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Commissioner**

**Testimony to the New York City Council
General Welfare Committee
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Fiscal Year 2024 Preliminary Budget Hearing- General Welfare

Good morning. I am Jess Dannhauser, the Commissioner of the Administration for Children's Services (ACS). Thank you Deputy Speaker Ayala, and the members of the General Welfare Committee, for holding today's hearing on our Preliminary Budget for Fiscal Year 2024. I appreciate the opportunity to share the important work we are doing at ACS to help make New York City a more safe, just and equitable place for children, youth and families to live and thrive. I am joined today by First Deputy Commissioner Winette Saunders, and Margaret Pletnikoff, who is the Deputy Commissioner for the Division of Finance.

In my first year as Commissioner, I have had the opportunity to meet with, shadow and learn from staff from throughout the City, from our child protection Borough Offices, legal units, detention facilities, the Children's Center, the training sites, and the hard-working administrative teams. I have also had the opportunity to meet with and visit our provider agencies' prevention, foster care, FEC, community partnership and juvenile justice sites. I have been impressed and moved by the deep commitment and passion the staff have to our mission of making New York City a better place for children and families. I want to take a moment to thank all of the staff for the work they do each and every day. I have also had the opportunity to meet with many advocates, elected officials, foundations and outside experts and I want to thank them all for their commitment and tenacity, and for continuing to push us as a system to keep the voices of children and families front and center in every decision and action we take. While my testimony will focus on many of our accomplishments, I know, and my colleagues at ACS know, that there is much more work for us to do, so that we can be even more

supportive to children and families, while addressing current and historical inequities in the child welfare and juvenile justice systems.

Addressing Racial Disproportionality and Narrowing the Front Door
of the Child Welfare System

As you may know, ACS is required to respond to all reports of suspected abuse or maltreatment forwarded to us by the New York Statewide Central Register (SCR). While ACS cannot directly control the front door of the child welfare system, nor all of the reforms necessary to address it, we have an important role to play. We know that too many families of color in NYC have reports called into the state and are then subject to an unnecessary child protection investigation—last year we found evidence of maltreatment in fewer than 14,000 of the 45,000 investigations we conducted. Moreover, this large volume of calls distracts us from our effort to protect children truly in danger.

Our job at ACS must be to get this balance right—to help reduce the volume of unnecessary reports and to ensure our child protection teams have the training, support and resources to identify the children who are in danger, make sound decisions, and ensure that families are surrounded by the services, resources and/or relationships that mitigate the risk(s) identified. We have taken steps to reduce the unnecessary and burdensome ministerial tasks for child protection staff so that they can focus more of their time supporting children, youth, and families. And we have increased the real time coaching from quality assurance staff that they get so that they are equipped to help those children truly in need of child protection.

That said, we understand that the impact of an investigation on a family is significant—investigations are often disruptive, stressful and can be traumatic—and they are disproportionately impacting families of color: One recent study estimated that 44% of Black children and 35% of Hispanic/Latinx children in NYC experience a child welfare investigation before they turn 18.¹ Given the ubiquity of ACS investigations in some NYC communities, we know that some families feel reluctant to voluntarily engage in the supports associated with ACS, which can further impede child safety and well-being.

With the support of our Deputy Mayor, ACS has embarked on a city-wide strategy to reduce the number of unnecessary child welfare investigations and replace SCR reports, where appropriate, with supports that can meet the needs of families further upstream. We believe that this is how we can reduce the number of families experiencing the formal child protection system, prevent child maltreatment, and help families feel and be comfortable and safe enough to ask for and receive help without judgement or fear.

A key component of this work is collaborating with our sister City agencies, many of which have large numbers of mandated reporters, to find opportunities to train and shift the culture to supporting families rather than reporting. We do this by educating professionals who work with children and families (mandated reporters) on the many ways to provide support to families without making an unnecessary report to the SCR. This past summer, ACS worked with our colleagues in the Department of Education

¹ 2021 study published in Proceedings of the National Academy of Sciences, <https://www.pnas.org/doi/10.1073/pnas.2106272118>

(DOE) to completely revise their annual mandated reporter training, which we then jointly provided to staff members from all 1,800 DOE schools. The overarching goal is to help mandated reporters understand that there are many ways to access supports for families who need help, without calling the SCR, and that SCR calls should be reserved for instances when they suspect a child is truly at risk of abuse or otherwise in danger. In the training, we focus on how best to determine when a call to the SCR is in fact warranted, while also helping DOE staff understand the impact of making a report, the potential role of implicit bias on the decision to make a report, and how to access the many resources available to assist families citywide..

