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**December 21, 2022**

***PARENTS, ADVOCATES, AND ELECTED OFFICIALS RALLY TO DEMAND EQUITY AND JUSTICE FOR NEW YORK CITY FAMILIES***

***Advocates Call on City and State Elected Officials to Pass Family Miranda bills, Ensuring Parents Know Their Rights When ACS Knocks***

***Parents and Impacted Families also Release Report, [Narrowing the Front Door](#), Outlining Recommendations for Shrinking New York City's Family Regulation System and Promoting Black Child, Family, and Community Wellbeing***

**New York, NY** – In response to the New York City Administration for Children's Services (ACS) [racist treatment](#) of Black and brown families, dozens of parent advocates, elected officials, and families impacted by ACS rallied at City Hall steps today to demand equity and rights for families, and outline a series of recommendations for shrinking New York's family regulation system.

**"Not knowing your rights increases the chance of having them violated. Family Miranda Now!!" said Joyce McMillan, Founder & Executive Director of JMACforFamilies.**

The rally follows [reporting](#) from last month that ACS commissioned an internal audit two years ago that found racial bias – as well as disturbing incentives for staff to protect themselves rather than families – as part of ACS’s workplace culture and practices. But rather than publicly reveal these findings, ACS buried the report.

In attendance were parents like Davene Roseborough and Carolina Acevedo. Following an unsubstantiated investigation, Davene Roseborough faced years of obstacles thrown at her by ACS before being reunited with her children - and after an unlawful search of her property by an attendant at a shelter, Carolina Acevedo was separated from her daughter.

**These experiences underscore the need for legislation requiring ACS staffers to affirm the rights of parents, orally and in writing, at the start of ACS investigations.** These rights include the right to remain silent, speak to a lawyer, and not permit entry into one’s home. Legislation would also require ACS to provide forms in multiple languages so parents with limited English proficiency are also aware of these rights. Similar to Miranda warnings given to people in NYPD custody, requiring ACS to deliver these rights would allow parents to make informed decisions when interacting with ACS.

**Two bills sponsored in the New York City Council - one [sponsored](#) by Council Member Sandra Ung and another introduced and sponsored by Council Member Carlina Rivera today - and a [bill in the State Legislature](#), sponsored by State Senator Jabari Brisport and Assembly Member Latrice Walker, would codify such requirements for the reading of Family Miranda rights into law.**

"We’re living under a two-tiered system of family protections in which the rights of low-income and Black and Brown families are regularly disregarded. The first and most basic step toward confronting the racial and economic disparities in family protection is to ensure that every family knows their rights,” **said New York State Senator Jabari Brisport.**

"This legislation will simply make sure that all families know their rights, including the right to consult an attorney. Parents should also know from the onset the details of the investigation that brought caseworkers to their door. This will improve parents' chances of being treated fairly. This is especially important for families of color, who are disproportionately the subjects of investigations by the Administration for Children's Services. As an Assembly sponsor of the Family Miranda Rights Bill, I will fight to make

sure families have the tools to defend themselves when the family regulation system comes knocking," **said New York Assembly Member Latrice Walker.**

"A visit from an ACS case worker is a terrifying experience for any parent or caretaker, and the initial shock and confusion makes thinking clearly and rationally understandably difficult," **said Council Member Sandra Ung.** "They may unknowingly consent to a search or sign a legal document without fully understanding the implications of their actions. Before we take the drastic step of separating a child from a parent or caretaker, we should ensure they know they have options, including seeking legal counsel. The simplest way to do this is through a Family Miranda warning that outlines a parent's rights from the moment an ACS caseworker pays them a visit, including providing forms in multiple languages for parents with limited English proficiency."

"Engaging with ACS can be a traumatic experience, particularly when families are forced to consent to interviews and searches without being aware of the rights they hold - like seeking counsel before answering questions, or letting a child speak to a therapist they know as opposed to an ACS worker," **said Council Member Carlina Rivera.** "I am grateful to the parents and impacted families who have shared their stories over the years that make clear the need for ACS to inform families of their rights upon answering the door. I look forward to passing this important legislation in coalition with advocates and my colleagues in Council that will improve interactions between families and ACS."

"Family separation happens right here in NYC because of ACS's cruel practices that target, overwhelmingly, Black and brown families. I am proud to be a co-sponsor of these pieces of legislation to ensure families are fully aware of their rights when they come in contact with ACS investigators and to ensure that in immigrant communities like the ones I represent, their rights are given in a language accessible manner. I have personally experienced the horrors of this child welfare system—which isn't really about the welfare of the child—and will continue to fight alongside impacted families to protect them," **said City Council Member Shekar Krishnan.**

ACS has opposed the passage of Family Miranda legislation. However, the recently uncovered internal audit found that **ACS's staff agree with parents and advocates that**

**passage of Family Miranda legislation is central** to protecting them and their children against ACS’s policing practices. The ACS audit found that the agency subjects families to unfair surveillance, fails to develop systems ensuring it makes “reasonable efforts” to keep families together, uplifts damaging and inequitable narratives about Black and brown parents, and incentivizes its staff “to be invasive and not tell parents their rights.”

