



ACLU of New York

New York Civil Liberties
Union
125 Broad Street, 19th Floor
New York, NY 10004
(212) 607-3300
www.nyclu.org

**Testimony of the New York Civil Liberties Union Before the Joint
Legislative Budget Hearing on Human Services**

February 5, 2026

The New York Civil Liberties Union (NYCLU) appreciates this opportunity to submit the following testimony for the Joint Legislative Budget Hearing on Human Services. The NYCLU, the New York State affiliate of the American Civil Liberties Union, is a not-for-profit, nonpartisan organization with eight offices throughout the state and over 85,000 members and supporters.

The NYCLU defends and promotes the fundamental principles and values embodied in the Bill of Rights, the U.S. Constitution, and the New York Constitution. This includes our work in pursuit of reproductive and gender-justice, family-integrity, community wellbeing, and the promise that every person should have an equitable opportunity to thrive.

We submit this testimony to express the NYCLU's support for several proposals in the FY27 Executive Budget that would meaningfully expand access to child care for New York families. We also recommend that the Legislature build on these proposals by adding funding for the child care workforce and modifying the Governor's proposal to fund a new Office of Child Care and Early Education. Lastly, we suggest that the Legislature add Article VII language to their one-house budgets to better support those experiencing housing insecurity by requiring internet access in homeless shelters.

I. Build Towards Universal Child Care

Universal child care is a necessary ingredient for thriving families and communities and a prerequisite for reproductive and gender justice.¹ We appreciate the

¹ Women in the United States continue to perform a disproportionate share of caregiving work—roughly twice as much as men—straining their participation in the workforce and as multifaceted individuals in society. Gender Equity Policy Institute, *The Free-Time Gender Gap: How Unpaid Care and Household Labor Reinforces Women's Inequality* (Oct. 2024), <https://tinyurl.com/2s45wn3k>; Claire Pendergrast, *Research Brief: Women Report Worse Employment Impacts from Family*

substantial investments the state has made in recent years to expand access to child care; however, this public good still remains out of reach for far too many New York families. Between astronomical costs—nearly \$15,000 annually per child on average, child care deserts—with at least three children for each available child care slot in 60 percent of New York census tracks, and inadequate state subsidies—with thousands of eligible families unable to receive the financial assistance they need to afford care, New York must take bold action to build towards a truly universal system in which every family is guaranteed access to child care regardless of income, geography, employment, disability, or immigration status.²

We therefore encourage the Legislature to adopt the Executive Budget's \$1.7 billion in proposed child care investments, which take meaningful steps towards this aim. This includes the Governor's proposed \$1.2 billion increase in the Child Care Assistance Program (CCAP) to help reduce the number of eligible families waitlisted for child care support across the state. It also includes her proposed investments in expanding statewide pre-K, along with 3-K and 2-Care in New York City. We also support the Governor's proposal to invest in Community Care models in three New York counties and urge her and the Legislature to view these not as one-time pilots, but as a bridge to a statewide universal child care program. We encourage the Legislature to add more funds if necessary to ensure that these programs are implemented in a way that is truly universal and sustainable into the future.

Additionally, while the NYCLU supports the Governor's proposal to invest \$1.5 million to create a new Office of Child Care and Early Education, we are concerned about the placement of this office within the Office of Children and Family Services (OCFS). OCFS is the state's family regulation agency, responsible for child protective services and the foster system, which separates thousands of children from their families each year, and which families and communities across the state desperately fear. The family regulation system, dubbed "the new Jane Crow," is widely viewed as a system of policing that targets Black mothers and their families for surveillance and punishment based on their socioeconomic circumstances, as the

Caregiving, SYRACUSE UNIVERSITY LERNER CENTER FOR PUBLIC HEALTH PROMOTION (Nov. 2, 2021), <https://tinyurl.com/bdhubxaw>. When families are forced to either spend a significant portion of their income on child care or forfeit one parent's earnings so they can provide uncompensated care, it can cause financial hardship, as well as psychological and emotional stress. *Id.*

² New York State Comptroller Thomas DiNapoli, *Lingering Challenges in the Child Care Sector* (Feb. 2025), <https://tinyurl.com/bh7xp7ur>; Julia Rock, *21 Counties Have Closed Applications for New York's Biggest Child Care Affordability Program*, NEW YORK FOCUS (Aug. 8, 2025), <https://tinyurl.com/28b4mpee>.

criminal legal system does to Black men.³ Parents in communities heavily impacted by the family regulation system deeply distrust the state agencies that carry it out.⁴ We cannot expect families to entrust their children to the same entity charged with investigating them and possibly taking their children away. Yet it is many of these same families who are most in need of state child care assistance.

Accordingly, as New York builds the infrastructure for a truly universal system of child care, it is vital that the state begin to disentangle child care administration from family regulation. On the state level, this begins with separating child care from OCFS. Other states, including New Mexico and Massachusetts, have in recent years created agencies dedicated to child care and family supports that are distinct from those overseeing family regulation.⁵ We encourage New York to take a similar approach. We urge the Legislature to modify Governor Hochul's Executive Budget proposal to establish a new Office of Child Care and Early Education that is independent from OCFS.