We have also been working closely with Health + Hospitals, so that hospital and other medical staff understand the impact reporting has on families and that reports should only be made when there is a concern for a child's safety. We are now in the process of tailoring and expanding this work to other city agencies such as the Department of Homeless Services.

While we continue to make efforts to narrow the front door of the child welfare system, we have also been rapidly increasing the percentage of new cases that we assign to the CARES track after the state forwards a report from the SCR. CARES is NYC's version of differential response, a state-authorized, non-investigative child protection response to reports referred to ACS from the State. With CARES, there is no traditional investigation, no court involvement and no determination. In CARES, specially trained child protective staff assess the safety of the children and then partner with the family to identify their needs, empower the family to make decisions that address their needs and the needs of their children, and connect families to appropriate

services. The CARES approach is family-centered, family-driven and solution focused. The number of CARES cases has nearly tripled since 2019 and increased 72% from 2021 to 2022. There are currently 46 CARES units, and we plan to have an additional 18 CARES units by the end of 2023.

We understand the impact an investigation or a court intervention such as court ordered supervision can have for families. We are committed to providing parents with information upfront, at the outset of an investigation. This year, we will be piloting a new “Palm Card,” which will in plain language explain to parents that while ACS has a legal role to assess the safety of the child, the parents are not required to let ACS into their homes and that they can seek the assistance of an attorney.

As a result of much of the work we are doing, we have seen a reduction in both court filings and court ordered supervision. From 2021 to 2022, we reduced court filings by 13%, and we are filing about half as many cases as we did in 2019.² Thanks also to our efforts to shorten the length of time families are involved with the court and ACS, we have managed to decrease the number of open court ordered supervision cases by 48% from January 2019 to January 2023.

Providing Services and Supports Upstream

We are working hard to reduce families’ interaction with the child protection system by providing resources and support upfront. We are taking intentional efforts to increase the number and percentage of families participating in our continuum of prevention service programs through the community referral process and thus without a

² In CY 2022, we filed 3,538 cases (compared with 4,081 in CY2021 and 6026 in CY 2019.)

report to the SCR. New York City has one of the most robust prevention service arrays in the country. Our prevention services can provide help with concrete needs, parenting skills, service referrals, and counseling, and are available regardless of immigration status. Currently 45 contracted providers serve over 15,000 families per year. In a 2022 survey of thousands of parents who participated in prevention services, 94% said they were happy with the services they received.

It is important to note that participation in prevention services is unlikely to lead to a family's deeper involvement with ACS. Data show that SCR reports from ACS-funded providers (including prevention) comprise fewer than 2% of SCR calls. Given that social services account for about 20% of calls, most calls to the SCR from social services organizations are not coming from ACS-funded programs. It may be that ACS-funded providers are more likely than others to understand how the SCR works and when a call is truly necessary. ACS providers are also more likely to know how to access or provide the help families need without an SCR call—which is precisely the direction we are moving as a system.

We are also in the process of expanding our Family Enrichment Centers from 3 to 30 over the next 2 years. FECs, operated by community partners, provide community members with a safe and nurturing environment to build social connections and receive concrete resources like food and clothing. Last July, we finalized contracts with the 9 providers that will operate FECs in the first wave of expansion. These new FECs have been in a critical planning process, finding locations, engaging community members and elected officials, and co-designing space and offerings to meet individual

community needs. Just last week, ACS announced the recommended awards for the next 8 FECs and we anticipate issuing an RFP for the remaining 10 this coming fall.

Our 11 Community Partnerships also continue to combine coalition building and community organizing to foster broad multi-sector networks of providers, public agencies, community organizations and residents to lead community designed strategies and activities that strengthen family well-being and stability. For example, this past year three Community Partnerships have been working with three community schools so that families who need support or resources get connected to that help; the goal is to give school staff more community connectivity to support families, so that making a call to the SCR is a very last resort.

