

## **New York State Citizen Review Panels for Child Protective Services**



**2005 Annual Report and Recommendations**

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### **New York State Citizen Review Panels for Child Protective Services**

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## New York State Citizen Review Panels: Giving Children a Voice

Child protection services in New York State have a critical, and often difficult, job—keeping tens of thousands of children safe from abuse and neglect. Our network of state and local government units handles more than 140,000 cases a year.

The New York State Citizen Review Panels serve as the voice of the public in the child protection services (CPS) system. New York State’s regional panels of citizen representatives were set up in 1999 in accordance with federal law.

The three panels have up to 13 volunteer members each and cover Western New York, Eastern New York and New York City. Panels meet a minimum of four times a year to review CPS cases, policies and procedures in their regions. Each panel determines its focus according to issues and events in its jurisdiction. The three panels also work jointly on statewide issues.

At the end of the year, the panels provide a report to the public and make formal recommendations to the state Office of Children and Family Services, the state agency that oversees child protection services. This annual report provides the panels’ 2005 recommendations, as well as information about panel activities and members.

This report begins with “A Citizen’s Guide to Child Protection Services,” providing a brief history, information about how the system works, and some key statistics.

### CRP Jurisdiction Map

#### Western Panel

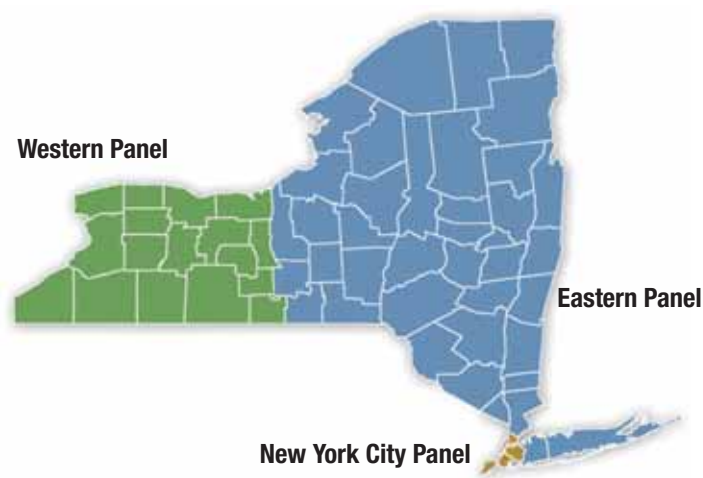
Allegany, Cattaraugus, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Wyoming, and Yates.

#### Eastern Panel

Albany, Broome, Cayuga, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Herkimer, Jefferson, Lewis, Madison, Montgomery, Nassau, Oneida, Onondaga, Orange, Otsego, Oswego, Putnam, Rensselaer, Rockland, Saratoga, Schenectady, Schoharie, St. Lawrence, Suffolk, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, and Westchester.

#### New York City Panel

Kings County, Bronx, New York County, Queens and Richmond.



## A Citizen's Guide to Child Protective Services

There was a time not so long ago when a cow had more rights than a child. The nation's first anti-cruelty laws protected animals, not children. Based on precepts dating to the Middle Ages and before, society treated children as little more than their parents' property until the late 19th century.

The first help for abused and neglected children came from charitable organizations. The New York Society for the Prevention of Cruelty to Children, founded in 1874, was the first child protection organization in the world. By the 1920s, there were about 250 like organizations spread across the United States.

Child abuse and maltreatment began shifting from a private to a public issue during the mid-20th century. In the 1950s, 36 states passed legislation mandating government provision of child welfare services. In 1963, the Children's Bureau of the US Department of Health and Human Services wrote a model law for reporting suspected child abuse, and 13 states passed the suggested legislation. By the late 1960s, two-thirds of states had passed similar legislation, and in 1967-68, the Child Welfare Services Program of the Social Security Act of 1935 was amended to give states money for use in child welfare services.

In 1973, Congress passed the federal Child Abuse Prevention and Treatment Act (CAPTA). Its purpose was to encourage more complete reporting of child abuse and neglect. The law—considered the centerpiece of federal legislation on child abuse and neglect—mandated child protective services in every state. It also created the National Center on Child Abuse and Neglect, which developed standards for responding to abuse and neglect reports. Fundamentally, CAPTA recast child abuse and maltreatment from a private matter to a social issue and government responsibility.

New York State had long been a leader in child protection, even before federal legislation. The state first passed child abuse and neglect reporting laws in 1964. And in 1970-71, major legislation created New York's CPS units and the State Central Register on Child Abuse and Maltreatment, a 24-hour abuse- and neglect-reporting hotline. New York's laws served as a model for CAPTA.

### Child Protection Today

In New York State, every county has child protective services, housed in county departments of social services. In New York City, the Administration for Children's Services (ACS) manages protective services in the five boroughs.

CPS caseworkers follow up on reports of abuse and neglect, protect children from further abuse and neglect, and provide rehabilitative services to children and their families.

Caseworkers must have a bachelor's degree, but there is no requirement for degree type or major subject. Each new hire receives 20 days of classroom training on child welfare topics, along with supervised fieldwork. Additionally, caseworkers get five days of CPS-specific classroom training, followed by more supervised fieldwork. In some regions, like New York City, caseworkers receive more extensive training.