Lastly, while the Executive Budget reflects an ambitious and meaningful investment in expanding child care access, it includes no funds for the child care workforce. Additional workforce support is absolutely essential if we are to truly transform the access landscape and make New York an affordable place to live, work, and raise a family. Without recruiting and retaining more child care educators, the state will not be able to achieve universal child care or fulfill the promise of universal pre-K. Yet, the average wage for the child care workforce is only around \$38,000, with family-based providers earning even less.⁶ That is just more than half the median annual salary for full-time New York workers. This, too, is a matter of gender and racial justice. The child care workforce is 94 percent

³ Stephanie Clifford and Jessica Silver-Greenberg, *Foster Care as Punishment: The New Reality of 'Jane Crow'*, NEW YORK TIMES (Jul. 21, 2017), <https://tinyurl.com/bdf34kbj>; see generally New York Advisory Committee to the U.S. Commission on Civil Rights, *Examining the New York Child Welfare System and Its Impact on Black Children and Families* (May 2024), <https://tinyurl.com/5ex42xf5>.

⁴ See *Motherhood in the Shadow of Child Protective Services: Interview with Dr. Kelley Fong, Author of Investigating Families*, NYC FAMILY POLICY PROJECT (Mar. 2024), <https://tinyurl.com/3pj8vzj8>; Megan Conn, *New York City Expands Alternative to Child Welfare Investigations, Yet Parents' Distrust Runs Deep*, THE IMPRINT (Nov. 10, 2020), <https://tinyurl.com/3d6f47dj>.

⁵ Compare New Mexico Early Childhood Education & Care Department, <https://www.nmeecd.org/>, with New Mexico Children, Youth, and Families Department, <https://www.cyfd.nm.gov/about-us/>; compare Massachusetts Department of Early Education and Care, within the Executive Office of Education, <https://tinyurl.com/2s2zvdav>, with Massachusetts Department of Children and Families, within the Executive Office of Health and Human Services, <https://tinyurl.com/jescta5x>; *Press Release: New Mexico Inaugurates Early Childhood Education and Care Department* (July 1, 2020), <https://tinyurl.com/5x48fbaf>.

⁶ Schuyler Center for Analysis and Advocacy, *Bolstering Availability of High-Quality Child Care by Paying the Workforce a Thriving Wage* (2025), <https://tinyurl.com/c44tc6yn>.

women and over 53 percent people of color—groups who are already underpaid compared to their white peers, and who are performing caregiving work that has historically been, and continues to be, severely undervalued by society.⁷ New York must ensure that child care educators earn a thriving wage that better reflects the importance of their labor as the backbone of our communities and economy. We urge the Legislature to build on the Governor’s strong proposals by adding ongoing and reliable compensation supplements to all members of the child care workforce in their one-house budgets.

II. Internet in Shelters

An additional and critical support for vulnerable families and individuals is reliable access to the internet—a necessity, not a luxury, for engaging in all aspects of our modern life. This is no less true for people living in homeless shelters. Without connectivity, they cannot effectively search for jobs or permanent housing, participate in remote education or complete homework, access government benefits and services, or get health care and legal services. The lasting impacts of the COVID-19 pandemic have only increased reliance on internet access across all these areas, while the Trump Administration’s attacks on broadband equity and affordability programs⁸ further exacerbate the digital divide. To allow vulnerable New Yorkers to fall through the digital divide is unconscionable. Yet, the Executive Budget fails to address this critical gap in the state’s support for those experiencing housing insecurity.

A.1755 (AM Reyes) / S.8026 (Sen Gonzalez) would require New York State to provide reliable, privacy-preserving, high-speed internet access to all people in temporary housing. We encourage the Senate and Assembly to include this language in their respective one-house Article VII bills.

The NYCLU thanks the legislature for the opportunity to provide testimony and for your work on the budget.

⁷ *Id.*; Julie Vogtman, *Can We Rewrite the Shameful History of Undervaluing Child Care Workers?*, NATIONAL WOMEN’S LAW CENTER (Mar. 29, 2019), <https://nwlc.org/undervaluing-child-care-workers/>.

⁸ See e.g. Sara Collins, *4 Ways the Trump Administration Has Sabotaged America’s Broadband Future*, PUBLIC KNOWLEDGE, June 23, 2025, <https://publicknowledge.org/4-ways-the-trump-administration-has-sabotaged-americas-broadband-future/> and Karl Bode, *Trump FCC Kills Popular Program That Brought Free Wi-Fi To Low Income School Kids*, COMMUNITY NETWORKS, October 2, 2025, <https://communitynetworks.org/content/trump-fcc-kills-popular-program-brought-free-wi-fi-low-income-school-kids>.