

# *New York State Citizen Review Panels*

*Administered by Schuyler Center for Analysis and Advocacy  
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## New York City Citizen Review Panel

### Notice of Public Hearing

SUBJECT: Dual Track (Alternative or Differential Response) Legislation,  
Children's Protective Services

PURPOSE: To receive input into proposed legislation A00313 and S1574 and implementation strategies for New York City and county governments in New York State.

#### **New York City**

Friday

June 10, 2005

10:30 – 1:30

Queens Borough Hall

120-55 Queens Blvd.

Kew Gardens, New York 11424

Dual Track, also referred to as Alternative Response or Differential Response, has been fully implemented or is being tested in about twenty states. Dual Track legislation has been proposed in both the New York State Assembly (A00313) and Senate (S 1574). These bills would authorize demonstration projects in New York State. Currently in New York State, a call reporting suspected child abuse/maltreatment comes into the State Central Registry and is transmitted to a local district where an investigation must be commenced within 24 hours. With Dual Track as set forth in the bills in question, local district staff would review the report and either assign it to an investigative track (current operation) or an assessment track (for less serious cases), which would allow a CPS worker to offer support services to the family. In other states, local district staff are able to switch the case from the investigative track to the assessment track if the case is found to be less serious than originally assessed or vice versa should a child's safety be of concern. The bills, as written, do not contain provisions to allow switching from the investigative track to the assessment track.

Currently, eighty percent of reports to New York's child protection service (CPS) cases are either unfounded or indicated and then closed the same day. A new approach could offer families support services without the intrusiveness of an adversarial investigation and could head off future problems. Such a system would encourage parents to accept services and not retreat from assistance.

Fifteen years ago the public child welfare administrators published new CPS system guidelines, updating them in 1999. They recommended that:

- CPS agencies should flexibly respond to reports of maltreatment.

- Responses should be family focused and supportive.
- CPS agencies should become partners with communities in offering a comprehensive range of services, rather than bearing the sole burden of child protection.

New York State would need to authorize demonstrations in statute in order to test such a new approach to child protection as the dual track system.

This hearing is held by the New York City Citizen Review Panel which is authorized by law to examine the policies and procedures of the State and the Administration for Children's Services in regard to Child Protective Services. In 1999 the New York Legislature passed S371-b of the Social Services Law establishing panels in New York State to evaluate the extent to which agencies are effectively discharging their child protection responsibilities in accordance with the State's Child Abuse Prevention and Treatment Act (CAPTA) Plan, child protection standards set forth in the federal law, and any other criteria that the panel considers important to ensure the protection of children. There are three panels in New York State: Western panel covering 17 counties, Eastern panel covering 44 counties, and the New York City panel covering the five boroughs.

Please see the list of questions to which witnesses may direct their testimony.

Persons wishing to present pertinent testimony to the panel at the above hearing should complete and return the enclosed reply form as soon as possible along with an outline highlighting the key points in your testimony. It is important to fully complete the reply form so that persons may be notified in the event of emergency postponement or cancellation.

Oral testimony will be limited to a 5-minute summary of your submitted testimony. This will allow for an adequate question and answer period with the panel members. In preparing the order of witnesses, the panel will attempt to accommodate individual requests to speak at particular times in view of special circumstances. The requests should be made on the reply form or communicated to the panel as early as possible. Panel members will select and schedule witnesses from those who have submitted the reply form and outline.

In order to further publicize this hearing, please inform interested parties and organizations of the panel's interest in hearing testimony from all sources.

Panel Members:

David Lansner  
Co-Chair  
New York City  
Citizen Review Panel

Eric Brettschneider  
Co-Chair  
New York City  
Citizen Review Panel

Dr. Jocelyn Brown  
Christina D'Angelo  
Yvonne Hutchins-Plummer  
Margaret M. Magnus, Ph.D.

Sania Andrea Metzger, Esq.  
Gerard J. Papa, Esq.  
Mathea C. Rubin  
Marion White

**SELECTED QUESTIONS TO WHICH WITNESSES MAY DIRECT THEIR TESTIMONY:**

1. Are too many families reported to the Child Protective system as it is currently constituted?
2. What improvements in the Child Protective System would both keep children safe and support families in caring for their children?
3. Can children be kept safe with a system that offers alternative responses to CPS reports?
4. What are the conditions under which you would support Dual Track legislation?
5. How can we know that screening will result in reports assigned to the proper track? What criteria should be used for assigning cases to a track?
6. What is your position on allowing reports to be switched from one track to the other? What criteria would you propose?
7. Implementation of Dual Track legislation could require some realignment of resources, personnel, training, and services within ACS and County Departments of Social Services. What impact would such realignment have on prevention and other services? What considerations must be given to making the decisions necessary for implementation?
8. CPS cases where there is suspected or confirmed domestic violence are particularly complex and require a significant level of concern for the victim of domestic violence as well as for the safety of the children. Are there models that are recognized as best practice in working with such cases? What recommendations do you have for the investigation of such cases, training of staff, working in collaboration with domestic violence advocates, etc. that will lead to improvements in outcomes for children and families?
9. If a system of dual track is adopted locally, departments of social services will need to provide some initial training for CPS workers as they move towards implementation, as well as incorporating this new approach into their ongoing training requirements. What recommendations do you have for the curriculum for these training sessions?
10. What other supports and structures would improve child protective services?

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## PUBLIC HEARING REPLY FORM

Persons wishing to present testimony at the public hearing on proposed Dual Track legislation (A00313 and S1574) are requested to complete this reply form as soon as possible and send an outline highlighting points in your testimony and this reply form to: Diane Mastin, Schuyler Center for Analysis and Advocacy, 150 State St., 4<sup>th</sup> Floor, Albany, NY 12207, fax: 518-463-3364, email: dmastin@scaany.org. Replies should be received by Wednesday, June 1, 2005.

- I plan to attend the public hearing on June 10.
- I would like to make a public statement at the hearing. My statement will be limited to 5 minutes and I will answer any questions that may arise.
- I do not plan to attend the hearing but am submitting testimony.
- I will require assistance and/or handicapped accessibility information. **Please specify the type of assistance required:** \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

ORGANIZATION: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

FAX: \_\_\_\_\_