

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 15, 2022
Start: 10:15 a.m.
Recess: 12:38 p.m.

HELD AT: Hybrid Hearing - Council Chambers
City Hall

B E F O R E: Diana Ayala
Chairperson

COUNCIL MEMBERS:

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

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

Jess Dannhauser
Commissioner of ACS

Nany Ginsburg
Deputy Commissioner of Division of Youth and
Family Justice

Charles Barrios
Associate Commissioner of Juvenile Justice
Programs and Services in Division of Youth and
Family Justice

Hillela Simpson
New York County Defender Services

Lisa Freeman
Legal Aid Society

Jessica Prince
Bronx Defenders

Amy Lin
Coalition for Asian-American Children and
Families

Joyce McMillan
PLAN, JMacForFamilies

Shalonda Curtis-Hackett

Cassandra Gonzalez

Desseray Wright
PLAN

1
2 SERGEANT AT ARMS: Good morning and
3 welcome to today's hybrid New York City Council
4 hearing for the Committee on General Welfare. At
5 this time would all panelists on Zoom please turn on
6 their video for verification purposes, and to
7 minimize disruptions, we ask you to place all
8 electronic devices to vibrate or silent mode. If
9 you'd like to submit testimony, please send via email
10 to testimony@council.nyc.gov. Again, that is
11 testimony@council.nyc.gov. Thank you for your
12 cooperation. Chair Ayala, we are ready to begin.

13 CHAIRPERSON AYALA: Good morning everyone
14 and welcome to today's Committee on General Welfare
15 hearing. My name is Diana Ayala, and I am the Deputy
16 Speaker of the New York City Council and the Chair of
17 the General Welfare Committee. Today, the Committee
18 will hold an oversight hearing on juvenile detention
19 in New York City. This hearing will examine the
20 status of the juvenile justice system including
21 secure, limited secure, and non-secure juvenile
22 detention facilities. To be clear, a juvenile
23 delinquent is youth over the age of seven, but less
24 than the age of 18 who commits an act that would be a
25 crime if they were an adult. Juveniles are either

1 supervised by the New York City Department of
2 Probation or detained in facilities overseen by the
3 Administration for Children's Services Division of
4 Youth and Family Justice. Adjudicated youth who
5 receive a disposition of placement in a secure
6 setting are placed in facilities overseen by the New
7 York State Office of Children and Family Services.
8 It's also important to remember that a filling of
9 juvenile delinquency is not considered a criminal
10 conviction, and therefore, does not result in a
11 criminal record, and a Family Court Judge-- And
12 Family Court Judges may seal any record relating to
13 delinquency proceedings. In April of 2017 New York
14 State enacted the Raise the Age legislation that
15 raised the age of criminal responsibility from 16 to
16 17 years old in October of 2018, and then 18 years
17 old in October of 2019. Pursuant to Raise the Age,
18 16 and 17-year-olds cannot be sentenced to or
19 detained in facilities that also house adults. The
20 influx of older youth to the City's two full service
21 secure detention facilities, Horizon Juvenile
22 Detention Center in Motthaven in the Bronx and
23 Crossroads Juvenile Center located in Brownsville,
24 Brooklyn has resulted in an increased population as
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1 well as a need for change in programming and
2 operational service delivery by staff. in March
3 2022, published reports of severe staffing shortages,
4 specifically among Youth Development Specialists, the
5 staff hired and trained to take place of former
6 Department of Correction Guards before the Raise the
7 Age transfer, claims only 362 youth population Youth
8 Development Specialists had been hired, down from 400
9 in October. This represented less than half of the
10 850 specialists the City said was needed to run the
11 City's two most secure juvenile detention centers.
12 In addition to reports of violence and short
13 staffing, the overall census in juvenile detention
14 has been on the rise. We look forward to hearing
15 from the Administration today in hopes to explore
16 this-- explore ACS' effort to ensure that adequate
17 safety, staffing, resources, and services are
18 provided to youth in juvenile detention, and learn
19 how the Council may support those effort. Today, we
20 will also be hearing three pieces of legislation,
21 including two bills, Intros 139 and 294, both of
22 which I have co-sponsored, and Resolutions number 35
23 sponsored by Public Advocate Williams. Intro 139
24 will require the Administration of Children's
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2 Services to report on the impact of deaths of parents
3 and guardians from COVID-19 on children. Intro 294
4 will require the Administration of Children's
5 Services to provide a multilingual disclosure form to
6 parents and guardians during a Child Protective
7 investigation. And Resolution number 35 calls on New
8 York City State Office of Children and Family
9 Services to prohibit juvenile justice agencies from
10 using room confinement as a form of restraining in
11 secure detention facilities and from using
12 transitional hold as a form of restraint in detention
13 and placement facilities. Thank you to the
14 advocates, members of the public, and those with
15 lived experience who are joining us today, and thank
16 you to the representatives from the Administration
17 for joining us. I look forward to hearing from you
18 on these critical issues. At this time, I'd like to
19 acknowledge my colleagues who are here with us today,
20 Council Members Williams, Hudson, Ossé, Cabán,
21 Stevens, Sandra Ung, Council Member Restler, and I
22 don't know if we have anyone online. No, okay.
23 Finally, I would like to thank the Committee staff
24 who worked to prepare this hearing. We've also been
25 joined by Council Member Abreu. Amenta Killawan

1 [sp?], Senior Counsel, Chrissy Dwyer [sp?],
2 Legislative Policy Analyst, Julia Haramis [sp?], a
3 Senior Finance Analyst, Rose Martinez, Senior Data
4 Scientist, Nicholas Montalbano, Data Scientist, and
5 my staff Michelle Cruz [sp?], Deputy Chief of Staff.

6 And now I'd like to call on Council Members Abreu and
7 Council Member Ung to deliver statements on their
8 respective legislation which we are hearing today.
9 Council Member Abreu, do you want to go first? Are
10 you ready? Thank you.

11
12 COUNCIL MEMBER ABREU: My apologies.
13 Thank you so much, Deputy Speaker Ayala for your
14 incredible work. I thank you all. Today, I'm so
15 grateful to be speaking in support of introduction
16 139 which would require ACS to report on the impact
17 of the deaths of parents and guardians from COVID-19
18 on children. The report would include important data
19 on the race, ethnicity, primary language, income, and
20 community district of each child placed into foster
21 care due to a death or likely death from COVID-19.
22 It would also capture information about households
23 receiving services from ACS in which young adults are
24 the legal guardians of their younger siblings due to
25 the pandemic. Finally, and perhaps most importantly,

1
2 it would require ACS to report on the unique needs of
3 such families and the plan, if any, for ACS to
4 address them. just days after we initially
5 introduced this bill, the City reported heartbreaking
6 new data demonstrating that one in every 200 New York
7 City children have lost a parent or caregiver to
8 COVID-19, and that black, Hispanic, and Asian
9 children are three times more likely to have
10 experienced this compared to their white peers. It's
11 no surprise to those of us who represent communities
12 like mine. COVID-19 laid bare the impacts of
13 systemic racism all across the City, and disparities
14 like this reflect yet another layer of grief we must
15 contend with in the coming years. I am incredibly
16 humbled by the outpouring of support I've received
17 from 45 of my colleagues on this important piece of
18 legislation. I give my heartfelt thanks to Chair
19 Ayala for agreeing to be a co-prime sponsor on what
20 was my first introduction as a new member. I admire
21 your courage and leadership in holding our city
22 agencies accountable in service of those most
23 vulnerable. Thank you so much.

24 COUNCIL MEMBER UNG: Good morning. I
25 wanted to thank Chair Ayala for giving me the

1
2 opportunity to talk about Intro 294. This bill would
3 require the Administration of Children Services to
4 apply [sic] multilingual disclosure forms to parents
5 and caretakers who find themselves at the heart of
6 some of the most difficult cases handled by ACS.
7 Specifically, about those parents and caretakers who
8 find themselves a focus of a Child Protective
9 investigation. The prospect of having a child
10 removed from your care is incredibly frightening and
11 stressful situation, and now imagine how terrifying
12 it must be not to fully understand the process of all
13 the allegations against you. But that's exactly the
14 situation faced by many New Yorkers with limited
15 English proficiency if you sadly find yourself of
16 subject to such investigation. As an attorney who
17 represented victims of domestic violence and working
18 in government offices, I have talked to many parents
19 and caretakers in this situation. They might
20 unknowingly admit to something or consent to an
21 action without fully understanding the implications
22 of their words or signing their names to a document.
23 This is why it's critical that City Council requires
24 ACS to provide to a parent or caretaker involved in a
25 child protective investigation a multilingual

1 disclosure form. This form will include information
2 regarding the rights of the parents or caretakers as
3 well as resources that may be available to them,
4 including access to legal services. They shouldn't
5 take the drastic step of separating their child from
6 their parents without ensuring that those same
7 parents and caretakers know their rights and
8 resources they could access to protect themselves. I
9 urge my fellow members on General Welfare Committee
10 to join me to support Intro 294. Thank you for
11 giving me the opportunity to speak before you today
12 about this important piece of legislation, and thank
13 you especially to Chair Ayala and the committee staff
14 for all your work for this committee.

16 CHAIRPERSON AYALA: We will now call on
17 the Administration. Jess Dannhauser, Commissioner of
18 the Administration of Children Services. We will
19 also call Nancy Ginsburg, Deputy Commissioner for the
20 Administration of Children's Services, and Charles
21 Barrios, Associate Commissioner for the
22 Administration for Children's Services.

23 COMMISSIONER DANNHAUSER: Thank you.

24 COMMITTEE COUNSEL: Before you begin,
25 Commissioner, would you all please raise your right

1
2 hand? Do you affirm to tell the truth, the whole
3 truth and nothing but the truth in your testimony
4 before this Committee and to respond honestly to
5 Council Member questions?

6 COMMISSIONER DANNHAUSER: I do

7 COMMISSIONER BARRIOS: I do.

8 COMMITTEE COUNSEL: Thank you, you may
9 begin.

10 COMMISSIONER DANNHAUSER: Thank you.

11 Good morning, Chair Ayala and members of the General
12 Welfare Committee. I am Jess Dannhauser, the
13 Commissioner of the New York City Administration for
14 Children's Services. With me today from ACS are Nancy
15 Ginsburg, the Deputy Commissioner for the Division of
16 Youth and Family Justice and Charles Barrios,
17 Associate Commissioner of Juvenile Justice Programs
18 and Services in DYFJ. We are pleased to be here
19 today to provide an overview of our juvenile justice
20 continuum, focused on detention, and to discuss the
21 bills also being heard today. ACS appreciates the
22 Committee's interest in the young people served
23 throughout our juvenile justice continuum. Thank
24 you, particularly, Chair Ayala for prioritizing the
25 young people in detention, and for taking the time to

1
2 visit us at Horizon and meet with our staff. Your
3 interest, compassion and commitment were palpable and
4 greatly appreciated by our staff. As I-- and by me.
5 As I hope you will see from my testimony today, we
6 have worked hard to weave the principles, programs
7 and services of child welfare into our youth justice
8 programs, so we can empower youth with the tools they
9 need to succeed. ACS oversees services and programs
10 at every stage of the juvenile justice continuum,
11 which includes community-based alternatives for young
12 people and their families. In addition, we provide
13 secure detention services and oversee non-secure
14 detention and the Close to Home juvenile justice
15 placement facilities. The past decade has seen two
16 major progressive reforms in juvenile justice in New
17 York City and New York State. Since 2012, with the
18 enactment of Close to Home, New York City youth who
19 are adjudicated in Family Court receive services in
20 or close to the communities where they live, rather
21 than hundreds of miles upstate. These young people
22 are placed into the custody of ACS and receive
23 rehabilitative and therapeutic services at a small
24 home-like, residential setting operated by ACS-
25 contracted provider agencies in or near the five

1
2 boroughs, as well as aftercare services upon their
3 return to the community. Second, and long overdue,
4 New York State has finally caught up to the rest of
5 the country and raised the age of criminal
6 responsibility. In New York City, no 16 or 17-year-
7 old youth has been held at Riker's Island since
8 October 2018. If they are ordered to be detained,
9 they are now detained at one of ACS's juvenile
10 detention programs. We have made significant strides
11 to improve the lives of children and families
12 involved in the juvenile justice system, with a
13 special focus on keeping young people strongly
14 connected to their families and communities, and by
15 connecting youth and families with the individualized
16 supports needed to help them succeed. To do so, we
17 collaborate with a number of City partners including
18 the Department of Probation, the Department of
19 Education, Department of Youth and Community
20 Development, and the Mayor's Office of Criminal
21 Justice, as well of course with the City Council,
22 advocates and providers. Despite the many challenges
23 the COVID-19 pandemic has presented, we have worked
24 closely with our provider community to adapt our
25 entire continuum of juvenile justice programs to meet

1 the needs of youth and their families while
2 conforming and adapting to the public health demands.
3 Our community-based alternative programs have
4 continuously provided prevention and diversion
5 services to safely keep youth out of the justice
6 system and supported in their homes and with their
7 families. Before focusing on detention, I will
8 provide you with an overview of our juvenile justice
9 continuum, the young people and families that we
10 serve, and the ways that we are continuing to
11 strengthen our programs. Young people can be charged
12 as Juvenile Delinquents, Juvenile Offenders or
13 Adolescent Offenders. Youth ages 7-17, are charged as
14 JDs in Family Court. These types of cases include all
15 misdemeanors, most violations for 16 and 17 year olds
16 and most felonies for youth under 16. Effective
17 December 2022, children under the age of 12 will no
18 longer be prosecuted in Family Court except for the
19 most serious offenses. If a judge orders a JD to be
20 detained, the youth can be in either secure detention
21 or non-secure detention; only JDs can be detained in
22 non-secure detention. ACS also has a number of
23 community-based alternatives to court involvement and
24 detention for young people, including programs and
25

1 services centering around youth development and
2 strengthening family relationships, with the goal of
3 enabling youth to remain safely within their families
4 and their communities. Judges can order youth to be
5 in detention while their cases are pending or for
6 sentences out of the Youth Parts of one year or less.
7 ACS operates two secure detention facilities, and we
8 contract with non-profit providers who operate seven
9 non-secure detention facilities. At the disposition
10 of a family court case, the court can order a youth
11 be placed in non-secure or limited secure Close to
12 Home facilities, which ACS administers. JOs and AOs
13 have their cases heard in the Youth Part in Supreme
14 Court. JOs are youth ages 13 to 15 charged with
15 violent felonies. AOs is the new category created by
16 the Raise the Age law, for 16 and 17 year olds facing
17 felony charges in the adult court system. The most
18 serious cases are retained in the Youth Parts by law,
19 while others can be removed to Family Court by the
20 Youth Part judge or on consent of the prosecutor. If
21 JOs or AOs are sentenced to a period of incarceration
22 longer than a year, they serve that time in
23 facilities administered by the New York State Office
24 of Children and Family Services until the age of 21.
25

1
2 The implementation of Raise the Age is historic and
3 has required ACS to continue to transform our system,
4 as the youth we are serving are now older and stay in
5 our care for longer periods of time due to the
6 serious nature of the charges. We are currently
7 taking a close look at our entire continuum to meet
8 the needs of an older age group, and in April, we
9 brought on a new Deputy Commissioner of the Division
10 of Youth and Family Justice, Nancy Ginsburg, who will
11 be leading this effort. Prior to coming to ACS,
12 Nancy spent the past 30 years at the Legal Aid
13 Society of New York City where she was most recently
14 the Director of Adolescent Intervention and Diversion
15 Project, and worked directly with the youth who are
16 in ACS's juvenile justice continuum. Her wealth of
17 professional experience will help us to strengthen
18 our programs, ensure our staff and providers have the
19 tools and supports they need, and support young
20 people and their families so they can develop to meet
21 their full potential. We're also in the process of
22 expanding the Fair Futures program to our juvenile
23 justice continuum. Since 2018, as you know, Fair
24 Futures has been providing coaching, tutoring to
25 youth ages 11-21 in foster care. With the Mayor's

1
2 commitment of \$30.7 million baselined in ACS's
3 budget, we can now not only expand to youth ages 21
4 to 26 from the foster care system, but we will extend
5 this critical mentorship, educational and vocational
6 opportunities to those in the juvenile justice
7 system. We have seen the positive results of Fair
8 Futures, and so we are thrilled to add these supports
9 to court-involved young people. Our goal is to keep
10 young people out of the court system whenever that is
11 safely possible, through community-based services.
12 We know that the best way to intervene positively in
13 the lives of young people is to engage with the whole
14 family. Our Family Assessment Program, which we call
15 FAP, is a diversion program available to families of
16 youth up to age 18, to help avoid involvement in the
17 juvenile justice or child welfare systems by
18 providing therapeutic services, and it is grounded in
19 the child welfare framework. Our voluntary services
20 support families to address difficult teenage
21 behaviors such as skipping school, using drugs,
22 running away from home and/or struggling with mental
23 illness. To minimize court involvement, families in
24 New York City must first participate in FAP before a
25 Persons in Need of Supervision petition can be filed.

