

**New York State Office of Children and Family Services**

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**Commissioner Gladys Carrión, Esq. Testimony to the New York State  
Legislature's Joint Budget Committee**

Chairman Johnson, Chairman Farrell, and distinguished members of the Legislature, good afternoon, and thank you for the opportunity to discuss the Office of Children and Family Services 2008-09 Executive Budget and its impact on the programs and services we provide, as well as to update you on our many accomplishments over the past year.

Since last year's fiscal hearing, I have been traveling across the state, meeting with children, parents, grandparents, family court judges, social service commissioners, caseworkers, advocates, state and local and federal legislators who share a common purpose: improving the lives of our most vulnerable citizens.

These discussions provided me with invaluable information and guidance for developing a reform agenda, making strategic policy and programmatic decisions and setting priorities for the agency's '08-'09 Executive Budget. My budget is entirely consistent with the Governor's priorities for fundamental change, transparency, and improved accountability.

This budget is good for children and families! The budget provides critical resources, supports sound program reform, and lays a foundation for future long-term investments. It is a good down payment for the transformational change we need to support to create real opportunity for all children and families. Far too many children are living in poverty even when their parents are working. We live in a state where so few have so much. The divide continues to grow, and as a society we need to step up and embrace all of our children and fulfill our promise and responsibility to create a better future.

I am very pleased to report that the overall budget for OCFS grows by a little more than five percent. Gov. Spitzer's budget includes maintaining critical funding to programs that protect children and that prevent child abuse and neglect. That growth is largely reflected in an increase of nearly 154 million dollars to continue to provide open-ended entitlement funding for preventive and protective services, at the reimbursement rate of 65% state share.

Consistent with our goals to keep children safe and families intact, NYC and counties have been investing unprecedented amounts of resources in preventive and protective services. Child welfare services funding supports child protective services, preventive services, independent living, aftercare services and adoption services and administration. This funding stream is also available to support community-based preventive services for the expanded PINS population.

In 2007, nearly 58,000 children statewide received preventive services. In addition, the 65/35 funding, along with other investments, have increased the number of child protective services caseworker staff, resulting in better caseworker ratios. Since last year, 392 new child protective staff have been hired and trained to meet the 16% increase in child protective calls to the statewide child abuse hotline for the period 2000 to 2006. The average caseload for child protective caseworkers now stands at 10, reflecting a net decrease of 11% as compared to last year.

The preventive and protective increase supports investments that children's advocates, local service districts, and elected officials told us were desperately needed.

These investments will fund programs supporting vulnerable children and families, from pregnancy, through adolescence, to young adulthood. It includes providing high-risk families with prenatal care, parenting and child development classes.

For foster providers and foster and adoptive parents, the Executive Budget also continues the Cost of Living Allowance and proposes extending it for another three years. This year's proposed allocation would be 24 million dollars. This investment is important to foster home stability and the provision of services in home settings as well as a stable workforce. The budget also includes subsidies for adoptive parents and extends health care coverage to young people leaving foster care through the age of 21. I thank the Department of Health for working with me in partnership to ensure that all young people have access to health care in New York State.

To meet the special needs of our most vulnerable children, the budget also includes funding for 610 slots in our new Bridges to Health program, our Medicaid waiver program. This program is the first of its kind in the nation. It provides comprehensive health and wrap-around services to the most difficult to serve children in foster care, or in our juvenile justice system and their families. It is our belief that by providing an array of expanded and enhanced services, families will be able to better care for their children at home which will reduce the length of stay in foster care. By the third year of the program, this administration looks forward to providing funding for 3,305 slots for a total of 96 million dollars annually.

I am especially pleased to tell you that a growing number of children have been enrolled in the waiver program. The first child is young and very medically fragile. Another child is a teenage girl with a low IQ, who was in an out of state placement, but is now back in New York State and being adopted. She will have services in place to support her and her family for about six years if they're needed. The Bridges to Health program services travel with the child through their 21st birthday, to whatever setting can best meet his or her needs, and are available to the entire family, including foster parents and adoptive parents.

Additionally, the budget provides consistent year to year funding for some of our most valuable community and state grant programs. These include the Substance Abuse Co-Location, Child Fatality Review Teams, Child Advocacy and Multidisciplinary Teams, Runaway and Homeless Youth, Caseworker Education, Mandated Reporter Training, and Child Welfare Quality. In addition ongoing investments in the special delinquency, and youth development and runaway and homeless youth programs are provided. These programs provide the resources to support effective local service delivery, coordination among local systems, and improved outcomes.

This budget supports a continued investment of 25.2 million dollars in our nationally recognized home visiting model program, Healthy Families. It provides expectant and new parents who have been identified as having high-risk factors with prenatal care and guidance with parenting, child development, and self-sufficiency. This support helps prevent child abuse and improve health and social outcomes for children.

This appropriation will allow us to renew all existing contracts providing services across the state. This includes the 11 new contracts funded last year that will provide services in high-need areas of the state not previously served.

