



Narrowing the Front Door to NYC's Child Welfare System Report and Community Recommendations

December 2022

A Note on Language

Throughout this report and recommendations we refer to the “family regulation system” or “family policing system.” By adopting this language, we follow how directly impacted people describe their lived experience with what has traditionally been called the “child welfare system” or the “child protection system.” This terminology reflects their experience with the system’s prioritization of and roots in surveillance, punishment, and control rather than genuine assistance to and support of families living in poverty and families in other marginalized groups, particularly Black and Brown families.

New York City Narrowing the Front Door Work Group

An Anti-Racist Approach to Shrinking New York City's Child Welfare System and Promoting Black Child, Family, and Community Wellbeing

Mission

The New York City Narrowing the Front Door Work Group will critically examine the existing approach to protecting children and strengthening families to identify what is working, reveal what is not, and make recommendations aimed at ending arbitrary, abusive and unwarranted government disruption and destruction of families, establishing effective mechanisms to ensure accountability for past and ongoing harms of the family regulation system, and instituting anti-racist public approaches to repair, heal, preserve, and strengthen Black families in New York City.

Who

The New York City Narrowing the Front Door Work Group is comprised of youth, parents, and family members directly impacted by New York City's child welfare system; community activists; lawyers for children and parents; academics; state and local government employees; and leaders in philanthropic and non-profit organizations who are committed to eliminating the destructive impacts of the child welfare system.

What

We have convened to identify and advocate for legislative and policy change and for government and philanthropic investment in family and community strengthening approaches that cultivate and support New York City's children and families' safety, health, well-being and happiness, specifically Black children and families who are disproportionately targeted by the system.



NTFD to NYC's Child
Welfare System Website

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I. EXECUTIVE SUMMARY

The child welfare, or family regulation, system harms Black and Latinx families. This broad system of surveillance and policing targets and separates low-income families of color when families have either needed no such intervention or could have benefitted from supports, not coercion. The systemic racism and generations of harm embedded in child welfare systems have been recognized by state, national, and international authorities.

Citywide, almost 45% of Black and Latinx children experience an investigation of their family by age 18.¹ In a city where about 60% of children are Black and Latinx, they account for about 90% of children in the system.² As ACS' 2019 race equity plan documented, Black families are less likely than other families to be mandated to services in place of removal, are disproportionately separated, and experience longer spans in foster care.³

The New York City Narrowing the Front Door Coalition (NTFD) critically examines the existing approach to protecting children and strengthening families to identify what is working, reveal what is not, and make recommendations aimed at ending arbitrary, abusive, and unwarranted government disruption and destruction of families. We urge city government leaders to establish effective mechanisms to ensure accountability for past and ongoing harms attendant to the family regulation system, and institute anti-racist public approaches to repair, heal, preserve, and strengthen Black families in New York City.

NTFD is composed of youth, parents, and family members directly impacted by New York City's child welfare system; community activists; lawyers for children and parents; academics; State and local government employees; and leaders in philanthropic and non-profit organizations who are committed to eliminating the destructive impacts of the child welfare system. Founding co-chairs of NTFD are Anne Williams-Isom, now Deputy Mayor for Health and Human Services, and Jess Dannhauser, now Commissioner for ACS.

¹ Frank Edwards, et al. "Contact with Child Protective Services is Pervasive But Unequally Distributed by Race and Ethnicity in Large US Counties," Proceedings of the National Academy of Sciences (PNAS). Volume 110, Number 30. July 2021. <https://www.pnas.org/doi/10.1073/pnas.2106272118>

² David A. Hansell, City Council Testimony: Oversight - Racial Disparities in the Child Welfare System. October 28, 2020. <https://www1.nyc.gov/assets/acs/pdf/testimony/2020/GWCommitteeHearing.pdf>

³ Administration for Children's Services, Equity Assessment, as submitted to the City Council, July 1, 2019. https://www1.nyc.gov/assets/operations/downloads/pdf/1174_public_report_w_appendices_2019.pdf

The goal of NTFD is embodied in its name: to narrow the front door to the family regulation system through which too many families and children have been forced for too long. It is well-documented that the so-called “child welfare” system has contributed to generational harm and disadvantage to Black children and families directly traceable to this country’s shameful and debilitating history of slavery and institutional and systemic anti-Black racism. NTFD’s Guiding Principles acknowledge the harm to Black families in the name of child protection and provide a framework to move from government policies that focus on policing and surveillance to policies that prioritize providing support and resources to communities and families.

In a series of four convenings in 2021-2022, NTFD gathered diverse stakeholders, and especially members who were directly and personally impacted by the family regulation system. These interactive sessions invited participants to identify what changes they wanted in New York City’s family regulation system and in government policies regarding child and family well-being. This document reports their recommendations.

Mayor Eric Adams has stated his commitment to equity, racial justice, and responsive public services. In that spirit, we present our recommendations to the Mayor, City agencies, and the City Council. We also include recommendations for the State Legislature, State Office of Children and Family Services (OCFS), philanthropic organizations, and the media. Key recommendations include:

- **Acknowledge that the family regulation system (“child welfare” system) has harmed, continues to harm the health, safety, and wellbeing of Black children, families, and communities.**
- **Establish and provide government funding and support for an Accountability Council**, led by parents and youth with lived expertise in the family regulation system and knowledgeable and committed community leaders, that investigates the active role the family regulation system has played in the thinning and stressing of naturally existing supports within Black and Brown families and communities, with the aim of holding government accountable, healing, repair, and prevention of future injury. The Council must have the authority to lead a meaningful and honest truth-telling and accountability process.
- **Shrink, and ultimately eliminate, mechanisms of surveillance**, reporting, investigation, prosecution and punishment of families, particularly on the grounds of poverty framed as “neglect.” Reduce investments in surveillance and regulation of families while expanding investments in supportive, restorative,

and healing organizations unconnected to the family regulation system as the primary responders to family crisis.

- **Provide direct, unrestricted financial support to families and concrete resources in communities to ensure that all families can meet basic needs** (such as, guaranteed income, cash transfers, childcare, housing, etc.). Dedicate new investments to families and communities most impacted by the family regulation system and administer such investments independent of the Administration for Children’s Services. Recent commitments to youth aging out of foster care are welcome; however, resources must also be offered to families most at risk of family separation.
- **Make immediate adjustments to the child welfare system, Family Court and parents’ legal representation to improve access to justice.** Mandate that child protective services investigators provide parents with notice of their rights and expand and improve legal representation for parents. Include community members on Family Court judicial appointment committees, provide for public comment on proposed Family Court appointments, and prioritize appointment of judges who have personal connections with the family regulation system.