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2 ACS also administers the Juvenile Justice Initiative,
3 JJI, which serves youth adjudicated as juvenile
4 delinquents who are under probation supervision, as
5 an alternative to placement. Specifically, JJI
6 provides intensive services to youth in their
7 communities rather than through placement in a
8 custodial setting. JJI helps parents develop skills
9 to support their children, enforce limits, and steer
10 them towards positive peers and activities. FAP and
11 JJI use home-based interventions, drawing on skilled
12 clinicians to work closely with parents and youth in
13 their homes and communities while engaging schools,
14 after school programs and other professionals to
15 support the family. These services, which range from
16 community-based services such as mediation, respite
17 and mentoring programs, to ACS-funded intensive,
18 therapeutic evidence-based models such as MST,
19 Functional Family Therapy, and Brief Strategic Family
20 Therapy. In 2021, we served nearly 1,000 youth in
21 these programs. Currently, MOCJ administers the
22 City's Alternative to Detention programs, which are
23 the services that youth charged as JDs can
24 participate in so they can remain in the community
25 and get the supports they need to address their

1 needs. As you may know, ACS recently released a
2 concept paper and will soon issue an RFP for ATD
3 programs, which will be administered by ACS when the
4 new contracts begin in July 2023. This move will
5 enable ACS to administer an even fuller continuum of
6 juvenile justice programming in New York City. In
7 2012, the State and the City partnered to create
8 Close to Home, New York City's juvenile justice
9 placement system in which adjudicated juvenile
10 delinquents are placed in residential programs near
11 their homes, schools and communities. Our Close to
12 Home non-secure and limited-secure placement
13 residences are located at 28 sites throughout the
14 City and one in Dobbs Ferry. They are run by seven
15 nonprofit provider agencies. Close to Home is
16 grounded in a youth and family development framework,
17 and all of our providers are deeply experienced in
18 serving the complex needs of the youth in our care.
19 Despite raising the age of criminal responsibility,
20 ACS has seen a decline in the Close to Home census.
21 In the past five years, ACS has seen admissions to
22 Close to Home decrease by 77 percent, in large part
23 due to the community-based alternatives available
24 through FAP and JJI. Prior to Close to Home, 540 New
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1
2 York City youth were placed in upstate juvenile
3 placement settings run by New York State. In 2021,
4 there were 59 youth placed in Close to Home.
5 Currently there are 63 youth in Close to Home
6 placements or in aftercare. Excuse me, and 20 in
7 aftercare. All Close to Home programs offer
8 structured residential care for youth in a small,
9 supervised, and home-like environment. In contrast to
10 the traditional larger juvenile placement facilities
11 model, Close to Home programs have been intentionally
12 designed to enhance participation in programming
13 while preserving the safety and security of youth,
14 staff, and the community. Close to Home allows for
15 engagement to occur simultaneously with the youth,
16 the family and the community to ensure that factors
17 leading to juvenile justice involvement are
18 addressed. Each Close to Home program is required to
19 implement an evidence-based therapeutic program model
20 that serves as the primary mechanism of behavioral
21 support. Through the chosen program framework, youth
22 address their interpersonal relationships,
23 communication skills, and emotional regulation. The
24 youth's family at every level of intervention is
25 included. Youth in Close to Home participate in

1
2 DOE's Passages Academy, with youth in Non-secure
3 Placement attending either Belmont or Bronx Hope, and
4 youth in Limited Secure Placement attending school
5 on-site. Youth returning to the community receive
6 aftercare supervision from their Close to Home
7 provider. The goal of Close to Home aftercare is to
8 build on the skills youth acquire while in placement
9 and help develop a network of support that will allow
10 them to succeed in the community. While in placement,
11 youth form positive, trusting relationships with
12 caring adults. These relationships are critical to
13 facilitate each youth's growth, skill development,
14 and progress as they learn new ways of thinking and
15 changing their behaviors. Residential providers build
16 on their relationships with youth during aftercare,
17 also leveraging broader agency resources and
18 relationships with community-based organizations, to
19 supervise youth in the community with support from
20 ACS, to ensure each youth's needs are being met. As
21 you may know, in early May, ACS released a concept
22 paper for the Close to Home juvenile placement and
23 aftercare system. Given the census trends, the
24 concept paper envisions a smaller, more robust system
25 of care with a capacity of 172 beds, compared to the

1 current system of 289 beds after the FY23 PEG is
2 implemented. The concept paper also envisions
3 smaller facility sizes, maximum of 8 rather than 12,
4 increased salaries for provider agency staff, adding
5 Master's level licensed mental health clinicians and
6 CASACs at all programs, and additional enhanced
7 staffing such as an educational/vocational
8 specialist, additional case planner, a recreational
9 specialist and peer counselors/mentors for youth on
10 aftercare. ACS very much looks forward to receiving
11 the comments on this concept paper by June 24, and
12 releasing the RFP at the end of summer, and entering
13 into new contracts in July 2023. While there are
14 many off-ramps that we've described in place,
15 including the community-based alternatives, judges in
16 both the Family Court and Supreme Court's Youth Part
17 may order a youth detained. Non-Secure Detention is
18 a smaller, less restrictive residential setting for
19 youth who are remanded to detention by the Family
20 Courts during the pendency of their court case. ACS
21 contracts with five providers, currently operating
22 seven NSD sites. Each NSD residence houses up to 12
23 youth and offers young people a supportive, family-
24 like environment and close supervision. There are
25

1
2 currently 34 youth in NSD. Youth attend school
3 through Passages Academy and receive the full support
4 of DOE services, including opportunities to engage in
5 after-school activities and access to tutoring. ACS
6 also operates two secure detention sites, Crossroads
7 Juvenile Center in Brooklyn and Horizon Juvenile
8 Center in the Bronx. Crossroads houses young people
9 held on securing orders from Family Court and Supreme
10 Court while Horizon houses only youth with securing
11 orders from Supreme Court. In calendar year 2021,
12 861 young people were served in secure detention.
13 The overwhelming majority of the youth are youth of
14 color: 89 percent identified as male; 67 percent were
15 African American and 26 percent were Hispanic/Latinx.
16 On any given day, nearly 90 percent of the youth in
17 secure detention are 16 or older. Assault, robbery,
18 criminal possession of a weapon and murder were the
19 most common top charges, accounting for 60 percent of
20 the youth in detention. To prepare for the
21 implementation of Raise the Age and ensure proper
22 staffing of both Crossroads and Horizon, ACS created
23 a new job and title, Youth Development Specialist.
24 The YDS title represents an updated approach to
25 juvenile justice that stresses the importance of

1
2 establishing credibility with youth, connecting with
3 them, and effectively de-escalating situations when
4 necessary. ACS works hard to recruit YDS from across
5 the City by doing extensive outreach in the
6 neighborhoods and communities where our youth and
7 families live to find qualified people committed to
8 working with youth. All new YDS undergo an intensive
9 six-week training program that includes two weeks of
10 on-the-job training. The James Satterwhite Training
11 Academy provides pre-service training on fundamental
12 skills: understanding youth development and
13 relationships; maintaining safety and security;
14 providing effective supervision; managing challenging
15 behaviors; supporting mental health care; and
16 facilitating groups. All of our YDS have received
17 training in trauma-based approaches to working with
18 teens and on de-escalation of conflict and anger.
19 Their skills are reinforced through intensive Safe
20 Crisis Management training, with a focus on verbal
21 de-escalation techniques as much as possible and
22 physical restraint only when necessary. We also
23 offer Core Supervisory training to all mid-level
24 managers and supervisors in secure detention to
25 provide them with the skills they need to properly

1 manage and coach staff and create stable-- safe,
2 stable environments for everyone. All our staff are
3 all trained on de-escalation techniques, which is
4 critical to safely run detention centers. Prone
5 restraints, which can be dangerous, are prohibited in
6 our facilities. Instead, our staff are trained to
7 employ Safe Crisis Management and we have SCM coaches
8 embedded in both of our facilities. As you may know,
9 ACS entered into a voluntary agreement to receive
10 technical assistance and expertise from the Nunez
11 Monitors. In their most recent report, they wrote,
12 "Detention staff appear to use physical restraint
13 safely and proportionately and do not rely on the use
14 of room isolation to manage youth behavior, both of
15 which are important hallmarks of facilities that
16 strive to promote positive relationships among youth
17 and staff." While the Department of Correction
18 staffed Horizon for a time after implementation of
19 Raise the Age, ACS resumed full operational control
20 of Horizon in January 2020. For the past four years,
21 we have been aggressively recruiting, hiring and
22 training multiple classes of YDS. Like all City
23 hiring, ACS's hiring of YDS was impacted by the
24 citywide hiring freeze at the beginning of the
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1
2 pandemic. However, since August 2020, ACS has been
3 onboarding new classes regularly, the most recent of
4 which started on April 25th, 2022 and graduated from
5 the Academy earlier this week. We look forward to
6 our next cohort beginning on June 27th and graduating
7 on August 12th. These classes are helping ACS
8 increase the available staff in our detention
9 facilities as we work collaboratively with the union
10 and OLR to safety return from 12-hour shifts
11 implemented during the pandemic, back to eight-hour
12 shifts. We have a full array of on-site medical and
13 mental health care serving the youth at Crossroads
14 and Horizon. ACS contracts with The Floating
15 Hospital to provide health services, collectively,
16 medical and dental services, and Bellevue Hospital
17 Center to provide mental health services. Since
18 2012, ACS has been working closely with Health +
19 Hospitals to provide trauma-informed screening and
20 care, and comprehensive mental health services to
21 young people in secure detention, as well as in non-
22 secure detention. Through its team of psychiatrists,
23 psychologists, social workers and mental health
24 clinicians, Bellevue works closely with YDS, Case
25 Managers, Program Counselors, and our contracted

1
2 medical services staff to provide comprehensive care
3 for all our youth. Bellevue Juvenile Justice Mental
4 Health Services provides mental health, psychological
5 and psychiatric services on-site, as well as each of
6 the DOE District 79 Passages Academy schools and to
7 youth in non-secure detention. There is coverage
8 24/7. It is important to note that all mental health
9 services provided in the secure and non-secure
10 detention facilities are voluntary and approximately
11 95 percent of the youth are engaged in mental health
12 services. The New York City Department of
13 Education's District 79 program, Passages Academy,
14 provides educational instruction, counseling, and
15 transition services to youth in detention. Like many
16 students across the city, our young people
17 reacquainted themselves with full-time in-person
18 instruction after engaging remotely and through
19 various hybrid modalities. We have experienced some
20 challenges in supporting youth through this
21 transition, but we are taking steps to prepare for
22 the summer and for the fall. We are working closely
23 with the New York City Department of Education to
24 monitor daily attendance, addressing daily barriers
25 to engagement in real-time. We are meeting weekly to

1
2 collaboratively plan and problem-solve around
3 systemic issues. We are focusing staffing resources
4 to support the timely execution of morning routines
5 and to support coaching of youth, and we are
6 implementing incentive programs to recognize academic
7 engagement and achievement. We are currently
8 planning for the summer, which includes both summer
9 school through Passages Academy, Freedom School and
10 Summer Youth Employment. Freedom School is a summer
11 literacy and enrichment program. ACS looks forward
12 to welcoming interested Council Members to Harambee,
13 the morning opener for Freedom School. Harambee joins
14 staff, youth, and invited guests in dance, music,
15 mindfulness, and close readings of culturally
16 responsive texts. In addition, this summer, we will
17 expand our post-secondary offerings to include career
18 exploration courses in partnership with Kingsborough
19 Community College's, as well as a credit-bearing
20 course for high school and/or high school equivalency
21 graduates in partnership with Manhattan College. We
22 will also continue to offer individual and small
23 group tutoring throughout the summer. We know that
24 engaging youth in these types of work and learning
25 experiences lay the foundation for their success. We

1
2 believe that programming is essential to enhance the
3 therapeutic environment in detention, while helping
4 youth build self-esteem, take part in positive
5 activities, reduce idle time, connect with role
6 models and credible messengers, and develop skills to
7 redirect their lives in a positive direction. Since
8 late August 2020, all programming in detention
9 returned to in-person, with strict safety guidelines
10 in place. Youth receive programming-- youth receive
11 programming daily, either facilitated by an ACS-
12 contracted vendor or by an ACS program counselor. We
13 work closely with a variety of program vendors, such
14 as the Center for Community Alternatives, Sprout by
15 Design, Audio Pictures, The Kite, and Carnegie Hall,
16 so that we can offer a range of social enrichment,
17 recreation, and prosocial activities every day.
18 Program vendors are available to offer programming in
19 designated spaces throughout the facility as well as
20 on the halls, and work in concert with ACS program
21 counselors to engage youth and expose them to a
22 variety of activities. ACS offers a variety of
23 programming opportunities to youth, including: arts
24 and crafts, games, financial literacy workshops, and
25 theme-based offerings on a monthly basis. We also

1
2 believe in the value of partnering with credible
3 messengers. ACS partners with the Mayor's Office of
4 Criminal Justice to offer Cure Violence programming
5 to youths across our detention and Close-to-Home
6 continuum. Through our partnership with select Cure
7 Violence organizations, credible messengers are
8 regularly in the facilities providing violence
9 interrupter services, conducting workshops for youth
10 as well as doing conflict mediation when requested.
11 At Horizon, ACS partners with SAVE, which is under
12 the umbrella of Getting Out and Staying Out, and at
13 Crossroads we partner with Man Up! Youth can also
14 work with the violence interrupters through paid
15 internship opportunities where they can become Junior
16 Violence Interrupters. The dedicated and engaged
17 staff from both SAVE & Man Up provide services on the
18 halls with youth. We are also releasing a new
19 Workforce Development RFP, which we expect to release
20 this summer. While ACS has offered vocational
21 programming to court-involved youth on a small scale,
22 this will enable us to expand to a broader workforce
23 development program to connect a higher volume of
24 pre- and post-adjudicated sentenced to a variety of
25 structured activities and vocational programming. It

1
2 will include a Fair Futures component and provide
3 year-round support services to youth ages 14-23 in
4 detention and Close-to-Home. The Workforce
5 Development program will help justice-involved young
6 people prepare for, obtain, and maintain employment.
7 These programs will introduce youth to a variety of
8 career exploration, readiness, vocational, education,
9 and employment opportunities as they prepare for
10 their future beyond detention or placement. Strong
11 family engagement is another essential part of our
12 model of care, and we have adapted to make sure youth
13 remain connected. Our Case Management staff connect
14 with parents by phone at intake, and they call
15 parents to provide weekly progress updates. Since
16 February, on-site visiting has returned to our secure
17 detention facilities, with measures in place to
18 address health and safety issues caused by the
19 pandemic. Specifically, family visitors need to
20 show-- either show proof of vaccination or a negative
21 COVID test, and we have rapid tests available to
22 those who need them. Throughout the pandemic, ACS
23 case management staff maintained frequent contact
24 with the youth's parents or guardians. ACS also
25 facilitated additional parent support services

1 including parent coaching and assistance with systems
2 navigations through partner community-based
3 organizations at both Crossroads and Horizon. While
4 we have more work to do to strengthen our work in
5 detention, we have made significant progress in
6 transforming our system and implementing Raise the
7 Age. In the most recent report this past April, the
8 Nunez team acknowledges that while the COVID-19
9 pandemic has had an extraordinary emotional and
10 operational impact on the youth and staff in
11 detention, ACS has made progress in all areas during
12 the monitoring period. They also applauded ACS's
13 advocacy to implement incentive bonuses for
14 attendance for the YDS and the continued efforts to
15 recruit and train YDS, which led to a significant
16 increase in the number of staff in this reporting
17 period compared to the last. Intro 139-2022:
18 According to the Citizens' Committee for Children,
19 4,730 NYC children under age 18 lost a primary
20 caregiver to COVID-19 from March 2020 through
21 December 2021. Clearly, the trauma and tragedy of
22 COVID has impacted us all, particularly children. As
23 a City we must do what we can to address the needs of
24 the children and families continuing to struggle with
25

