

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GENERAL WELFARE

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OCTOBER 21, 2021  
Start: 12:38 P.M.  
Recess: 12:48 P.M.

HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: CHAIR STEPHEN LEVIN

COUNCIL MEMBERS: STEPHEN LEVIN  
ADRIENNE ADAMS  
VANESSA GIBSON  
DARMA DIAZ  
RAFAEL SALAMANCA  
BARRY GRODENCHIK  
ANTONIO REYNOSO

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

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3 CHAIR STEPHEN LEVIN: Okay. Good  
4 afternoon, everybody. Welcome to the vote on city  
5 council's Committee on General Welfare. Today, the  
6 committee will be voting on five Bills related to the  
7 child welfare system in New York City. This  
8 legislation is intended to improve accountability to  
9 additional reporting and disclosure requirements for  
10 the agency and empower families in the system. Our  
11 proposed legislation consists of two Bills that I'm  
12 sponsoring. Intro 1727 which would require ACS to  
13 report on emergency removal cases which means the  
14 removal of a child out of home prior to a court  
15 hearing when during the investigation of a report of  
16 abuse or neglect. ACS determines if such child is  
17 not safe at home. Intro 1729 would require ACS to  
18 provide information to parents and caretakers about  
19 their rights to request a fair hearing, to appeal an  
20 indicated report. Indicated is the terminology used  
21 by child welfare agencies to denote a substantiation  
22 of a claim. Intro 1716 by Council Member Ayala would  
23 require additional reporting requirements by ACS  
24 requiring emergency removal data and disaggregation  
25 by race, community district; oh, I'm sorry, oh,

2 sorry, it was written as Ayala, by Council Member  
3 Adams, and primary language of each child and parent  
4 or guardian. Intro 1717 by Council Member Ampry-  
5 Samuel would require similar reporting by ACS on  
6 race, community district, and primary language of  
7 children and parents or guardians that would every  
8 step of the child welfare system process, and Intro  
9 1719 by Council Member Chin which would require a  
10 reporting to the council by ACS regarding how long it  
11 takes for family to reach their children after  
12 placement or transfer as well as how many children  
13 are placed outside of their home boroughs. The  
14 council seeks to address the racial and economic  
15 disparities of the child welfare system. Low income  
16 black and Latino families comprise the majority of  
17 investigations conducted by ACS and 75 percent of the  
18 children in the foster care system are black and  
19 Latino while only six percent of the children in the  
20 system are white. We know that New York state is one  
21 of only seven states in addition to Washington D.C.  
22 that had the lowest standard of "some credible  
23 evidence for a case to be indicated and a parent or  
24 guardian to be put on the state central registry".  
25 This was only changed to a "fair preponderance" of

2 the evidence last year. Further, New York City has a  
3 relatively high indication rate of 40 percent  
4 compared to the 20 percent nationwide. Having an  
5 indicated report of child abuse can have serious  
6 consequences, not only for a family's ability to stay  
7 together, but also for a parent or guardian's career.  
8 It is imperative that family have the information and  
9 resources that they need to appeal an indicated  
10 report of child abuse or neglect. These Bills seek  
11 to ensure that racial disparities in the child  
12 welfare system are addressed, that families in the  
13 system have the information that they need to appeal  
14 if the process was unfair or wrongly decided. I want  
15 to thank all the advocates and providers who work  
16 tirelessly to get these Bills finalized and I would  
17 also like to thank my staff, Jonathan Bushay (SP?),  
18 my chief of Staff; Elizabeth Adams (SP?), my  
19 Legislative Director; and Nicole Hunt (SP?), also a  
20 Legislative Director as well as Committee Staff,  
21 Amenta Kilowan (SP?), Senior Counsel, Crystal Poncy  
22 (SP?), a Policy Analysis, Natalie Amari (SP?), Policy  
23 Analysis, and Daniel Croop (SP?), Finance Analysis,  
24 and I'll turn it over with my apologize to Council  
25 Member Adrienne Adams to speak on her Bill 1716-A.

2 COUNCIL MEMBER ADRIENNE ADAMS: Thank you  
3 so much, Chair Levin, and that's perfectly fine.  
4 Thank you for allowing me to speak this afternoon  
5 about my Bill that we will vote on as part of the  
6 package of parental rights legislation. Intro 1716-A  
7 would require the Administration for Children  
8 Services to report on the total number of emergency  
9 removals of children every quarter. This information  
10 would be broken down by race, community, district,  
11 and primary language of both the child and their  
12 parent or individual legally responsible for the  
13 child. This set of data is so important because we  
14 know who is directly impacted by the ACS policy of  
15 emergency removals. These removals that separate  
16 families have such dire consequences for both the  
17 child and the parent. They are traumatic, life-  
18 altering events that leave families broken and torn  
19 apart. Yet, from the many, many stories we've heard  
20 over the years, it appears that the community's most  
21 often impacted by these are low-income New Yorkers,  
22 immigrants, or people of color. The child welfare  
23 system overall has disproportionately impacted the  
24 vulnerable and the marginalized among us but  
25 requiring this detailed reporting will shine a

