



**Jess Dannhauser, Commissioner
Testimony to the New York City Council
Committee on General Welfare
March 9, 2022**

“New York City Council Fiscal Year 2023 Preliminary Budget Hearing”

Introduction

Good morning. My name is Jess Dannhauser and I am the Commissioner of the Administration for Children's Services (ACS). With me today is Winette Saunders, the First Deputy Commissioner; Michael Moiseyev, the Deputy Commissioner for Finance; and Stephanie Gendell, the Deputy Commissioner for External Affairs.

Thank you, Chair Diana Ayala and all of the members of the General Welfare Committee, for this opportunity to testify before you about the New York City Fiscal Year 2023 Preliminary Budget and its impacts on ACS. As the new Commissioner testifying before a new General Welfare Chair and new Committee members, I want to take this moment to tell you how much I am looking forward to the ongoing collaboration that I know we will have. I value transparency, as well as the voices and insights that the City Council brings to bear on the work we do at ACS.

I am humbled and enthusiastic to be back at ACS, this time as the Commissioner, and as you will see from my testimony today, I am looking to work with the ACS team to build upon the progress of my predecessors and all of the hard-working, passionate staff at both ACS and our provider agencies.

I have intentionally spent my first few months as Commissioner listening. Listening to parents impacted by the child welfare system. Listening to youth who have been in the foster care and juvenile justice systems. Listening to our providers, advocates, judges, and the legal organizations representing parents and children. And of course, listening to ACS staff. I have visited with our staff in detention centers and the Children's Center several times each, and I have shadowed child protective

specialists as they take on the challenging task of visiting families' homes, to assess child safety and engage families.

Equity, Justice and Safety

Mayor Eric Adams has a vision for New York City, which is centered on equity, justice and safety. This vision includes providing services and supports upstream, to prevent the need for deeper systems-involvement whenever possible. This is precisely the vision I am bringing to ACS.

Before I speak in more detail about the state and city budget, I am going to share with you some of the work we are doing at ACS to strengthen our role in achieving equity, justice, and safety for NYC families. Specifically, I will focus on our work to: 1) Keep children safe while reducing unnecessary ACS involvement; 2) Support community investments in families; 3) Provide quality care to children and youth that sets them up for a lifetime of success; and 4) Support our workforce.

All of this work that I am about to describe, and the policies and initiatives that ACS pursues going forward, will be informed and guided by the experiences of those with first-hand experiences in our system(s). This means that we will continue to listen, to build, and to change course when needed.

Keep Children Safe While Reducing Unnecessary ACS Involvement

While it is ultimately families that keep children safe and well, ACS plays an integral role in helping to ensure that children are safe and that their families have the resources and supports they need to care for their children. We take this mandate

seriously, while simultaneously we are committed to reducing unnecessary child protection involvement with families, particularly families of color.

As you may know, ACS is required by law to respond to every report accepted by the New York Statewide Central Register (SCR). We at ACS understand that when ACS is at a parent's door, this is often scary and unsettling—possibly at an already challenging and stressful time for the family. So, we are making efforts to reduce unnecessary reports to the SCR.

First, ACS, is continuing our work with the State to identify both programmatic and legislative ways to prevent false and malicious reports, which is an inappropriate use of the SCR. Second, ACS is continuing to work with our agency partners, such as the Department of Education (DOE) and the Department of Homeless Services (DHS), to ensure that they know how to access services for families without making a report to the SCR. Third, since we want all New Yorkers to know how to access services before there is ever a report to the SCR, I recently recorded a 311 PSA telling New Yorkers how to access our continuum of free, voluntary prevention services offered by community-based providers.

In 2021, ACS created our new Office of Child Safety and Injury Prevention. This Office will expand our work to prevent child injuries, including through public education, training and resource distribution. Our efforts to support parents and other caregivers in keeping children safe include education on infant and toddler safety such as safe sleep, and safe storage of medication, household toxins, and cannabis edibles.

And for those instances where there is a report to the SCR that ACS is required to respond to, we are taking efforts to reduce the stress based on ACS involvement,

when possible. First, we believe that parents need to understand why ACS is at their home, what ACS is mandated to do when we receive a report alleging child maltreatment or abuse, and what their rights are. So, we will launch and then evaluate an initiative to communicate to parents the role of ACS Child Protective Specialists and parents' rights, during the first engagement in a child protection investigation. This approach will be designed to mitigate trauma by equipping families experiencing a child protective investigation with the knowledge they need to understand what ACS's role is, what their rights are, and what resources are available to them.

We will also continue to expand both the number of families that are diverted to the CARES track and the number of CARES units we have in the child protective borough offices. CARES, which stands for Collaborative Assessment, Response, Engagement and Support, is an alternative child protection response to reports received from the SCR where there is no immediate or impending danger to children and where there are no allegations of serious child abuse. In CARES cases, CPS partner with families to assess child safety and family needs, encourage families to develop their own solutions to their challenges, and identify supportive resources to help care for and protect their children. CARES requires no investigation determination regarding the neglect allegations that generated the report, and thus leaves no determination on a parents' record, which might later impact employment and other opportunities.