1 the impact of the pandemic. The loss of a parent or
2 caregiver has a profound impact on children. At the
3 start of the pandemic, ACS worked with our partners
4 at H+H to ensure that hospital social workers knew
5 how best to help families when parents/caregivers
6 were hospitalized or tragically passed away.
7 Together we developed guidance to help families
8 identify alternate caregivers, and turn to the child
9 welfare system only when that did not work. ACS also
10 created a new section of our website to help parents
11 and caregivers develop plans in case they got sick.
12 We hope that these resources have been helpful to
13 families both for peace of mind and for the worst-
14 case scenario. While ACS does not have a way to
15 track COVID fatalities in the State's system of
16 record that we are required to use, which is called
17 Connections. At the start of the pandemic, ACS was
18 very concerned about the tragic loss of life we were
19 seeing and together with our providers sought to
20 manually track COVID fatalities. Through this
21 effort, we believe that since March 2020, five
22 families with eight children came to the attention of
23 ACS because a parent died from COVID. Five of the
24 children from three families were placed into foster
25

1
2 care, mostly with kinship, and the other three
3 children from two families are living outside of
4 foster care with family members. All of these
5 instances occurred early in the pandemic. The fact
6 that just a small number of children who lost a
7 parent to COVID came to the attention of ACS
8 indicates to us that communities and families have
9 come together to provide care, love and stability for
10 New York City's children who lost a parent or
11 caregiver to COVID. Our job now is to support them
12 with our full range of services. Earlier in the
13 pandemic, we also asked our providers to track and
14 report to us similar information. From this
15 reporting, for March 2020 through July 2021, there
16 were no reports of parents receiving prevention
17 services who died from COVID. According to the
18 reporting from our foster care agencies, from March
19 2020 through March 2022, five children in foster care
20 had a parent who died from COVID-19 and 22 children
21 had a foster parent who died from COVID-19. Given
22 that the overwhelming majority of children suffering
23 the immeasurable loss of a parent due to COVID are in
24 the community, we have been continuously working to
25 ensure that families and communities have the

1 resources and supports they need to thrive. Through
2 a partnership with the New York Society for
3 Prevention of Cruelty to Children, ACS and our
4 providers refer children to their Trauma Recovery
5 Program and parents to their Crisis Grief Counseling
6 Program. In addition, at the start of the pandemic,
7 we created new website pages that we continue to
8 update: one for families and one for youth to provide
9 information about how to access resources and
10 supports needed. Our child protection staff, the
11 Community Partnership Programs, the Family Enrichment
12 Centers, and the prevention service agencies have
13 spent the last two years providing families with
14 diapers, cribs, hand sanitizer, face masks, food,
15 formula, laundry cards and transportation. I want to
16 take this moment to thank them all for their
17 incredible work and for their commitment to making
18 sure that families had the supports they needed
19 during this challenging time. In addition, as you
20 know, ACS is in the process of expanding our Family
21 Enrichment Centers from three to 30 over the next
22 three years in the communities that were hardest hit
23 by the COVID-19 pandemic. These new community
24 resources will be available for years to come, as
25

1
2 communities and families navigate with the lasting
3 impacts of the pandemic. While ACS appreciates the
4 Council's interest in ensuring the children who have
5 lost a parent or caregiver to COVID-19 receive the
6 services and supports that they need, we do have some
7 concerns with the proposed data reporting required.
8 Given the thankfully small number of children who
9 lost a parent to COVID who are placed with ACS, we
10 are concerned that the reporting could violate these
11 confidentiality laws. In addition, ACS does not have
12 a data system that records the information required,
13 and as such we would need to manually track this
14 information for the next 10 years. ACS looks forward
15 to negotiating this bill with the City Council.
16 Intro. 294-2022 would require ACS to provide parents
17 or guardians with a multi-lingual disclosure form
18 during a child protective investigation, with
19 information about rights, investigation, contact
20 information for legal organizations, and contact
21 information for the ACS Office of Advocacy. ACS
22 agrees that the parents and guardians should receive
23 written information, regarding the child protective
24 investigation and resources that can help them and
25 their family. We look forward to negotiating this

1
2 bill with the Council. In conclusion, I would like
3 to thank all of the staff across the juvenile justice
4 continuum for all their efforts to provide a safe,
5 supportive, caring and programmatically engaging
6 environment for youth. I know that this has been
7 even more challenging throughout the pandemic, and
8 this work has not gone unnoticed. I have been
9 visiting these sites and facilities regularly, and so
10 impressed by the dedication, commitment,
11 thoughtfulness and creativity of our teams. Thank
12 you, Chair Ayala. Thank you, Members of the General
13 Welfare Committee. We look forward to taking your
14 questions.

15 CHAIRPERSON AYALA: thank you. I would
16 like to acknowledge that we've also been joined by
17 Council Member Lee. Thank you, Commissioner, for
18 your testimony today. I want to start by
19 acknowledging the great work that you team has been
20 doing. I was very fortunate to visit the Horizon
21 Juvenile Detention Facility that's in the South
22 Bronx, and was very impressed with the dedication
23 that the staff showed to the young people detained
24 there. I guess the first question would be how are we
25 doing in terms of numbers? I don't know if I

1 captured that, that in your testimony. I know that
2 during the time of our visit we were seeing some of
3 the highest numbers of detainees, primarily due to
4 the fact that the court system is so slow. Where are
5 we in terms of number to-date?
6

7 COMMISSIONER DANNHAUSER: So, as of this
8 morning, in secure detention, we have about 150 young
9 people in secure detention, and an additional 30 in
10 non-secure detention. That is about the same place
11 where we were when you visited us. We are seeing an
12 increase in young people coming to secure detention,
13 but we are also starting to see the courts move more
14 quickly. So we're really pleased to see that. So,
15 we're at about the same census, but we have seen both
16 an increase in admissions and in exits.

17 CHAIRPERSON AYALA: Okay. Do you know
18 what the average age of those detained is?

19 COMMISSIONER DANNHAUSER: I'd have to get
20 you those exact numbers, but about 108 are adolescent
21 offenders, 31 are juvenile offenders, so they'd be
22 the younger ages. We have eight children who are at-
23 - classified as juvenile delinquents in secure
24 detention, and 31 in non-secure detention. So that
25 should give you a little bit of the range of the

1
2 ages. The kids who are classified as juvenile
3 delinquents in secure detention tend to move much
4 quicker through the system. So we have eight there
5 this morning.

6 CHAIRPERSON AYALA: Okay, so when you--
7 when you get the age ranges-- I think this pretty
8 much, you know, clarifies that for me, but I would
9 also love to know what the youngest age of a detainee
10 is. Could you also share what the length of the--
11 the current length of time is--

12 COMMISSIONER DANNHAUSER: [interposing]
13 sure.

14 CHAIRPERSON AYALA: as a result of the
15 slow-down.

16 COMMISSIONER DANNHAUSER: Sure, I'm going
17 to let Deputy Commissioner Ginsburg give you the--
18 because we do have the exact ages.

19 CHAIRPERSON AYALA: Okay.

20 COMMISSIONER DANNHAUSER: so we'll give
21 that and then we can talk about length of time.

22 CHAIRPERSON AYALA: Okay. Did we swear
23 Deputy Commissioner Ginsburg? Okay.

24 DEPUTY COMMISSIONER GINSBURG: Good
25 morning.

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CHAIRPERSON AYALA: Good morning.

DEPUTY COMMISSIONER GINSBURG: The vast majority of young people in secure detention are between the ages of 15 and 17. Over approximately 60 percent fall within that range. We have-- in the-- in this-- in 2021, in the calendar year, we had 10 who are 19 years old, 45 who are 18 years old, 85 who are 14, 28 who are 13, and there were 10 under the age of 13. Now, just so you're aware, most of the children who come through as juvenile delinquents leave secure detention very quickly. So most of them are out of the building within a week, and many of them are released within a day or two of their entry.

CHAIRPERSON AYALA: That makes me feel better, because I think my heart just like sunk to think that we have that many young, you know, children in the system. It's heartbreaking. Had to catch my breath there for a minute. Can you share a little bit regarding-- so, I mean, I've been there. I've seen, you know, what it looks like. What does the-- so the court cases have started to move to ramp up a little bit. So, why are the numbers still so high? Is it because we're incarcerating at a more rapid rate? Is it-- I mean, I'm assuming a lot of

1
2 this is tied to the gun violence work that the NYPD
3 has been doing.

4 COMMISSIONER DANNHAUSER: So, we have--
5 so as you know, detention, secure detention is pre-
6 disposition, right, pre-trial. So, the young people
7 who come to us there have not been convicted, and so
8 we are working with them. We are seeing an increase
9 in the number of young people coming into care. It
10 sort of evened out by the increase of exits for
11 children through the Family Court. And an exits to
12 other parts of our continuum, right? So, a young
13 person, as Deputy Commissioner Ginsburg was sharing,
14 a young person can be with us for a very short time,
15 even less than 24 hours, and go to either another
16 part of our continuum, community-based alternatives,
17 Close to Home if they're JD. And so it's-- the
18 census has been sort of at an equilibrium since I've
19 been here. It's been somewhere between 140 and 152,
20 but over the past few months we have seen an increase
21 in young people coming to us and an increase of young
22 people coming to us, and an increase of young people
23 exiting.

24 CHAIRPERSON AYALA: I mean, I'm just--
25 I'm looking at it from the perspective of like post-

1
2 pandemic. We were maybe 23 young people. We're now
3 at a 150, right? We're averaging around that. So
4 it's a significant increase in the last few years,
5 and I just want to understand what--

6 COMMISSIONER DANNHAUSER: [interposing]
7 That's more-- that relates more to the Raise the Age
8 legislation than the pandemic that we have so many
9 more young people with us. Nancy, you want to speak
10 to that?

11 DEPUTY COMMISSIONER GINSBURG: Yeah. I
12 will say that when Raise the Age was first enacted,
13 the numbers were very, very low, and then as we saw
14 COVID overtake the City, those numbers started to
15 rise. Almost 80 percent of the young people who are
16 in detention are facing charges in the adult court
17 system, and so those charges tend to be much more
18 serious. Some of those young people have been
19 through other systems and have not succeeded, and
20 because the cases that are more serious, they just
21 take more time to get through the court system.
22 There are a vast number of due process considerations
23 for those young people. They're facing adult
24 sentences, and the protections that are due to them

1
2 may result in a longer stay until their cases are
3 resolved.

4 CHAIRPERSON AYALA: Do you capture what
5 the offense is? Do we know what percentage of young
6 people detained where incarcerated for-- or detained
7 for possession of a weapon?

8 DEPUTY COMMISSIONER GINSBURG: We do.

9 CHAIRPERSON AYALA: Yeah, I appreciate
10 that.

11 DEPUTY COMMISSIONER GINSBURG: 18 percent
12 of the youth in secure detention-- and this is the
13 entire number, this is not just the adult court kids.
14 18 percent are facing assault charges, 15 percent
15 robbery charges, 14 percent possession of a weapon,
16 13 percent are-- they are on murder-related charges,
17 that's either attempted murder or murder. And then
18 there are a whole list of charges in the single
19 digits or less than one percent.

20 COMMISSIONER DANNHAUSER: And Chair Ayala,
21 I just might add, in the-- this significant change in
22 our system is one of many reasons that we ask Nancy
23 to join us because she has so much experience and in
24 working with young people who are facing charges in
25 Supreme Court, in the youth part in Supreme Court.

1
2 Obviously, Raise the Age led to this significant
3 change. We are glad that the young people are with
4 us, that 16 and 17 year olds are coming to ACS
5 facilities, bolstering our expertise and our support
6 to them is vital.

7 CHAIRPERSON AYALA: Well, congratulations
8 on the hire. I hear that she's great.

9 COMMISSIONER DANNHAUSER: Thank you.

10 DEPUTY COMMISSIONER GINSBURG: Just to
11 give you some perspective and maybe to make you feel
12 slightly better about where we are in the continuum--

13 CHAIRPERSON AYALA: [interposing] Yeah.

14 DEPUTY COMMISSIONER GINSBURG: of
15 history. In 2014, pre-Raise the Age, there were 700
16 16 to 18 year olds on Rikers.

17 CHAIRPERSON AYALA: Yeah.

18 DEPUTY COMMISSIONER GINSBURG: so those
19 numbers were tremendous, and as we moved into Raise
20 the Age, there was actually a kind of intentional de-
21 carceration of young people in the court system, and
22 so of course, we don't ever want to see any young
23 person incarcerated, but we are optimistic that we
24 will be able to see those numbers reduced in the
25 future and as we come out of COVID, and hopefully as

1
2 our communities get healthier, we'll see those
3 numbers drop even further.

4 COMMISSIONER DANNHAUSER: this is
5 combined with a 90 percent increase of young people
6 who were upstate, and now are in our Close to Home
7 programs. There's over 500 upstate now. We've about
8 63 in Close to Home.

9 CHAIRPERSON AYALA: How many young people
10 have transitioned over from one of the two facilities
11 to Rikers in the last year? Do you know?

12 COMMISSIONER DANNHAUSER: A de minimis
13 number, a very, very small number. After sentencing
14 they go-- if they're under 21 they'll serve their
15 sentence until they're 21 with the Office of Children
16 and Family Services, and then they would go to adult
17 prison following that depending on their sentence.

18 DEPUTY COMMISSIONER GINSBURG: so, that
19 transition that you're referring to, I'm assuming--
20 when the kids came from Rikers to Horizon, when they
21 turned 18, the pre-Raise the Age kids, when they
22 turned 18 they were sent back to Rikers. That's not
23 happening anymore. So that-- because that population
24 no longer is in our custody. Any young person who is
25

1
2 detained with us can stay with us by law until they
3 turn 21.

4 CHAIRPERSON AYALA: Yeah. I think we
5 should raise that to 26, that's just me. I've just--
6 you know, when you walk into Rikers and, you know,
7 you look into the faces of these young people they
8 look like babies. And so--

9 DEPUTY COMMISSIONER GINSBURG: That is
10 aligned to [inaudible].

11 CHAIRPERSON AYALA: Yeah. Yeah.
12 Exactly, exactly. So, I'm concerned about-- and I
13 know that you mentioned, Commissioner, in your
14 testimony about post-detainment life and what that
15 looks like. I think one of the biggest concerns is
16 that young people that are leaving, I guess, and
17 waiting for a court date are getting involved in
18 other criminal activities, and I would love to know
19 like what the recidivism rates are and what that
20 post-detainment life looks like. I know that you
21 mentioned a partnership with Safe with also--

22 COMMISSIONER DANNHAUSER: [interposing]
23 And Man up. But what type of services are they
24 offering these young people to ensure that they're
25

1
2 not, you know, re-engaging in activities that may get
3 them into trouble.

4 COMMISSIONER DANNHAUSER: So youth have
5 access to our full continuum of programming. In
6 Close to Home there is a dedicated after care
7 component, and so the young people are-- their
8 sentence is typically about a years' time. They'll
9 do some of that in placement and then they'll be
10 working on aftercare, and they get the continued
11 support of the provider agency. This is also-- we
12 agree with you, this is also why it's so important to
13 us that we expand Fair Futures so that we can make
14 that commitment to young people post-detention or
15 post placement.

16 CHAIRPERSON AYALA: And what is-- did you--
17 - do you have-- do you capture the rate of
18 recidivist?

19 COMMISSIONER DANNHAUSER: We do. I'll
20 have to get that to you, but we do--

21 CHAIRPERSON AYALA: [interposing] Yeah,
22 that information is super helpful because we start
23 to, you know, better prepare in our own communities
24 to try to engage young people and keep them off the
25 streets, specifically in the summer. We're really

1
2 excited about the additional SYP slots. Obviously,
3 you know, young people that are engaged are less
4 likely to get in trouble, but there is, you know, a
5 lot of concern around young people that, you know,
6 are maybe, you know, court involved, have you know,
7 maybe gun-related charge, and then are trying to
8 reintegrate into their community, you know. We worry
9 about their safety. We worry about them, you know,
10 about them getting involved in other things, and so
11 that data really kind of helps us to gauge where we
12 are and where we should be focusing our attention.
13 Now, I know that one of the biggest hurdles that we
14 were facing in the beginning of the year was staffing
15 shortages, and I know that every city [inaudible]
16 city agencies going through the same thing. This is
17 not specific to the ACS, but how are we doing in
18 terms of the hiring of the youth development
19 specialists?