“The NTFD work group intends to shift the focus from the [system’s] self-serving and self-perpetuating false narratives by providing a solution focused forum for authentic, transparent and respectful collective engagement. We will leverage all available power, privilege and influence to clear space in which youth, parents and communities directly impacted by the family regulation system can more fully exercise their power to hold government accountable and to lead the way in creating a truly caring and supportive approach to child and family well-being in New York City.”

Angela Olivia Burton, NTFD co-chair, attorney, and public servant.

II. FINDINGS

Convened in Summer 2021, the Narrowing the Front Door to NYC’s Child Welfare System Work Group comprises former foster youth, parents, and family members directly impacted by the family regulation system; community activists; lawyers for children and parents; academics; state and local government employees; and leaders in philanthropic and nonprofit organizations committed to eliminating the destructive impacts on families and young people of the family regulation system.⁴ While this diverse stakeholder group does not agree on everything that is wrong and unjust with the system - and conversations within the group could get contentious - we do agree, along with many other observers, that government intervention through the family regulation system harms, disrupts, and destroys viable families, and that racism and poverty are primary drivers of unnecessary government policing and regulation of Black families.⁵

In accordance with its Mission and Vision Statement,⁶ The Work Group presents this *Report and Recommendations* to advocate for government and philanthropic investment in family and community-strengthening approaches that promote New York City’s (NYC) children and families’ safety, health, well-being, and happiness.

More than 400 stakeholders participated in four convenings held by the NtFD Work Group between December 2021 and February 2022. These convenings explored the reach and impact of the system, highlighted how resources are used to investigate and prosecute rather than support families, and explored solutions that would ensure children and their families have access to necessary and beneficial resources.⁷

⁴ Current New York City Deputy Mayor for Health and Human Services Anne Williams-Isom and current New York City Administration for Children’s Services Commissioner Jess Dannhauser were original co-chairs of the Work Group before their appointments. See <https://sites.google.com/fordham.edu/narrowingthefrontdoor/home?authuser=0>

⁵ For example, see the New York State Bar Association’s April 2022 *Report and Recommendations of the Committee on Families and the Law, Racial Justice and Child Welfare*, <https://nysba.org/app/uploads/2022/03/Committee-on-Families-and-the-Law-April-2022-approved.pdf>; see also Movement for Family Power, “Whatever they do, I’m her comfort, I’m her protector.”: *How the foster system has become ground zero for the U.S. drug war*, June 2020, <https://static1.squarespace.com/static/5be5ed0fd274cb7c8a5d0cba/t/5eead939ca509d4e36a89277/1592449422870/MFP+Drug+War+Foster+System+Report.pdf> and Children’s Rights’ 2021 report, Shereen White et al., *Fighting Institutional Racism at the Front End of Child Welfare Systems: A Call to Action to End the Unjust, Unnecessary, and Disproportionate Removal of Black Children from their Families*, Children Rights (2021), <https://www.childrensrights.org/fighting-institutional-racism-at-the-front-end-of-child-welfare-systems/>.

⁶ The full mission and vision statement of the Narrowing the Front Door work group can be found here: <https://www.narrowingthefrontdoor.org/>

⁷ See videos of the events, read about the participants, see the data discussed, and read the group’s policy brief at <https://www.narrowingthefrontdoor.org/>

Participants provided powerful testimony of the devastating effects on families that have resulted from New York's state and city government's policy choice to fund policing and regulation rather than concrete, child and family supportive resources. Almost exclusively, the damage caused by these misguided government priorities in NYC has been borne by Black and Latinx families living in low-income communities.

Specifically, almost 45% of Black and Latinx children in NYC experience an investigation of their family by age 18. In a city where about 60% of kids are Black and Latinx, they account for about 90% of children in the system. And, as ACS itself documented in 2019, Black families are less likely than other families to remain together under agency and court oversight ("court ordered supervision"), and Black children are disproportionately separated from their parents and stay longer in state custody ("foster care"). It is time for this to change.

"You cannot tell me there's not intentionality to destroy families when you've been advised of what's being harmful and you've continued to do it and you have other options and resources and the ability to make change,"

Joyce McMillan, Founder and Director, JMacforFamilies

Codified in federal laws such as the Child Abuse Prevention and Treatment Act of 1974 and the Adoption and Safe Families Act of 1997 among others, and implemented at the state and local levels, the family regulation system operates on carceral principles of surveillance, reporting, investigation, prosecution, and punishment of marginalized families, with Black families particularly targeted at the intersection of poverty and racism.⁸ While federal and state laws dictate many aspects of the system, there is much New York City can do to "Narrow the Front Door", mitigate the effects of systemic racism in the system, and better meet families' needs. Decisive leadership is urgently needed to redefine NYC government's approach to children's well-being and family support. And, importantly, government support is needed for a reparative process to allow families and communities to document their experiences and identify corrective action.⁹

⁸ See Shereen White, *Fighting Institutional Racism at the Front End*, at pages 7-10 discussing major federal legislation that define the experiences of Black families in the system.

⁹ See Kelly Fong, "We Shouldn't Rely on Child Protective Services to Address Family Adversity," *The Imprint News*, September 2020, <https://imprintnews.org/opinion/we-shouldnt-rely-on-child-protective-services-to-address-family-adversity/47496>.

Poverty, race, and the family regulation system

Federal funding to the states for family regulation system activities and family separation is premised on income eligibility rules that exclusively target children living in poverty.¹⁰ Thus, by design, poverty is a major driver of family regulation system involvement, and in New York City Black children have the highest rate of poverty relative to other children. Antipoverty measures that address economic and resource barriers to family health and children's growth and development have been shown to reduce child welfare involvement. However, NYC's failure to provide families with the material resources necessary for them to raise healthy, happy, and thriving children drives families into the family regulation system and creates a cycle of devastation that often pushes them even deeper into poverty.

At the same time, it's the confluence of poverty, family regulation system policy and racism—not poverty alone—that aims these intrusive and destructive practices almost exclusively at the city's Black and Latinx families. While Latinx and Black youth are 3-4 times more likely to be in poverty or come from a single parent household than white peers, they are 5 to 13 times more likely to be in state "protective" custody than white peers in NYC.¹¹

These disparities exist despite the fact that there is no clear evidence that Black and Latinx parents maltreat their children more than other groups. The selective concentration of family policing and regulation does not accurately reflect parenting practices in Black and Latinx families. Nor has this approach supported or advanced children's safety, health, or well-being. Instead, as investigative journalist Andrea Elliot details in her 2022 Pulitzer Prize winning book, *[Invisible Child: Poverty, Survival & Hope in an American City](#)*, NYC's family regulation system has contributed to generational disadvantage directly traceable to this country's shameful and debilitating history of slavery and institutional anti-Black racism.