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legislation.**

The CPS system is supervised by the state Office of Children and Family Services (OCFS), formed in 1998 through the reorganization of the state Department of Social Services and a merger with the state Division for Youth. The union of these agencies aimed, among other things, to improve the integration of services for protecting New York’s children from violence, neglect, abuse, and abandonment. CPS funding comes from three sources:

- The state provides 65% of operating budgets.
- Local governments supply 35% of operating budgets.
- Federal money typically pays for special programs.

### How the Hotline Works

Apart from funding, the state’s main role in the CPS system is coordinating reports of child abuse and neglect. Reports from across the state come in to the 24-hour hotline (800-342-3720) known as the State Central Register on Child Abuse and Maltreatment. OCFS runs the Central Register in Albany and staffs it with specially trained professionals, many of whom are former CPS caseworkers. (Monroe and Onondaga counties have local registers, but they relay reports to the Central Register as well.)


Hotline professionals first decide whether a call warrants a child abuse report (see Appendix A for basis of suspicions for child abuse/maltreatment), then identify prior instances of maltreatment involving the child or the accused adult. The report and any additional information are forwarded electronically to a local CPS office, where a caseworker takes over. In 2004, just over 142,000 calls to the hotline resulted in official reports, down 4% from 2003 and following many years of increases.

### Improving the System

While public awareness of CPS seldom goes beyond noting occasional tragic headlines, people closer to the CPS field engage in vigorous continuing debates about how best to serve the state’s children. A selection of prominent issues follows.

- Revision of reporting guidelines, including who should be a mandated reporter and whether to allow anonymous reports.
- Expansion and improvement of the state’s child fatality review teams and their procedures.
- Inconsistent treatment of families by the CPS system according to race or income, known as “disproportionality.”
- Caseworker credentialing, training, and compensation.
- Introduction of an alternative response system that would set up two separate pathways through the CPS process rather than the current universal one. One track would deal with families in which abuse or maltreatment has occurred or is impending; the other would focus on families with a less urgent (but still significant) need for support services.

**In 2004, just over 142,000 calls to the hotline resulted in official reports, down 4% from 2003 and following many years of increases.**



# New York State Child Protective Services Timeframe and Decision Points

Hotline Call Receipt		24 Hours		7 Days		Up to 60 Days		Ongoing
Actions	Decision Options	Actions	Decision Options	Actions	Decision Options	Actions	Decision Options	Actions
Determine appropriateness of report Check for previous reports	Refer to local CPS <b>or</b> Refer to police <b>or</b> Deem inappropriate <b>or</b> Refer to information resource	Conduct telephone or face-to-face contact with subject, other persons named in report and/or other people in a position to assess immediate safety/risk to the child(ren)	Remove child from home & initiate court action <b>or</b> Remove safety threat from home by putting a safety intervention in place <b>and/or</b> Provide support services	Reassess safety of child  Inform parents of allegation, investigation, and subject's rights in writing.	Child is safe and can stay in the home <b>or</b> Child is unsafe and a safety intervention is needed <b>and/or</b> Provide support services	Monitor and reassess child's safety/risk  Evaluate progress  Make case determination  Review all allegations to insure a service plan has been developed that targets all risk & safety factors  Assess whether court action is needed	Indicated abuse/neglect <b>or</b> Unfounded abuse/neglect <b>and/or</b> Provide support services	Provide ongoing support services <b>and/or</b> Provide foster care placement <b>and/or</b> No further action required

## 2004 Data Views of New York State Child Protective Services

To further provide a picture of child protective services, here are snapshots using New York State CPS data from 2004. The state Citizen Review Panels commissioned the analysis undertaken by Hornby Zeller Associates in 2005.

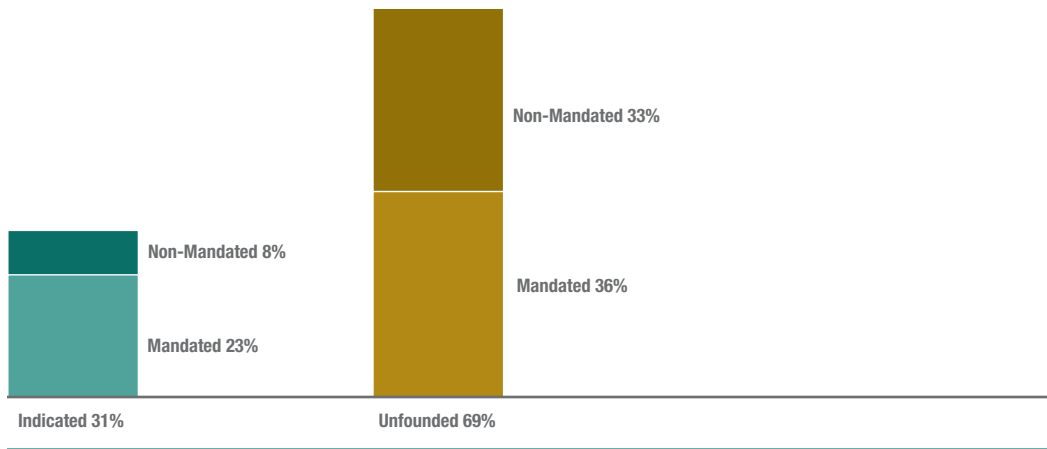
### *Who reports abuse and neglect?*

Of the reports to the Central Register in 2004, 59% came from “mandated reporters” —people who must call in any suspected incidence of abuse or maltreatment by virtue of their profession, including child care workers, teachers, law enforcement personnel, medical staff, mental health workers, and social service personnel. The remaining 41% of calls came from the public.