2 brighter light on these disparities. I believe that  
3 coupled with the rest of the Bills that will voted on  
4 today in your committee and during our Stated  
5 Meeting, we will bring greater transparency and  
6 accountability for the harmful actions of ACS. We  
7 should know who is being impacted the agency's policy  
8 and the outcomes as well. Parents deserve their  
9 rights when their families are being separated. So,  
10 again, I'd like to thank your, Chair Levin, for your  
11 leadership on this package of Bills as well as all of  
12 my colleagues who have Bills in this package for  
13 putting forth such thoughtful and impactful  
14 legislation. I look forward to seeing its passage  
15 this afternoon and delivering justice to the families  
16 impacted by a harmful system. Thank you very much.

17 CHAIR STEPHEN LEVIN: Thank you very  
18 much, Council Member Adams. I'd like to turn it over  
19 to Council Member; I think Margaret is not going to  
20 speak, and Council Member Ampry-Samuel is not here,  
21 so I think that we are okay to proceed with the votes  
22 on this set of legislation. So, I will call on  
23 Committee Clerk to call the roll.

24 COMMITTEE CLERK: Good afternoon. This  
25 is the Committee on General Welfare, roll call vote

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2 on all items coupled on today's calendar. Chair  
3 Levin.

4 CHAIR STEPHEN LEVIN: I vote I on all.

5 COMMITTEE CLERK: And Council Member  
6 Gibson.

7 COUNCIL MEMBER VANESSA GIBSON: I vote I.

8 COMMITTEE CLERK: Council Member Gibson  
9 voted I. Council Member Reynoso.

10 COUNCIL MEMBER ANTONIO REYNOSO:  
11 Permission to explain my vote?

12 CHAIR STEPHEN LEVIN: Go ahead, sir.

13 COUNCIL MEMBER ANTONIO REYNOSO: Thank  
14 you. I just wanted to say there was another Bill  
15 that was a part of this package. It was Intro 1426.  
16 The Bill would have required the New York City  
17 Administration of Children Services or ACS to provide  
18 an annual report to the mayor and to the council with  
19 information regarding the number of patients who were  
20 referred to ACS for investigation as a result of a  
21 positive drug screen performed at a facility operated  
22 by the New York City Health and Hospitals  
23 Corporation. At this moment, there is assumptions as  
24 to a bias by Heath and Hospitals to over test women  
25 of color in hospitals, but we don't know that

2 information and after today, we still won't know that  
3 information because for some reason the city council  
4 and the administration decided to pull the Bill out  
5 of this package. It is a reporting package. To me,  
6 it seems like a very harmless piece of legislation  
7 that could have given us information so that we can  
8 appropriately use this data and this information to  
9 write legislation in the future. So, I'm very  
10 disappointed that that is not part of this package.  
11 I'm hoping that we can have this conversation in the  
12 near future and pass it, but I do not want to take  
13 away from the good Bills that are being voted on  
14 today. I want to congratulate Council Member Adams  
15 and Council Member Levin for the great work that  
16 they've done in their Bills. I want to vote I on  
17 all. Thank you so much for indulging me, Chair.

18 CHAIR STEPHEN LEVIN: Thank you very  
19 much, Council Member Reynoso.

20 COMMITTEE CLERK: Council Member  
21 Grodenchik.

22 COUNCIL MEMBER BARRY GRODENCHIK: I.

23 COMMITTEE CLERK: Council Member  
24 Salamanca.

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2 COUNCIL MEMBER RAFAEL SALAMANCA:

3 Permission to explain my vote?

4 CHAIR STEPHEN LEVIN: Go ahead, sir.

5 COUNCIL MEMBER RAFAEL SALAMANCA: Just  
6 very briefly. First, I want to congratulate all the  
7 sponsors on the Bills, and I ask that I be added on  
8 to all these Bills, 1716-A, 1717-A, 1719-A, 1727-A,  
9 and 1729-A, and I vote I on all. Thank you.

10 CHAIR STEPHEN LEVIN: Thank you, council  
11 member.

12 COMMITTEE CLERK: Council Member Diaz.

13 COUNCIL MEMBER DARMA DIAZ: I vote I on  
14 all.

15 COMMITTEE CLERK: Chair Levin, by a vote  
16 of six in the affirmative, zero in the negative, and  
17 zero abstentions, all items are adopted.

18 CHAIR STEPHEN LEVIN: Thank you very  
19 much, Mr. Ettricks. I think that we're not  
20 expecting any other council members, committee  
21 members to join us. So, with that, I will close out  
22 this hearing and vote on the committee agenda of  
23 Welfare. This hearing is adjourned.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify 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 October 27, 2021