¹⁰ See Richard Wexler, You Get What You Pay For: The Federal Government Should Stop Paying for Foster Care, *Family Integrity and Justice Quarterly*, Summer 2022, pp, 56-69, <https://publications.pubknow.com/view/288644440/56/>.

¹¹ From 2019 Child Trends analysis of federal data, disparity rates calculated with census data, in-care disparity pulled from 2015 OCFS DMR report prepared by Community Impact Advisors for Redlich Horwitz Foundation.

“Black parents are more than capable of raising their children without family policing, regulation, and surveillance.”

Tricia Stevens, Assistant Professor, Silberman School of Social Work at Hunter College

During the COVID-19 pandemic, NYC witnessed how children and families would fare under a radical reduction in the family regulation system’s operations. The number of suspected child maltreatment reports, investigations of families, families surveilled and supervised, and removals of children from their homes dropped significantly and have stayed below trend until recently.¹² Evidence shows that this radical curtailment of the system’s operations did not endanger children. Rates of substantiated claims of abuse did not rise. In fact, substantiated claims of abuse dipped and rates of substantiated claims of neglect remained unchanged.¹³ Contrary to biased and baseless fear mongering that New York City’s Black and Latinx parents would ramp up abuse of their children in the absence of the system’s oversight, children stayed safely with their families and in their homes.

COVID-19 offered an unplanned experiment in the effects of direct assistance and social protections to families without the usual hurdles to accessing benefits. Eviction moratoriums, direct cash assistance, and increased access to food stamps and food sources helped reduce stress on many families during the pandemic. We now know that direct assistance, unfettered by unreasonable hurdles, are protective support for families. These data also call into serious question claims by ACS and Family Court that child removals are used only as a tool of last resort.

Poverty framed as “Neglect”

The CPS system is designed fundamentally to target families living in poverty under the rubric of “neglect.”¹⁴ New York’s definition of “neglect” reflects this focus, referencing

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<http://www.centrernyc.org/reports-briefs/2021/2/4/watching-the-numbers-2022-monitoring-new-york-citys-child-welfare-system-hx4nf>

¹³ Anna Arons. *An Unintended Abolition: Family Regulation During the COVID-19 Crisis* *Columbia Journal of Race and Law*. 12(1). 2021.

<https://journals.library.columbia.edu/index.php/cjrl/article/view/9149>.

¹⁴ See, for example, pages 30-31 of Shereen White et al., *Fighting Institutional Racism at the Front End of Child Welfare Systems: A Call to Action to End the Unjust, Unnecessary, and Disproportionate Removal of Black Children from their Families*, Children Rights (2021), discussing poverty-related federal and state definitions of “neglect.”

as evidence of neglect a parent's failure to provide a child with necessities such as food, clothing, shelter, education, or medical care. This definition has tied up public resources in regulating the intimate details of family life based on overly broad and subjective policies and loose interpretation and lax implementation of laws and legal standards.

For example, New York law (Family Court Act 1012) deems parents guilty of neglect only where they do not adequately provide for their children *"though financially able to do so or offered financial or other reasonable means to do so."* Yet, parents accused and deemed guilty of neglect rarely have the financial or other means necessary to satisfy the family regulation systems' dictates. ACS and Family Court judges routinely ignore the legal prerequisite that a parent fails to provide for their children although financially able to do so, or that the government provide parents with the means to care for their children before finding a parent guilty of neglect. In short, ACS and the Family Court treat poverty as a crime punishable by family separation and regulation.

Moreover, under the law of "reasonable efforts," ACS is obligated to offer assistance (such as shelter, food and transportation resources, orders of protection in domestic violence cases, or other supports) prior to removing children and to ensure speedy return of children to their homes if they are removed.¹⁵ The failure of ACS to provide reasonable efforts, including financial assistance and material support, is considered a wrongful removal and should result in a loss of federal funding. Yet, the courts do not hold ACS accountable to this standard.¹⁶ Meanwhile, ACS spends \$1.2 billion each year on investigations, surveillance, foster placements, and adoptions.¹⁷

"I'm floored at the fact that we're still doing this -- people not knowing their rights... I remember advocating for children and adults, parents and foster parents, and social workers to know the rights of the system and what is entitled to them,"

LaToya Sykes, Fordham University Master's student, former foster youth, advocate

¹⁵ See Child Welfare Information Gateway, Reasonable Efforts to Preserve or Reunify Families and Achieve Permanency for Children (2019), <https://www.childwelfare.gov/pubPDFs/reunify.pdf>.

¹⁶ For discussion of the failure of courts generally to enforce the reasonable efforts requirement, see Judge Leonard Edwards, "Ignoring Reasonable Efforts: How Courts Fail to Promote Prevention," <https://imprintnews.org/top-stories/ignoring-reasonable-efforts-why-court-system-fail-promote-prevention/32974>.

¹⁷ See Finance Division, The Council of the City of New York, "Report to the Committee on Finance and the Committee on General Welfare on the Fiscal 2022 Executive Budget for the Administration for Children's Services, pages 1-2, May 10, 2021, <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2021/05/ACS-2.pdf>

Thus, it is not surprising that families charged with “neglect” predominate in the system, accounting for over 80% of allegations called into the state hotline. Abuse allegations, including physical, sexual, and psychological abuse, make up only 16% of allegations to the State Central Registry.¹⁸

The system, however, operates as if serious cases of abuse predominate. At the front end, rather than ensuring that families are connected to concrete supports and resources for children and their families, NYC and NYS government spends millions of tax dollars on adversarial tactics and surveillance, spending \$300 million on investigations in NYC alone.¹⁹ ACS also spends hundreds, sometimes thousands of dollars a month to other people to take care of children when they could stay safely and securely in their own homes if the money were given to their parents directly for concrete, basic life necessities.

Criminalizing poverty not only causes short- and long-term trauma and disadvantage to families; it exacerbates the underlying socio-economic challenges faced by the very children the system claims to protect. It has disrupted, destabilized, and destroyed intact, viable Black and Latinx families.²⁰

Impacts on Communities, Families and Youth

Clear and undisputed evidence shows that policing of family life has a debilitating and traumatic impact on the very children the system purports to protect, as well as on their families and their communities.²¹

Black and Latinx communities live with fear that seeking needed support will result in an accusation being filed with the State Central Registry hotline. Only 35% of investigations were substantiated in FY21, indicating that thousands of calls are

¹⁸ Flash Report, Monthly Indicator. Figure 2, SCR Allegations, April - June 2022. P. 29. NYC Administration for Children’s Services. July 2022.

