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LEGISLATIVE FISCAL COMMITTEES' JOINT BUDGET HEARING

Fiscal Year 2016 Executive Budget Human Services

Wednesday, February 4, 2015

By: Roberto Velez, Acting Commissioner

New York State Office of Children and Family Services

Good morning Chairman DeFrancisco, Chairman Farrell, Children and Families Committee Chair Senator Felder, Assembly Children and Families Chair Lupardo and distinguished members of the Senate and Assembly. My name is Roberto Velez, and I am the new Acting Commissioner of the New York State Office of Children and Family Services (OCFS).

This year's Executive Budget furthers the Governor's commitment to a balanced, fiscally responsible budget focused on fulfilling our agency's core mission.

Last month, the Governor received a comprehensive report from the independent Commission on Youth, Public Safety and Justice. The Commission was comprised of a distinguished group of experts including district attorneys, law enforcement, advocates and hundreds of other critical stakeholders. Its report, which took more than one year to prepare, contains their unanimous recommendations on how best to raise the age of juvenile jurisdiction, improve outcomes for youth, and promote community safety.

New York is one of only two states in the nation whose age of criminal

responsibility - the age at which youth are treated as adults - is just 16 years old. In 2013, more than 33,000 16- and 17-year-olds in New York had their cases handled in adult criminal court, where they were less likely to receive the services they needed.

The Governor's juvenile justice reform agenda calls for raising the age of juvenile jurisdiction to get 16- and 17-year-olds out of the adult system so that they can receive appropriate rehabilitative services and no longer be housed with the adult prison population. The FY 2016 Executive Budget reflects the first steps in this reform. The investment of \$25 million to plan, create and expand services, including diversion and probation services for 16- and 17-year-old youth, is a key component of this reform.

To support this initiative, the proposed budget increases the OCFS facilities capital appropriation by \$110 million. This funding will allow OCFS to expand existing residential capacity and create new capacity to support the acute needs of this population in our juvenile facilities.

Raise the Age will also impact local social services districts. Sixteen- and 17-year-old youth awaiting trial will be detained in juvenile detention facilities instead of local jails. While the state will continue to promote and encourage alternatives to detention programming, additional funding is needed to increase capacity at locally administered detention facilities. The Governor's Budget increases the Detention Capital appropriation by \$5.4 million to provide local districts with 100 percent state reimbursement of approved capital costs for detention facility expansions related to this initiative. In addition, as part of the Governor's commitment to refrain from imposing unfunded mandates on local governments, the Raise the Age proposal will provide for

100 percent state funding for other placement, detention and child welfare services costs resulting from changing the age of juvenile jurisdiction.

The Executive Budget provides \$41 million in state funding for New York City's Close to Home initiative. This appropriation supports ongoing non-secure programming and the implementation of limited secure programming for juvenile delinquents in the care and custody of the New York City Administration for Children's Services (ACS).

The Executive Budget continues critical investments in the Child Care Subsidy Program by maintaining the FY 2015 level of \$794 million. This will continue to provide low-income working families access to affordable child care and support the ongoing costs faced by day care providers, who are an essential part of New York State's small business community.

The Governor's Budget recommends \$635 million to continue uncapped, open-ended support for Child Welfare Services. This will provide 62 percent state reimbursement in addition to other available federal funds, to support child protective, child preventive, aftercare, independent living, and adoption services. This critical investment supports local departments of social services, and provides funding for our child welfare partners in not-for-profit agencies throughout the state.

The proposed budget includes \$444 million in Foster Care Block Grant funding. Local districts continue to be able to reinvest any unused funds in the next fiscal year to support locally designed child welfare initiatives that strengthen preventive services and enhance independent living or aftercare services for high-needs children.

The Agency applauds the Executive Budget proposal to better align state statutes with the federal Preventing Sex Trafficking and Strengthening Families Act of 2014. The Act seeks to reduce the incidence of sex trafficking among youth in foster care and to promote normalcy in their lives.

OCFS has been working to increase awareness about human trafficking by issuing guidance documents and providing extensive training to local districts throughout the state. Research shows that a number of trafficked individuals are children and youth who may have had past involvement in the child welfare system. OCFS is continuing its work to implement statewide strategies to better identify trafficked youth and to improve services for sexually exploited youth. These efforts allow the state to continue to receive approximately \$600 million annually in federal Title IV-E funding, the primary source of federal funding for foster care maintenance and adoption subsidies.

Thank you again for the opportunity to address you today. I welcome your questions and comments.