The 2008-09 Executive Budget provides \$17 million dollars in bond financing for modernizing the outdated CONNECTIONS systems.

The objectives of this modernization are to stabilize the current system and improve overall performance from the users' perspective. Navigation of the screens will be improved by using a more intuitive web-based user interface.

Our primary goal is to make the system much easier for the caseworker to use so that the caseworker's time

is spent with the children and families and not on system documentation. As a former CONNECTIONS user I understand first hand the weaknesses we need to correct and the quarter by quarter improvements that will be achieved for front line staff. We must support casework not mouse work.

It is important to know that there are currently 30,000 users with 14, 000 distinct users each week. Each month, 750,000 progress notes are entered into this system. It is intended that the initial changes in CONNECTIONS will be rolled out to the user community beginning in the first quarter of 2008.

\$42.2 million in state and federal funding is provided in the 2008-09 budget to support services provided to legally blind and visually handicapped individuals. These direct and contract services include vocational rehabilitation, mobility training, orientation training, independent living skills and referral services. Last year our counselors placed 384 individuals in meaningful jobs; a record level.

Last year, the legislature enacted and the Governor signed Chapter 57 of Laws of 2007 that created a Commission for the Blind and Visually Handicapped Executive Board. The first meeting of the Executive Board occurred on January 17, 2008. This Board had been charged with identifying deficiencies in services to people who are blind or visually impaired, recommending improvements for coordination of programs and fiscal resources and reviewing vocational rehabilitation services. We look forward to working collaboratively with them to further improve services.

Another program that supports vulnerable adults in the community is the Local Social Services District administered adult protective services program. In response to a thoughtful report and urgent plea by the New York Public Welfare Association for additional support from the Office of Children and Family Services, the budget allocates additional staff to OCFS regional offices to assist the local districts. We expect, in partnership with the New York Public Welfare Association and the local districts and our sister state agencies to increase care coordination, training, oversight, and monitoring in FY08-09.

Child Care is one of the areas at the agency where some significant changes have occurred. With the support of the Governor we created a new Division of Child Care Services. It is comprised of the former Bureau of Early Child Care Services and includes the Advantage After School Program. This new Division is led by a national expert on Child Care.

The budget includes a half-a-billion dollar appropriation to maintain child care subsidies and quality improvement activities, including fingerprinting, oversight, monitoring, and inspections of all child care providers. The Child Care Block Grant of 540 million dollars, together with those funds identified by local districts from the Flexible Fund for Family Services, will allow counties to maintain current program levels.

With the addition of one time state and local dollars, the child care budget is expected to cover the cost of the federally mandated market rate increase which took effect last October while not reducing the number of subsidies overall.

Beyond funding, our priority over the next year is quality improvements. Critical quality program initiatives include the development, piloting, and evaluation of a child care Quality Rating System. A quality rating system is a method intended to assess, improve and communicate the level of quality in child care and early education settings. It is our goal to design and implement this pilot in 2008.

Another important initiative is the implementation of Executive Order 12 allowing for bargaining-unit representation for family and group family child care providers. Discussions have begun with CSEA and UFT respectively.

At the same time we are focused on quality improvements, internally, we have reorganized to improve contract and grant management and our ability to improve the enforcement and licensing process.

The investment in child care and a vigorous commitment to quality in conjunction with growth in pre k funding provides a sound foundation for accelerated growth and development of our next generation.

The budget also continues nearly 28 million dollars in the Advantage After School Program funding approximately 26,000 students at 277 program sites across New York State, including approximately 3,300 new slots in 36 new programs funded in last year's budget.

The transformation of New York State's juvenile justice system is a major priority for the Office of Children and Family Services.

Advocates have pleaded for changes to the system for a long time. When Governor Spitzer named me commissioner last year, we agreed that assessing the system's weaknesses and strengths would be a top priority.

What I found were troubled children – overwhelmingly poor, mostly African-Americans and Latinos from New York City -- housed hundreds of miles from their families and neighborhoods.

Our approach to addressing the needs of these children must draw on the current research on youth development and adolescent brain development and the undeniable fact that young people have the ability to change their behavior.

Our juvenile justice system must focus on creating the conditions for change. We must focus on genuine rehabilitation and treatment and give our youth the chance to heal from the trauma they have experienced and to take responsibility for their actions. Every young person must be treated with respect and be safe in our system of care.

We must provide them with a real opportunity to obtain an effective education, acquire social skills, job skills and experience success. We must engage families earlier and insure that there are caring adults that will be there to guide and support our young people as they reintegrate into their communities and the larger society. It is, after all, our responsibility to prepare them for a successful transition to adulthood. Our programs must be pathways to opportunity not a pipeline to prison. Unfortunately, as many as 80 percent of the children who enter the system come back to us or go to prison within three years. We have to build brain cells and not jail cells. I am committed to transformational change.

Although the system has many areas needing improvement, there are some successes. Nearly half the children who enter state facilities are assessed below grade level on reading and math tests; by the time they are released, many are testing at the next grade level. In one of our secure centers, 14 young men just completed college level classes in sociology and psychology with grades of A's and a few B's. We are looking to expand education services next year. When given the proper supports these children can and will succeed.