¹⁹ See New York City Council Finance Division report, *supra* note 17, page 1.

²⁰ https://www1.nyc.gov/assets/operations/downloads/pdf/1174_public_report_w_appendices_2019.pdf

²¹ Trivedi, S. (2019). The harm of child removal. *New York University Review of Law and Social Change*, 43, pp. 523-580. Available at: https://scholarworks.law.ubalt.edu/all_fac/1085

Sankaran, V., Church, C., & Mitchell, M. (2019). A Cure Worse Than the Disease? The Impact of Removal on Children and Their Families. *Marquette Law Review* 102(4), pp. 1163-1194. Available at: <https://repository.law.umich.edu/articles/2055>

uncalled for,²² yet the threat of family separation has a chilling effect on families seeking needed support. That fear is justified by lived experience and data. Mandated reports by teachers, health care providers and other “helping professionals,” lead to children and families being under government surveillance, at best, and family destruction, at worst. It especially impacts Black parents living in under-resourced communities who rely on publicly funded schools, hospitals and clinics, domestic violence services and other taxpayer-supported resources. Many avoid seeking help from public social services systems at all costs.²³

“The more you overload your system with false allegations, trivial cases, and poverty cases the less likely you are to find those very few children in real danger.”

Richard Wexler, Executive Director, National Coalition for Child Protection Reform

When families are separated, indisputable evidence shows that children are often less safe and less well cared for in the foster system,²⁴ and that family separation are harmful and traumatic for children and their families. All too often, it leads to judges issuing orders that permanently destroy a child’s legal and social relationships with their parents and extended family (“termination of parental rights”).

Impacted youth confirm the many ways the system fails them. Removal from their families not only deprives them of their parents’ love and care, but also interferes with and destroys relationships with siblings, extended family, and friends. Youth shared with the Work Group that they experienced inappropriate educational placements; lack of resources for housing, medical and mental health care, and higher education and job training, especially for older youth; inconsistent quality of social work and legal assistance; and lack of oversight and accountability of foster care agencies.

Indeed, recent news reports show the abysmal graduation rates for New York City’s foster-system-impacted youth and enumerate the myriad ways that the system fails

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<http://www.centernyc.org/reports-briefs/2021/2/4/watching-the-numbers-2022-monitoring-new-york-citys-child-welfare-system-hx4nf>

²³ See Fong, Kelley. 2020. “Getting Eyes in the Home: Child Protective Services Investigations and State Surveillance of Family Life”. *American Sociological Review* 85 (4):610-38, <https://journals.sagepub.com/doi/10.1177/0003122420938460>.

²⁴ National Coalition for Child Protection Reform, Foster Care vs. Family Preservation: The Track Record on Safety and Well-being. Issue Paper 1 (undated). <http://bit.ly/2sq8w1Z>

children it takes into “protective custody.”²⁵ One in five youth enter a homeless shelter within three years of being discharged from the system at the age of 18 (or 21); 66% suffer from heightened anxiety; and 40% experience food insecurity. A system that claims to protect and promote children’s well-being has failed those children.

“We're not looking at what it does to a mom -- to her wellbeing -- from her head to her heart to her gut. It destroys a family. And when we look at the amount of dollars versus what we can give families and what we give systems and the outcomes aren't any better. We hear from young people that the outcomes aren't any better.”

Jeanette Bocanegra, Executive Director, Justice for Families

Legal and Operational Overview of New York’s Family Regulation System

Federal policy, law, and funding priorities drive state and local “child protection/child welfare” policy and practice. The federal government pumps millions of dollars a year into the city’s family regulation system, fueling and intensifying its punitive and disruptive approach.

Federal priorities are implemented through the Children's Bureau, an agency within the United States Department of Health and Human Services' Administration for Children and Families. By making funding contingent on compliance with federal laws and regulations, the United States government significantly influences state and local policy, law and practice through legislation enacted by Congress and regulations and policy directives promulgated by the Children’s Bureau. The Child Abuse Prevention and Treatment Act (CAPTA) of 1974 created and codified the nationwide child protection services (CPS) system of surveillance, reporting, investigation, monitoring, and prosecution of allegedly abusive or neglectful parents.

²⁵ New York Post, “NYC Council, advocates call for DOE to support students in foster care,” <https://nypost.com/2022/04/20/nyc-council-advocates-call-for-doe-to-support-students-in-foster-care/>; NBC News, “Unprotected”: Aging Out of Foster Care, Part 1, October 12, 2022, <https://www.nbcnews.com/video/unprotected-aging-out-of-foster-care-part-1-150512709768>; NBC News,

Since then, Congress has passed over 30 laws that impact how New York families experience the family regulation system.²⁶ In addition to CAPTA, laws that have significant impact on local practice include the Adoption Assistance and Child Welfare Act of 1980, the Adoption and Safe Families Act of 1997, the Multiethnic Placement Act of 1994, and the Family First Prevention Services Act of 2018.

While these laws purport to protect and improve the lives of vulnerable children, in many ways they perpetuate the system's entrenched racism while strengthening its surveillance and regulatory capacities. As the New York State Bar Association's Committee on Families and the Law recently observed, "[a]lthough federal legislation adopted over the past 50 years has ostensibly been supportive of the safety and wellbeing of children and families, inherent systemic and structural biases have meant that the legislation has often facilitated government disruption and destruction of Black families and children."²⁷

At the state and local level, the family regulation system comprises a wide-ranging, interconnected network of private and public entities – including state and local CPS agencies; private foster care organizations; government-funded and -controlled community-based service providers; health, mental health, and education agencies; and state and local judges, prosecutors, and law enforcement agencies. Additionally, federal law requires a system of "mandated" reporting, which is supplemented by permissive reporting of suspected child abuse and neglect by statutorily designated professionals as well as ordinary citizens. These government and private entities that make up the family regulation system receive reports of suspected child maltreatment and investigate those accusations; deliver "preventive" services to families; separate children from their parents; and prosecute, monitor, and implement "permanency planning" that dictates present and future status of children in the foster system, including permanent destruction of all social and legal ties of children to their families.

In New York, the State Office of Children and Family Services (OCFS) is the primary institution charged with implementing federal law and policy. Most federal dollars are managed by OCFS, which distributes federal funding to New York counties and New York City. The federal government also influences child welfare practices of the Family

²⁶*About CAPTA: A Legislative History*, Child Welfare Information Gateway (2019), <https://www.childwelfare.gov/pubPDFs/about.pdf>.

