



June 20, 2018

Acting Commissioner Sheila J. Poole  
New York State Office of Children and Family Services  
Capital View Office Park  
52 Washington Street  
Rensselaer, New York 12144-2834

Dear Acting Commissioner Sheila J. Poole,

The New York State Office of Children and Family Services (OCFS) is responsible for guaranteeing the safety and well-being of all children in the State of New York. In the last several weeks, foster care providers in New York, who provide services to unaccompanied minors in need of foster care services and permanent family placement, have been receiving children from the federal Office of Refugee Resettlement (ORR) for those programs that are in fact children separated from their families as part of immigration proceedings. I believe the professionals in your agency would be the best equipped to provide New Yorkers and the country with an understanding of the state of those facilities, an assessment of the adequacy of accommodations and the resources to ensure that New York can do everything possible to aid in the reunification of these children with their families. I hope that your agency will tap on other state agencies that would be capable of assisting you with these efforts.

It is my understanding that many of the children that the providers are receiving are being designated as unaccompanied minors by the ORR despite the fact that they were accompanied by family prior to their forcible separation. Therefore, we face logistical challenges as to the identification of the parents and families they were separated from in order to reunite them. I hope that you can inform elected representatives and stakeholders across New York on the status of these children as it relates to the information needed from ORR to ensure reunification. Additionally, I am interested in the ability of the OCFS to demand this information from the ORR.

The state of facilities is immediately important to ensure that our state is providing all children in these facilities with every resource they may need. Governor Cuomo has announced that he will work to ensure access to mental health services [1] for these children following the traumatic and violent separations many have experienced. As I'm sure you've already read, Colleen A. Kraft, M.D., M.B.A., FAAP, President of the American Academy of Pediatrics, called the policy "child abuse" and against



**SENATOR  
GUSTAVO RIVERA**  
33<sup>RD</sup> DISTRICT

**NEW YORK  
STATE  
SENATE**  
ALBANY, NEW YORK 12247



RANKING MINORITY MEMBER  
HEALTH  
COMMITTEES:  
CRIME VICTIMS, CRIME AND  
CORRECTION  
ETHICS  
FINANCE  
HIGHER EDUCATION  
INSURANCE  
LABOR  
MENTAL HEALTH AND  
DEVELOPMENTAL DISABILITIES  
RULES

"everything we stand for as pediatricians." I hope the OCFS will support the effort to help these children by inspecting all facilities receiving any migrant children to fulfill your mission to guarantee developmentally appropriate facilities and adequate staffing and resources during this distressing time.

I am offering any assistance you require from me and my office. I thank you for your attention to this matter and I look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read 'GRIVERA'.

Gustavo Rivera  
New York State Senator  
33rd District

---

[1] "Cuomo said he's been trying to get the youngsters mental health services, but the feds told him he has to apply for special permission and it's going to take two weeks." 'Cuomo: Dozens more migrant kids sent to NY after border separations' by Ruth Brown for the New York Post on June 20, 2018 at 1:17pm.