After investigation, 31% of the reports received were deemed “indicated,” meaning that credible evidence exists of the alleged abuse or maltreatment. The remaining reports were classified as “unfounded.” These figures are on par with national averages.

Nearly 40% of reports filed by mandated reporters were indicated, compared to 20% of non-mandated reports.

**2004 Central Register Report Analysis by Finding and Reporter Type**

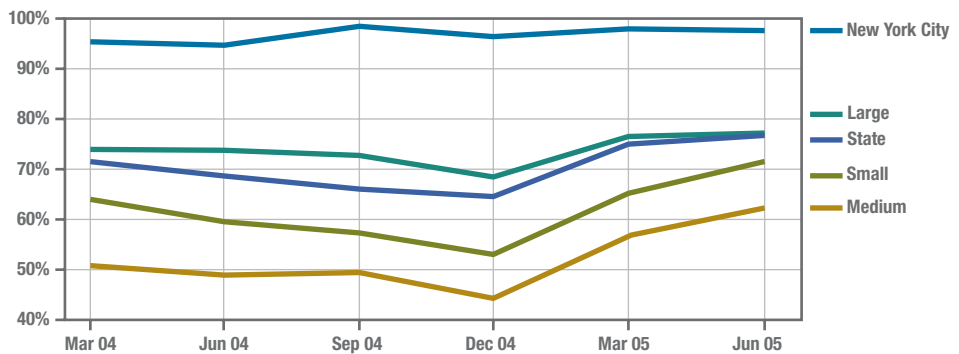


### What percentage of CPS investigations finish on time?

State rules require local CPS units to begin investigations within 24 hours of receiving a report from the Central Register. An initial safety assessment is due within seven days. The state requires completion of the full investigation within 60 days.

Over the first half of 2005, about 80% of investigations statewide met the 60-day goal. The graph below compares the completion patterns by jurisdiction: New York City, three groups of counties by population size, and statewide. Lists of the counties in each group appear to the right of this page.

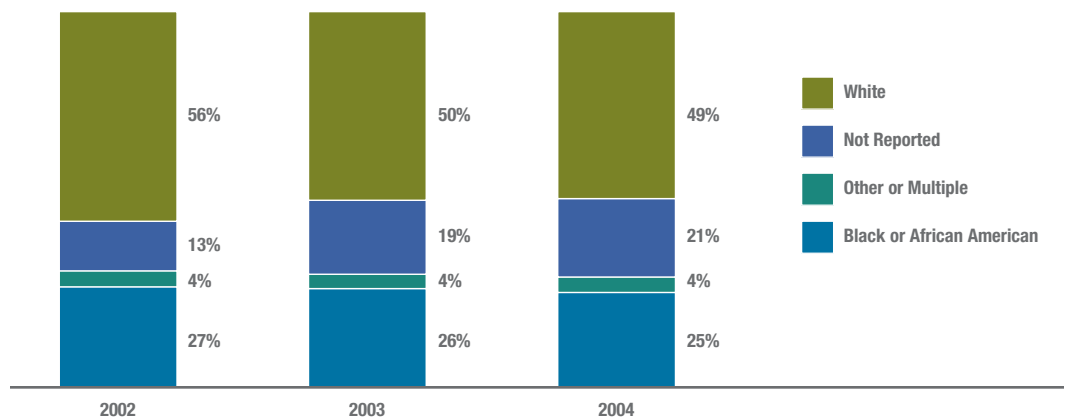
Percentage of Investigations Completed on Time (by county size)



### What is the racial composition of children reported?

Race is prominent among several demographics used to analyze the CPS report population. The disparity between the percentage of New York State residents who are African American (16%), and the percentage of African Americans in CPS cases (about 26%), connects to the disproportionality issue on page 3.

Race of Children in Reports

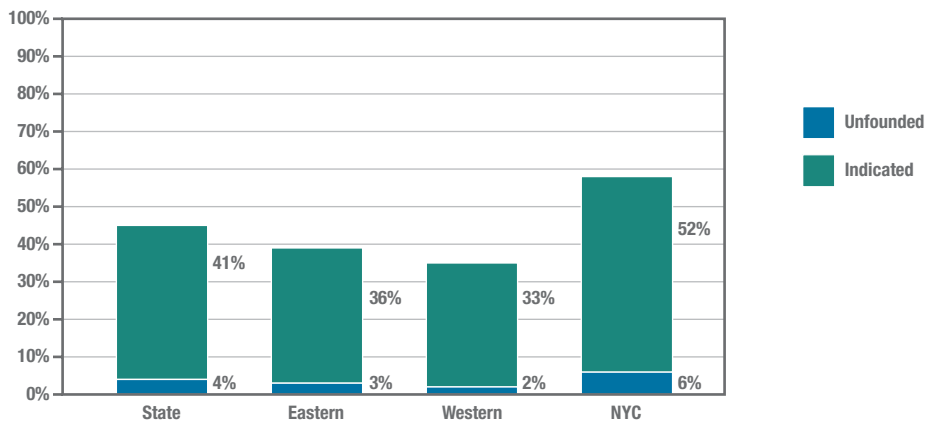


### How many families receive support services?

As part of their investigations, CPS caseworkers assess the need for support services for children and families. Services include child care, counseling, substance abuse services, respite care, foster care, and so forth. Caseworkers can recommend services regardless of whether a case is “indicated.”