²⁷ New York State Bar Association, Report and Recommendations of the Committee on Families and the Law, Racial Justice and Child Welfare, April 2022, <https://nysba.org/app/uploads/2022/03/Committee-on-Families-and-the-Law-April-2022-approved.pdf>

Court with funding to the state Unified Court System through the federally required Child Welfare Court Improvement Project (CIP).²⁸

While the City and its Administration for Children's Services is beholden to federal and state regulations, it maintains some flexibility in how it implements its mandates, contracts for services, and positions child and family wellbeing. For example, ACS has control over:

- spending on primary prevention within its Office of Family Well-Being, such as enrichment centers and community partnerships, and control over how city tax levy and presumably other primary prevention funding streams are spent;
- concerted training of NYC mandated reporters and public messaging around hotline calls;
- media and political understanding of surveillance as a harm;
- weighing in on state legislation, such as supporting instead of opposing the proposed legislation change to confidential vs. anonymous reporting;
- supporting City Council legislation, such as early legal representation; and
- sharing data to address racial inequity and better inform policy and resources for families.

²⁸ See New York State Child Welfare Court Improvement project website - <https://ww2.nycourts.gov/IP/cwciip/index.shtml>.

"I don't believe that there is malicious intent from the people operating on behalf of the system but I do think that there's a veil that exists over their eyes and the beliefs that they have that they're doing what's best on behalf of children.

When I went into the foster system, I actually thought that ACS would be my saving grace and I would be safe and cared for, but it was not my saving grace. The trauma and abuse that I experienced within the system was far worse than anything I have experienced outside of the foster system. As an adolescent, no one did any family finding for me or work to support reunification, my future as a young person who aged out was set. I am who I am today despite the system not because the system intervened on my behalf.

I believe that there needs to be outside surveillance on CPS cases and the cases that are actively open in the foster system because we need to examine if bias, privilege, and self-experiences are actually creating the veil over the decisions that are being made on behalf of children who are impacted by the system. We say we want to support and keep children safe but are we actually doing that to the best of our ability or is the system in fact overburdened by the number of cases that are coming into it so it can't do its job? I believe that the system probably should exist for a small number of children, however it cannot and is not doing its job. There needs to be some accountability as to why the Black families, and other families of color -- are disproportionately represented within the system. We know that this is part of the historic context of systemic racism and poverty in this country.

I believe that there has to be ongoing external investigating, oversight and accountability for all of the CPS, Prevention and Foster System work."

Jessica Maxwell, foster system survivor and alumna

Lessons Learned from a Case Study: Faith's Story

In Session 2 of our convenings, we centered the story of "Faith," a composite mother whose life experience and system involvement reflect the realities of too many New York City families. We used the story of Faith and her children to demonstrate how money spent on the family regulation system harms rather than supports struggling families.

"Faith" lives in the Morissania neighborhood of the Bronx. She works part-time for a company that hires only part-time workers to avoid providing paid time off, sick leave, or health benefits. To fill in the gap between her earned wages and her family's needs, she relies on government benefits such as the Supplemental Nutritional Assistance Program (SNAP) for groceries and the local public medical clinic/hospital for health care. Life is a constant balancing act; when one of her children suffers what appears to be a minor injury from an accidental fall but later needs emergency medical care, she must miss work and lose wages. When she takes her child to the hospital for medical treatment, she is treated as a suspected neglectful/abusive parent for making typical decisions about a child's medical needs, such as when a child's injuries are serious enough to require professional medical attention.

After a CPS investigation, during which she is not informed of her legal rights and has no legal representation, Faith is charged with medical neglect for failing to bring her child into the hospital sooner. She is hauled into family court, where a judge rules that her son must be separated from his mother and siblings and placed into the foster system to live with strangers. Faith's right to make decisions for her family and the bonds between her and her children is disregarded. As a result of this intrusive, unnecessary, and destructive government intervention, Faith loses her job as she deals with myriad appointments, court dates, and supervised visits with her son. The system involvement leaves Faith and her family even more economically and emotionally precarious and inflicts psychic wounds that will never fully heal.

Faith’s story also graphically illustrates how money flows around families in the family regulation system, but never reaches them when they need it most – before ACS and the system descend upon them. In 2020, for example, in Morrisania, where Faith lives, there were 1,145 ACS investigations which cost the taxpayers \$10 million dollars.²⁹ On average, that equals \$8,400 per investigation. Meanwhile, 40% of people living in Morrisania make less than \$20,000 per year. The money spent surveilling and separating families in neighborhoods like Morrisania and perpetuating racial and economic injustice and trauma could be given directly to families to help with their material needs, such as childcare, groceries, rent, clothing, tutors, extracurricular educational and recreational opportunities, etc. – all the things that parents of privilege have available to raise healthy and thriving children.

**“I know that this is real and could have happened this way...
There are other types of interventions and this case could
have been handled differently.”**

Sophine Charles, Associate Executive Director, Council of Family and Child Caring Agencies (COFCCA)

²⁹ <https://familypolycnyc.org/2022/02/11/nyc-child-welfare-funding/>

III. RECOMMENDATIONS: GUIDING PRINCIPLES

We can choose to do things differently. Our four convenings produced feasible and impactful alternatives and solutions. Following are principles for narrowing the front door to the family regulation system that came up over and over during our sessions, and that shape our more specific recommendations in Part IV.

Underlying these principles is the overarching urgency to make immediate, significant adjustments to the system to provide relief to families and to strengthen justice and right relations between government and affected communities going forward.

- **Support! Don't report:** Shift from a system of mandated reporters to mandated supporters, dismantling surveillance and pipelines in the family regulation system. This requires new laws, policies, and practices to repeal mandated reporter laws and to narrow the definition of maltreatment, eliminating neglect; new training and supportive resources for personnel to re-orient the focus to supporting well-being rather than investigation and prosecution; and new approaches to connect families to resources and support and community-based peer navigators/coaches unconnected to the system to assist families in accessing the resources and supports they say they need and want.
- **Invest in families:** Provide direct, unrestricted financial support and concrete assistance to ensure that all families can meet basic needs. The city should end its treatment of poverty as an individual failure and its use of the family regulation system to perpetuate racial and economic inequality. Shift the flexible sources of federal, state and city funding to address concrete basic life necessities rather than for "preventive services" designed for so-called "at-risk" populations.
- **Invest in communities:** Invest in Black and Latinx communities to provide financial and material support for community-led solutions. Under-investment in family, neighborhood, and community supports and resources and over-investment in intrusive and oppressive regulations - in historically under-resourced neighborhoods - force system-impacted families and those at risk of system involvement to live with conditions of extreme stress. Families and individuals are resilient, but they should not have to endure unwarranted

and punitive government intervention in their lives to survive. Government support for families, including child care, housing, and supportive services should not be tied to the family regulation system. Investments must value and support existing strengths, adaptations, and fortitude within Black and Latinx families and communities that are raising children who must contend with systemic racism in the larger society. They must also enhance the ability of Black and Latinx families and communities to determine for themselves what child safety and child well-being means and how best to strengthen their ability to care for their children and preserve family bonds.