20 COMMISSIONER DANNHAUSER: We're working
21 really hard at it, so we've got one class that is
22 starting imminently and a second class that'll be
23 starting over the summer. Deputy Commissioner
24 Ginsburg and I were able to observe some of their
25 simulation training recently, and we're really really

1
2 pleased with that training. We have currently about
3 400 active YDS. So we have made some progress there
4 thanks to the Administration and OMB for their
5 support of what we call our retention attendance
6 bonus, which provides an additional bonus on top of
7 salary if staff stay on for a six-month period and
8 meet an attendance threshold, and so that has reduced
9 our attrition by about 36 percent. We still have a
10 ways to go and we're working on bringing on classes
11 every single month and making sure that they're going
12 through the training and support that they get. You
13 know, a big-- in addition to the training, one of my
14 priorities since I've been here, and certainly Deputy
15 Commissioner Ginsburg since she's been here for a
16 couple months, has been to be out and to be in
17 conversation with staff. We've held I think half a
18 dozen town halls. We have town halls next week.
19 Again, both in partnership with 371 and actually the
20 Justice Center, because our staff asked if they could
21 hear directly from the Justice Center about their
22 process. It's one of the fears that they carry with
23 them every day, and the Justice Center was open to
24 collaboration and is going to be coming to present to
25 our staff next Tuesday and Wednesday at Crossroads

1
2 and Horizon. And we'll be there, you know,
3 responding to make sure that they have the equipment
4 that they need, being responsive to any needs that
5 they have whether it be around workers' compensation,
6 incorporating their ideas into what we're doing in
7 the buildings. We've got folks who have been doing
8 this work for many, many years, and I'm not going to
9 substitute my judgement for their wisdom and what
10 they do, so really trying to integrate their ideas
11 into the day-to-day both programming and how we
12 respond to young people and being there for them when
13 they have challenging moments. You know, our staff
14 get injured in this work, and we deeply appreciate
15 how they put themselves on the line to protect young
16 people and to protect other staff. When they get
17 injured, you know, they're getting a call from me,
18 they're getting support from us. They're making sure
19 that HR is really responsive to all of their needs,
20 and so we got to keep at this to make sure we're
21 building the culture of responsiveness that they need
22 so that they can build the culture in the buildings
23 that is at, you know, optimal for both young people
24 and families.

1
2 CHAIRPERSON AYALA: What is the length of
3 time that a staffer is out, you know, after an
4 injury?

5 COMMISSIONER DANNHAUSER: IT all-- it's
6 all dependent on the injury. I have to say many of
7 our staff are back and trying to get back in the
8 building when we're saying, "Hold on. Make sure
9 you're doing okay." We have a lot of dedicated
10 staff, but it is dependent on the injuries and some
11 of them are serious and some of them are minor, so
12 yeah.

13 CHAIRPERSON AYALA: I mean, I'm assuming,
14 and I'm hoping that it's nowhere near what we're
15 seeing at Rikers Island with the OC officers who have
16 been out for two years. So, I'm trying--

17 COMMISSIONER DANNHAUSER: [interposing] I
18 don't have that comparison, but you know, I think the
19 more lengthy periods are closer to a year than
20 [inaudible].

21 CHAIRPERSON AYALA: Do you know what the
22 percentage of specialists out today is?

23 COMMISSIONER DANNHAUSER: We have about 30
24 percent.

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2 CHAIRPERSON AYALA: Thirty percent are
3 out?

4 COMMISSIONER DANNHAUSER: So we have
5 about 600 staff who are active staff, or sort of--
6 are hired that are YDS specialists, about 400-- a
7 little over 400 of them that are active. We have
8 continued headcount to go beyond that to continue to
9 hire, and we're working very closely with OMB and
10 others to make sure that we can continue to do that
11 hiring.

12 CHAIRPERSON AYALA: so, does that mean
13 that Youth Development Specialists are still working
14 12-hour tours?

15 COMMISSIONER DANNHAUSER: It does. We
16 are-- you know, one of the things that we looked at
17 and I looked at upon my arrival was whether the 12-
18 hour tours was right. There were some advantages.
19 Staff work just four days instead of five days.
20 After lots of conversation with staff, especially
21 some senior staff, we came to the conclusion that
22 eight-hour tours were the right. At the same time,
23 the union was pursuing a grievance and was successful
24 in that grievance. So we are now partnering together
25 to plan a safe return to eight-hour tours, which I

1 think will be more sustainable for our staff. It's
2 the right way to go. We obviously have to continue
3 to hire to make sure that we can do that safely, but
4 we are in one accord with the union that eight-hour
5 tours are right and we're aiming towards the early
6 fall to do so.

8 CHAIRPERSON AYALA: How big is each class
9 that's-- you mentioned that it's an ongoing class
10 now, right, that should be graduating soon?

11 COMMISSIONER DANNHAUSER: Yep, that's
12 correct.

13 CHAIRPERSON AYALA: How big is that
14 class?

15 COMMISSIONER DANNHAUSER: I believe that
16 class is a little over 20. We are aiming for 25. We
17 sometimes during training learn, you know, that it's
18 not a match, but we're always-- every month we're
19 looking for about 20-- around 25.

20 CHAIRPERSON AYALA: So what do you think--
21 - what do you think is deterring-- I mean, I was
22 looking at it while we were doing our research for
23 today's hearing, and the average salary, you know,
24 comparable to the experience necessary to do the
25 work, seems, you know, fair. What do you think is

1
2 preventing folks from applying for these positions,
3 and what do they see as doing to-- you know, aside
4 from the 5,000 dollar bonus, which I think is a great
5 incentive, but you know, what other avenues are you
6 pursuing to engage?

7 COMMISSIONER DANNHAUSER: Yeah. So we
8 have an extensive marketing campaign to make sure
9 that what we-- our needs are known across the City
10 and, you know, we are getting candidates, and we are
11 bringing folks in. I think my focus has really been
12 not only on hiring but on retention, and I think many
13 of the things that we talked about earlier are vital
14 that staff feel responsive, that they see us in the
15 buildings with them, that they feel that they get--
16 you know, that they absolutely support and they're
17 proud of this Administration and what we've been
18 doing to bring that to bear, and I think in
19 additional to the retention bonus, I think those
20 efforts make sure that they have what they need,
21 equipment and otherwise, and support when things are
22 difficult and will lead us in the right direction.

23 DEPUTY COMMISSIONER GINSBURG: Yeah, can
24 I just add something? I was on a call yesterday with
25 statewide detention leaders, and this is not just a

1
2 New York City issue, everyone in the state running
3 detention centers is struggling with this issue. So
4 we are-- the state is bringing us together to try to
5 brainstorm and find best practices to see what might
6 be working in jurisdictions, but I think this is a
7 shared struggle that perhaps we may come out of as we
8 hopefully ease out of COVID.

9 COMMISSIONER DANNHAUSER: Nationally, as
10 well. It's a struggle across the country.

11 CHAIRPERSON AYALA: Yeah, we're hoping,
12 hoping. I had a question and it just like flew out of
13 my mind. It was around the mental health stuff. So
14 you mentioned that 90 percent of the young detainees
15 are actually voluntarily seeking mental health
16 services, which is great. I wonder how-- I would like
17 to know how much of a young person's time is spent
18 outdoors as opposed to, you know, other recreational
19 activities inside?

20 COMMISSIONER DANNHAUSER: Yeah, so
21 they're-- it's two hours per day. I'm going to ask
22 Associate commissioner Barrios who leads our
23 programming to share a little bit more about how long
24 they are outdoors and what they get to do outdoors.

1
2 ASSOCIATE COMMISSIONER BARRIOS: Thank
3 you, Commissioner. Hi, member. So the youth are
4 required to receive a minimum of two hours of
5 recreation per week. Youth are exposed to a variety
6 of moderate or vigorous intensity aerobic physical
7 activities including aerobic fitness, strength
8 training, core and large muscle exercises, balance
9 training and stretching. Youth receive those
10 activities outdoors. There's the option of utilizing
11 the main yard as well as the courtyard, weather
12 permitting. The main yard includes green space and
13 areas for basketball and handball and seating areas
14 where youth can interact with their peers or staff
15 and engage in things like playing cards and board
16 games. We also utilize the gym and the courtyard for
17 structured sports activities including yoga and large
18 muscle exercise.

19 DEPUTY COMMISSIONER GINSBURG: Just a
20 quick clarification it's two hours per day for the
21 recreation. We actually held this amazing event last
22 week in Brooklyn for the young people. Cure Violence
23 providers came. There was food provided and
24 counseling and spoken word, and it all took place
25 outside. It was really nice for the young people.

1
2 CHAIRPERSON AYALA: Yeah, that's great.
3 I'm claustrophobic, I couldn't imagine being
4 [inaudible] there. It'd drive me nuts. So I could
5 only imagine that that leads to other, you know,
6 difficulties within the system, right, if young
7 people are not feeling like they're getting their
8 energy out. So I really appreciate that. Is there
9 any workforce development training or opportunity
10 tied to any of this programming that's going on?

11 ASSOCIATE COMMISSIONER BARRIOS: Yes.
12 So, we have over the years exposed kids to a number
13 of vocational programs. These are much smaller
14 programs, but as the Commissioner indicated earlier
15 in his testimony, we're in the process of releasing
16 an RFP for workforce development with the infusion of
17 Fair Futures, and that's going to be a very
18 comprehensive program that it would address things
19 such as career readiness, vocational training leading
20 to certification, apprenticeships and internships,
21 and then there's a labor marketing component, because
22 at the end of all of that, the important thing is how
23 do we connect young people to jobs or career
24 opportunities. But in the meantime, we are
25 supplementing that either through contracts that we

1
2 have with Center for Community Alternatives through a
3 partnership with DYCD as well as other contracts that
4 are managed by CCA through a separate funding stream.

5 CHAIRPERSON AYALA: Do you have any idea
6 what type of vocational programming you will be
7 providing, like on-- what areas are of interest?

8 ASSOCIATE COMMISSIONER BARRIOS: That's a
9 good question. So we released a concept paper in
10 preparation for release of the RFP. We're leading--
11 leaving it to the industry experts, and we were--
12 when we were conceptualizing the concept paper and
13 the RFP, we pulled together a focus group of all of
14 our workforce development partners to tell us what
15 works and what doesn't. So, currently we're offering
16 things like OSHA. We've offered barbering. We've
17 also-- we've been doing a barista program which
18 initially started with a vendor, and now our program
19 counselors have been facilitating that activity and
20 that leads to certification. So there's a whole
21 variety of other opportunities that have yet to be
22 finalized with release of the RFP where we have a
23 better sense of what will be available in the future.

24 COMMISSIONER DANNHAUSER: And Chair
25 Ayala, if I may, I think the-- one thing we've

1
2 learned through Fair Futures is that when young
3 people are engaged, this city has a lot to offer.

4 CHAIRPERSON AYALA: Yeah.

5 COMMISSIONER DANNHAUSER: Through CUNY,
6 through our workforce providers, and so we see it as
7 vital as starting with motivation interview, what do
8 they want to do. So every young person will get a
9 plan that's based on their interest, right? So the
10 motivation interviewing assumes everyone wants to do
11 well and then creates a plan around those interests.
12 And so, in addition to the workforce that we'll
13 provide, we're going to make sure that they have
14 access to the full plethora of resources in the City.

15 CHAIRPERSON AYALA: Yeah. I-- you know,
16 that's a-- that's really important to me. when we
17 were talking about the Close Rikers campaign, we did
18 a lot of town halls with young people, and when we
19 asked them, you know, how do we build communities
20 around, right, a facility [sic] that gets-- how do we
21 ensure that the next generation is going to end up in
22 those facilities. Like what kids were asking for
23 were garbage cans and programs to remove dead animals
24 from their communities, you know, a lot of
25 conversations around garbage. And I find that, you

1
2 know, because they haven't been exposed to, you know,
3 to other things citywide, and I say that as a kid who
4 grew up in the Lower East Side who never went into a
5 museum, who had no exposure the arts whatsoever. I
6 think we camped at Woodlawn Cemetery with a couple of
7 friends not even realizing that it was a cemetery.
8 So that'll-- that is a funny but yet, you know, not
9 so funny illustration of how limited our, you know,--
10 how our outreach into our city is. And so when we
11 talk about job, you know, workforce development, my
12 concern is always, you know, to ensure that we're
13 also offering and being a little bit proactive and
14 offering positions or-- making available programs
15 that lead to, you know, middle class jobs, right?
16 And so know that some of our kids are going to want
17 to-- you know, they may want to be barbers, and I
18 know that some of them may want to go into, you know,
19 maintenance fields, and those are all great jobs.
20 However, you know, I saw at Horizon we were doing--
21 they were planting food, right? Agriculture is like
22 it's huge. We have urban farms coming up throughout
23 the City. Those are really wonderful opportunities
24 that expose young people to things that, you know,
25 they're not familiar with, that our pipelines do

1
2 really good jobs. And so, you know, in my mind I try
3 to be very purposeful, you know, in ensuring that I'm
4 also-- I'm hearing from them, right. What are your
5 interests, or that I'm also exposing them to
6 opportunities that may not be within their reach
7 because they haven't been exposed yet. I think that
8 is, you know, it's important as well. So I would
9 love to see a little bit of that.

10 COMMISSIONER DANNHAUSER: We-- I had very
11 similar expenses in our youth programs in Hunt's
12 Point and Manhattanville when I was at Grand Wyndham,
13 and as everything that you're saying resonates. You
14 know, our model of work is to engage young people
15 where they are, assume that they want to do well, and
16 they do, and then continue to sort of build on
17 success, right, and then the sky is the limit. So,
18 you just-- if they start with a barber because that's
19 where they're interest, then you expose them to
20 business development. Then you expose them to
21 entrepreneurship.

22 CHAIRPERSON AYALA: how do you own that
23 business?

24 COMMISSIONER DANNHAUSER: Exactly. And
25 so we absolute see, and this is why we want to be

1
2 with kids until 26 is because it takes time for them
3 build on that success. They have access to CUNY and
4 to other resources as I was mentioning earlier, but
5 we are going to court on that.

6 CHAIRPERSON AYALA: That's wonderful.

7 DEPUTY COMMISSIONER GINSBURG: Also, we've
8 also opened conversation with District 79 to see if
9 it's possible to push in tracks from Co-op Tech into
10 the detention facilities, so we are exploring that.
11 Hopefully we will have some good news on that.

12 CHAIRPERSON AYALA: Yeah, I mean, and
13 it's boring all the partnerships. I think we, in
14 East Harlem, Strive is one of our partners, and they
15 were working with Mount Sinai Hospital. So Mount
16 Sinai Hospital would identify an area where they
17 needed, you know, staffing, Phlebotomists for
18 instance, and then Strive would train phlebotomists
19 and then Mount Sinai would commit to hiring those
20 phlebotomists. So, you know, those partnerships work
21 really well, and again, they expose young people to
22 alternatives that, you know, really good jobs. And
23 my final question, because I want to allow my
24 colleagues to ask questions, it's the-- around-- so
25 you mentioned the 89 percent of young people held in

1
2 these facilities are men, well young boys. So I'm
3 assuming that the remaining percentages are young
4 women. I haven't heard much said bout the young women
5 in your facilities.

6 COMMISSIONER DANNHAUSER: Yeah. Today, I
7 believe we have two young women in our facilities.
8 They off-- they receive the full plethora of
9 opportunities in the facilities. They are housed on
10 their own hall and have very tailored programming
11 that meet their needs as well. We're glad that
12 there's only a couple young women with us. They have
13 obviously tailored services around their mental
14 health and around their interests, and they have
15 great role models of young women or of women that are
16 YDS and special officer roles. So it's an absolutely
17 a keen attention on them. They obviously have a more
18 intensive ratio of staff, because we have to have two
19 staff on every hall no matter the number of kids, and
20 so thy get lots of attention. We got to meet with
21 the two young women I guess it was a couple weeks go
22 now, and they were very engaged with their staff, and
23 they-- you know, they-- I was impressed how much our
24 staff knew about their stories, their interests, so
25 their needs are absolutely being met.