Once these children have completed treatment, we need to transition them into aftercare and re-entry programs that support them and their families, provide immediate access to mental health and substance abuse services where necessary, train them for real jobs, and provide continued access to education. We believe our funding is better spent on supporting a community-based system where these children can maintain and strengthen connections with their families and the significant adults in their lives.

I am concerned about the disproportionate representation of Black and Latino children in our systems. Only 44 percent of the children in New York State are African-American or Latino, yet they represent 86 percent of the youth in state custody. In the city, children of color make up less than two-thirds of the population, yet constitute 95 percent of the children entering the state juvenile justice system. We cannot continue to ignore this reality. We must take steps to address the documented overrepresentation of children of color in our juvenile justice system.

As a first step in our reform efforts, last month we announced the closing of six underutilized residential facilities. The number of children in custody has dropped due largely to the efforts of local counties diverting youth who commit low level offenses from OCFS. As a result, nearly a dozen of the state's youth facilities are operating under 40 percent of capacity. At some facilities, as few as a quarter of the beds are filled. For example, in Auburn Residential, a 24 bed facility for girls currently has just two young women in residence one of whom has been begun transitioning to her family. For the taxpayers and the local county governments that share in these costs we must be fiscally prudent and move to achieve better alignment between the utilization and the existing beds. We cannot invest in critical system reforms while funding outdated and unneeded residential programs far from young person's homes and family.

These closings, reductions, and mergers are at non-secure and limited-secure facilities housing children adjudicated as juvenile delinquents by the family courts. The vast majority of the children in these facilities were placed in the system for committing misdemeanors. No youth will be released prematurely as a result of the restructuring.

Secure facilities housing juvenile offenders, those children sentenced for committing felonies, will not be directly impacted by these facility changes.

These closings, reductions and consolidations will result in \$16 million in annual savings, including \$4 million in fringe benefits.

Despite the 12 month statutory required notice process, we will still be able to begin to invest savings in FY 08-09 toward stronger community based services and education. Specifically our re-investment budget:

- provides for the creation of 12 additional education positions within our facilities to support improved educational outcomes, and
- creates 13 new positions in our aftercare program to promote the immediate connection and support of young people as they return to their communities.

We recognize with these investments that our children will return to their communities and must be prepared for timely integration back to school and provided with community health, mental health, and job training supports. I will continue to work with Commissioners Mills, Hogan, and Smith to support education, mental health and job training gains upon return home.

As part of this expansion of aftercare services, we have also implemented policy and funding improvements to speed the transitional process from facility support to community integration. We are also re-examining our evidence based models to make sure we are making the best possible impact with these investments.

The OCFS Office of Human Resources, the state Department of Civil Service, and the state Department of Labor have organized teams to assist the employees at these impacted facilities to identify and secure positions at other facilities or other state agencies. Based on our existing network of 100 programs, regional offices, and facilities, we project no staff layoffs. Each of these employees will be guaranteed a job offer as close to home as possible. For staff willing to relocate, we will offer relocation assistance up to \$3,000 per staff.

Another step in creating system reform is establishment of the Office of the Ombudsman. I am very pleased to be able to report to you today that the Office of the Ombudsman is fully staffed and operational.

This office reports directly to me and is comprised of seven attorneys who are located across the state. The purpose of the Office is to protect and promote legal rights for youth in programs and facilities operated by OCFS. The total number of children who have access to the Ombudsman is more than 2,000 located in over 80 facilities, including all residential facilities, Day Placement Programs and Evening Reporting Centers operated by the Division of Juvenile Justice and Opportunities for Youth ("DJJOY"), as well as voluntary

agency facilities housing OCFS children. The office has made 85 visits since May of 2007 and there is a toll free number available to youth twenty four hours a day. The Independent Review Board is also duly constituted and will be convening its second meeting later this month.

Given this year's revenue shortfall, the 2008-09 Executive Budget reflects some very difficult choices. The OCFS budget calls for an end to uncapped open ended funding for the 50% share of locally operated and contracted secure and non secure detention facilities effective April 1, 2008. This action is consistent with the state's emphasis and focus on diverting youth from placement and the realization that local counties can exercise some control over these costs. Reimbursement for 50% of the costs of secure detention capital projects will continue as the budget includes an appropriation of \$ 4.7 million. Our budget does include 14 million dollars in alternatives to facility and detention placement, an increase of \$863,000.

As we continue with this discussion on the agency's budget, it is imperative that we never lose sight that the mission of the Office of the Children and Family Services is to protect the most vulnerable children and families in our population. And while we have made some great strides this past year on child welfare, child care services, and initiating the transformation of the juvenile justice system, it's very clear that there are still many challenges ahead of us. With leadership and strong partners, a dedicated team and a focused and strategic approach, we are confident that we will continue to make significant improvements in the lives of New York's children and families going forward. We appreciate the support of the Legislature and look forward to an ongoing dialog and discussion.

Thank you very much.

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