The graph below compares types of reports and services provided. In only 41% of indicated abuse or neglect cases did the family receive support services; the national average is 57%. Of unfounded cases, 4% received support services, compared with a national average of 25%.

Percent Open for Services



#### Large Counties

Erie, Monroe, Nassau, Onondaga, Suffolk, Westchester.

#### Medium Counties

Albany, Broome, Chautauqua, Chemung, Dutchess, Niagara, Oneida, Orange, Oswego, Rensselaer, Saratoga, Schenectady, Steuben, Ulster.

#### Small Counties

Allegany, Cattaraugus, Cayuga, Chenango, Clinton, Columbia, Cortland, Delaware, Essex, Franklin, Fulton, Genesee, Green, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Montgomery, Ontario, Orleans, Otsego, Putnam, Rockland, St. Lawrence, Schoharie, Schuyler, Seneca, Sullivan, Tioga, Tompkins, Warren, Washington, Wayne, Wyoming, Yates.

#### New York City

Kings County, Bronx, New York County, Queens, Richmond.

## Volunteers Making a Difference

Members of the New York State Citizen Review Panels come from a range of backgrounds and locales. They include lawyers, parents, teachers, and social workers, from big cities, small country towns and everything in-between. While their jobs and surroundings may be different, all have one thing in common—their dedication to helping abused and neglected children. Here are profiles of three of those members:

### **James A. Vazzana, Esq., Western Panel**

James Vazzana accepted a panel position for a simple reason: “I wanted to make a difference.” Vazzana, a family law attorney and partner with Chamberlain, d’Amada, Oppenheimer & Greenfield in Rochester, has been on the panel since its inception in 2000 and serves as its chair.

It was a natural progression for the father of three, who has been a law guardian and is on the executive committee of the Family Law Section of the New York State Bar Association. He also serves on the board of St. Joseph’s Villa, which provides emotional and behavioral services for children in Central and Western New York.

Vazzana says that family support and education is key to keeping kids safe, but that families have to be willing to accept the help.

“CPS workers are very caring people, and if people cooperate with them and allow them to help, it makes the process easier for everyone involved.” He also wants the public to know what a difficult, and sometimes dangerous, job caseworkers have.

As far as the influence the Citizen Review Panels can have, Vazzana says, “We’re still in the learning stages; still cutting our teeth.”

“Our ability to review procedures can keep OCFS (the state Office of Child and Family Services) on its toes, and I think in the future the panels can have a great impact as a sounding board.”

It has been refreshing to see how many people care, Vazzana says about his panel experience. “We’re helping to protect our most vulnerable citizens. And if we can do one thing that saves one child, then we’ve done well.”

## Jocelyn Brown, MD, New York City Panel

New York City Panel membership allows Dr. Jocelyn Brown, director of the Columbia-Presbyterian Child Advocacy Center, to take the daily issues she confronts on the job to a higher level.

Brown's center serves as a child-friendly place where all involved parties, from police to therapists to caseworkers, come together to work with an abused child and his or her family. She sees breakdowns in the child protection system all the time.

Consider a recent case she handled. Two girls were molested by their godfather while their mother got high in the next room, she says. The mother had a known drug problem, a history with the city Administration for Children's Service, and a history of domestic violence.

When the mother learned of the godfather's abuse, she went to the police, but they didn't believe her, Brown says. The mother took the girls to a hospital emergency room, where a doctor examined and treated the children and referred them to the Columbia-Presbyterian Child Advocacy Center. When Brown—a pediatrician specializing in child abuse for the past 15 years—examined the girls, she found physical evidence that the doctor missed, so the treatment regimen had to be revised.

The situation represents a failure of the system on so many levels, says Brown: City officials weren't on top of the case, the police ignored the mother, and the doctor missed evidence. "Child abuse is very complicated," she says. "That's why we need to have people with expertise involved at all stages."

Among caseworkers, turnover is high, pay is low, and many burn out or become desensitized, says Brown, who works closely with them every day. She sees lack of training as a major issue. "We need to put well-trained caseworkers on the front line, or else it's not fair to them or the families."

Brown says the best way to confront abuse and neglect is to get to families before trouble begins.

"We know from research that we can ascertain which families are likely to have problems. If we can get in early, identify their needs and help them, rather than stigmatize them, we can make a difference," says Brown, who likens the process to immunization: "You get the shot before you get sick, not after."

### **Anita Welborn, MSW, Eastern Panel**

Anita Welborn, a member of the Eastern Panel since 2004, was a natural choice for the panel. Currently a patient services field manager for the Leukemia and Lymphoma Society, Welborn was invited to attend panel meetings when she was the director of the New York State Child Advocacy Resource and Consultation Center.

She found the meetings so eye-opening that she volunteered her services to the panel. The panel said no thanks—and instead asked her to come on board as a member.

“The panel is still looking at ways it can be fruitful and purposeful,” says Welborn.

“We don’t have the power to enforce, but we can review, discuss, investigate, and make recommendations.”

A social worker by training, Welborn spent the early years of her career working in New York City’s homeless and domestic violence centers, where she frequently interacted with caseworkers.