- **Prioritize participatory decision-making:** Create meaningful methods for impacted people and community leaders to participate in planning. Many families find ways to work around the devastating conditions of poverty and racism. Families impacted by these socioeconomic realities must have a platform to share their lived expertise, and the Administration and city managers must take heed. Families know the solutions to the struggles they face, even if they do not have enough money to actualize those solutions. Their ingenuity, demonstrated under conditions of extreme stress, may look different from the formalized treatment plans created by service providers, but the solutions they propose nevertheless have strong validity.

IV. COMMUNITY RECOMMENDATIONS

Our specific recommendations propose action steps addressed to specific stakeholders and decision makers: the Mayor and City agencies, Family Court, the City Council, State legislature, the State Office of Child and Family Services, philanthropy, and the media. The recommendations in this report aim at reprioritizing how existing tax dollars are spent, and align closely with Mayor Eric Adams' agenda for racial equity and family well-being, including his commitment to providing accessible and quality child care and early childhood education. The Mayor appointed Anne Williams-Isom and Jess Dannhauser to oversee the City's child welfare services and, as original co-convenors of the Narrowing the Front Door Working Group, these leaders have demonstrated their commitment to addressing the demonstrated harms of the family regulation system, and must be held accountable for mitigating the harms of the system to New York City's Black and Latinx families.

A. TO THE MAYOR AND NYC LEADERSHIP

- 1. Acknowledge the harm.** The first step in true healing is to acknowledge the harm that has been done to our city's Black and Latinx families, most living in conditions of poverty. These families have been demonized for being poor, Black and Latinx. We call on Mayor Adams to publicly acknowledge, as have many leaders in the child welfare field, that racism and classism have been and continue to be the fundamental drivers of the family regulation system. Every day, Black and Latinx families in our city live with the consequences of the historical, accumulated, and ongoing injuries caused by the oppressive and punitive approach of the "child protection/child welfare" system. Our government leaders – elected and non-elected – must acknowledge the government's role in perpetuating these harms and commit to a path of healing that truth-telling processes and restorative practices teach us is possible. We are calling on government leaders to publicly renounce the family regulation system's devastation to families and to commit to making better policy and funding choices going forward.
- 2. Establish a family regulation system Accountability Council.** To support the course correction called for in the previous recommendation, we call for a community-run Accountability Council, to be established by law and funded by the City government. Its mandate would be to develop a roadmap to

narrow the front door to the existing system by reducing surveillance, reporting, and investigations and to make other recommendations on how NYC can improve the health and well-being of Black and Latinx children and families, including those currently in the foster system. The Council would be substantially funded with funds from the ACS budget, housed at a publicly funded institution of higher education, for example, the City University of New York School of Law or a similar institutional partner, and led by community leaders and parents and youth with lived experience with the family regulation system. Government officials would not serve on the council nor determine its membership or operations. The Council would be empowered to access data from relevant government entities to support research and convene focus groups and public hearings. These fact-gathering activities would be aimed at identifying corrective action steps and future initiatives to end the harms of the current system, redress past harms, and prevent future harm. Objectives:

- Establish a space and process for confronting harm caused by the family regulation system and opportunity for repair.
- Develop a plan based on grassroots leadership that creates new ideas to reduce CPS investigations and involvement in the family regulation system.
- Make other recommendations as to how New York City can invest in families and communities to support child and family safety and wellbeing.
- Establish frameworks for holding NYC government accountable for making progress on these recommendations -- measurably narrowing the front door and reducing the number of Black and Latinx families targeted by CPS.

3. Provide direct, unrestricted financial support to families in ways that are disentangled from the family regulation system and avoid the so-called “benefits cliff” for families so that this support does not supplant other public benefits. Possible actions to consider include:

- Join Mayors for A Guaranteed Income,³⁰ a network of mayors advocating for a guaranteed income to ensure that all Americans have an income floor.

³⁰ <https://www.mayorsforagi.org/>

- Make securing direct cash transfers for families a priority of this Administration.
- Create direct cash programs for targeted groups (an example is the Bridge Project that supports young families in Morningside Heights, Inwood, and Harlem).
- Support government aid and mutual aid programs that provide families with the material goods and cash support they need to raise happy and healthy children.
- End work eligibility requirements for childcare vouchers.
- Ensure that low-income families in impacted communities are prioritized for expanded childcare, including respite care and community-based drop-off childcare. Local drop-off emergency childcare is crucial for parents to meet work and other obligations and minimize family stress when last-minute childcare needs arise.
- End ACS oversight of childcare vouchers and transfer this responsibility to either HRA to administer with other benefits or to DOE to oversee along with other childcare programs.
- Provide every family in need of housing with market-rate rent assistance so that families can access permanent, quality housing.
- Provide other concrete material support to families that includes, but is not limited to, health care, debt relief, access to education assistance, and workforce development services that offer employment with benefits.
- Support local and trusted community organizations that have historically provided families with a safety net including, but not limited to, churches, mutual-aid groups, doulas, food pantries, and recreational and after-school centers.
- Fund community groups to provide peer mentors unattached to carceral systems.

4. Make immediate adjustments to the Family Court System and expand legal representation to improve access to justice.

- Include community members on family court appointment committees and provide for a transparent and well-publicized public comment on proposed appointments.
- Appoint judges to the family court who come from system-impacted communities and have personal experience with the system or experience representing system-impacted parents and youth.

- Provide funding adequate to ensure that parents have access to well-resourced legal representation and social work advocacy during an ACS investigation prior to court intervention and for the duration of the court process.

B. NYC ADMINISTRATION FOR CHILDREN'S SERVICES (ACS)

- Pause the expansion of "primary prevention" because ACS lacks the trust of the families and communities it seeks to serve. To do this work with integrity and to truly benefit families these supports cannot be under the auspices of ACS and should be administered by another City agency or through a community-based organization that would create a real separation between services and the family regulation system.
- Center impacted people and community leaders in all policy and program planning.
- Collect and publish high quality data and provide budget transparency, including highly detailed data across all points of the system, by reporting source, community district and racial disaggregation.
- Pause the current RFP for ACS employed/contracted "parent advocates" and invite public comment and community input on the path forward. Fund additional peer or parent advocates in defender and related service organizations that can support parents without their role being constrained by ACS. Such advocates can use their lived experience to support and mentor in ways others cannot and they should be empowered and funded to do this transformational work independent of ACS mandates and oversight.

