



www.cfrny.org ♦ 212.691.0950 ♦ info@cfrny.org

Bronx: 190 East 162nd Street ♦ Bronx, NY 10451 ♦ Fax: 212.691.0951

Manhattan: 40 Worth Street, Suite 605 ♦ New York, NY 10013 ♦ Fax: 212.691.0951

Queens: 89-14 Parsons Boulevard, 2nd Floor ♦ Jamaica, NY 11432 ♦ Fax: 718.291.4360

Center for Family Representation (CFR)
Submitted Testimony for Committee on General Welfare and Committee on Women and Gender Equity

Hearing Date: October 9, 2024

Oversight: Supporting Domestic Violence Survivors in NYC Shelters

My name is Karena Lim-Peralta and I am a Social Work Supervisor with the Center for Family Representation, Inc. (CFR) in the Bronx Practice. I work directly with parents facing neglect and abuse prosecutions from the Administration for Children's Services (ACS) in Bronx Family Court.

CFR is grateful for the opportunity to submit testimony to the Committee on General Welfare and Committee on Women and Gender Equity. We thank Deputy Speaker Ayala and Chair Louis, and the Committees for providing the opportunity to focus on this important issue as October is Domestic Violence Awareness Month.

Overview of CFR

CFR is the county-wide assigned indigent defense provider for parents who are facing ACS prosecutions in Family Court Act Article 10 proceedings in Queens, New York, Bronx, and Richmond counties. Since our founding in 2002, we have represented more than 13,500 parents with more than 27,500 children. CFR represents parents on their original neglect or abuse case and on any related cases like custody, guardianship, visitation and termination of parental rights cases. Our goals are always to prevent a foster placement, or when one is unavoidable, to shorten the time that families are separated and help families stabilize when reunited, and to prevent re-entry into placement after reunification.

CFR employs an interdisciplinary model of representation, marrying in court litigation to out of court advocacy: every parent is assigned an attorney and a social work staff member and these teams are supported by paralegals, supervisors, and parent advocates, who are parents who have direct experience being prosecuted by the family policing system, losing their children to the foster system and safely reunifying their families. In 2015, the New York State Bar Association gave CFR its Award for Promoting Standards of Excellence in Mandated Representation, noting

that CFR “exemplifies and defines the highest professional practice standards, is a recognized innovator in parent representation and is a tireless advocate for legislative and policy reform.” The federal Administration for Children, Youth and Families specifically cited CFR in the addendum to its January 2017 Memorandum on High Quality Legal Representation, issued to all fifty states.

To better support family integrity, CFR launched our Home for Good program in 2015 to help families with collateral challenges that are the result of or contribute to family policing investigations and prosecutions. With the support of New York City Council, Home for Good serves clients in the areas of housing, immigration, public benefits, and concurrent criminal matters. DoVE funding from the City Council is also critical in helping us maintain our model and allows us to provide social work support to survivors of domestic violence. In 2019, CFR further expanded its work, creating a Community Advocacy Project to help families navigate family policing investigations and avoid family separation while at the same time ensuring the parents are not barred from employment by representing parents in efforts to amend and seal their records with the Statewide Central Register (SCR). CFR also launched its Youth Defense Practice and now represents young people in Manhattan, Queens, and Bronx criminal and family courts with its interdisciplinary model with the goal of avoiding incarceration.

Our Work with Survivors of Domestic Violence within the Family Policing System

Each year, about 24% of CFR’s clients identify as survivors of domestic violence and about 25% of our clients face neglect allegations specifically related to domestic violence. Our clients who have experienced domestic violence often experience staying in a shelter as another experience of coercion and surveillance that puts their families at risk of harm. When our clients and their children are forced to comply with arbitrary shelter policies, shelter staff who are mandated reporters often report them to the SCR, prompting a child protective investigation - what we call a family policing investigation - by ACS.

Family policing investigations are harmful themselves and can exacerbate feelings of fear and instability that many families who are fleeing domestic violence experience. ACS requires families to answer invasive questions, subject themselves to searches of their homes and bodies, and interrogate and search their children. The families that we work with have incredible resiliency and lean on their inner strength and courage, leaving dangerous situations in a state of crisis for safety and security - only to realize that these things are incredibly difficult to find within the City’s shelter system.

In 2023, 9,805 reports were called in by mandated reporters in social services settings. 5,710 of those reports were investigated and unfounded, meaning that the family policing system did not find evidence to support the claim that a child was abused or maltreated. Shelters designated for domestic violence survivors do not guarantee safety. The cycle of domestic violence is

perpetuated when survivors have no other option but to place their family's safety and future in the hands of those who hold power and control, and tell our clients what they "must" do in order to be able to remain with their children, especially if that means residing in the shelter system where their actions and family will be policed.

Survivors can also face retraumatization within shelters - there is a lack of physical and emotional space and support, compassion, understanding, cultural humility, and trauma-informed care. Survivors have shared that oftentimes, shelter staff do not have conversations with them to better understand their family's situation, and they are affected by judgment and gender stigmas. Ending mandated reporting and permitting shelter staff to first work with families to provide them with support and resources before initiating a family policing investigation would protect CFR's clients from further harm. Furthermore, there is no meaningful security that could prevent abusive ex-partners from inflicting additional harm - physically, emotionally, or through use of the family policing system. The family policing system does not make our clients and their families safer. Our clients have suffered from being separated from their families because a shelter staff, another resident, or their abusive ex-partner has called the SCR and made a report against them. Many people do not know what happens after a call and report is made to the SCR, but we at CFR continue to see the long-lasting and generational effects of the family policing system.

In reality, some systems that intend to help families can also cause them harm. The threat of family separation exists within the City's shelter system, and families who have experienced the trauma of domestic violence continue to experience trauma in the shelters as they live under the constant judgment and surveillance of mandated reporting. We ask that you consider eliminating mandated reporting and investing in community-based organizations that provide more direct and on-site support to survivors of domestic violence residing in the shelter system so they could better support survivors through crisis and trauma, address their concrete needs, and transition them to safety and stability without risking additional surveillance and policing. Thank you for the opportunity to provide our testimony and for the Committees' work to address effective support for survivors of domestic violence.