



**The New York City Council,
Committee on General Welfare
October 31, 2016**

“Oversight- Child Abuse Cases and the Various City Touchpoints for Families”

**Testimony by
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Good afternoon, Chair Levin and members of the General Welfare Committee. I am Gladys Carrión, Commissioner of the Administration for Children's Services. Thank you for the opportunity to discuss our ongoing reform efforts to protect and serve our city's most vulnerable children.

I am deeply troubled by the death of 6-year-old Zymere Perkins. Simply put, the death of one child is one too many. The mission of ACS is to protect every child. There is no mandate more important and we need to do everything it takes to keep all children safe that come to our attention. As Commissioner of this City's Child Welfare system, I am deeply concerned that, despite several City agencies' involvement with his family, we could not protect Zymere from the abuse he suffered. While our system has helped hundreds of thousands of children, this child was not saved.

I am sure the foremost question on everyone's mind is how to make sure a terrible incident like this does not happen again. That is the priority for ACS and all of our provider partners. While we are not yet able to discuss Zymere's case, I am prepared to discuss with you the major steps ACS has taken— both before this tragedy happened and immediately after— to strengthen child safety and to better serve children and families across the City. Before I discuss these reforms and recent actions, I would like to provide some background on the child protective process and about the staff that do this important work.

Overview of Child Protective Process

Each year, ACS's Division of Child Protection (DCP) investigates over 60,000 reports of child abuse and neglect made to the New York State Central Register (SCR),

involving more than 80,000 New York City children. Once the SCR determines that the report meets the requirements for an investigation, it is routed to ACS and is assigned to a Child Protective Specialist (CPS).

The Child Protective Specialist must commence a child protective investigation and attempt to contact the reported child's family within 24 to 48 hours of receiving the SCR report. The investigation includes reviewing a family's history with ACS; where possible, contacting the person who made the report; visiting the home; and interviewing the child, parents, household members, and other important people in the child's life. A child protective team has up to 60 days to investigate and make a determination on each allegation in the SCR report, including evidence of any other allegations of abuse or maltreatment that are discovered during the course of the investigation.

In about 40% of cases, we find "some credible evidence" of maltreatment, which is the New York state standard to indicate a case. During the course of the investigation at any time, ACS takes action based on our assessment of risk. These actions can range from - in the most serious cases - removing and placing the child in foster care, to recommending voluntary or court-mandated services for higher risk families whose children are not at imminent risk of harm. In many instances, ACS makes referrals to contracted preventive agencies or community based organizations who provide services to address maltreatment concerns, including counseling, parenting classes, substance abuse treatment, domestic violence intervention, home-making, as well as support for pregnant and parenting teenagers. In 2015, ACS provided over 20,000 families with a vast array of these preventive services, 25% of which are evidence based.

Child Protective Specialists

Our city's most important asset for protecting our children is our team of over 1,200 Child Protective Specialists (CPS) conducting day-to-day investigations. CPS work around the clock, 365 days of the year to protect children and support families in some of the most challenging situations. Their responsibilities are numerous—they investigate and evaluate the safety and well-being of children, assess the risk of future abuse, file petitions and testify in family court, and identify interventions that can reduce risks to children. When the safety risks cannot be mitigated, CPS perform the difficult job of removing children from their home environment.

CPS are more than just investigators, they also engage and partner with families by connecting them to community resources to provide support and keep children safe. They connect families to other government agencies, help them access benefits, and coordinate family members and providers to link them with effective interventions that reduce risk to children. Without a doubt, there are few jobs in this city more important and more demanding.

We are proud that our CPS reflect the diversity of the families and children we serve and are committed to recruiting, training, and supporting the highest caliber of dedicated professionals. To be qualified for the position, CPS must have a Bachelor's degree from an accredited college with significant credits in the human services sector, including social work, psychology, education, or nursing. Upon being selected from the Civil Service List and hired, all CPS attend our James Satterwhite Training Academy for six weeks to learn social work and investigative skills. After graduating from the Academy, CPS are assigned to a training unit and work on a reduced number of cases

under close supervision of a training unit supervisor for an additional three months. Once training is completed, CPS are assigned to “Protective Diagnostic” units which are comprised of teams of child protective specialists who investigate reported cases of abuse and neglect.

Improving Child Welfare Practice

As you know, ACS was created twenty years ago as the first free-standing child welfare agency in this City’s history. At its inception, ACS’s leadership undertook a reform plan to address the widely acknowledged systemic failures that had long plagued this agency’s predecessors. Prior to the creation of ACS, it was not uncommon for cases to go without being investigated and for staff to routinely carry thirty cases or more and there was a near total absence of accountability structures throughout the agency.