Make urgent adjustments to practice to protect parents' rights and center family-led decision-making:

- ACS and its contractors must respect and empower parents in decisions about their families. Show empathy and care. Ask not what a parent has done, but what does a parent need. Engage parents in solutions and treat them as partners, rather than as clients, respondents, or subjects.
- Inform every parent of their rights including, but not limited to: their right to an attorney at the first moment of contact with the family; their right to not engage with CPS investigators without a court order; and their right to a 1028 hearing for the return of their child.

- Facilitate parents' attendance at school functions when their child has been taken into the foster system and ensure that they receive regular updates directly from the school. Avoid interrupting parents' participation in their child's education process when a child is taken into the foster system.
- Train foster caretakers not to usurp the parent's role, but to fulfill the role of temporary caretaker, not adoptive parent, and hold foster caretakers accountable to parents. This includes prohibiting the use of language that minimizes parents' role in their children's lives and elevates the stature of those intended to be interim caregivers (for example, referring to a child's mother as his or her "other mommy"). Children may choose to call an interim caregiver the title of "foster-mother," and this is a choice that should be respected. The system does not have the right to give the title of parent to another person.

C. CITY AGENCIES EMPLOYING MANDATED REPORTERS

Physicians, teachers, education personnel, health and hospital staff, law enforcement, DHS staff and other social services workers must stop policing families and start supporting them.

- Advocate and support the repeal of mandated reporter laws.
- Reduce hotline calls by learning and understanding the consequences of reporting parents to ACS and the long-term harm and trauma caused by investigations, surveillance and family separation.
- Participate in anti-racism and anti-bias training to ensure that you are not biased in your interactions with parents and in deciding whether to report a parent to the child welfare system.
- Be educated on how to access government aid, cash assistance, and mutual aid so that you can support, rather than report, families in crisis.
- If you report a family to the child welfare system, always refer the parent to a legal organization where they can get representation in connection to the investigation.

Most teachers, doctors, social workers and caseworkers are members of teams able to meet, discuss and coordinate alternative approaches to family regulation system involvement that put families first. This includes engaging parents, understanding their existing network of support, augmenting those supports where needed and providing

material, emotional and social supports that allow parents to successfully support their children’s overall wellbeing.

D. NYC DEPARTMENT OF EDUCATION AND SCHOOL PERSONNEL

Almost 25% of reports to ACS in 2021 came from schools. NYC must invest in schools’ capacity to directly support families. Schools are often the first to see how families are struggling and should offer direct support to families:

- Hire more guidance counselors or social workers and parent peer supporters and train them to refer families to community resources.
- Provide cash and support for families with material needs that affect education.
- Refer families to education rights attorneys and advocates trained to support and advocate for families with education issues.

Improve the climate and safety of schools so that school-based issues do not increase family stress:

- Teachers and school personnel must be trained in restorative justice (RJ) practices and develop methods to use RJ in place of punitive responses in the majority of situations to eliminate the school to juvenile detention to jail pipelines.
- Teachers and school personnel must receive bias and cultural competency training and be held accountable to these principles when they interact with parents and families.

E. NYC HEALTH + HOSPITALS AND HEALTH CARE PERSONNEL

The role that hospitals and medical providers have played in the family regulation system has had a dampening effect across many communities, causing some parents to avoid or delay medical care for fear of losing their children. Parents should be able to seek help for their children without the constant fear of losing their children because of the color of their skin, the zip code they live in, or how they may appear to providers.

- Acknowledge the deep lack of trust between medical providers and the Black community caused by decades of racism - a trust that the medical profession needs to earn back through centering and trusting their patients.
- Advocate and support repeal of federal Child Abuse Prevention and Treatment Act (CAPTA) and NYS law provisions which make hospital personnel agents of the family regulation system ("mandated reporters").
- Instead of drug testing pregnant and post-natal people and reporting them to the family regulation system, provide appropriate medical and social work counseling and treatment.
- Keep data on who you are reporting to the family regulation system and who you are not.
- Hire people from the community you serve and start scholarships and funding for people in that community to join the medical profession.
- Ensure on-site childcare so that parents can receive emergency care without fear of ACS involvement even if they cannot arrange babysitting.

F. NYC DEPARTMENT OF HOMELESS SERVICES

- End punitive and stressful family shelter rules, such as the lock out policy in New York City shelters, which requires families to relocate entirely if they miss the curfew at a given shelter.
- Ensure that when families enter the shelter system, they are placed in their communities near their schools, churches and community resources, and that they are able to remain in shelter until they find housing near their community care network if they choose.
- Provide food, transportation, and other material support to families rather than reporting them to ACS if they lack resources for these basic needs.

G. NYC CITY COUNCIL

- Provide direct, unrestricted financial support to families in ways that are disentangled from the family regulation system and avoid the so-called "benefits cliff" for families so that this support does not supplant other public benefits. (Please see section A.3. To the Mayor and NYC Leadership for detailed suggestions for addressing the economic needs of families.)
- Hold ACS accountable for the racial disparities in the family regulation system and for the poor outcomes for youth in foster care.

- Collaborate with advocates to outline the high quality data and budget transparency that can better support public accountability from ACS.
- Dismantle pipelines to the foster system which lead to racial disparities, including mandated reporter laws and hospital drug testing.
- Use discretionary funds to support an array of community-based services that support families and that can be enhanced to form the backbone of a community and family centered system of care.
- Fund education rights attorneys and advocates trained to support and advocate for families with education issues.
- Pass the Parents' Miranda Bill currently before the Council that requires ACS to inform parents of their rights, including their right to an attorney, during an ACS investigation.

H. FAMILY COURT AND JUDICIAL LEADERSHIP

- Follow the law and hold ACS accountable to their legal burdens of proof and to their obligation to make federally required "reasonable efforts" to avoid family separation and to reunify separated families expeditiously.
- Require legally sufficient evidence before ordering that a child be removed from their parents. Do not remove children from their families based on the word of one mandated reporter.
- Poverty is not a crime. The Family Court should enforce Family Court Act section 1012 that says a parent's inability to supply a child with adequate food, clothing, shelter, or education is not "neglect" if they are not financially able to do so. Enforce the law by holding ACS accountable to provide families with concrete resources and beneficial services and in offering financial assistance or other supports to families before charging a parent with neglect. Consider whether the challenges faced by the family would be addressed if the money that will go to the foster caretakers went to the family.
- Do not remove children or place families under court-ordered supervision in cases that allege poverty-related neglect. Agency supervision is not support. Stop extending case supervision over families under the auspices of helping them.
- Prioritize reunification hearings over terminations in scheduling.
- Ensure sufficient court time for emergency hearings involving services and family time/visitation.
- Ensure the appointment of judges from the communities they serve.
- Respect parents and their autonomy in raising their children.