At the same time, we are also working with CPS to provide them with the tools and the individualized coaching they need to identify families where risk is highest and most imminent, so that they can take the most appropriate actions to protect children when necessary.

We are also collaborating with our partners at the Department of Health and Mental Hygiene so that families with children three months or younger, who have a CPS investigation, CARES case, or are receiving court ordered supervision, can be referred to the new family home visiting program (NFHV). Our child protective staff are providing families with information about the program and staff from NFHV then reach out to offer the free, voluntary service. While ACS will make referrals, there is no additional case information shared between the agencies so that families can choose to participate in the program voluntarily and without any impact on their child welfare case.

We are continuing to make efforts to safely reduce and shorten court involvement for families, including for those in foster care, by ensuring that all cases are regularly and proactively reviewed and by encouraging collaboration – through training, support and guidance – between ACS program and legal divisions and prevention and foster care agencies. During the pandemic, when court operations were limited, we instituted a process to proactively review cases with our foster care agencies, to see if they could progress towards permanency. Given how successful these over 5,000 reviews have been, we are maintaining this and will continue to do so even when full court operations return.

Support Community Investments in Families

We know that children and families best thrive when they have the supports and resources they need. ACS plays a role in providing these supports to families, along with many other city and state agencies and nonprofit providers. We are committed to ensuring that families have these supports, regardless of which agency provides them.

ACS's Division of Child and Family Well-Being works to ensure families and children have the critical supports they need to thrive and enjoy self-determination. The Division focuses on leveraging concrete resources, stakeholder relationships, and community and family strengths to drive toward greater equity and social justice, reduce disparities and disproportionality – including in the child welfare system – and create conditions that enhance well-being for families, children and communities.

At the end of last year, ACS announced a plan to expand from 3 Family Enrichment Centers (FECs) to 30 FECs over the next three years and released an RFP for the first 9 additional Centers. In the coming weeks, ACS will release the results of the RFP. The FECs aim to leverage family and community strengths to bolster social connectedness and access to supports, which all families need to thrive and build resilience. Investing in families and communities will set children up to succeed.

ACS also provides child care assistance to approximately 46,500 children through child care vouchers supported by the federal Child Care Block Grant, as well as other federal, state, and city funds. This child care assistance is available to families with child welfare involvement, families in receipt of public assistance who are employed or engaged in work activities, and eligible low-income families.

Child care is essential for families, and the pandemic shined a bright light on this. We look forward to working with the city, the state and hopefully the federal government to continue to expand child care access to more families, so that New York City has accessible, equitable, high-quality, affordable child care and early childhood education for those who need it most.

Our nationally recognized continuum of prevention services continues to provide both therapeutic supports and access to concrete goods and services to those families needing free, voluntary support. Just last week, we issued an RFP that will expand our A Safeway Forward model from two boroughs to three. A Safeway Forward is a research and trauma informed intervention for families impacted by intimate partner violence. It provides services separately and simultaneously to the entire family unit, including the survivor, the children and the person causing harm.

Provide Quality Care to Children and Youth that Sets Them Up for a Lifetime of Success

While we always seek to prevent children and youth from coming into the foster care and juvenile justice systems, when safety requires that they be in our care, we have a responsibility to provide the highest quality services and supports that set them up for a lifetime of success. ACS is moving forward with a number of initiatives that will strengthen our work, and the work of our providers.

This starts with the facilities that ACS directly operates, the two secure detention centers (Horizon and Crossroads) and the Children's Center, which serves children and youth entering foster care and awaiting placement. I have made it a priority to spend time at these facilities and to listen to staff to hear what tools they need to support their work. To begin to address the needs in detention, I have strengthened detention leadership, and I have ensured that the tools staff need, such as utility belts and safety vests, have been expedited. At the Children's Center, we have taken actions that have helped to lower the census, which hovered at around 90 children in the fall and is now

down to approximately 60 children. We are continuing our work to reduce the population and length of stay at the Children's Center, and to increase the programmatic offerings and supports in detention. While there remains much work to do at these facilities, I look forward to continuing to update the Council on our progress in the future.

We are also taking additional measures to strengthen the work of our foster care and residential providers and to improve outcomes for children and families. As you may know, we issued RFPs for family foster care and residential foster care services in 2021. We are currently asking RFP applicants to submit some additional information to supplement their proposals, and we are thus extending the current contracts for another year, until July 2023. The models in the new RFP include enhanced support to bring on parent advocates with lived experience, strengthen family time, increase therapeutic services, increase kinship care, enhance supports for foster parents, and scale Fair Futures, amongst other initiatives. While the new contracts will not begin until 2023, we will be providing our current contractors with the increased enhancement funding in July 2022 so that they have the resources to implement the enhancements with their current contracts.