In the decades that have since passed, we have made significant progress in strengthening child protection for at-risk and maltreated children. Major investments in training, performance-based evaluation, data management, and other areas have established a much improved system that strives to accurately assess each family and make the right decisions to promote child safety.

Every family and child is different and our staff is charged to make highly individualized, nuanced assessments based on risk and strengths. Keeping caseloads low remains a clear priority and we are proud that ACS has among the lowest child protective caseloads in the nation. As of September 24, 2016 caseloads were at 9.2 cases per worker, which is under our internal target of 12 cases per worker, as recommended by the Child Welfare League of America. To enhance our staff and

support closer supervision, we also created two additional DCP borough offices, one in the Bronx and the other in Brooklyn.

As the child welfare field grows in complexity and specialization, we must ensure that our CPS staff is continuously strengthened, supported, and equipped with the latest knowledge, best practices and tools—from effective investigative techniques to parent engagement strategies. We launched the ACS Workforce Institute in partnership with the City University of New York to support professional development opportunities for over 5,000 child welfare staff, including our contracted providers. The ACS Workforce Institute has trained over 4,500 child welfare professionals to date since we began in early 2016, 2,000 of those are frontline ACS staff, and 2,500 are provider agency staff.

Children are safer and families are stronger because of our investments in preventive services. Under this Administration, we have increased preventive slots to over 13,000 and added slots in programs that reach higher risk families, such as those with young children. Over the last several years, ACS has expanded our continuum of preventive services to include 11 evidence-based models that use proven methodologies designed to reduce risk of harm, prevent foster care placements, and expedite reunification and adoption.

Finally, our Child Protective Specialists are in the field at all hours of the day and night, every single day of the year, throughout the City. The staff who work to keep our children protected from harm must also feel safe and protected while doing their job. In 2012, ACS successfully lobbied for a state law that makes assaulting a CPS a felony. To prepare our CPS for home visits, we have also expanded our unit of Investigative

Consultants, former NYPD detectives, to determine whether there is a history of domestic violence or other police involvement at the address. In partnership with the NYPD, we also work with a lieutenant who is specially assigned to work with ACS staff on safety issues.

Child Welfare Reforms Under the de Blasio Administration

Early in the Administration, shortly after the tragic fatality of Myls Dobson, ACS instituted Operation SAFE, a comprehensive set of child safety reforms focused on strengthening the agency's child protective practice. One of the more ambitious aspects of Operation SAFE was the addition of 214 new positions to our Divisions of Child Protection, Preventive Services, and Foster Care services. As part of Operation SAFE, ACS also:

- hired an Internal Monitor who is charged with overseeing all ACS reforms;
- created two additional Child Protection Borough Offices to enhance and support staff in the Bronx and Brooklyn; and
- bolstered six strategic child welfare practice areas, including adding additional Investigative Consultants, providing greater technical assistance to foster care providers, and integrating case conferencing across the continuum.

The following year, ACS launched another major reform initiative, which included several components: the launch of the ACS Workforce Institute, the expansion of preventive services focused on early childhood, the addition of two child protection units to assess and support families entering homeless shelters, the launch of our Safe Sleep

unit to educate families on the dangers of co-sleeping, and an increase in our use of data to identify risk factors and inform decision making. To date, all of these initiatives are well underway.

External Child Welfare Case Reviews

This year, the NYC Department of Investigation (DOI) and the Comptroller's Office reviewed small samples of ACS cases and issued recommendations-- the DOI's report was based on a review of only three cases, and the Comptroller's report was based on a review of just 25 cases. While neither review represents the over 60,000 investigations ACS conducts each year, we take seriously the responsibility to address practice gaps and are committed to continued improvement. In addition to the investments and reforms described earlier, ACS committed to implementing the accepted recommendations.

The DOI made five recommendations in May 2016 and ACS accepted four of them. Of those four, two are completed and included retraining staff, and issuing updated guidelines on case documentation. The remaining two recommendations are close to completion, and include updating our case assignment system to address perceived conflict of interests and improving the aggregation of data relating to Court-Ordered Supervision cases. Similarly, in June 2016 the Comptroller issued six recommendations, five of which were accepted. Work to implement all five of those recommendations is underway and significant progress has already been made, including additional training for child protective supervisors and managers around casework reviews, strengthening reviews of child protection investigations and standardizing and cataloguing ACS policies.

To review our child welfare practice in a comprehensive manner, ACS has engaged Casey Family Programs, a nationally recognized leader in child welfare, to conduct an assessment, which will achieve a better understanding of the systemic issues related to child safety, highlight what is working well, areas for further improvement and provide an independent perspective on whether ACS' strategic initiatives are on the right path. This thorough review will include a crosscutting analysis of policy, practice, data, and case reviews, set within a context of national best practice around safety, and grounded in data rather than anecdote. We anticipate this review to be conducted through Winter 2017.