- Create a public court watch program to provide public insight into the operations of the court system, to hold judges accountable for their decisions, and to provide public input into policy changes.

I. STATE LEGISLATURE

Dismantle pipelines to the foster system. New York should address overreporting of neglect and the conflation of poverty with neglect.

- Enact a law that requires a finding of actual harm or “imminent physical harm” before separating a family.
- The Informed Consent Bill currently before the legislature prohibits non-consensual drug and alcohol screening and reporting of pregnant and prenatal people and their newborns, requiring health care providers to obtain written and verbal informed consent before drug testing or screening new parents and their newborns and requiring that a drug test or screen be given only if it falls within the scope of medical care.
- The Parents’ Miranda Bill currently before the legislature requires CPS to inform parents of their rights, including their right to an attorney, during a CPS investigation.
- Other states also allow child welfare agencies to “screen out” certain hotline calls. Legislation should enable CPS to screen out some calls, instead of being required to investigate every report.
- Evidence shows that the mandated reporting system is rife with bias and racism. Additionally, the anonymous nature of the system assumes good intent on the part of the reporter, providing cover for those who actively act with racial, class and interpersonal animus. The racial background of families is clearly identified throughout their records, while the race of the reporter is not collected. This color-blind approach to practice in an area where the consequence of a call driven by animus is the separation of a family, can no longer be tolerated in 2022.
- The Anti-Harassment in Reporting (aka Confidential Reporting) Act removes the option to report people anonymously to the child welfare system and requires every caller of suspected child maltreatment to provide their name, basic demographic information including race, and contact information. This would allow investigations to proceed and sensitive information to be kept confidential from the public and the person accused but deter the use of the hotline to harm and harass. Additionally, this would make it possible for authorities to investigate suspiciously high referral sources that result in many

unsubstantiated cases, thus limiting the trauma to families and the waste of public resources.

Provide direct, unrestricted financial support to families in ways that are disentangled from the family regulation system and avoid the so-called "benefits cliff" for families so that this support does not supplant other public benefits. (Please see section A.3. To the Mayor and NYC Leadership for detailed suggestions for addressing the economic needs of families.)

Enact urgent adjustments that protect the rights of system-involved families.

- Current bills before the legislature include:
 - The current budget request for ILS (indigent Legal Services) is \$28 million (was \$9 last year).
 - the Family Miranda Rights Act, which requires that caseworkers investigating reports of child maltreatment notify parents and caretakers of their rights;
 - the Parental Equity Act to establish parental rights for all fathers of children in the foster system; and
 - the Preserving Family Bonds Act which allows a family court to allow post-termination contact between children and their birth parents or siblings in termination of parental rights cases when in the best interest of the child.
 - In addition, legislators should invest in baseline family defense by raising the 18-b panel ("assigned counsel") rate, funding early defense and representation in OCFS hearings for parents, and ensuring that funding for legal organizations that provide mandated representation to parents allows them to meet established ideal caseload standards.

J. NY STATE OFFICE OF CHILD AND FAMILY SERVICES (OCFS)

- Train mandated reporters to understand the consequences of reporting parents and the long-term harm and trauma caused by investigations, surveillance, and family separation.
- Clarify when mandated reports can connect parents to direct support such as access to government aid, cash assistance, and mutual aid rather than report families facing challenges.

- Let mandated reporters know that when they report a family to the child welfare system, they should also refer the parent to a legal organization where they can get representation in connection to the investigation.
- Cleanse the SCR of parents who are listed due to allegations of marijuana use or other outdated and harmful interpretations of maltreatment.

K. PHILANTHROPIC ORGANIZATIONS AND FOUNDATIONS

- Stop giving money to organizations and agencies that engage in family policing and regulation.
- Stop giving money to the government for court improvement projects and instead support external entities that hold the government accountable for its provision of this essential public service.
- Fund activism and organizations to defund and abolish the family regulation and foster system.
- Fund programs that provide families with unrestricted funding.
- Fund organizations led by system-impacted parents and eliminate cumbersome and prohibitive requirements for community and impacted grant seekers.
- Fund grassroots community-based organizations that provide mentorship and support and that give money and material goods to families in need without strings attached.

L. MEDIA

Stop reporting primarily the rare tragic deaths of children and pay more attention to the far more common harm to children in the system: the wrongful and needless investigations and family separations.

- Center the voices of impacted parents and youth in your reporting on the family regulation system.
- When reporting on policing, criminal justice and surveillance of people in poor communities, pay equal attention to the family regulation system.
- Report on how the money in the family regulation system is spent and who is profiting off family separation in our society.
- Access training that provides historical and current context of the family regulation system and introduces key leadership, frameworks, and research that align with the abolitionist movement.

V. CONCLUSION:

A Transformative Vision for Families

We envision a significant transformation in the way New York City supports families. We call for investments and approaches that replace family surveillance and separation with material support and resources to ensure that all New York City's children have a safe and nurturing environment where they can thrive and soar to their full potential. Our recommendations include community input and participation in government decision-making, policies and planning regarding families at risk of family regulation system involvement.

During the convenings, many recommended an overall contraction in the system's scope and size. We want to reduce the harm and trauma experienced by families currently ensnared in the system. All our recommendations center the expertise and lived experiences of the parents, children, and families who have for too long endured government surveillance and policing. Our recommendations also replace the current costly and harmful policies, laws, and practices with policies and approaches that ensure all families have what they need to raise happy, healthy, and thriving children.

A redistribution of funds away from investigations and coercive surveillance of families like Faith's would not make children less safe. Reducing coercive intervention and protecting children are not oppositional goals. The more we overload the system with trivial and false cases, the less likely we are to find and protect children who are in real danger. We recommend that those monies be redirected into supporting new and existing community resources for low-income families and that this Administration take a holistic, cross-system approach to make these resources easily accessible to families and ensure NYC families can thrive.

“I used to tell the folks that I worked with [that] you can’t say you love children and hate their parents. That just doesn’t make sense... We’ve said it here -- we won’t go back. We won't ask for permission to continue to be treated with humanity.”

Anne Williams-Isom, then James R. Dumpson Chair in Child Welfare Studies at Fordham University (now serving as Deputy Mayor for Health and Human Services).

It is time to engage in transformation that ensures that all families are given the equal chance to thrive and that the unimaginable loss and trauma of family separation at the hands of the child welfare system is not met with silence and inaction.