1
2 CHAIRPERSON AYALA: that's great. That's
3 great. I appreciate that. Alright. I will pause and
4 allow for a [inaudible] for the other members to ask
5 questions. I think we have Council Member Williams,
6 Council Member Ossé, Council Member Cabán, and
7 Stevens if she comes back.

8 COUNCIL MEMBER WILLIAMS: Thank you,
9 Chair, and thank you, Commissioner, for being here.
10 Just following up on the Chair's question around
11 staffing. I know KPMG was hired to assist, and so
12 just wanted to kind of understand their role, their
13 new role. It's also said that their contract was
14 extended.

15 COMMISSIONER DANNHAUSER: Yeah, thank you
16 for that question. We have a small contract with
17 KPMG to help us do analytics, to help us look at
18 recruitment, and they've been very helpful. It's a
19 fairly small engagement with them, but their previous
20 commissioner thought it was important and we have
21 found great success to get their advice around sort
22 of recruitment practices. They also have been very
23 helpful around project management and making sure
24 that we stay on task across ACS or HR and finance,
25 and so we've extended it for this current year and

1
2 will continue to evaluate the success of that
3 engagement.

4 COUNCIL MEMBER WILLIAMS: Okay. And I
5 know you said you work with Cure Violence programs.
6 Can you like detail exactly what they're doing in the
7 centers?

8 COMMISSIONER DANNHAUSER: Sure. So, they
9 are on the halls with young people. They are doing
10 violence interruption. They are doing direct
11 mentoring with young people. They keep connections
12 after young people are with us. Deputy Commissioner
13 Ginsburg or Charles, you want to add anything to
14 that?

15 ASSOCIATE COMMISSIONER BARRIOS: Sure.
16 So we've partnering with Cure Violence organizations
17 for a number of years now. We started the
18 partnership with discretionary funding that was
19 provided to us from the City Council and over the
20 past couple of years been working closely with MOCJ.
21 As Commissioner indicated, these organizations and
22 their staff of violence interrupters and credible
23 messengers have been critical to our operations
24 simply because they know how to engage the kids. We
25 have providers that come into the secure detention

1 facilities to provide services on-site. Those
2 services are also provided in the community by the
3 same credible messenger staff, and we leverage other
4 resources available through their organizations so
5 that there's continuity. The other Cure Violence
6 organizations support our youth both in Close to Home
7 and community-based alternatives. They are grounded
8 in the community. They work in the communities to
9 engage kids. Again, some of these organizations
10 partner with other organizations to make sure there's
11 continuity and to leverage other resources. So, they
12 are very hands-on. They were with us last week
13 during our unheard event at Crossroads.

14
15 COUNCIL MEMBER WILLIAMS: I was just
16 going to ask if the violence interrupters that you
17 mentioned that are in the halls, are they there like
18 all the time fulltime, or are they only there a
19 certain portion of the day?

20 ASSOCIATE COMMISSIONER BARRIOS: So, at
21 the two facilities they each have approximately three
22 to four staff that go into the facilities fulltime.
23 They're flexible as such that when we need them
24 there, in the event we need them to do crisis
25 mediation, they will send, deploy staff into the

1 facilities. So they are embedded in the facilities,
2 and they are part of the detention milieu.

3
4 COUNCIL MEMBER WILLIAMS: Would you say
5 that's helped with a lot of the security issues that
6 staffers have reported?

7 ASSOCIATE COMMISSIONER BARRIOS: So, the
8 credible messengers are tapped by facility leadership
9 and operations to engage in crisis mediation and
10 conflict resolution, and generally when there are
11 incident debriefs, we pull in our credible messenger
12 staff to help us explore ways and strategies to
13 address some of those issues.

14 COUNCIL MEMBER WILLIAMS: Okay.
15 Switching gears a little bit. I don't think I heard
16 this question asked, but if it was asked, we can skip
17 it. How many COVID-19-related deaths have occurred
18 in juvenile detention facilities since the beginning
19 of the pandemic? This would be inclusive of both
20 youth and staff members.

21 COMMISSIONER DANNHAUSER: Thankfully, we
22 did not lose any young people. We have lost five
23 staff, four which were confirmed COVID-19. This all
24 preceded this Administration, but I understand that
25 there was an outpouring of support to those staff's

1 families and it as a very, very difficult time, but
2 the agency responded to provide as much support as we
3 possibly could in those tragic situations.
4

5 COUNCIL MEMBER WILLIAMS: Okay, and what
6 is the status of construction at the facilities?

7 COMMISSIONER DANNHAUSER: so, we are
8 doing constant maintenance, and so we have staff who
9 are dedicated to the facilities for all maintenance.
10 We also have, Council Member Williams, what's called
11 RTA 2.0, which is a major overhaul of all facilities.
12 It's a very complicated 340+ million dollar effort to
13 expand programming in the facilities. It's a multi-
14 year effort, because obviously we have to build it
15 while the young people are there, but we're really
16 pleased that our work with-- at the Department of
17 Design and Construction is going well, and we've got
18 vendors who have-- you know, are doing the design,
19 and so we have real ambitions to completely overhaul
20 the buildings.

21 COUNCIL MEMBER WILLIAMS: Okay. Chair,
22 may I ask one more question? Turning attention to
23 Intro 139, in your testimony you stated a few things.
24 One, that you felt the law would violate
25 confidentiality, and then also that you don't have

1
2 the proper system to record the information. Can you
3 talk a little bit more in detail about it? Is it
4 that you wouldn't be able to comply with the law at
5 all, or would it be compliance with the law? Would
6 it just be a challenge?

7 COMMISSIONER DANNHAUSER: So, we're, you
8 know, happy to negotiate this with the Council. We
9 absolutely agree that this is vital, the young people
10 who have lost a caregiver to COVID have all of the
11 supports that they need. I think there's a couple
12 things. One is, its's a smaller number than I think
13 any of us would have imagined, and I think there's a
14 lot to learn in that about the resiliency of families
15 and communities, but also at the same time how much
16 support they're going to need from our full
17 continuum. So we want to make sure that all families
18 know about our continuum. The small number does
19 raise potential confidentiality issues we have to be
20 careful about, but also just this sort of ongoing
21 reported-- ongoing reporting requirement without a
22 state system that actually tracks that is a burden
23 that we'd rather use, you know, those resources to
24 provide services, but we're happy to continue
25 conversations about it because we absolutely agree

1
2 that it's imperative that, you know, people get the
3 services that they need and families who are now
4 providing care to children without their initial
5 primary caregiver giving everything that they need.

6 COUNCIL MEMBER WILLIAMS: Then [sic] the
7 number of parents who have passed away is so low, are
8 you suggesting that it is maybe not necessary to
9 collect this data because the numbers are so slow,
10 like there's not an extensive list of children that
11 need to be serviced?

12 COMMISSIONER DANNHAUSER: I'm saying
13 that I don't want to in any way diminish for those
14 eight children who lost a caregiver and came to our
15 attention. So I'm not saying that it's not vital. We
16 just want to negotiate the best way not to have too
17 much of burden for a small number that we could use
18 those resources for something that gets services out.
19 That's all.

20 COUNCIL MEMBER WILLIAMS: Right, like
21 could it be a better way to share information on
22 those eight families versus a rule that would require
23 or compel you to present the data?

24 COMMISSIONER DANNHAUSER: That's right.
25

1
2 COUNCIL MEMBER WILLIAMS: Okay. And I
3 look forward to holding you to your offer to invite
4 us to the Harambe event.

5 COMMISSIONER DANNHAUSER: Oh, wonderful.

6 COUNCIL MEMBER WILLIAMS: Thank you.

7 COMMISSIONER DANNHAUSER: And Council
8 Member, I just wanted to say, we said it one-to-one,
9 but thank you for your office's partnership around
10 baby formula. I was really glad to hear that we
11 maybe filled part of your office with lots of boxes?

12 COUNCIL MEMBER WILLIAMS: Yes, there's
13 too many boxes in my offices, quite a mess, but thank
14 you so much for partnering with us.

15 COMMISSIONER DANNHAUSER: A good problem.

16 CHAIRPERSON AYALA: [inaudible] I just
17 want to-- to get back with something that Council
18 Member Williams asked. So, the legislation is
19 specific to-- Council Member Abreu's piece of
20 legislation is very specific to the number of
21 children who have lost a caregiver due to COVID that
22 are within the system, but what is the total-- do we
23 know what the total number, do we even capture the
24 data of children that are in care, right, who've lost
25

1
2 a parent maybe not to COVID, but while in care? Is
3 that number greater than if we--

4 COMMISSIONER DANNHAUSER: So what I have
5 is-- what I have here today is related to COVID, but
6 we can get you information on sort of-- so, in care
7 there's 21 young people who lost their foster parent.
8 Amazingly, almost all of them were-- are now in the
9 care of foster parents, a relative, someone who lived
10 in the home, or someone who we call a back-up, which
11 is for every young person in care-- excuse me, for
12 every foster family, there is a back-up caregiver.
13 So, if they go on vacation or they're busy at work or
14 whatever they need. That is a person who is screened
15 and has all of the clearances, and so they also have
16 been a big part of that. So, we can get you the full
17 numbers around young people in care who have lost
18 parents.

19 CHAIRPERSON AYALA: I appreciate that,
20 thank you.

21 COUNCIL MEMBER OSSÉ: Thank you so much,
22 and good morning still. I can't believe it's still
23 the morning. I do have a couple questions in regards
24 to the detention facilities. On average, how long are
25

1 juveniles in pre-hearing detention until their case
2 is heard?

3
4 DEPUTY COMMISSIONER GINSBURG: Can I ask
5 you to clarify? When you say pre-hearing detention,
6 do you mean before their-- the first time they see a
7 judge?

8 COUNCIL MEMBER OSSÉ: Yes.

9 DEPUTY COMMISSIONER GINSBURG: Okay. So,
10 young people who have cases pending in the adult
11 court system, they are either held, or they're held
12 by a judge and then they come to us. So, they have
13 all already seen a judge before they're either held
14 on bail or remanded to our custody. Juvenile
15 delinquents move differently. Those are kids who are
16 in Family Court. The police, after an arrest, can
17 bring a child to our custody, and the next morning
18 they are seen by a judge, and there is a release
19 decision made by the court. The other way a young
20 person-- child can be arrested, if it's during court
21 hours, the police can product that child directly to
22 the Family Court and then release or detention
23 decision will be made. So it's quite quick. We're
24 not like other jurisdictions where children linger in
25

1
2 detention for weeks or months before they see a
3 judge.

4 COUNCIL MEMBER OSSÉ: Thank you for
5 clarifying that. This may be out of your purview,
6 but is detention the absolute last resort for a
7 juvenile, and if not, what are some other non-
8 carceral alternatives for youth? And are most youth
9 being given these alternatives as opposed to
10 incarceration?

11 DEPUTY COMMISSIONER GINSBURG: So, I can
12 respond to this. I have 30 years, so I can actually
13 give you a historical picture.

14 COUNCIL MEMBER OSSÉ: Amazing.

15 DEPUTY COMMISSIONER GINSBURG: When I
16 first started, I started in Family Court then
17 switched to Criminal Court. I think the default was
18 incarceration in those years. We had many, many
19 children who were held in detention, and I think that
20 we have seen tremendous progress in that area over
21 the years, and along with Raise the Age, that boosted
22 that progress. So I can say from a court perspective
23 that there are very few young people who are being
24 detained in relation to the entire system. So, I do
25 think-- judges have gone through extensive training.

1 Prosecutors have gone through extensive training.
2
3 The Defense Bar has always been advocating for
4 release, and we are really seeing the fruits of that
5 type of orientation. And so the City has supported
6 an increasing number of alternative to detention
7 incarceration programs, both for Family Court and the
8 Criminal Court involved youth, and so I do think that
9 for the most part it's not absolute because
10 ultimately the decision is a judge's, but we have
11 seen an increasingly reduced number of young people
12 coming into detention.

13 COUNCIL MEMBER OSSÉ: Oh, that's great.
14 Thank you for that response. I we could get to, you
15 know, a zero eventually.

16 DEPUTY COMMISSIONER GINSBURG: Yes, we
17 share that.

18 COUNCIL MEMBER OSSÉ: I do want to ask,
19 what happens when there are undocumented juveniles,
20 and more specifically, how are they processed in the
21 system? Especially knowing some of the concerns that
22 we have about ICE in the City. I would just love
23 some clarity on our undocumented juvenile that, you
24 know, are taking into these facilities.

25

1
2 DEPUTY COMMISSIONER GINSBURG: The
3 juvenile system does not interact with that system.
4 Children come into our custody. There is no
5 notification. So, they're protected.

6 COUNCIL MEMBER OSSÉ: Okay. And what is
7 the protocol for de-escalating conflicts in juvenile
8 facilities?

9 COMMISSIONER DANNHAUSER: So we use
10 something called Safe Crisis Management, and so the--
11 it trains primarily in de-escalation techniques, and
12 obviously using in the first instance relationship,
13 making sure that there's lots going on for young
14 people, that they're engaged. If something is
15 escalating, to de-escalate, to have conversation to
16 use verbal commands and only if an incident is rising
17 to a safety issue or a potential injury do we then
18 use restraints. And again, we absolutely do not use
19 prone restraints, which is one of the restraints that
20 have been seen to be dangerous, and so we--

21 COUNCIL MEMBER OSSÉ: [interposing] Can
22 you elaborate on what specifically those are?

23 COMMISSIONER DANNHAUSER: Prone is
24 essentially face down, right.

25 COUNCIL MEMBER OSSÉ: Okay.

1
2 COMMISSIONER DANNHAUSER: And so the--
3 it's harder to sort of assess breathing and so we
4 absolutely make sure that the young people are never
5 put in that type of situation.

6 COUNCIL MEMBER OSSÉ: Thank you for your
7 answers.

8 COMMISSIONER DANNHAUSER: Thank you,
9 Council Member.

10 CHAIRPERSON AYALA: Council Member Cabán.

11 COUNCIL MEMBER CABÁN: Yes, thank you,
12 Chair. I know I don't have a ton of time, so I won't
13 spend the entire five minutes saying this, but I want
14 to say that I'm very excited about the addition of
15 Nancy Ginsburg to the team. We were former
16 colleagues, but more than that, you know, she was
17 consistently a go-to person in our office for all
18 things kids, and I have heard from my former
19 colleagues even just this morning that the kind of
20 communication and support that they-- that was
21 provided in her days as a public defender is the kind
22 of communication and support that is being provided
23 right now, and that gives me a lot of hope and
24 excitement for continued positive progress in the
25 Administration, so that's exciting to me. So, thank

1
2 you. I appreciate you. I have a number of
3 questions. I think I want to start with some things
4 on scope and capacity. I know that you touched on
5 sort of like-- some of the older youth programming
6 and in particular I'm interested in kind of the
7 things like OSHA and trade programs in connections to
8 local college opportunities and things like that, and
9 I know that you described some of that, but I would
10 like to get into the nuts and bolts in terms of, you
11 know, what the numbers are. How many young folks are
12 being touched by that? Is there-- are there any
13 gaps, and if there are gaps, like what are the
14 resources that are needed? Do you need more staff?
15 Do you need more resources? How can we expand the
16 reach of these things so that every single person has
17 access?

18 COMMISSIONER DANNHAUSER: So, access is
19 universal to our young people to these programs, and
20 I'll ask Associate Commissioner Barrios to speak to
21 this in a moment. We are constantly assessing this.
22 As you know, Council Member, with the change in Raise
23 the Age, it really changed who we're serving in the
24 detention centers, and so making the programming more
25 robust and more relevant to young people at older

1
2 ages is really vital. It's why we're doing the RFP
3 around workforce development. It's why we're doing
4 the work with Co-op Tech. Deputy Commissioner
5 Ginsburg led a summit, if you will, with the DOE to
6 rethink all that we can do for young people. I'll
7 turn it to Associate Commissioner Barrios to just
8 give a little more detail around what's current, but
9 do know that we are constantly assessing how we can
10 add and make sure that all young people have what
11 they want and need in the detention--

12 COUNCIL MEMBER CABÁN: [interposing] And
13 if I could just add to that question, also of like,
14 you know, what's the tracking mechanism for the folks
15 that are engaging in these programs and measuring
16 sort of the continuity of, you know, of
17 participation, and then even measuring sort of like
18 the outcome and the long-term outcome for that young
19 person?

