



March 3, 2021

Records Access Officer (“RAO”)  
Administration for Children’s Services (“ACS”)  
150 William Street  
New York, NY 10038

Re: Freedom of Information Law Request

Dear Records Access Officer:

The Center for Constitutional Rights (“CCR”) and Joyce McMillan make this request for records, regardless of format or medium, and including electronic records and information, pursuant to New York Public Officers Law §§ 84-90.

### **BACKGROUND**

In December 2020, Joyce McMillan, was a part-time employee of ACS contractor Singeria.<sup>1</sup> After a Facebook post where Ms. McMillan stated that the provision of Drug Screens is not a “service” for parents, ACS demanded that Singeria fire Ms. McMillan, otherwise ACS will end one of its contracts with Singeria. Ms. McMillan was fired on January 22, 2021 as demanded by ACS. Afterword, these actions were brought to the attention of senior staff at ACS by a friend and fellow activist of Joyce’s. ACS then reversed itself and Ms. McMillan was rehired on or about January 25, 2021.<sup>2</sup>

### **RECORDS SOUGHT**

**CCR and Joyce McMillan**<sup>3</sup> hereby seek access to the following records for the time period beginning on December 1, 2020 up to the date on which this request is fulfilled:

1. All records<sup>4</sup> of communications between ACS and Sinergia as it relates to Joyce McMillan;

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<sup>1</sup> For more information, see <https://www.siner giany.org/>

<sup>2</sup> See <https://www.thecity.nyc/work/2021/2/11/22277355/nyc-child-welfare-acs-fired-over-social-media-posts>

<sup>3</sup> See attached Authorization Form signed by Joyce McMillan.

<sup>4</sup> The term “record(s)” includes, but is not limited to, all records or communications preserved in electronic (including metadata) or written form, such as correspondences, emails, documents, data, videotapes, audio tapes, faxes, files, guidance, guidelines, evaluations, instructions, analyses, memoranda, agreements, notes, orders, policies, procedures, legal opinions, protocols, reports, rules, talking points, technical manuals, technical specifications, training manuals, studies, or any other Record of any kind.

2. Any and all records of internal communications within ACS regarding Joyce McMillan, including but not limited to those of Yolanda Dillard, Angela Medina-Maddox or other staff within the Developmental Disabilities Unit Office of Child and Family Health;
3. Any communications regarding the billboard in East Harlem;<sup>5</sup>
4. Any communications referencing the rally in Harlem held on MLK Day;
5. Any communications referencing the Mother Jones feature story, “Do We Need to Abolish Child Protective Services?”<sup>6</sup>

## **CONCLUSION**

The records sought are reasonably described above. If you disagree and find that the records requested are not reasonably described, please contact me as soon as possible to begin the process of assisting me in identifying the requested records and, if necessary, in reformulating the request “in a manner that will enable the agency to identify the records sought”, including by identifying to me “the manner in which the records” sought “are filed, retrieved or generated.” *See, e.g.*, 21 NYCRR 1401.2(b)(2); 43 RCNY 1-03(b); and 43 RCNY 1-05(c)(3).

Please respond to this request by e-mail to [ihead@ccrjustice.org](mailto:ihead@ccrjustice.org).

Please provide digital/electronic versions of responsive documents, preferably in .PDF format.

Please treat each individual request contained herein as severable from the others and provide responsive records on a rolling basis.

The Center for Constitutional Rights is a non-profit organization. CCR’s work is in the public interest and any records we receive will be used to support the work of community organizations addressing state sponsored family separation. As such, we are asking that you waive the fees associated with this request. In the alternative, we would ask for a significant discount as we have no commercial interest in these records and they will be in service of the public good. Please notify me in advance if any associated fees are expected to exceed \$100.

I look forward to your first response to this request within five business days.

Should you deny any portion of this request based on a determination that you are legally exempt from the disclosure requirement with respect to a particular document, please provide me with a written explanation specifically citing the Public Officers Law § 87(2) category into which you allege that each document allegedly exempt from disclosure falls.

Please articulate particularized and specific justifications for withholding any documents from disclosure.

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<sup>5</sup> The billboard read “Some Cops are Called Caseworkers. #AbolishNYCACs.”

<sup>6</sup> Available at: <https://www.motherjones.com/politics/2020/12/do-we-need-to-abolish-child-protective-services/>

Additionally, please provide me with the name, e-mail address, mailing address, and facsimile number of the person or body to whom I should direct an administrative appeal of any such potential denial.

Thank you for your prompt attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'I. Head', with a stylized flourish at the end.

Ian Head  
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