“The public doesn’t have a good grasp of the Child Protective Services process. Instead, they tend to think of caseworkers in two ways: as the people who go in and snatch children, or the people who don’t do anything until the family implodes. It’s a lose-lose situation for CPS,” she says.

Caseworkers can be easily overburdened; there’s a great disparity between caseloads and services, Welborn says. For example, a caseworker may have 25 to 30 cases at once, some involving multiple children. For each child, the caseworker must arrange medical appointments; organize family visits, therapy sessions and court appearances; and do the corresponding paperwork. “They just can’t be in six places at once.”

Part of the answer in preventing abuse and neglect lies with the community, Welborn says. Assisting a parent that may seem overwhelmed or overburdened is a simple way to be a good neighbor. An example is taking a neighbor’s kids for a few hours. Welborn hopes the panels can be more than just bodies required by legislation: “I’m optimistic that the panels can someday have an impact on the way child abuse and neglect is handled. And I want to be part of that.”

# Recommendations to the New York State Office of Children and Family Services

## Recommendation 1

As part of New York State's family-engagement and family-strengthening strategies, we ask the state Office of Children and Family Services (OCFS) to support the expansion of prevention services and make revisions in communications to families. Specific recommendations include:

- Increase funding by \$7.4 million, to a total of \$25 million, for home visiting programs across New York State. Research shows that home visiting programs such as Healthy Families and Nurse Family Partnerships are effective, cost-efficient, and preventive in nature. Currently, many communities do not have home visiting programs, leaving many at-risk families without a valuable early-intervention service.

We ask that OCFS distribute information about home visiting program best practices to service providers and interested parties, as well as develop a strategy to bring these programs to scale throughout New York State.

We also recommend that OCFS work collaboratively with the state Health Department and others to review home visiting programs in the state; to identify gaps in eligibility, services, and funding; to develop recommendations; and to develop a strategy leading to a comprehensive home visiting system, including universal screening throughout New York State.

- Expand the Home & Community Based Services Waiver program to the maximum permitted by the federal government. The program funds treatment and support services that allow children with serious behavioral and emotional disorders to remain at home, where they have the best chance of recovery.

New York State is authorized to fund 2,000 slots through this program, but only 900 slots are currently funded. Demand for these services has always outpaced supply. With expansion, many more children who are eligible for these services, but not receiving them, can be helped. Additionally, spending for more costly forms of care will be reduced.

- Revise all letters sent to families to reflect the agency's priority on family engagement. Incorporate these letters into Connections Build 18 (Child Protective Services software for case management) so that all counties have the letters available. An example of such a letter is the "Rights" letter, which informs parents of their rights when an investigation begins. While we understand the statutory and regulatory requirements for these letters must be met, they are not easy for families to understand, and often alienate families instead of engaging them.

OCFS has given a few counties, Westchester County for example, authority to adopt and use their own variation of the letters. With the implementation of Connections Build 18, individual counties will find it harder to use such a variant since Build 18 already incorporates templates for letters used in child welfare practices.

- Secure funding of \$2 million in the 2006-07 state budget for the Children and Family Trust Fund in order to pay for statewide innovative programs to prevent abuse and neglect. This fund uses federal and state funds to support creative approaches in preven-

*"Because family is the crucible in which each of us is formed, our child protective strategies must include services to support poorly resourced and vulnerable families as they raise their children. We need to engage families early on, to help identify and build on their strengths. As families acquire the information, skills and services needed, they are able to become self-sufficient and to gain or regain control over their lives."*

— STACY ALVORD, CHAIR,  
EASTERN PANEL

*“The Permanency Law makes clear that children should not be removed from their homes by Child Protective Services without a court order, except in the direst of emergencies. The result should be fewer unnecessary removals of children from their homes. Whether that will be the result depends on whether the local CPS offices change their practices, and whether Family Court judges, and the lawyers who practice in front of them, enforce the law.”*

— DAVID J. LANSNER, CO-CHAIR,  
NEW YORK CITY PANEL

*“Passing legislation allowing nationwide FBI checks on foster care and adoptive parent applicants is key to keeping children safe. Currently, only a statewide check is conducted on applicants, and we know, for instance, that sex offenders often move from state to state. Without an FBI check, we could miss critical information and put children in danger.”*

— JAMES A. VAZZANA, CHAIR,  
WESTERN PANEL

tion services to families and adults. In 2004, no funding was appropriated in the budget. In 2005, the fund received only \$647,700 through a legislative member item.

## **Recommendation 2**

*Promote child safety through support from OCFS for changes in legislation, provision of technical assistance and leadership, and increased funding to critical programs.*

*Specific recommendations include:*

- Monitor implementation of the Permanency Bill. The panels ask that OCFS share plans and strategies for implementation of the legislation; provide data on court ordered removals and other relevant statistics; and provide an implementation status report to the panels in July 2006 and again in January 2007.
- Provide panels with OCFS strategy and timelines for the ongoing distribution of educational and prevention materials that promote child safety. Safe Babies is one example of educational collateral that must be circulated on an ongoing basis in order to reach new parents with important child safety messages.
- Offer additional financial support and technical assistance leading to implementation of Child Advocacy Centers and multi-disciplinary teams across New York State. The programs offer children much needed support as they progress through medical and legal proceedings when a report of abuse or neglect is made. The centers and teams provide a comprehensive response to allegations in a dedicated, child-friendly setting. Centers provide a place for forensic interviews, medical evaluations, therapy and support, as well as case tracking. At the same time, the well-being of the family should always receive significant attention.
- Support changes in legislation that would set workload standards for child protective workers, based upon nationally recognized standards.
- Support legislation allowing for FBI checks on all prospective foster care and adoptive parents, and for employees currently subject to state checks as a condition of their employment. The Legislature should work to appropriate the estimated \$290,000 in funding needed for approximately 18,000 checks for foster care and adoptive parents in the final state budget. Additional funds will be needed to cover the costs of checks for employees and to build capacity at the Department of Justice and OCFS to provide these additional checks.