Our Office of Child Safety and Injury Prevention is continuing to lead efforts to provide parents and caregivers with the information and resources they need to avoid unintentional injuries and keep children safe. This winter, we continued to share critical information about infant safe sleep, educating parents of young children that babies sleep most safely on their backs, in their own crib, and without blankets or other items in the crib. This month we will be continuing our work to educate parents and caregivers on the dangers that cannabis-infused edibles pose for young children, particularly given how similar some of these items and their packaging is to other treats. Next week is National Poison Prevention Week and we will be participating in Poison Prevention Week Information and Resource Fairs where we will be sharing information and providing free lock boxes to help keep cannabis-infused edibles locked up and out of reach of children.

Expanding Access to Child Care Assistance

We are also focused on increasing access to child care assistance for low-income families. Child care is a critical support for families, and we are working to ensure to expand access and remove barriers for families that need help paying for care. ACS currently provides child care assistance to the families of approximately 57,000 children through child care vouchers supported by the federal Child Care Block Grant, as well as other state, federal, and city funds. Child care assistance from ACS is available to families with child welfare involvement and eligible low-income families (with income at or below 300% of the Federal Poverty Level).

Over the summer, ACS completely cleared our child care voucher waitlist of over 35,000 children, by offering child care assistance to any eligible child whose family applied, while also prioritizing access to low-income families in 17-high need neighborhoods. Since the fall, we have been accepting applications for low-income child care vouchers from families citywide. This effort has been successful—in the past year we have more than doubled the number of children enrolled in child care with the assistance of an ACS-issued low income child care voucher.

Strengthening Foster Care

Our commitment to providing families with the services and supports they need as far upstream as possible has led to a continued decline in the number of children in foster care, with a historic low of 6,717 at the end of 2022. For those children and youth who do need to come into foster care, ACS has maintained our commitment to placing children with kin, meaning family or close friends. Over half of children entering foster

care are placed with kin and 44% of children currently in care are with family or friends. ACS is also committed to working with our provider partners to provide children and youth in care and their families with the services and supports they need to thrive and, in most cases, return home.

To accomplish this, ACS recently announced the recommended awards for both our family-based and residential foster care contracts, which will begin in July 2023. First, the new system will add parent advocates with lived experience, to help parents safely reunify with their children more quickly. Second, the new system will include the Enhanced Family Foster Care (EFFC) program, which blends the traditional regular and therapeutic model into one program which will increase stability for children as their needs fluctuate. children. Through EFFC, all kin parents, foster parents and staff will participate in a trauma-informed training called Trauma- Responsive Informed Parenting Program designed to increase their capacity to care and support youth with complex needs. Third, the redesigned system will significantly increase therapeutic and evidence-based supports to better meet children’s needs while they are in foster care and reduce the amount of time they are in residential care. Fourth the redesigned system increases resources and expands the use of proven practices across the system in key areas, including visiting; continuing to increase the proportion of children placed with family and friends; expediting reunification; and providing services and supports to youth in care such as tutoring and Fair Futures coaches. Fifth, the redesigned system includes a new fiscal model that eliminates paying providers by the number of “care days” and provides more predictable funding to address the costs involved in maintaining high quality services for children and families. In addition, these

awards will also create Supervised Independent Living Programs (SILPs), a model that enables older youth experience and learn from living more independently as they prepare to leave the foster care system.

In the past year, we have expanded the Fair Futures model of coaching and tutoring supports from ages 11-21 to include youth 21-26, and in our juvenile justice programs. Over 3,000 young people are now receiving coaching and nearly 1,000 middle school students are receiving tutoring services. We have also launched VCRED, a vocational training program, and College Choice, our new model that provides housing, tuition, stipends and other supports to youth in foster care attending college, regardless of what college they attend.

Strengthening Juvenile Justice Programs

ACS oversees services and programs for youth at every stage of the juvenile justice continuum, which includes community-based alternatives for youth who are at risk of delinquency, as well as for their families. ACS recently released an RFP for Alternative to Detention (ATD) services, which is transitioning from MOCJ to ACS, with the start of those contracts in FY 2024. In addition, we provide secure detention services at Crossroads and Horizon, oversee nonsecure detention, and oversee the Close to Home juvenile justice placement system.