At the rally, members of the **New York City Narrowing the Front Door Coalition (NTFD) also unveiled a [report](#) outlining a series of recommendations for shrinking New York’s family regulation system. Key recommendations include:**

- Acknowledging that the family regulation system has harmed and continues to harm the health, safety, and well-being of Black children, families, and communities.
- Establishing and providing 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.
- Preserving and expanding investments in families and communities before a family separation occurs and reducing investments in surveillance.
- Providing direct assistance to families and to community organizations. Dedicating new investments to families most targeted by the family regulation system and to the communities with the most investigations and removals.
- Including community members on Family Court judicial appointment committees, providing for public comment on proposed Family Court appointments, and prioritizing appointment of judges who have personal connections with the family regulation system.
- Expanding and improving legal representation for parents to improve access to justice, including by mandating that child protective services investigators provide parents with notice of their rights, including in written forms outlining those rights in multiple languages for parents with limited English proficiency.

The report was issued after a series of four convenings in 2021-2022 involving a diverse group of stakeholders, including members who were directly or 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.

“The most basic step to shrink the family regulation system and end racial discrimination is simply to tell parents their rights, but ACS refuses to do even that,” **said Carmen Pineiro, Director of Organizing at The Bronx Defenders.** “Black and brown families have been victims of ACS’s injustice for too long. Parents and impacted families know that passing Family Miranda legislation is a critical step to ensure families can exercise their rights when ACS knocks at the door.”

“Far too often, families endure invasive ACS investigations without knowledge of their legal rights and without counsel—leaving parents and their children traumatized and misled,” **said Nila Natarajan, Supervising Attorney & Policy Counsel, Brooklyn Defender Services.** “With the enactment of Family Miranda legislation, New York can begin to address the harms this system inflicts on predominantly Black and Latine families by empowering parents with knowledge of their rights, including the right to speak to an attorney before speaking to ACS.”

“As an advocate and an impacted parent, I know from experience that ACS investigations are traumatic, dehumanizing, classist and racially charged. The amount of stress they put on a family from beginning to end is violent. ACS is the fox guarding the henhouse and cannot be trusted to make internal reforms,” **said Shalonda Curtis-Hackett, an activist and community outreach coordinator with Neighborhood Defender Service of Harlem.** “ACS Commissioner Dannhauser and lawmakers who’ve opposed Family Miranda and similar legislation want us to believe that in order to protect children, their parents must be sacrificed, along with the 70% of families whose cases were unfounded. Instead, these bills ensure that this government agency that regularly uses its power to needlessly to surveil and separate Black and Brown families doesn’t trample over our Fourth Amendment rights. The bills will help ensure that families are treated with respect and dignity. Fighting for Family Miranda rights is an important step toward abolishing the family policing system.”

“Low-income Black and brown parents who are disproportionately investigated by ACS are not made aware of their rights, including the right to contact an attorney,” **said Michele Cortese, Executive Director of the Center for Family Representation.** “We work with over 2,500 families a year, and they each experience ACS investigations as invasive and coercive. Every parent should be informed of their right to consult with a legal defense provider for advice and

social work support. The Family Miranda Bill doesn't create new rights, but it *does* enable parents to make informed decisions about their participation that are in the best interest of their children."

"The Korean American Family Service Center (KAFSC) applauds Council Members Sandra Ung and Carlina Rivera for introducing these important bills," **said Jeehae Fischer, executive director of the Korean American Family Services Center.** "Without clear information about their rights, parents who are being investigated by child protective services (CPS) workers often feel disadvantaged and are unable to effectively protect themselves against government employees with the authority to remove their children. KAFSC strongly supports these bills, which will help to better regulate the monitoring of vulnerable communities - such as those served by KAFSC, where over 98% of the primary language is not English and most are foreign-born. These bills address a critical issue and ensure that parents understand the process and their rights while fulfilling the obligation to assess and ensure the safety of their children."

## **ABOUT RALLY ORGANIZERS**

### **Parent Legislative Action Network (PLAN)**

PLAN was founded by [JMacforFamilies](#) and is a coalition of parents directly impacted by the family regulation system, attorneys, social workers, and academia that are committed to reducing and eventually ending the family regulation system's harms and transforming the way society supports families. PLAN engages in legislative, judicial, and media advocacy and organizes the very communities that are under child welfare surveillance and control. While PLAN works primarily in New York, it is building community with similarly minded parents and other stakeholders across the country to grow a movement to reform and abolish the child welfare and foster care system as we know them today.

### **New York City Narrowing the Front Door Coalition (NTFD)**

The [NTFD](#) is comprised of youth, parents, and family members directly impacted by New York City's family regulation system; community activists; lawyers for children and parents; academics; state and local government employees; and leaders in philanthropic and nonprofit organizations who are committed to eliminating the destructive impacts of the child welfare system.

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