

**A vital and productive society with a prosperous and sustainable future is built on a foundation of healthy child development.**



“Federal, state, and local public health agencies, as well as policymakers, must advance the awareness of the lifetime economic impact of child maltreatment and take immediate action with the same momentum and intensity dedicated to other high profile public health problems—in order to save lives, protect the public’s health, and save money....or, if allowed to suffer from neglect, a potential addition to the destructive forces of the community.”

— Dr. Linda Degutis, Former Director, Centers for Disease Control and Prevention National Center for Injury Prevention and Control

# EXECUTIVE SUMMARY

Research has demonstrated that childhood trauma has a major, long-lasting impact on children, their families, and our communities. The prevention of child abuse and maltreatment is not only a moral responsibility, it also reduces the financial costs of caring for traumatized children across their lifetimes.

New York State's Citizen Review Panels support efforts to protect children while strengthening families and communities. The recommendations in this report are designed to achieve this goal. These recommendations are made, however, with a clear recognition that no one agency can, by itself, deal with the complex problems that lead to child abuse and maltreatment. Panel members advocate a "public health" approach to these issues, in which neighborhoods and communities, in addition to individual families, are focal points for services.

## REVIEW OF PAST RECOMMENDATIONS

In carrying out their responsibility under federal law to "assess whether state and local agencies are effectively carrying out their child protection responsibilities," the New York State Citizen Review Panels plan to develop an "Impact Statement" during the coming year that will address the status of past recommendations. Areas of major concern that have been recommended in multiple years include:

- Review and reform of the child welfare system
- Racial equity (disproportionality and disparity)
- Educational neglect as a child protective criteria
- Increased funding for preventive services and home visiting
- Differential response in child protection (Family Assessment Response)
- Cross-systems sharing of critical program data

## 2014 PANEL RECOMMENDATIONS

**A PUBLIC HEALTH APPROACH TO CHILD WELFARE: Reframe child abuse and maltreatment as a public health issue to place policy focus on primary prevention and early intervention, using a collaborative approach.**

The most recent National Incidents Study of Child Abuse and Neglect (2010) estimated that 1.25 million children experience maltreatment each year in the U.S. With an increased awareness of child abuse and maltreatment as a public health problem, more attention is being paid to prevention efforts designed to improve the community environment in which children are raised. An emerging generation of "community child abuse prevention strategies" focuses on creating supportive residential communities where neighbors share a belief in collective responsibility to protect children from harm and where professionals work to expand services and support for parents.

### Recommended Actions

- Collect public health, population-based data at the local, state, and national levels to analyze relevant risk factors for abuse and maltreatment, with a goal of developing primary prevention and early intervention strategies.
- Prioritize cross-systems strategies that use shared, reliable, valid, and equitable assessment instruments for all aspects of child protection and preventive services.
- Implement communication strategies for engaging the media and policymakers to promote this approach and inform the public.
- Apply a systems perspective to analyzing critical incidents, such as child fatalities. Use the findings as teaching tools focused on systems improvement.
- Improve data quality by using consistent methods to identify and quantify child fatalities resulting from abuse and expanding current review requirements to include incidents of serious child abuse that did not result in death.

- Support and promote best practices designed to reduce maltreatment death rates for children from 0-3 years old, the age group in which 80% of maltreatment fatalities occur.

**FUNDING FOR PREVENTIVE SERVICES: Keep preventive services funding uncapped and restore the state share to the original 75% level, allow for more flexibility in the use of preventive services funding, and fund new applications for Community Optional Preventive Services (COPS) programs.**

The impact of preventive services on cost savings and innovations in child welfare cannot be underestimated. Preventive services were formally created in New York State by the Child Welfare Reform Act of 1979. For more than two decades, the state reimbursed local districts for preventive services at a rate of 75%. This rate was reduced to 65% in the early 2000s, and with 2007-08 budget, the state share was cut further to 62%. In addition, funding for Community Optional Preventive Services (COPS) programs has been frozen at 2008 levels with no new applications for COPS programs are being accepted by OCFS.

**Recommended Actions**

- Pass legislation to restore state funding for preventive services to its original level of 75% while keeping preventive services uncapped.
- In the meantime, amend budget language to restore the state funding share to the 65% currently established in child welfare financing law.
- Re-open applications for new COPS programs and allow counties to use their preventive services funding flexibly, based on data-driven local need and the ongoing assessment of impact.

**THE CHILD WELFARE WORKFORCE: Identify and implement strategies to recruit and retain caseworkers and to promote nationally accepted workload standards.**

The child welfare workforce is integral to New York State's ability to provide quality child welfare services and achieve desired outcomes for children and families. Child welfare workers are the primary delivery system for child protective services. The work requires a high degree of skill and experience to make the critical decisions required in the field and to work effectively with complex family situations. A 2006 study of child welfare

workloads recommended that caseworkers' workloads be reduced to allow enough time for them to meet clients' needs as well as the policy and best practice mandates established by state and federal agencies.