- Support changes in legislation that broaden the scope of child fatality reviews. While these reviews cover only a small number of children, they provide an opportunity to learn, prevent future deaths, and improve practices. The panels ask for legislation to require such reviews for all unexpected, unexplained and suspicious deaths; provide legal protection to fatality review team members regarding information shared in review meetings; expand the composition of the team to include the Department of Health, district attorney, and local or state law enforcement; require corrective actions in areas in addition to social services; and provide sufficient funding for teams to function fully in each county or region of the state.

### Recommendation 3

*We ask that OCFS provide leadership to build on New York State’s mission to promote the well-being and safety of our children to further promote community child protection as a public responsibility for all.*

- OCFS has a dual mission of keeping our children safe from harm while promoting the well-being of children and families. While OCFS has made progress towards accomplishing this mission, the only way to fully accomplish it is to make child protection a community-wide responsibility. If we want to keep our children safe, we must foster environments that positively change the future of our most vulnerable children. The responsibility cannot rest solely with our local departments of social services and with OCFS. It takes all of us.

The New York State Citizen Review Panels recommend that New York State and OCFS increase the emphasis on prevention strategies by providing leadership that moves society’s views about keeping children safe from a CPS responsibility to a community responsibility. Such a shift in thinking would offer families preventive services and other interventions first, view entry into the CPS system as a door of last resort after prevention efforts have failed, and would result in a CPS system that is proactive rather than reactive to families’ needs.

*“Expanding the scope of Fatality Review Teams could prove invaluable, given the risk that a child abuse fatality could be confused with Sudden Infant Death Syndrome or vice versa. The lessons to be learned concern events prior to, or in the absence of, reporting to the State Central Register.”*

— ERIC BRETTSCHEIDER,  
CO-CHAIR, NEW YORK CITY PANEL

## Summary of 2005 Panel Activities

For minutes from any of the following meetings, go to [www.citizenreviewpanelsny.org](http://www.citizenreviewpanelsny.org).

### Eastern Panel

#### March 17, 2005 Meeting

The panel heard a presentation about the Governor's proposed 2005-06 budget and the budget procedure. Members expressed concern over the proposed Flexible Fund for Family Services (FFFS) and worried that foster care numbers would increase.

The panel decided to fax a letter to elected officials stating the panel's support for funding of home visiting programs and the Children and Family Trust Fund.

Members also reviewed their 2004 recommendations to OCFS and developed topic areas for 2005.

#### June 3, 2005 Meeting

The panel reviewed actions of the other panels, including the Western panel's meeting with commissioners and directors of departments of social services from several counties. Also noted was the New York City panel's forthcoming Dual Track public hearing.

Panel discussions included proposed legislation, including a Permanency Bill to bring the state into compliance with federal mandates; Prompt Contracting; Dual Track; and a bill setting up an Office of Child Advocate and a Commission on Children.

Bill McLaughlin, director of Regional Operations and Practice for OCFS, presented information regarding the limitations of national comparison data and how OCFS collects and uses data in New York State to drive its practices.

#### September 16, 2005 Meeting

Officials from the Oswego County Department of Social Services presented information on a software tool for case management. The county was the first to use the program, which expands access to CPS case records to foster care workers and service organizations providing family support.

The panel received updates on various legislation: The Governor did not sign Dual Track legislation; the Assembly Codes Committee stopped bills allowing FBI checks on applicants for foster care; the Governor signed the Permanency Bill. Panel members visited the Start Children's Center, a child advocacy center in Troy, New York.

#### November 4, 2005 Meeting

The panel sent a letter to the Governor recommending that New York State use the bonus it received for its decline in teen pregnancy rates to support home visiting programs.

It asked OCFS staff to look into data that show the correlation between child deaths and participation in home visiting programs, and asked OCFS staff to share information about standards and protocols for death reviews conducted by regional offices.

Members planned outreach to the commissioners of social services in the 40 counties that encompass the Eastern region. The panel wants to get commissioners' input on child protection issues, as well as find out what the challenges and concerns are at the county level.

The panel discussed topic areas for 2006, including child fatality reports, family engagement strategies, workforce issues, and the state's upcoming CFSR review.

## **New York City Panel**

### **February 8, 2005 Meeting**

Members brainstormed about ideas for panel work during 2005. Members agreed to focus on short-term, achievable projects that can help make long-term goals possible. Topics brought up for forthcoming panel work included Dual Track legislation, home alone standards, stability of minority foster care agencies and disproportionality, and removals of children without court order.

### **March 3, 2005 Meeting**

Members agreed to plan a hearing on Dual Track legislation in June, inviting schools of social work, public health and law, nursing associations, the American Medical Association, Voices for Youth, and other related organizations with a stake in the issue.

