under the banner of an open  
18 adoption to their disadvantage. Additionally, the  
19 open-- initially, the open adoption agreement was  
20 honored and we saw our daughter three times a year,  
21 but in 2012 our visits were abruptly cut off without  
22 explanation. At present, the child is eight years of  
23 age and we miss her very much. We as the biological  
24  
25

1  
2 parents would like to restore our visitation rights  
3 with their child."

4           JEFFREY MARRENFIELD: I'd like to say is  
5 first off, disabled people come in many different  
6 levels of disabled, right? Now, I-- my parents came  
7 from the Holocaust. My mom was a [speaking German]  
8 private secretary and then she was in the underground  
9 called the baytar [sic], and she was also a artisan  
10 fighter that survived war [inaudible]. My parents  
11 were very traumatized. A lot of people of second  
12 generation Jewish people such as myself or my parents  
13 suffer their traumatization [sic] ways of life  
14 because they lay it on to us, okay? But I grew up,  
15 you know, in times of segregation because I'm now a  
16 senior. I am a senior citizen right now, and my time  
17 growing up, you know, was segregation, and basically  
18 the doctors in those days really didn't like, didn't  
19 care. They were very narcissistic. A lot of them  
20 are today big egos, professional courtesy, people  
21 that get traumatized under the system, the mental  
22 health institution things at the time thanks to  
23 Geraldo Rivera [sic] who, you know, busted these  
24 places. A lot of us was treated like dogs. Even a  
25 dog could have been treated better, but I'm not going

1  
2 to get into that because they made a lot of, you  
3 know, ideas about me which is not me at all. It was  
4 just for them to, you know, make the pill companies  
5 more wealthier and them to have-- use us as guinea  
6 pigs in those days. Now, like I go to CEWOP  
7 [sic], which is a great crew, and basically their  
8 topic is which is with the ACS, and I'm sure if I  
9 would have gotten a hold of my daughter, I probably  
10 would have had the ACS on top of me as well. I went  
11 to programs, tried to get myself in the mainstream of  
12 life, you know, and do many things besides being  
13 homeless for a while, which was ridiculous a lot of  
14 these programs like on 14<sup>th</sup> Street to make 11 dollars  
15 a week putting like radio parts in boxes and pushing  
16 it down the table as an assembly line into different  
17 colored boxes. I couldn't live like that. I went to  
18 manpower to do certain things. I really couldn't  
19 stand up on my own. I had friends help me, and  
20 finally my parents found out that I was-- I had these  
21 problems not surviving right. So my mother helped me  
22 get, you know, income from the government. So, the  
23 thing is, I want-- we-- me and my partner and me, we  
24 had a baby, a child, and I know very well how to take  
25 care of children quite well because I came from, you

1  
2 know, places in Far Rock Away where there's a lot of  
3 people, homes-- poorer homes and I used to take care  
4 of their kids, you know, literally while cleaning  
5 them, diapering them.

6 CHAIRPERSON LEVIN: [interposing] Mr.  
7 Marrenfield, I'm going to have to ask you to--

8 JEFFREY MARRENFIELD: [interposing] I'll  
9 just speed it up. So, the thing is, you know, I went  
10 to-- I went to transitional services. I went to--  
11 they sent me to AHRC to work with the mentally  
12 disabled, the mentally retarded. I made-- I did four  
13 break-throughs, where the teachers couldn't do in 10  
14 years. I was perfectly capable of taking care of my  
15 own child, but what happened was that I was told when  
16 my partner was sick that she was-- because she wasn't  
17 on her medics [sic], and that they told me from your  
18 [sic] good [sic] Israel, this Rabbi lawyer that there  
19 was not father's rights. There was no such thing as  
20 father's rights. So I didn't-- being that I am  
21 disabled, learning disabled, but I have my faculties  
22 quite good, probably better than most people in  
23 general. And so, you know, my heart, you know-- I  
24 didn't know what to do. Like, where we went on  
25 visitations because she was told-- she was coerced

1  
2 into signing papers. By law under her condition, by  
3 law you're not allowed to take a signature from  
4 somebody that's incoherent. She was totally  
5 incoherent. So, they took-- they forced herself on  
6 her taking her signature. By me-- I had open heart  
7 surgery by this lawyer, Rabbi and from Yagooda [sic].  
8 They helped me out of different problems. My so-  
9 called sisters said that I was incapable to handle  
10 money where I sold a condo, made 40,000 dollars  
11 extra. They had stolen my inheritance [sic].

12 CHAIRPERSON LEVIN: Sir--

13 JEFFREY MARRENFIELD: [interposing] The  
14 point to try to say is disabled people, a lot of  
15 groups of us from medieval times are still treated as  
16 garbage today and not really looked at as human  
17 beings. We're labeled. We're demeaned. We're  
18 outcasted [sic], and you know, there are groups like  
19 a thing called the People of the Underserved that  
20 helps take care of families with kids that's  
21 disabled, but in our case we could not get a lawyer.  
22 We couldn't-- the judge told me to bring a lawyer.  
23 She should have appointed a lawyer. Instead she gave  
24 me a letter. I went to-- that person said she worked  
25 for the law office. They gave me back the letter,

1  
2 said they'll call me, which they never did. They  
3 left us without human rights and our civil rights.

4 CHAIRPERSON LEVIN: So, I think what we  
5 can do is we'll follow up on your individual case,  
6 but we'll also inquire with ACS around the broader  
7 issue of parental rights and individuals with  
8 disabilities and make sure that we give clear policy  
9 and protocol that's in place, and we'll review that  
10 policy and protocol to ensure that it is appropriate.  
11 We'll work with-- we'll continue to work with you and  
12 we have your contact information, and we'll also  
13 coordinate with CWOP [sic] to make sure that those  
14 protocols are appropriate and moving forward in  
15 addition to following up on your individual case.

16 JEFFREY MARRENFIELD: I hope so because  
17 my heart is completely messed up over my daughter and  
18 so my mate.

19 CHAIRPERSON LEVIN: Thank you, and I  
20 thank you very much for your testimony. I thank you  
21 for being here all day and for telling your story.

22 JEFFREY MARRENFIELD: Thank you.

23 CHAIRPERSON LEVIN: Thank you. So, I  
24 want to thank everybody who's here today. We look  
25 forward to continue to work with all of you to ensure

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COMMITTEE ON GENERAL WELFARE

that the-- that we're doing right by the children  
that are in care, that we're doing right by the  
parents whose children are in care, and that the  
system continue to improve. So, with that at 1:54  
p.m., this hearing is adjourned.

[gavel]

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COMMITTEE ON GENERAL WELFARE

C E R T I F I C A T E

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



Date July 1, 2016