**Recommended Actions**

- Implement proven recruitment and retention strategies.
- Establish a loan forgiveness program for students seeking appropriate college-level and advanced degrees in the field.
- Increase enhanced funding for hiring CPS caseworkers.
- Implement the KEYS model of supervision statewide with training and coaching for supervisors.
- Support legislation that encourages adequate workload standards, including consistent reporting of caseload levels at the district level.

**CHILD WELFARE AND CHILDREN OF INCARCERATED PARENTS: Improve outcomes for children of incarcerated parents by facilitating family contacts and raising awareness of the unique needs of this special population.**

The Bureau of Justice Statistics estimated that 1.7 million children in the U.S. under the age of 18 had a parent in prison in 2007, an increase of almost 80% since 1991. It is estimated that 105,000 minor children in New York State have a parent in jail or in prison. Due to a lack of data, it is difficult to quantify how many of these children are involved in the child welfare system.

**Recommended Actions**

- Pass legislation that would establish a pilot program to move 60 incarcerated parents to facilities closer to their children.
- Change the child welfare data collection system to make it easier to identify and track children who are receiving child welfare services and who have incarcerated parents.
- Incorporate the needs of this special population of children into the core training curriculum for caseworkers.
- Support changes in visitation policies at correctional facilities to allow more frequent contact between parents and children via in-person visits and video technology.

# INTRODUCTION

The New York State Citizen Review Panels are submitting their 2014 Annual Report and Recommendations for improving the child protection system in New York State.

Research has demonstrated that childhood trauma has a major, long-lasting impact on children, their families, and our communities. The prevention of child abuse and maltreatment is not only a moral responsibility, it also reduces the financial costs of caring for traumatized children across their lifetimes. The child protection system must weigh the responsibility of protecting children against the possibility of causing additional harm resulting from unnecessary intrusion into families' lives, including unnecessary removal of a children from their homes.

Federal law requires every state to establish Citizen Review Panels of volunteers who are broadly representative of the community. Panel members examine the policies, procedures, and practices of state and local child protection agencies, and make recommendations to improve child protection services at state and local levels.

In New York, three Citizen Review Panels work both independently and together to carry out these responsibilities across the state. Members of the Citizen Review Panels are appointed by the Governor, the Speaker of the Assembly, and the President Pro Tem of the Senate, and include members who have expertise in the prevention and treatment of child abuse and neglect.

Key New York State Child Welfare Data	2011	2012	2013
State Central Register (SCR) Reports Received	164,321	160,046	156,303
Annual rate*	38.2	37.4	35.6
SCR Reports Assigned to Investigative Track	146,997	149,951	144,333
Percent of all reports received	94%	93%	92%
SCR Reports Assigned to FAR Track	9,261	12,042	11,970
Percent of all reports received	5.9%	7.4%	7.7%
Reports indicated	47,704	45,998	44,370
Percent of reports determined	30.8	31.1	31.6
Admissions into Foster Care	10,696	10,069	9,501
Annual rate*	2.0	1.9	1.8
Exits from Foster Care	14,325	13,036	12,543
Exits to Permanency	9,636	8,822	8,485
	67%	68%	68%
Population in Foster Care on 12/31	21,463	20,450	18,901

\* Rate is the number per 1,000 children in the state

\*\* "Permanency" is defined as discharges to reunification, a relative, kinship guardianship, and adoption.

Sources:

2013 *Monitoring and Analysis Profiles*, OCFS Bureau of Research, Evaluation and Analytics, data for reports that were registered in calendar year 2013 and determined by 4/2/14. Data for 2011 and 2012 have been updated to reflect this information.

2013 *CFSR LDSS Data Packet*, "Admissions into and Exits from Foster Care," NYS CCRS Data via Multistate Data Center, data as of 1/31/14.

New York State’s Citizen Review Panels support efforts that both protect children and strengthen families and communities. The recommendations in this report are designed to achieve these goals. These recommendations are made, however, with a clear recognition that no one agency can, by itself, deal with the complex problems that lead to child abuse and maltreatment. Panel members advocate a “public health approach” to these issues, in which neighborhoods and communities, in addition to individual families, are focal points for services.

## **REVIEW OF PAST RECOMMENDATIONS**

In carrying out their responsibility under federal law to “assess whether state and local agencies are effectively carrying out their child protection responsibilities,” the New York State Citizen Review Panels for Child Protective Services have decided to develop an “Impact Statement” to address the status of recommendations they have made over recent years.

During the coming year, the panels plan to conduct an assessment of the impact the Review Panels have made on the success or failure of these recommendations. They hope to outline future actions needed to advance the implementation of programs and activities that will promote the safety and well-being of all children in New York State. Areas of major concern that have been recommended in multiple years include:

- Review and reform of the child welfare system
- Racial equity (disproportionality and disparity)
- Educational neglect as a child protective criteria
- Increased funding for preventive services and home visiting
- Differential response in child protection (FAR)
- Cross-systems sharing of critical program data

# 2014 RECOMMENDATIONS

## PUBLIC HEALTH APPROACH TO CHILD WELFARE

**Reframe child abuse and maltreatment as a public health issue to place policy focus on primary prevention and early intervention, using a collaborative approach.**