Panel members agreed to send a letter of concern to government leaders over the lack of financial support to the Hoyt Memorial Children and Family Trust Fund and lack of funding for home visiting programs.

Also at the meeting, the board agreed to send a request to ACS asking for monthly statistics or reports on court-ordered removals. The panel reached out to ACS asking that they send a representative to each meeting.

### **May 5, 2005 Meeting**

The panel voiced ongoing support for preventive services including Healthy Families Home Visiting and the Hoyt Children and Family Trust.

Members also discussed: the status of Dual Track legislation; a proposed bill to set up a state Child Advocate Office; and a hearing scheduled that day in New York City on previous drug trials involving children in foster care.

The panel reviewed the Permanency Bill, and while there was agreement in the Assembly and Senate on the first part of the bill, there were key issues of concern in the second part.

Additionally, members planned for the June 10 hearing on Dual Track legislation.

### **June 10, 2005 Hearing on Dual Track Legislation**

More than 40 people attended the hearing, which was set up in a roundtable format. In attendance were panel members, parents, and representatives from ACS, OCF'S, and several policy and advocacy organizations.

The discussion included ACS's specific concerns with the legislation and how it could distract the agency from its current plans for reform in New York City's CPS system. Others weighed in with fears that Dual Track lessons learned in other parts of the state would not easily transfer to New York City. There were also concerns about the bill's lack of inclusion of resources to support training and evaluation.

Some suggested that successfully engaging families requires eliminating the stigma of reports made to CPS. Two parents also commented on their experiences with CPS, saying that the Dual Track approach could have helped them receive services and prevented their children from being placed in foster care.

### **July 8, 2005 Meeting**

Members heard an update on the HIV trials with children in foster care. Members agreed the researchers acted in good faith, noting that at the time the medical community had no drugs to offer those infected. ACS has ordered a comprehensive review and public report by the Vera Institute, and offered to keep the panel updated.

The top concerns of the panel included whether there was satisfactory medical consultation; whether the children needed an independent advocate; and if there was any linkage with pharmaceutical companies.

The panel discussed current practices used by ACS for tracking children's medical needs; use of medical consultants; questions on information sharing when a child enters foster care; and the role of parents in medical decisions.

Members expressed the value they received in hearing different positions at the hearing on Dual Track legislation. A motion to write a letter supporting veto of the legislation passed 4-2.

### **September 8, 2005 Meeting**

The panel discussed home alone guidelines, reviewed legislation on proposed FBI checks, and went over OCFS' response to the panel's 2004 recommendations.

Panel members then attended a state Assembly public hearing on clinical drug trials on children in foster care.

### **November 3, 2005 Meeting**

Staff from the ACS Office of Child and Family Health presented information on agency policies, practices and procedures for health care, highlighting programs and services that meet the medical needs of children in their care. The panel also discussed medical passports, which some agencies use and others do not. ACS reported that it is looking into something that would make children's medical information more easily transferable.

Discussion of home alone guidelines followed. Members agreed to continue researching the issue, with possible development of an education piece for parents.

Members asked that meetings for 2006 cover the following topics:

- Disproportionality, especially among mandated reporters;
- Parents Anonymous and further investigation into home alone guidance for parents;
- Permanency Law implementation strategies;
- Presentation on ACS's realignment plans and child care restructuring.

Also at the meeting, ACS representatives introduced a new ad campaign: Take Good Care of Your Baby.

### **December 1, 2005 Additional Action**

The panel sent a letter to New York City-area media regarding two separate child fatality cases in November. The panel offered its support of ACS and its ongoing reforms.

## **Western Panel**

### **February 25, 2005 Meeting**

Members reviewed their 2004 recommendations to OCFS and developed topic areas for 2005 meetings, including the intersection between CPS services, Child Advocacy Centers and domestic violence services; and Dual Track legislation and demonstration districts.

The panel also discussed the fiscal crisis in Erie County and sent a letter requesting a meeting with that county's Department of Social Services Commissioner.

A letter to Governor Pataki in support of Dual Track legislation was also sent.

### **April 6, 2005 Additional Action**

Representatives from the Western panel met with DSS Commissioner Weiner and his staff to discuss the impact of the Erie County budget crisis on services to children and families.

### **May 13, 2005 Meeting**

The meeting went into executive session to discuss a request from the Western New York Hispanics and Friends Civic Association to conduct a fatality case review. The panel appointed a subgroup to review the choices available, to find out further information on any active reviews, and to report recommendations to the panel.

The group met with commissioners and directors of departments of social services from several counties. Topics raised included training and caseloads, the need for additional support from OCFS to local districts, and increased funding for preventative services.

### **September 30, 2005 Meeting**

Panel members discussed the concerns raised by the New York City panel and ACS about the Dual Track legislation. Members also discussed concerns over bills that allow FBI checks on prospective foster care and adoptive parents.

The panel reviewed information about the Permanency Bill, set for implementation by December 21, 2005. Members learned that local departments of social services are changing procedures and software to meet the demands of the legislation.

Members discussed the May meeting they had with regional Department of Social Service leaders, and reviewed the OCFS commissioner's response to their 2004 recommendations.

The work group handling the request for a death review gave its report. They recommended a letter go to the Western New York Hispanics and Friends Civic Association with the acceptance of the report's conclusions. The panel decided to review all fatality reports for the past two years from the Western region.