20 COMMISSIONER DANNHAUSER: So, and just to
21 mention, the program counselor is a different role
22 than the Youth Development Specialist and special
23 officers in other titles that you've heard. Program
24 counselors are responsible for that as part of-- and
25 partner with case management folks who do a lot of

1
2 the work around continuity. So I'll turn to Charles
3 on that.

4 ASSOCIATE COMMISSIONER BARRIOS: Thank
5 you, Commissioner. Hello, Council Member. So, I'd
6 like to start with older youth programming. The
7 majority of the youth in our facilities now are
8 skewing older. We have contracts in place for
9 programming again through Community Center for
10 Alternatives. We've recently embarked on an exercise
11 to equalize programming at both facilities as those
12 services for older youth were initially implemented
13 at Horizon. It's the same vendor at both facilities,
14 and so young people have the opportunity to engage in
15 things like enrichment programming, but what's most
16 exciting is as of late, we've been introducing and
17 exposing kids to college access programming. So we
18 have partnerships with CUNY, primarily Kingsborough
19 Community College and La Guardia Community College.
20 There have been a number of courses that have been
21 implemented and we have two courses that are being
22 implemented over the course of the next couple of
23 weeks. One is through Kingsborough. It's a college
24 exploration course in real estate and construction
25 with additional courses being developed as we speak,

1 and those are going to be implemented in the fall.
2 We also entered into a partnership with Manhattan
3 College, and we're excited about that. And so we'll
4 be offering a college course in criminal justice
5 ethics, and this is available to young people who
6 have earned their diploma or GED diploma. The
7 programs that I alluded to earlier that are offered
8 through CCA, some of those also include things like
9 OSHA as you alluded to. Barbering, other vocational
10 offerings, but we're really looking forward to the
11 implementation of the RFP, because that will enable
12 us to provide a more comprehensive level of
13 opportunities for people to access things like career
14 readiness, college exploration, and specifically
15 things that will enable them to get jobs once they
16 are released and reintegrate into the community.

18 COUNCIL MEMBER CABÁN: And to be clear,
19 right, you know, I understand the description of what
20 is providing, but I'm interested in a data set.

21 ASSOCIATE COMMISSIONER BARRIOS: Okay.

22 COUNCIL MEMBER CABÁN: I'm interested in
23 being able to see what the numbers are and what the--
24 you know, and being able to measure that up to--
25 intended impact to actual impact. And so I would love

1
2 to follow up to be able to get some of that
3 information. I think, you know, the anecdotes are--
4 and descriptions are wonderful, but I'd really like
5 to see a hard data set on what we're seeing. And
6 then, thank you Chair for giving me a little bit of
7 extra time. I'm going to ask a quick series of
8 questions that I hope that you can answer, you know,
9 as succinctly as possible, but you know, I want to
10 know shifting gears some, do you prevent kids from
11 accessing telephones as punishment, and does lack of
12 staffing effect ability of escort staff and
13 therefore, you know, limit programming off the hall?
14 And then third, you know-- and this is a piece that I
15 will commend progress on. The last hearing that I
16 was at, I questioned the Administration with a lot of
17 concerns because I was hearing again from former
18 colleagues that children were getting a live
19 instructor once a week and then getting handed
20 packets for the rest of the week in terms of
21 educational instruction. So I'm glad to hear that
22 there is actually regular in-person teachers with the
23 kids, but to follow up on that, now that there is
24 that return to in-person instruction, are kids, you
25 know, required to go to school and sit before that

1
2 instruction so those- those four questions. So,
3 yeah, thank you. Or three questions, I'm sorry.

4 DEPUTY COMMISSIONER GINSBURG: So I'm
5 going to start with the education pieces. As you
6 know, education has been one of the primary focuses
7 on my career. It was very important when I came in.
8 We scheduled and held the Education Summit with
9 District 79. Leadership from District 79 came. The
10 Principal's, building leadership came. We held it at
11 Co-op Tech. Everyone got a tour of Co-op Tech after.
12 We are being very intentional about creating prongs
13 that we can use going forward where we can look at
14 individualized needs of the young people. There are
15 many of our kids who have been disconnected for
16 education, some of them for years before they came to
17 us. It is not realistic to expect them to engage
18 five days a week for a full school day. Our goal is
19 to really meet the young people where they are, to
20 support them with a goal of getting them to
21 participate all day, every day, understanding that
22 some of our young people have special needs. Some of
23 our young people are going to need one-on-one. The
24 infusion of tutoring has been tremendously helpful in
25 providing that one-on-one for young people who don't

1
2 learn well in a group setting, and we are going to
3 continue being very intentional about looking at the
4 various ways we can meet young people's
5 individualized educational needs, and we actually
6 started a conversation about, you know, whether or
7 not a classroom setting is actually appropriate for
8 all of our young people. And if there are different
9 ways that we can provide education so that they can
10 meet their attainment goals while still ensuring that
11 their individual needs are met. So, hopefully, we
12 will have lots to report going forward on this. The
13 young people are engaging with their teachers. We
14 are planning meetings throughout the summer so that
15 we are able to hit the ground in September, and
16 hopefully by mid-Fall we'll have some positive
17 reports for you.

18 COUNCIL MEMBER CABÁN: Thank you. And
19 then just to do the follow-up on the other two
20 questions, specifically asking whether kids are being
21 prevented from accessing phones as part of
22 punishment, and then does the lack of staffing effect
23 availability of escort staff and then therefore limit
24 programming a whole?

25

1
2 COMMISSIONER DANNHAUSER: During COVID it
3 had a huge impact, to staffing, not only the numbers
4 of YDS special officers, but whether they were
5 available to be in the building. There was lots of--
6 at times where a quarantine was necessary. We are
7 working through that and are getting kids to school
8 and to their program at a much higher rate. It is
9 something we're--

10 COUNCIL MEMBER CABÁN: [interposing]
11 What's that rate?

12 COMMISSIONER DANNHAUSER: I don't have
13 the exact percentage for you, but we'd be happy to
14 follow up on all of that.

15 COUNCIL MEMBER CABÁN: Please.

16 COMMISSIONER DANNHAUSER: The-- you know,
17 I think, again, going back to what Deputy
18 Commissioner Ginsburg said, our young people need to
19 be engaged. They, you know, in the morning getting
20 them to school as a haul [sic] is something our staff
21 are really committed to. They're waking them up.
22 They're getting them ready. They're-- and so if they
23 know what they're going to is individualized and what
24 they care about we think we'll see a much, much
25 improved rate. Around the phone calls, taking phone

1
2 calls away is never a punishment. We-- they have a
3 minimum number of phone minutes that they absolutely
4 get, and in our Stride program they continue earn
5 more minutes as they escalate along a behavior
6 continuum.

7 DEPUTY COMMISSIONER GINSBURG: Just to
8 add to that, I have been attending the resident
9 councils. These kid are very excellent self-
10 advocates and they have been asking us to consider
11 increasing the base number of calls or the number of
12 calls, number of minutes that they can earn. So we
13 are considering all of their requests, and we
14 hopefully will have something to report soon on that.

15 COUNCIL MEMBER CABÁN: Thank you.

16 COMMISSIONER DANNHAUSER: And excuse me,
17 yes, I just want to be very clear that our young
18 people's communication with their families is vital,
19 and with friends, etcetera. So, phone calls are
20 something that they are constantly focused on and we
21 are focused on. We are not going to use that as a
22 form of punishment.

23 COUNCIL MEMBER CABÁN: Thank you, and
24 thank you for the extra time.

1
2 CHAIRPERSON AYALA: Council Member
3 Stevens?

4 COUNCIL MEMBER STEVENS: Hi, good
5 afternoon. Wait, what time is it? Yeah, good
6 afternoon. I just have a few questions. and so I
7 always like to just ask around preventative measures
8 like even before the young people get there, because
9 one of the things that I found in the past working
10 with young people and families, a lot of times
11 families will come to ACS to get services and there's
12 so many roadblocks put up that they end up in the
13 detention center. So, I don't-- if there's any way
14 for you to talk about, like what are some things that
15 parents can do or you guys offer to actually really
16 make sure that they're preventative? Because I've
17 had so many times where parents have like,
18 [inaudible] I need help. I need, you know, support.
19 Whether it's like, you know, helping them evaluated
20 or different things, and it's a lot road blocks
21 that's put up. So, if any way you can talk a little
22 bit about that.

23 COMMISSIONER DANNHAUSER: Sure. Thank
24 you, Council Member Stevens. So, in 2021 we served
25 about a thousand young people in community-based

1 alternatives. Our Family Assessment program in JJI
2 are robust programs with community, and we also
3 partner with community-based organizations. So
4 they're in each borough, and they are available to
5 families. We work as a continuum of therapeutic
6 interventions. We're also adding Fair Futures to
7 that. I know that a lot of families come, and we want
8 there to be a full family intervention but they also
9 want their young people to have coaching and those
10 kinds of services, and so we're going to attach Fair
11 Futures to our MAP programs which are Mentoring and
12 Advocacy, and we want families to know that these
13 services are free. They're voluntary. They're
14 available. It's led by Associate Commissioner Ray
15 Tumer [sp?] here. I'm sure we could continue in
16 conversations about that, but this is one of the ways
17 I think we've dramatically decreased the number of
18 young people coming into care that Deputy
19 Commissioner Ginsburg was referencing. FAP is
20 available outside of the court system, and JJI is for
21 young people who are designated juvenile delinquents
22 and at adjudication. They come to JJI rather than
23 going to placement like Close to Home.
24
25

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2 COUNCIL MEMBER STEVENS: Yeah, no, I just
3 had so many encounters where families would look for
4 services and, you know, go and they would be like,
5 oh, you have to get the guardianship and all these
6 different things and all these different barriers,
7 and so just really thinking about how are we even
8 trying to prevent this and working with families so
9 that young people don't have to end up in the
10 detention centers.

11 COMMISSIONER DANNHAUSER: Can I just say
12 really quickly, Council Member, if you have anybody
13 who runs into such a situation we'd like to know
14 right away. It's a real commitment of mine to ease
15 pathways to our prevention services, both in our
16 child welfare and juvenile justice continuums it
17 should not be difficult to access. This
18 Administration is really committed to that access,
19 and we have available services and I would really
20 love to hear if anybody's running into any challenges
21 in that regard.

22 COUNCIL MEMBER STEVENS: No, absolutely.
23 I will definitely connect. I mean, this is-- this is
24 more when I was in direct service, but there's been
25 quite a number of families that I know who's had

1 multiple issues of just getting any services. You
2 know, going to court and trying to, you know, do the
3 different things and take the avenues, and then you
4 know, your young people ended up in a detention
5 center. So, just another question I have is around--
6 we know that when anyone goes into a detention
7 center, anything like that, it affects the whole
8 family. What specific services do you offer to
9 families while young people are in detention centers?
10 Because sometimes even that is traumatic, and if you
11 offer any at all? Because I know there's after care
12 sometimes for families, but is there anything being
13 offered to families while the young people are
14 serving to kind of help them and support them?

16 DEPUTY COMMISSIONER GINSBURG: So we have
17 case managers in each building. They're assigned to
18 each child and they are the conduit to the family
19 members, and they can take calls from families. They
20 report out information to the family members about
21 young people's progress or struggles they might be
22 having. They might facilitate treatment team
23 conferences. If a child has a particular issue, they
24 coordinate with the Bellevue Mental Health team to
25 ensure that parents are aware of the services being

1 provided. The Bellevue mental health team also
2 contacts parents and are in communication with
3 parents about the treatment that young people are
4 getting, and each site has parent advocates and
5 there's an ombudsperson in each building that is
6 available for parents to contact.
7

8 COUNCIL MEMBER STEVENS: Yeah, I was--
9 and those are great. Obviously, those things are
10 needed, but just thinking about some other things
11 around like parent support groups or, you know,
12 things like that or things that I think are important
13 and we should be thinking about as well because it's
14 a hard task and a lot of times these parents have
15 gone through so much, and you know, having their child
16 there, whether that's like counseling or support
17 services or something, I think it's something we
18 should definitely be thinking about as well. And if
19 the Chair allows, I just have one more question. I
20 know we talked about staffing and things like that.
21 Can you talk little bit about what that training
22 looks like for the staff and what-- like, what's
23 being offered for them to be able to work with young
24 people around like therapeutics, and what are some of
25 requirements in candidates that you're looking for?

1
2 COMMISSIONER DANNHAUSER: Sure. So it's
3 a six-week training course. They start with two weeks
4 in our James Satterwhite Academy. They come to the
5 detention facilities for two weeks and do on-the-job
6 training. This is important, right? A lot of folks
7 will say, "Oh, training was very different then." So
8 it's woven in, and then they-- two weeks, they go
9 back into the Academy. It's many of the things that
10 you mentioned. It's around engaging young people.
11 It's around creating safer environments and
12 supervision. It's around de-escalation. In addition
13 to what it trains, it's really important that to
14 share with you how. In addition to the on-the-job
15 training, ACS has a simulation where staffer really
16 working with paid actors who get to know-- they've
17 all been in the facility, they've all learned about
18 it, and they get to know-- they represent young
19 people, some who have-- might have a special need.
20 They represent young people who might struggle with
21 anger, and we got to watch actually last week with
22 the Deputy Mayor the new YDS going through this, and
23 then they debrief and learn. So it's-- in addition
24 to the content, the sort of practice modality of
25 continuing to get the practice and debrief and

1
2 actually watch themselves go through this process has
3 been really powerful.

4 COUNCIL MEMBER STEVENS: And what
5 qualifications does one need to have-- because even
6 with that training, like, and it's only six weeks.
7 Like, what qualifications does one need to have to do
8 this work?

9 COMMISSIONER DANNHAUSER: you know, most
10 important-- obviously they go through an extensive
11 background process and extensive interview and sort
12 of skill-based review to make sure that they have the
13 skills, but we're looking first and foremost people
14 who believe in young people, who care about them, who
15 have a rapport with them, who young people can see.
16 Sometimes they have-- they're from the communities
17 that young people re from, that they can connect with
18 them. So we really want to first and foremost make
19 sure that young people have in their living spaces
20 every single day adults that they can look up to.
21 And so we have a whole process of making sure that
22 we're evaluating that. They get evaluated through
23 the training process. Having this training process
24 before they come into the work is really vital,
25 because it also gives us a chance to observe their

1
2 tendencies and whether they really are fit for the
3 job. We can get you the exact qualifications beyond
4 that, but again, it's really-- it is someone who's
5 going to develop a strong relationship for young
6 people and be a role model for them.

7 COUNCIL MEMBER STEVENS: And just one
8 more question, I'm sorry. How many social workers or
9 psychiatrists and things like that are at each
10 facility?

11 COMMISSIONER DANNHAUSER: IN all of the
12 domains that we described earlier, sort of program
13 counselors, case managers, our Bellevue and Floating
14 Hospital, there's a range of professionals. There's
15 psychiatrists, psychologists, social workers. So
16 across the continuum, I don't have the exact number
17 for you, but they are integrated lots of
18 professionals, again, social workers and other
19 behavioral health and medical professionals are
20 integrated into both of the buildings.

21 COUNCIL MEMBER STEVENS: Okay. And you
22 don't have the exact numbers. By any chance, would
23 you be able to get it to the committee after?

24 COMMISSIONER DANNHAUSER: Sure. We can
25 sure take a look at that for sure.

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COUNCIL MEMBER STEVENS: Thank you.

CHAIRPERSON AYALA: Council Member

Restler?

COUNCIL MEMBER RESTLER: Thank you, Chair

Ayala, and it's good to be with you, Commissioner.