Actions Taken Since the Zymere Perkins Case

As the Mayor and I explained earlier this month, the Manhattan District Attorney has requested that ACS suspend our investigation and our public discussion of this case while their criminal investigation is ongoing. In addition, until ACS completes our own investigation and makes a decision on the case, the state social services law precludes us from releasing case specific information. However, we are conducting a thorough internal review and using the information we have learned so far to take swift action to fill gaps in practice both within our agency and in our shared work with the several other City agencies which also touch the lives of children and families ACS serves.

One of the first actions I took was to place five staff members-- one manager, two supervisors and two caseworkers-- who were involved in this case on modified duty while we continue to probe this matter. I have suspended an Assistant Commissioner

and a Borough Commissioner within the Division of Child Protection, as well as a Director and an Assistant Director in our General Counsel's Office.

In addition, the City has announced the following six reforms, all of which are underway:

- **First:** We are introducing two new Workforce Institute courses – one enhanced training for all caseworkers on how to handle suspected physical abuse and another enhanced training for all supervisors on conducting supervision through an investigatory lens. Both classes will start in November.
- **Second:** ACS will restore a funding cut made in 2008 and establish dedicated Child Protective liaisons to work with each of the five District Attorney's Offices, to share information, refer cases and enhance investigations. Liaisons will be in place in November.
- **Third:** We are strengthening oversight of our child protective staff by appointing a separate team outside of their division to conduct audits where case practice concerns are identified. This change will hold all levels of CPS staff accountable and reduce conflicts of interest. Audits have already begun and a new unit of 12 staff will be fully in place by February 2017.
- **Fourth:** When a preventive services provider seeks to end services on high risk cases, ACS will facilitate a Service Termination Conference, ensuring that all risk factors have been addressed. This began the first week of October and is ongoing.
- **Fifth:** We worked with the Department of Education to establish clear guidelines for when school absences should trigger a school investigation and coordination with ACS, where appropriate. A revised Chancellor's regulation will be prepared for the December meeting of the DOE's Panel for Education Policy meeting.
- **Sixth:** ACS is making several reforms to our staffing and processes at the five New York City Child Advocacy Centers where cases of children who are suspected to have endured serious abuse are jointly investigated:
 - 1) ensuring the appropriate numbers of child protective specialist supervisors are stationed at each CAC;

- 2) stationing one Child Protective Manager at each CAC to ensure a senior level review of every CAC case that does not result in law enforcement action;
- 3) stationing one Family Court Legal Services Lawyer at each CAC;
- 4) ensuring that every CAC case has a child safety conference;
- 5) working with MOCJ to add medical staff, including doctors and nurse practitioners trained in child abuse, and expanding their presence during day and evening hours.
- 6) beginning in October 2016, we created an interagency workgroup with the ACS, NYPD, the DA, and Safe Horizon that will propose recommendations and coordinate improvements to the CAC process

Beyond those recently-announced reforms, ACS and our sister city agencies are working together to institute a number of additional measures, some of which are:

- ACS will work with DHS and shelter providers on an MOU to expand sharing of information about families in shelter system with child welfare cases.
- To strengthen oversight for at-risk children, ACS will create a new training for DOE parent coordinators citywide to include assessment of safety and risk, appropriate follow-up and referrals to preventive family support services.
- ACS Senior Advisor for Investigations will newly oversee the Instant Response Team, which handle the most serious cases where NYPD and ACS respond jointly, to establish more aggressive oversight process and sustain strong coordination between ACS and NYPD on serious physical injury cases

Conclusion

As I told the Committee when I first became Commissioner and reaffirmed earlier this month, I have charged my agency and all of our provider partners to treat the children we work with as if they are our own. Safeguarding children and supporting struggling families takes the collaboration of many, including our communities. All New Yorkers play a part in protecting children. In the coming months, ACS will launch a public awareness campaign that raises attention to critical child safety issues, and I

want to use this opportunity to ask the Committee to join us in informing New Yorkers that when a family is in need of help, lend a hand. When you suspect abuse or neglect, don't hesitate to make that call.

As the title of this hearing suggests, many agencies and parties can touch the lives of children and families, and we all have a shared responsibility to these children. ACS has committed resources to enhancing coordination, including sharing data and information, and building inclusive processes so that children do not slip through the cracks. The actions that we have taken at ACS in the past weeks mark only the beginning. We will continue to work vigilantly to make sure that our practices, policies, and procedures are designed and carried out in a manner that ensures we are doing all we can to keep children safe. No large public child welfare system will ever be perfect, but I am resolute in my commitment to making the essential changes and improvements required to prevent the lapses and failures that can lead to tragedy.

As always, we are happy to work with the Committee in our continuing efforts to improve the system and to better serve children and families. We are happy to take your questions.