It was also noted that OCFS sent out requests for proposals for programs allowing co-location of substance abuse, CPS and domestic violence services.

Mary McCarthy, the director of the Social Work Education Consortium at the State University of New York at Albany, gave a presentation on supporting workers retention in child welfare.

### **December 9, 2005 Meeting**

The work group reviewing fatality reviews gave a report to the panel. Panel members discussed at length Child Fatality Reviews and their interest in seeing that all communities have such review teams in place. The work group members will explore giving testimony at an Assembly hearing in January 2006 in Erie County.

The group went over its recommendations for the 2005 annual report, as well as its plans for 2006.

## **Joint Panel**

### **October 14, 2005 Meeting**

During the annual joint meeting, Larry Brown, the deputy commissioner for OCFS's Division of Development and Prevention Services, reviewed priorities for the next 15 months and offered suggestions for panel work in collaboration with OCFS, including:

- Monitoring implementation of the Permanency Bill.
- New opportunities for family engagement strategies.
- Creation of more home- and community-based waiver slots.
- Participation by panels in the second Child and Family Service Review.
- Advocacy by the panels to government officials for more state and federal funding to support families and children.
- Panel focus on the front-end decision points in CPS to support OCFS work on over representation of minorities and disproportionality.

The panels agreed to collectively focus on a few items for joint work. The issues under consideration are child fatality teams, workforce issues, and the family engagement strategies and rights letter, which advises parents of the CPS process and their rights.

Members also saw a presentation by Junius Scott, a program manager from the Office of State and Youth Programs of the Administration for Children and Families. Scott highlighted findings from the first Child and Family Service Review and explained how those findings became the basis for each state's Program Improvement Plan.

## Panel Members

### Eastern Panel

Name	Organization	Appointment
Stacy Alvord	Community Action Program for Madison County	Executive
Mary A. Felasco, Esq.	Felasco Law	Executive
Lance R. Jackson	Northern Parent & Child Society (retired)	Senate
Mary McCarthy	School of Social Welfare, SUNY Albany	Senate
Dianne R. Meckler	Capital District Child Care Coordinating Council (retired)	Assembly
JoAnn Merriman, RPA-C	Seton Health Pediatrics	Executive
Adam R. Shaw, Esq.	Boies Schiller & Flexner LLP	Executive
Julia Smead-Bielawski, Esq.	New York State Appellate Division	Executive
Stephen Weber	New York State Board of Examiners of Sex Offenders	Senate
Anita Welborn	The Leukemia & Lymphoma Society	Executive
Lori Currier Woods	Orange County Family Court Judge	Executive

### New York City Panel

Name	Organization	Appointment
Eric Brettschneider	Agenda for Children Tomorrow	Executive
Jocelyn Brown, MD	Child Advocacy Center of NY	Executive
Christina D'Angelo	Early Childhood Specialist	Executive
Yvonne Hutchins-Plummer	Elmhurst Hospital Center	Senate
David J. Lansner, Esq.	Lansner & Kubitschek	Assembly
Margaret M. Magnus, Ph.D.	Hunter College	Assembly
Sania Andrea Metzger, Esq.	Casey Family Services	Assembly
Gerard J. Papa Esq.	Flames Youth Organization	Executive
Mathea C. Rubin	Parent	Senate
Marion White	Child Abuse & Prevention Program, Inc.	Executive

### Western Panel

Name	Organization	Appointment
Kathleen Crowley, Esq.	Erie County Family Court	Assembly
Kathryn Bryk Friedman, PhD., Esq.	Institute for Local Governance and Regional Growth, University at Buffalo	Executive
Ellen T. Kennedy	Buffalo State College	Executive
Mark Lazzara	West Seneca Youth Bureau	Executive
Paula Mazur, MD	Children's Hospital of Buffalo	Executive
Stefan Perkowski	Child Advocacy Center	Executive
Christine Schnars	Loyalton of Lakewood	Senate
James A. Vazzana, Esq.	Chamberlain, D'Amanda, Oppenheimer and Greenfield	Executive
Augusta Welsh	Genesee Co. Mental Health Services	Senate
Dennis J. Wittman	Genesee Justice Program (retired)	Executive

## Federal Law and the Citizen Review Panels

The 1996 amendments to the federal Child Abuse Prevention and Treatment Act (CAPTA) mandate that states receiving federal funding under that legislation create volunteer Citizen Review Panels. The purpose of these panels is to decide whether state and local agencies are effectively carrying out their child protective responsibilities. Under the legislation, each state must set up citizen review panels.

The federal statute broadly defines the work of the Citizen Review Panels. The panels must meet not less than once every three months and produce an annual public report containing a summary of their activities. They must evaluate the extent to which the state is fulfilling its child protective responsibilities under its CAPTA State Plan by:

1. Examining the policies and procedures of state and local agencies.
2. Reviewing specific cases, when warranted.
3. Reviewing other matters, the panel may consider important to child protection, consistent with section 106(c) (A) (iii) of CAPTA.

Following the order of federal CAPTA Amendments of 1996, the New York State Legislature passed Chapter 136 of the Laws of 1999, setting up no less than three Citizen Review Panels, with at least one in New York City. The other panels are in Western and Eastern New York.

Each panel has up to thirteen members; the Governor appoints seven, with the Senate President and Assembly Speaker appointing three each.



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