Congratulations again on the appointment. I think

that the Mayor made an inspired choice at ACS, and

congratulations to Deputy Commissioner Ginsburg and

the whole team. I want to especially shout out

former colleagues Jill Krauss [sp?], Stefanie

Gendell. You guys do a phenomenal job. So we see

you and appreciate you. And I would be totally

remiss to not say something that is nothing in

relation to this hearing, but is the primary issue

that I interface on ACS which is childcare,

appreciate your leadership on that. We would love to

do some sort of recurring check-in with folks from

your team just to make sure that we're getting

information out to our community. But thank you

again for prioritizing vouchers. We greatly

appreciate everything that has been underway in the

Adams' Administration on that front. Secure

capacity-- so firstly, congratulations on getting DOC

out. That is a victory for all, and we are

1
2 appreciative that Horizons and Crossroads are now
3 fully under the control of ACS. That is a good thing
4 for our young people. I know that was no easy feat,
5 and you and your teams deserve a great deal of credit
6 for making that happen. My understanding, and I know
7 that our distinguished Chair went back and forth with
8 you on this, is that you are at close to capacity in
9 these facilities, or nearing capacity in these
10 facilities. I'm particularly concerned about the
11 longer stayers, and I was wondering if you could
12 share any strategies for how we can do a better job
13 of trying to get some of the folks who-- some of the
14 older young adults who are in there for extended
15 periods of time, especially out, and what we can do
16 there. Recognizing many of the young people who are
17 there are just in and out for a day or two.

18 COMMISSIONER DANNHAUSER: SO, Council
19 Member, first, thank you for your leadership and
20 advocacy around childcare that we absolutely are
21 committed to continuing to be in conversation as we
22 work through the wait list and get many, many more
23 families the childcare supports that they need and
24 deserve. Each facility has a capacity of 106. So,
25 today, there are app-- a little over 80 young people

1
2 at Crossroads, and about 60 or so at Horizon. So, we
3 are not quite at capacity, thankfully. Clearly, the
4 kids who stayed long times-- we're talking multiple
5 years, as you may know, for some young people who
6 were with us through the pandemic. We are seeing the
7 courts move more quickly. Our role is to make sure
8 that they have access to their attorneys as Deputy
9 Commissioner Ginsburg mentioned earlier for due
10 process, and that they're getting to court. We have
11 a dedicated group of staff, court services staff that
12 transport and make sure young people are safe. We
13 have been working with the court system. We flag for
14 them young people who have long lengths of stay that
15 do not have upcoming court hearings in the near
16 future. I'd say that the judge [inaudible] has been
17 very supportive in that regard, and we are pleased to
18 see the courts beginning to move more quickly.

19 COUNCIL MEMBER RESTLER: Okay, if we can
20 be helpful in advocating together, we're obviously
21 happy to do so. I know that our colleagues in Albany
22 added some Family Court capacity in the budget.

23 COMMISSIONER DANNHAUSER: Yes.

24 COUNCIL MEMBER RESTLER: That was needed.
25 I've been dismayed of the speed at which the courts

1
2 have moved, both as it relates to our young adults
3 and our adults, and people have been stuck in
4 detention, stuck in jails that they should not be in,
5 and I am deeply disappointed about it. As it relates
6 to non-secure detention, are there-- where are we at
7 capacity there? Are there any current plans to
8 expand Close Home, or is that not needed at this
9 time?

10 COMMISSIONER DANNHAUSER: We are in good
11 shape on non-secure detention. So we have-- I think
12 we're at around 25 percent capacity for non-secure
13 detention. For Close to Home we are-- we recently
14 released the concept paper and are moving towards the
15 RFP. We are reducing capacity there. We're really
16 grateful to the Mayor and to OMB to support using
17 most of the money in the Close to Home continuum to
18 make it a more robust and intensive. So, as I
19 mentioned in my testimony, we'll go from 12 youth per
20 facility to eight youth. We're adding lots of
21 programming in there. We're adding the Close to Home
22 work through the workforce RFP. So, we were at 301
23 capacity Close to Home. We brought that down with a
24 very small PEG to about 293, and but this RFP will
25 have about 170. And again, we have about 63 young

1
2 people who are Close to Home today. It may still seem
3 like a lot, but it is important that we meet all of
4 the specialties, right? So we have to make sure
5 that young people with different needs have the right
6 facility for them, the right community, and
7 obviously, by gender as well.

8 COUNCIL MEMBER RESTLER: That's great.

9 And then the last question I just wanted to ask, at
10 the Chair's discretion, of course, is you know, I'm
11 concerned about the staff shortage. I'm also
12 concerned about the number of workers that are
13 consistently pulling 12-hour days. Do we have a
14 timeline for when we can get these folks who have,
15 you know, gone above and beyond to an eight-hour day?

16 COMMISSIONER DANNHAUSER: We are still in
17 conversations with the union on that, but we are very
18 close. We are aiming for early September to be able
19 to do that. We did, in conversations with staff,
20 hear that they wanted us to be deliberate in that
21 process. There's a whole process of choosing
22 schedules by seniority. We have folks who have built
23 their lives around the four days that will need to
24 shift. And so we think we're close to an agreement,
25 and we really appreciate 371's partnership on this to

1
2 move back to September. That also gives us a little
3 bit, but not much time to make sure that we bring as
4 much staffing on as we can, because obviously the
5 three tours instead of the two require more robust
6 staffing.

7 COUNCIL MEMBER RESTLER: Right. We're
8 fortunate to have 371 as a partner, because they are
9 one of the unions who are mission-driven, and care as
10 much about expanding programming and providing
11 quality services to our young people as they do about
12 anything else. But you know, a 12-hour work day for
13 years is profoundly straining for workers in highly
14 intense situations. And so recognizing that you face
15 staffing shortages and that it takes time to work
16 things out, I do hope that you will you prioritize
17 completing a transition to an eight-hour work day as
18 quickly as possible for these people who have worked
19 incredibly hard to support our communities.

20 COMMISSIONER DANNHAUSER: Thank you,
21 Council Member. I couldn't agree with you more. Our
22 staff have been extraordinary through the pandemic
23 doing 12-hour tours, sometimes working even more
24 hours than that. You know, when we talk to them in
25 the town halls we are thanking them directly. I will

1
2 add your thanks to them. I know Chair Ayala was able
3 to offer them directly. You know, I think we have to
4 get to a place that is sustainable for our staff.
5 They are the backbone of this work. So we are of one
6 mine and accord on that.

7 COUNCIL MEMBER RESTLER: Thank you very
8 much.

9 CHAIRPERSON AYALA: Thank you, Council
10 Member. And I want to thank you for coming today.
11 Obviously, we've learned a lot. We expect more
12 information in a few-- in the upcoming weeks, and I
13 look forward to coming by this summer. I think maybe
14 I'll invite some of them up to the committee--

15 COMMISSIONER DANNHAUSER: [interposing]
16 Please.

17 CHAIRPERSON AYALA: to come as well, and
18 I know I owe you a visit in Brownsville as well. So
19 thank you for being here today, and to the public, if
20 there's anyone in the audience today that is in-
21 person that wishes to testify, please see one of the
22 Sergeants at Arms. With that, thank you so much.

23 COMMISSIONER DANNHAUSER: Thank you so
24 much. Thank you, Deputy Speaker. I really
25 appreciate it.

1
2 COMMITTEE COUNSEL: Alright, we are now
3 going to move on to public testimony, and of right
4 now, all of those who have signed up for public
5 testimony will be joining us virtually.

6 UNIDENTIFIED: [inaudible] oh shit
7 [inaudible].

8 COMMITTEE COUNSEL: I am now going to
9 call up the first panel. The first panel-- and again,
10 just a reminder that members of the public have two
11 minute to testify. You have two minutes to testify,
12 but you can always, of course, submit your full
13 written testimony after the hearing, 72 hours within
14 the date of the hearing at testimony@council.nyc.gov.
15 So I'm going to call up our first panel. Our first
16 panel is going to be in the following order: Hillela
17 Simpson, followed by Lisa Freeman, followed by
18 Jessica Prince. Over now to Hillela Simpson.

19 SERGEANT AT ARMS: Time starts now.

20 HILLELA SIMPSON: Hi, my name is Hillela
21 Simpson. I am a Trial Attorney in the Juvenile
22 Defense Unit at NYCDS. My colleagues and I represent
23 children in felony Raise the Age cases in both
24 Supreme Court and Family Court. I want to thank the
25 committee and Chair Ayala for holding this hearing

1
2 today and giving us an opportunity to comment on the
3 issue of juvenile detention in New York City. We're
4 also grateful to the Mayor for appointing Nancy
5 Ginsburg, and we look forward to continuing to work
6 together. I want to start by saying that this is a
7 racial justice issue. Black and Latina children are
8 over-represented in both the court system and
9 detention, meaning that the harms that we're
10 discussing today are being disproportionately borne
11 by youth of color. This only serves to exacerbate
12 existing racial disparities due to a lack of
13 investment in the first instance in these young
14 people's schools, health, communities, and futures.
15 Our clients are generally between the ages of 14 to
16 18, and they're in a unique and important
17 developmental stage at that point that will set the
18 trajectory for the rest of their lives. Detention is
19 harmful to this trajectory. It exacerbates existing
20 mental and behavioral health problems and increases
21 the likelihood of depression, suicide, and self-harm.
22 The lack of education within these facilities has
23 caused children to fall behind or even further behind
24 in school or just engage entirely. We are looking
25 forward to the changes in in-person education that

1
2 has been discussed here today, and I hope to have
3 more of these hearings where we can update you on
4 what education is looking like at Horizons and
5 Crossroads as this new Administration works to shift
6 away from packets, towards led [sic] instruction.
7 Detention also necessarily means that our clients are
8 being separated from their families and support
9 networks, and we're concerned about the amount to
10 which phone calls to family are severely limited.

11 SERGEANT AT ARMS: Time expired.

12 CHAIRPERSON AYALA: Are you almost-- are
13 you ready to wrap?

14 HILLELA SIMPSON: If I can just conclude
15 briefly.

16 CHAIRPERSON AYALA: Okay.

17 HILLELA SIMPSON: We're also concerned
18 the extent to which the numbers in detention are
19 being increased by pre-trial detention, especially in
20 the Youth Part and the inability for families to post
21 bail which is leading and I think unnecessarily
22 increasing the numbers of young people who are in
23 these facilities. We're also very concerned about
24 young people's guardians and their attorneys not
25 being notified when there are incidents of violence

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2 in facilities, including when our young people are
3 injured. And in conclusion, we would urge the
4 Council to think more boldly about rejecting
5 detention as an appropriate place for young people
6 and work with the City and State to divert children
7 from detention altogether. Thank you for your time.

8 CHAIRPERSON AYALA: Thank you. Just, I
9 have a quick question before we jump over to the next
10 panelist. Do you know what the time frames for the
11 parental notification currently is when there's an
12 injury?

13 HILLELA SIMPSON: My understanding
14 anecdotally is that when we have found out about
15 incidents happening and young people being physically
16 harmed, we are finding out from the young person
17 themselves and not from the facility.

18 CHAIRPERSON AYALA: Alright. Thank you.

19 COMMITTEE COUNSEL: Thank you for your
20 testimony, Hillela. Now going to turn to Lisa
21 Freeman for testimony. Over to Lisa.

22 SERGEANT AT ARMS: Time starts now.

23 LISA FREEMAN: Good afternoon, Chair
24 Ayala, and thank you so much for giving me the
25 opportunity to testify. My name's Lisa Freeman. I'm

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2 from the Legal Aid Society, formerly collaborated
3 quite closely with Nancy Ginsburg and also thrilled
4 to have her in her new role. I'm the Director of the
5 Juvenile Rights Special Litigation and Law Reform
6 Unit. We represent the majority of children charged
7 as juvenile delinquents in Family Court, and our
8 Criminal Defense practice represents a majority of
9 those charged-- of young people, children, charged in
10 adult court both as juvenile offenders and adolescent
11 offenders. So, I want to just touch on a couple of
12 points that some of which have been mentioned
13 already. The lack of adequate staff in these
14 facilities that has been acknowledged has been given
15 rise to a variety of problems, some of which directly
16 touch on the ability to have confidential
17 attorney/client conversations with our clients. So,
18 normally, case managers facilitate those calls, but
19 that has not been happening because of staff
20 shortages, and instead, we wind up speaking with
21 clients when they are in their halls where-- which
22 are not confidential settings. We also, as the prior
23 speaker mentioned, have difficulty hearing about
24 incidents that affect our clients because of shortage
25 of staff, or what seems to be a shortage of staff or

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2 a lack of communication with case managers. Video
3 conferencing which had been going on since the
4 pandemic was ended about six months ago, and there
5 are also delays when we actually go to visit in-
6 person. So all of these issues we believe arise from
7 a lack of escort staff, but are really problematic.
8 We also have been hearing about a lack of access to
9 outdoor recreation and to programming for kids.

10 SERGEANT AT ARMS: Time expired.

11 LISA FREEMAN: If that's alright, I will
12 conclude quickly. I did want to touch on the bill in
13 Section 294. We support the bill, the provision of
14 the disclosure to parents, but we would advocate that
15 that include children as well, because children are
16 in the same situation as parents and need to
17 understand their rights in that setting when there's
18 a child protective investigation. Finally, we would
19 also just note that there's a lack of confidentiality
20 in the detention facilities and the court houses as
21 well, and we would encourage the City Council to take
22 a look at that. So, thank you very much.

23 CHAIRPERSON AYALA: Thank you.
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2 COMMITTEE COUNSEL: Thank you, Lisa, for
3 your testimony. Now, going to move to Jessica Prince
4 for testimony. Over to Jessica.

5 SERGEANT AT ARMS: Time starts now.

6 JESSICA PRINCE: Thank you for the
7 opportunity to testify today. My name is Jessica
8 Prince, and I am Policy Counsel to the Family Defense
9 Practice at the Bronx Defenders. I am here to
10 testify about Intro. 294. In his remarks, the
11 Commissioner glossed over this bill and the
12 importance of parents understanding an ACS
13 investigation. In the past, ACS has actively opposed
14 parents being made aware of their rights at the start
15 of an investigation. I'm disappointed that the
16 Commissioner did not state more explicitly what
17 information he does not want parents to know. As
18 practitioners representing parents accused of abuse
19 and neglect, we bear witness to the harmful, inhumane
20 ways that ACS disrupts the lives of New York
21 families, particularly in low-income communities of
22 color. The system is too quick to separate families
23 and too quick to label parents as neglectful. Even
24 when families are not separated, they are subjected
25 to government intrusion and surveillance, violations

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2 of familial privacy and integrity that have
3 consequences that long outlive the case. To begin to
4 disrupt the harmful long-lasting impacts of the
5 family regulation system, we must embrace reforms
6 that protect the rights of and shift power back to
7 families. Intro 294 touches on this critical issue
8 of parents being informed of their rights at the
9 start of an ACS investigation, and in the past
10 parents-- advocates for parents have worked
11 extensively with the Progressive Caucus of the City
12 Council, you know, on previous iterations of this
13 bill, and we hope to continue working with you here
14 to strengthen it. Rights are only meaningful if
15 people are aware of their-- of those rights'
16 existence. It is critical that these rights be
17 communicated to parents both orally and in writing in
18 the parent's preferred language. For that reason,
19 this bill should require that when ACS first makes
20 contact with a parent or caregiver, they inform them
21 of several things.

22 SERGEANT AT ARMS: Time expired.

23 JESSICA PRINCE: If I could just finish
24 quickly.

25 CHAIRPERSON AYALA: go ahead. Go ahead.

1
2 JESSICA PRINCE: They should inform them
3 of several things. First, that they are not-- that
4 the parent is not required to grant ACS entry to
5 their home, that anything the parent says can and
6 will be used against them in a Family Court or
7 administrative proceeding, that they have the right
8 to speak with an attorney, that they are not required
9 to allow ACS to question their children or search
10 their children's bodies, that they are not required
11 to sign HIPAA releases or take drug tests, or submit
12 to mental health evaluations, and that there are
13 legal offices offering representation during ACS
14 investigations throughout the City, like the Bronx
15 Defenders, Brooklyn Defenders, Neighborhood Defender
16 Services of Harlem, and Center for Family
17 Representation. An ACS investigation is a traumatic
18 imposition on a family, and the only way we can begin
19 to ensure that parents understand how to navigate
20 these investigations is to make clear to them that
21 they have rights. Thank you.

22 CHAIRPERSON AYALA: Thank you.

23 COMMITTEE COUNSEL: thank you, Jessica
24 for your testimony, and thank you to this entire
25 panel for your testimony. I'm now going to call on

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2 our next panel which is all going to be virtual as
3 well. In the following order, panelists will be Amy
4 Lin, followed by Joyce McMillan, followed by Shalonda
5 Curtis-Hackett, and followed by Cassandra Gonzalez.
6 We're going to now begin with Amy Lin. Over to Amy.