Close to Home is the juvenile justice placement system for youth found to be juvenile delinquents (JDs) by the Family Court and ordered to be in placement. Close to Home programs offer structured residential care for youth in a small, supervised, and home-like environment. In contrast to the traditional larger juvenile placement facilities

model, Close to Home programs have been intentionally designed to enhance participation in programming while preserving the safety and security of youth, staff, and the community. Close to Home allows for engagement to occur simultaneously with the youth, the family and the community to ensure that factors leading to juvenile justice system involvement are addressed before the youth returns to the community. Each Close to Home program is required to implement an evidence-based therapeutic program model that serves as the primary mechanism of behavioral support.

The census in Close to Home has continued to remain low; in January 2023, there were 50 youth placed in Close to Home. To help right-size Close to Home and to be more efficient, ACS has been working with OMB and our providers to reduce capacity. As noted in the November Modifications, starting in FY24, ACS will be reducing the size of the system from 237 beds to 171 beds. This Spring, we will be releasing an RFP for Close to Home, which will also enable us to strengthen our work to better address the older youth in Close to Home as a result of Raise the Age.

While the census in Close to Home has declined, we are seeing an increase in the census in our secure detention facilities, Crossroads and Horizon. As you know, since 2018, youth who allegedly committed crimes when they were age 16 or 17, who are ordered to be detained, are now detained with ACS rather than on Riker's Island. This has increased the number of older youth for whom ACS is able to provide the much-needed services and supports that these youth need. Since emerging from COVID, both the number and percentage of young people facing serious charges and awaiting trial in secure detention has increased. Youth in secure detention have been charged with more serious offenses and tend to have more complicated legal cases,

leading to longer lengths of stay. This is a trend also seen for adults here in New York and for both youth and adults throughout the country.

We are intensely focused on making our secure detention facilities safe and supportive for both staff and youth. I, along with the leadership in the Division of Youth and Family Justice, regularly engage the youth and staff so that we can hear directly from them how they can best be supported. Despite the increased census we are seeing the rate of incidents (both between youth and between youth and staff) dramatically decrease.

ACS has been intensely focused on recruiting, hiring, training, and retaining Youth Development Specialists. In 2022, we hired 195 YDS, including 61 during the last quarter of 2022, and in January of 2023, we hired an additional 27 YDS.

Supporting our staff working in detention facilities is a top priority. To address attrition and to support our staff, we have embedded staff and youth safety in all conversations. We continue to conduct regular wellness events and activities for our Detention staff. We instituted professional coaching for leadership and mid-level managers, created a Director of Performance and Learning position at each facility focusing on staff development and training, and launched a Teambuilding Fellowship for detention staff to promote increased opportunities for building positive working relationships between all staff.

We have increased our efforts to engage youth in school, programming and behavioral health services. In the current school year, we designated Youth Development Specialists in each secure facility to serve as school officers, to help encourage and facilitate school attendance and participation. Since September, we

have seen approximately ten young people graduate with either a Regents diploma or a GED. We are also expanding our programming menu to better meet the needs of the older youth in custody to include training in barbering, entrepreneurial training, and training to build a physical training business.

The Budget

ACS's proposed budget for City Fiscal Year 2024 is \$2.696 billion, including \$852.8 million of City Tax Levy. This represents about 2.5% decrease from FY23 Adopted budget to FY24 plan and is due in large part to savings measures instituted in the November Plan and one-year Council and Administration funded initiatives. The proposed state budget continues to maintain cuts to ACS's core services, including the reduced state reimbursement rate for prevention services (62% rather than the statutory 65%) and the total elimination of state funding for our Close to Home program (which previously received \$30.5 million). ACS was pleased to see that the state budget proposes to increase the income eligibility for low-income child care assistance to the federal limit (85% State Median Income), but disappointed that the state proposes to eliminate statutory discretion for counties, such as NYC, to prioritize child care eligibility when there is not enough funding to meet the demand. The state budget also proposed a 2.5% COLA for the foster care workforce, but ACS was disappointed that the state's proposed COLA once again failed to include the prevention workforce.

ACS appreciates our longstanding partnership with the City Council in our efforts to ensure the state maintains its commitment to NYC's children and families and we look forward to collaborating again this session.

Conclusion

As you can see, ACS and our providers have continued to make progress in our efforts to support children, youth and families, in the least intrusive manner possible. But there is more work to be done. We remain committed to listen, particularly to those who have first-hand experiences with our system, and to continue to learn so that we can deepen our understanding and evolve our work even further.