AUDIT AT A GLANCE

Foster Care Safety

What questions did the audit look at?

- Did the New York City Administration for Children's Services (ACS) ensure the safety of children in foster care?

Why does it matter for New Yorkers?

The mission of ACS is to protect and promote the safety and well-being of New York City's children and families. As part of this mission, ACS oversees the City's foster care efforts to provide safe and stable out-of-home care for children until they can be either safely returned home or placed in another permanent arrangement.

The audit found that ACS' mechanisms for monitoring the safety of children in foster care were generally adequate, with the exception of its oversight of residential care facilities. ACS did not conduct site visits at the sampled residential care facilities in a timely manner, as called for in its own policies.

Although incidents of neglect and abuse have trended downward in recent years, an unacceptable number of children in foster care still suffer neglect and/or abuse. Between 2020 and 2023, 2,154 incidents of neglect and/or abuse involving 1,641 children in foster care occurred.

The audit found that over 76% of these incidents happened while children were visiting their birth families. In some cases, ACS or the foster care agencies with whom ACS contracts did not make the decisions concerning visitation and supervision. Instead, New York State Family Court did.

The audit made several recommendations to ACS to better improve its monitoring of residential care facilities. Additionally, in a letter to the Chief Judge of the New York State Court of Appeals, Comptroller Lander urged the courts to review the report's recommendations and coordinate with ACS to prevent instances of neglect and abuse during familial visits.

What changes did the agency commit to make following the audit?

- ACS agreed to improve its data collection, aggregation, and analysis efforts to better track substantiated incidents that occur during familial visits.
- ACS agreed to analyze why substantiated incidents have decreased and take steps to continue that trend.
- ACS agreed to ensure that the required number of residential site visits are actually conducted and perform regular unannounced visits.

AUDIT FINDINGS

The number of substantiated incidents of neglect/abuse decreased between Fiscal Years 2020 and 2023...

...however, there were still 2,154 incidents involving 1,641 children in foster care during that time period.

ACS did not conduct required site visits to sampled residential care facilities in a timely manner.

	Audit Recommendations	Agency Response
1	Make all reasonable efforts to collect, aggregate, and analyze data that would allow the agency to track substantiated incidents that occur during unsupervised visitations, court-ordered visitations, and trial discharges to better identify and track the occurrence of incidents over which ACS and foster care agencies have a greater degree of control and to evaluate outcomes from Family Court decisions. Use related data and analysis to identify risk factors to inform future decisions and recommendations.	AGREED
2	Require any parent found to engage in neglect or abuse during a visitation undergo mandatory counseling to address underlying factors (e.g., substance abuse, anger management) that are a contributing cause of the behavior leading to the maltreatment.	DISAGREED
3	Identify the factors contributing to the decrease in the rate of substantiated instances of neglect or abuse and, where feasible, take steps to continue that trend.	AGREED
4	Ensure that the required number of residential site visits are conducted at all residential care facilities, and that those visits are done in-person and at reasonable intervals.	AGREED
5	Perform unannounced visits to all foster care agency-run residential care facilities on a regular basis to ensure that the children at those facilities continue to receive appropriate care.	AGREED