We are also continuing to support the success of the young people in our care. First, this budget builds on last year's budget by baselining additional funding for Fair Futures, enough to support \$20 million in total annual spending for the program going forward. We are also working to scale internship, vocational training, and employment initiatives for older youth in or exiting foster care or juvenile justice detention or placement. This will include new services to introduce youth to career exploration,

vocational education and training, school (including higher education), labor market readiness, and life skills.

Support our Workforce

The staff at ACS and our provider agencies work tirelessly to keep children safe and to provide families with the services and supports they need. Most of our staff have done this throughout the pandemic and without the comfort of working from home. I see one of my primary responsibilities to be ensuring that these staff have the tools and resources they need to do their jobs as efficiently and as effectively as possible.

Despite the vacancy reduction and limits on hiring, ACS is continuing to hire frontline staff, which includes child protective specialists, youth development specialists for detention, and family court attorneys.

We will provide the ACS workforce with the technology and tools they need to do their job safely and effectively. For our detention workforce, this includes increased safety equipment and for our child protective workforce, this includes upgraded tablets, Zipcars, and a mobile phone version of the ACS case practice guide.

We will also continue to make efforts to ensure the workforce is adequately compensated. I am pleased that we were recently able to implement bonuses for YDS staff in detention and a mentorship program for CPS. We will continue to promote hiring and retention of skilled provider agency staff by advocating with the state for Cost of Living Adjustments and implementing workforce enhancements to support provider agencies to recruit and retain staff.

State Budget

The State is currently negotiating the State Budget for SFY 2023, and there are a number of proposals that will impact ACS.

First, ACS was pleased to see Governor Hochul's proposal to increase the income eligibility for low income child care assistance from 200% of the state income standard (i.e. FPL) to 300% of the state income standard (so long as this doesn't exceed 85% SMI, which is the federal limit). This is in-line both with federal law and with ACS's own state legislative proposal from last year, and would expand access to subsidized child care to many low income New Yorkers in need of child care.

Second, while the state budget reauthorizes child welfare financing, the budget once again reduces state reimbursement for child protection, prevention, independent living, and adoption assistance services, from 65% to 62%. This is once again a cut to the services that have proven to reduce the use of foster care and that families report have helped them. In our 2021 survey of families participating in prevention services, we found that approximately 93% of survey participants said they were happy with the prevention services their families received; and 87% of participants said that they would recommend these services to a friend and/or family member. Overall, 91% of survey participants said prevention services are helping them achieve their goals. Notably, families that successfully complete prevention services are nearly four times less likely to have a child placed into foster care than families that do not complete services.

Third, the state budget proposes to implement the state's recent settlement agreement in a lawsuit that will increase the subsidies for foster parents, adoptive parents and relatives who get kinship guardianship assistance. While ACS supports

these caregivers having the increased resources to care for the children, we believe that the state should contribute to the cost of the increase. ACS estimates the full cost of implementation will be \$117 million annually.

Finally, the state budget continues to include no funding for ACS's Close to Home placement program nor the City's investments needed to implement Raise the Age.

We hope we can rely on our partners in the Council to help us advocate at the state level for a budget that better supports the children, youth and families served by ACS.

City Budget

The City Fiscal Year 2023 Budget for ACS is anticipated to be \$2.7 billion, of which \$889 million is City funds.

As I mentioned, the CFY2023 Budget provides enough city funding to baseline Fair Futures at \$20 million to provide thousands of youth with coaching, tutoring and/or educational advocacy and support. The budget also includes \$400,000 in the current fiscal year for the more than 700 ACS staff who received the \$500 COVID-19 vaccine incentive.

While spending money on programs that work is always good, as Commissioner I am committed to guiding ACS in living within our means, and engaging in a thoughtful search for efficiencies that will allow us to get the most service we can from every taxpayer dollar. The CFY2023 Preliminary Budget includes savings that make use of a census reduction in non-secure Close to Home juvenile justice placements. We are

also recognizing anticipated long-term census reduction in foster care that we expect to see as a result of the investments we are making.

Like most city agencies, ACS rightsized our budgeted headcount by eliminating 227 vacancies, a savings of \$6.06 million in city funds, which we were able to achieve without diminishing any critical services. ACS has achieved additional overtime savings through continued implementation of tight controls and smart scheduling. And finally, ACS was able to achieve savings through a robust collection of prior year revenues.

Conclusion

In conclusion, I hope that you can see from this testimony that ACS is committed to deepening our progress, and that we are continuing to build upon prior successes. There is much work for us to do to promote equity, justice and safety, and to deepen the upstream work that narrows the front door to the child welfare system and supports the success of young people in both the child welfare and juvenile justice systems.