7 SERGEANT AT ARMS: Time starts now.

8 AMY LIN: Good afternoon. My name is Amy
9 Lin, and I'm a Policy Fellow at CACF, the Coalition
10 for Asian-American Children and Families. Thank you
11 very much to Chair Ayala for holding this hearing and
12 providing this opportunity to testify. Founded in
13 1986, CACF is the nation's only Pan-Asian children
14 and families advocacy organizations and leads the
15 fight for improved and equitable policy systems,
16 funding, and services to support those in need. We
17 are testifying today in support of Intro 294 and we
18 thank the sponsors of this bill for bringing it
19 forth. CACF has long worked with our member
20 organizations and with ACS to address the challenges
21 faced by AAPI families in the child welfare system in
22 language access, especially at the time of a child
23 protective investigation. When language and cultural
24 barriers are present, misunderstanding and delayed
25 access to supportive services results in unnecessary

1 trauma to children and families. In New York City,
2 Asian Americans and Pacific Islanders, or AAPIs, are
3 majority immigrant and have the highest rate of
4 linguistic isolation of any group, as 46 percent have
5 limited English proficiency, meaning that they speak
6 English less than very well. Language barriers that
7 exist within the child welfare system in New York
8 City include a mismatch in interpretation services
9 with requested language and dialect, a lack of
10 quality interpretation and interpreter bias in
11 working with families, delays in accessing
12 interpretation in youth services like Google
13 Translate in a pitch, in poor quality translation of
14 written materials that do not convey information
15 accurately. Limited access to culturally responsive
16 and linguistically accessible services especially at
17 the first point of contact with the child welfare
18 system leads to misunderstandings of family needs and
19 children's safety. We have heard from our member
20 organizations of instances where due to lack of
21 language access and cultural humility, families
22 routine cultural practices have been misconstrued as
23 abuse by Child Protective workers. In other
24 situations, child protective services have missed
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2 accurate assessments of family's real needs and
3 challenges. We would like to acknowledge the recent
4 efforts of ACS to work CACF and invite and understand
5 some of our AAPI community needs. Prior to COVID,
6 CACF coordinated ACS and our partner organizations to
7 provide trainings directly in ACS child protective
8 field offices on working with diverse AAPI families.
9 These trainings were very well received, and we hope
10 to continue that work.

11 SERGEANT AT ARMS: Time expired.

12 AMY LIN: If I could just quickly wrap.

13 CHAIRPERSON AYALA: Sure.

14 AMY LIN: Still there remains much to be
15 done and multiple families are languishing because
16 there's a lack of quality data and understanding of
17 community needs. Despite Local Law 126 that called
18 for city agencies to collect disaggregated data by
19 ancestry and language, steps can still be made by ACS
20 to improve data on families in touch with the system
21 to ensure a proper response to their needs. All
22 services should be linguistically accessible at all
23 access points. City agency must go beyond simple
24 translation and interpretation services. Sustained
25 oversight is needed to ensure that strategic policies

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2 and investments targeted a meliorating the cultural
3 gap between immigrant communities and child welfare
4 systems are implemented. We are fully supportive of
5 a law requiring ACS to provide a multilingual
6 disclosure form to parents or guardians during a
7 child protect investigation, and look forward to more
8 partnership in the future. Thank you very much for
9 your time.

10 CHAIRPERSON AYALA: Thank you.

11 COMMITTEE COUNSEL: Thank you, Amy, for
12 your testimony. Now going to turn to Joyce McMillan
13 for testimony. Over to Joyce.

14 SERGEANT AT ARMS: Time starts now.

15 JOYCE MCMILLAN: Good morning. Thank you
16 for this opportunity to testify here today. My name
17 is Joyce McMillan. I am the Executive Director of
18 JMacForFamilies and the founder of PLAN, Parent
19 Legislative Action Network, a coalition of advocates
20 interested in making life better for families and
21 children who become involved with the child welfare
22 system. I'm here specifically to speak about Intro
23 294 and the importance of parents knowing their
24 rights from the moment that CPS knocks. To follow up
25 on Jessica Prince's testimony, I'd like to say one of

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2 the reasons people have-- they concerned about this
3 legislation of advising people of their Fourth
4 Amendment rights, not to allow a government official
5 into their home. It's because we hide behind the
6 safety of a child. The safety of a child should not
7 hinge on violating Fourth Amendment rights of any
8 American citizen. But furthermore, ACS is quite
9 aware that it's not an emergency when they come to
10 the home of a family and weaponized the armed forces
11 police, NYPD, against families when they do know
12 their rights and choose to exercise them. When you
13 call the state central registry to place a concern
14 about a family, the first thing that happens is a
15 recording comes on that says, "If this is an
16 emergency, please hang up and call 911." The person
17 remains on the line and speaks to an OCFS
18 representative who takes the concern about the
19 family. Up to 72 hours later, ACS responds.
20 Therefore, there is no emergency and they treat every
21 situation as an emergency and acts as though they
22 have to get entrance to the home in that moment.
23 It's not true, and I ask that this Council stand with
24 families and communities to stop-- to prevent us from
25 having our rights violated from these unnecessary

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2 invasive intrusions by ACS when they know there's no
3 emergency of a child being at eminent risk of danger
4 of harm. I would further like to ask a question of
5 ACS. How many children in the foster home placement
6 situation are transferred from foster home placement
7 into the juvenile detention centers?

8 SERGEANT AT ARMS: Time expired.

9 JOYCE MCMILLAN: [inaudible] children.

10 And last, I would just like to say to the Council, I
11 had several parents who were on this call this
12 morning text me during the testimony, and I would
13 stand in agreement with them that the reassurance of
14 ACS that they're doing a good job feels very unfair
15 to us, and it borderlines feeling like fraternizing,
16 and we would ask that at future hearings we refrain
17 from doing that, because we don't get the same
18 accolades when we come on and testify and share our
19 stories. Thank you.

20 COMMITTEE COUNSEL: Thank you, Joyce for
21 your testimony. I am now going to turn to Shalonda
22 Curtis Hackett. Over now to Shalonda.

23 SERGEANT AT ARMS: Time starts now.

24 SHALONDA CURTIS HACKETT: [inaudible]
25 regulation system known as ACS. My only offense was

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2 advocating against anti-blackness, transphobia,
3 homophobia at my children's elementary school, PS147
4 in Brooklyn. Exactly one year ago my family was
5 falsely accused of malnourishment and endangering our
6 children. On June 8th, I received a call from a
7 woman stating she was from ACS. She said she would
8 have to come to my home and inspect my two children.
9 She would not tell me what the allegations were for,
10 but after repeatedly requesting, she eventually
11 disclosed the reason for her call. The language and
12 amount of information she said was used in a
13 reporting could only be stated by someone trained to
14 know what would trigger an investigation. As a
15 parent, my sole job is to protect my children. I was
16 scared, angry and disgusted that someone from their
17 school would dehumanize our family because they
18 didn't want to reconcile their complicity in white
19 supremacy. Instead, they used the system rooted in
20 white supremacy to attack my family. After several
21 phone calls I consented because I was threatened with
22 the police and possible removal if I refuse. With
23 both evils being presented, I consented to what I
24 thought was the lesser. Never once was I explained
25 my rights, nor that I had the right to speak to an

1 attorney. I was pressured into compliance. For 30
2 days my family was involved in the system despite her
3 saying herself that, in fact, this was malicious and
4 my children were well taken care of. I along with
5 thousands of families enter in this system under
6 coercion, ill-informed-- ill-information and ill-
7 equipped to exercise our rights. Thus, this common
8 sense bill does not create any new rights. It simply
9 ensures that we have information about existing
10 rights so that we can make informed decisions for our
11 family. Parents need to know their rights from the
12 very beginning. Had I known what I know now, I could
13 have made informed decisions out of knowledge and not
14 fear. This is a racial justice issue. I was
15 targeted by a school and Department of Education that
16 serves black and brown children on a silver platter
17 to funnel through the family regulations system as
18 property. While many may say my case is not severe,
19 we should never had been in the system in the first
20 place, and I personally know too many black mothers
21 and children who fare worse. Families who survive
22 the system do not get shout outs or any recourse, nor
23 support from the trauma we experience at the hands of
24 the family regulation system after our rights have
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2 been violated. All we are left with is the anxiety
3 of being thrust back into the system at any given
4 moment.

5 SERGEANT AT ARMS: Time expired.

6 SHALONDA CURTIS HACKETT: I'm going to
7 finish here. Again, I am asking that you support this
8 bill and inform parents and caregivers of their
9 rights in the very beginning and throughout so we can
10 make informed decisions that are best for our family.

11 CHAIRPERSON AYALA: Thank you.

12 COMMITTEE COUNSEL: Thank you, Cassandra-
13 - Shalonda for your testimony. I am now going to turn
14 to Cassandra Gonzalez for testimony. Over to
15 Cassandra.

16 CASSANDRA GONZALEZ: Hi, I'm--

17 SERGEANT AT ARMS: [interposing] Starting
18 time.

19 CASSANDRA GONZALEZ: Hi, thank you. I
20 also want to talk about Intro 294. Hi, my name is
21 Cassandra Gonzalez. I identify as Afro-Latina. I live
22 in NYCHA. I'm also a parent impacted by the child
23 welfare system. I would have loved to have known my
24 rights when ACS, between my lived experience and the
25 stories that I have listened to from others, to go

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2 into my house during an investigation, and it was
3 neglect and not child abuse. For the ACS worker to
4 say she's checking for marks and bruises, and every
5 time, including taking off my son's pamper had made
6 me feel very uncomfortable. It was very uneasy. And
7 when I was able to go and speak to someone about my
8 rights the second time when she asked, it was kind of
9 like a little bit different. I would like to note
10 that I am respected and acknowledged my rights, and
11 that, you know, it would had been good to know what I
12 am-- what my rights are as well as what I'm allowed
13 and what is not allowed for them to go and do when
14 they enter into your home, because as a woman of
15 minority and having children of minority, it does
16 make it-- you know, when you get that call and they
17 come in, it's a different experience. I would like
18 to thank you for your time and space to be here.

19 CHAIRPERSON AYALA: Thank you for coming.

20 COMMITTEE COUNSEL: Thank you to this
21 entire panel for your testimony. I'm now going to
22 turn to our next panel. Our next panel, as far as
23 who has registered, is Heather Imperiale, Asia, Esay
24 Azaneh [sp?], and Dessera Wright. Now going to turn
25 to Heather Imperiale.

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2 SERGEANT AT ARMS: Starting time.

3 HEATHER IMPERIALE: Thank you. I was just
4 unmuted. I would like the Committee to investigate
5 the gross maltreatment of parents who have been
6 accused of neglect and/or abuse. In Criminal Court,
7 innocence is presumed until guilt is proven. In
8 Family Court, guilt is assumed, and when innocence is
9 proven, prolonged, agonizing separation to go to
10 interim solution, and there are no apologies for the
11 mountains of damage done to a person's children,
12 personal life, livelihood, and family. ACS
13 investigations are cruel and unusual punishment of
14 overwhelmingly innocent human beings. The separation
15 of a parent and child is wholly unnatural and the
16 vast majority of the time unnecessary. The
17 psychological damage done to children and babies
18 separated from their parents is profound and
19 lifelong. Investigators use scare tactics to pry
20 irrelevant information out of terrified parents by
21 telling them if they don't cooperate they will have
22 to remove their children. They take your kids anyway
23 and use the information you shared out of context to
24 incriminate you, often times exaggerating or flat out
25 lying. My case planner lies under oath every time

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2 we're in court, and people within the system are
3 trained to believe agency personnel over parents,
4 which is downright wrong. There is little to no
5 oversight, and where there is, it is insufficient.
6 The psychological abuse goes on unfettered,
7 empowering case workers to walk all over parents' and
8 children's' rights. Addiction is criminalized.
9 Poverty is criminalized. Parents are vilified for
10 their communities falling short providing for their
11 basic human needs. Needing help for anything becomes
12 a horrifying situation to be in, not only because you
13 have a lack of ability to provide for your family
14 which is a scary feeling in and of itself, but
15 because you know that asking for help is even more
16 dangerous to your family's wellbeing. You hesitate
17 and continue to suffer with the addition of paranoia
18 that any knock on your door can be the end of your
19 family as you know it. When that knock does come,
20 ACS intimidates parents using their soulless scare
21 tactics, including threats and police presence to
22 enter your home and turn your private living space
23 upside down, invading every nook and cranny of your
24 personal space in a hunt to find anything they can
25 blow out of proportion to annihilate your family.

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2 They will strip search your children who you have
3 taught not to show strangers their naked bodies, and
4 any normal cut, bruise or rash the kids will get will
5 be used to accuse their parents of abuse. ACS is the
6 real abuser. This is unwarranted disparagement--

7 SERGEANT AT ARMS: [interposing] Time
8 expired.

9 HEATHER IMPERIALE: May I conclude? I'm
10 almost finished.

11 CHAIRPERSON AYALA: You may.

12 HEATHER IMPERIALE: This is unwarranted
13 disparagement and ongoing unchecked abuse that needs
14 to be stopped. Parents need to know from the onset
15 of an investigation that ACS does not have the right
16 to enter your home without a court order, and that
17 anything you say can and will be used against you in
18 a court of law in a vile attempt to destroy your
19 family and life. Children exposed to foster homes
20 are four times more likely to attempt suicide.

21 Mothers who have been stripped of their children are
22 five times more likely to commit suicide. This
23 injustice kills, and those whose lives it spares are
24 subject to lifelong [inaudible] of PTSD symptoms and
25 the professional and social [inaudible] of a history

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2 with ACS or so-called foster parents. Four percent
3 of people who experience foster care go on to
4 college. The vast majority end up homeless, in
5 gangs, addicted, incarcerated, mentally ill, all
6 emotionally sick and suffering. When they have
7 babies, those babies are more likely to be subjected
8 to the foster system, and this vicious cycle
9 continues. Stop this madness now. To truly protect
10 kids, we need to protect the people who love them the
11 most, their parents. Please keep loving families
12 together.

13 CHAIRPERSON AYALA: Thank you.

14 HEATHER IMPERIALE: Thank you.

15 COMMITTEE COUNSEL: Thank you, Heather,
16 for your testimony. Seeing now that we do not have
17 anyone else logged in who has registered to testify
18 at today's hearing, at this point, if we have
19 inadvertently missed anyone who is currently logged
20 in who has not testified and wishes to do so, if you
21 can please use the Zoom raise hand function. Seeing
22 Joyce McMillan with a hand raised.

23 DESSERAY WRIGHT: Hi, yes, I'm Dessaray
24 Wright. I am in attendance. My-- I couldn't get into
25 the link, but yes I'm Dessaray Wright. I'm an

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2 advocate. I'm an affected parent as well, and I work
3 closely with PLAN and JMacForFamilies. I believe
4 that parents need to know their rights. It is
5 imperative. It is due process, right? We should be
6 protected by the law criminals are. I mean, in the
7 criminal system it is done. Families need to know
8 that. It is systematic racism when parents are not
9 knowing their rights and they're being-- their homes
10 are being intruded, kids are being strip searched.
11 Half these allegat-- a lot of these allegations are
12 frivolous [sic]. They're not where a child should be
13 subjected to coming in the home, looking in the
14 refrigerator. I have to get questions from my son,
15 "Why are these people looking at my body?" He's only
16 a baby and you have to explain this to their child.
17 They use the tactics of bringing the police into your
18 home and trying-- potentially-- just scaring your
19 child as well when the child sees the police, sees
20 these authorities coming into your home, basically
21 pushing their way into your home, and families are
22 not knowing their rights. And I believe that every
23 mother and every family in New York City, all over,
24 should know their rights. All over the world should
25 know their rights and know what they're going against

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2 when it comes to ACS knocking on your door. And
3 thank you for having me here today.

4 CHAIRPERSON AYALA: Thank you.

5 COMMITTEE COUNSEL: Thank you, Dessera, y,
6 and thank you to this panel for testimony. Chair
7 Ayala, at this point, we do not have any additional
8 members of the public signed up to testify.

9 CHAIRPERSON AYALA: With that, I want to
10 thank all of the panelists for attending today's
11 hearing, and this hearing is adjourned.

12 [gavel]

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GENERAL WELFARE COMMITTEE

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 20, 2022