In the United States, the child welfare system developed along the lines of the traditional medical model: an expert diagnosed a problem, prescribed a treatment, and followed up to ensure that the prescription was followed. This meant that child protective programs tended to focus on each child and family after the “disease” (child abuse or maltreatment) was already full-blown and drastic measures (removal of the child from the home) were often required.<sup>1</sup>

In the medical field, the emphasis has changed to preventive care that promotes overall health and diagnoses disease at an earlier stage when it can be treated more effectively. There is a sharper focus on strengthening community resources so people can remain at home safely with needed supports close by. Similarly, it has become clear that a “public health approach” to child welfare is needed. This model takes into consideration all of the conditions that place children at risk for abuse or maltreatment with the goal of reducing that risk through efforts, such as public education, interagency data analysis, and prevention strategies.<sup>2</sup>

As there is increased awareness of child abuse as a public health problem, more attention is being paid to prevention efforts designed to improve the community environment in which children are raised. An emerging generation of “community child abuse prevention strategies” focuses on creating supportive residential communities where neighbors share a belief in collective responsibility to protect children from harm and where professionals work to expand services and support for parents.

Research has shown that community child abuse prevention programs have been able to reduce reported rates of child abuse and maltreatment, reduce injury

to young children, improve parent-child interactions, reduce parental stress, and improve parental efficacy.<sup>3</sup> By focusing on community-building, such programs can mobilize volunteers and engage diverse sectors within the community, including first responders, the faith community, local businesses, and civic groups. This mobilization exerts a synergistic impact on other desired community outcomes, such as economic development and better health care.<sup>4</sup>

### Recent Developments

Interagency work has been initiated in specific areas related to the protection of children and strengthening of families.

OCFS and the State Education Department have signed a Memorandum of Understanding that enables data sharing of student information for youth who reside in foster care and juvenile justice settings. A similar working relationship with the New York State Department of Health allows collaboration between Healthy Families New York and the Nurse-Family Partnership Program where they share target locations.

Interagency work groups have already been formed to address issues, such as human trafficking, HIV/AIDS, and autism. The Justice Center for the Protection of People with Special Needs was established in 2012 as a coordinating council to investigate allegations of abuse and maltreatment in residential care facilities, with guiding principles including education to affect systems change and collaboration among “agencies, providers, people who provide direct services, and people with special needs to prevent abuse and neglect.”<sup>5</sup>

### Recommended Actions

- Collect public health, population-based data at the local, state, and national levels to analyze relevant risk factors for abuse and maltreatment, with a goal of developing primary prevention and early intervention strategies. To begin this work, community level data for zip codes with the greatest percentage of maltreatment reports could be a focal point for funding over the next five years, with impact evaluation work to track successful strategies.

- Prioritize cross-systems strategies that use shared, reliable, valid, and equitable assessment instruments for all aspects of child protection and preventive services.
- Implement communication strategies for engaging the media and policymakers to promote this approach and inform the public.
- Apply a systems perspective to analyzing critical incidents, such as child fatalities. Use the findings as teaching tools focused on systems improvement.
- Improve data quality by using consistent methods to identify and quantify child fatalities resulting from abuse at state, local, and national levels and expansion of current review requirements to include incidents of serious child abuse that did not result in death. Implement critical incident debriefing to better understand how to improve practices.
- Support and promote best practices designed to reduce maltreatment death rates for children from 0-3 years old, the age group in which 80% of maltreatment fatalities occur.

## FUNDING FOR PREVENTIVE SERVICES

**Keep preventive services funding uncapped and restore the state share to the original 75% level.**

**Allow for more flexibility in the use of preventive services funding and allow new applications for COPS programs.**

Uncapped preventive funding is the core component of the state's strategy to reduce foster care placements by increasing services to families in their communities and homes, strengthening and supporting their ability to care for their children. Along with a capped Foster Care Block Grant, this funding strategy continues to accomplish its goal.

In 2003 the foster care population totaled 37,232; by 2013 this number had dropped to 18,901, a decline of almost 50% over 11 years. During those same years, indicated reports of child abuse and maltreatment remained about the same in terms of the rate per 1000 children in the state (31.8 in 2009 and 31.6 in 2013). In 2013, 678 children were admitted into foster care from families receiving only preventive services, compared to



2,498 children who had received only protective services and 3,445 who had received no services.<sup>6</sup>

The impact of preventive services on cost savings and innovations in child welfare cannot be underestimated. Practice has shifted from out-of-home placements to home- and community-based services that engage families. The Child Welfare Financing Law that permitted the incorporation of child welfare services outside of foster care established New York State as an innovation leader among the states.<sup>7</sup>

Preventive Services were formally created in State law with the passage of the State Child Welfare Reform Act of 1979. For more than two decades, the state reimbursed local districts for Preventive Services at a rate of 75%, as set forth in Title 4 of Article 6 of Social Services Law. Unfortunately, this rate was reduced to 65% as an emergency measure during the recession of the early 2000s and was never reinstated.

Local districts lost more ground in the 2007-08 budget, when the state share of funding for Preventive Services was cut from 65% to 62%. This means that local governments and taxpayers must pick up a larger share of the cost for preventive services at a time when other mandates are being implemented, such as trauma-focused screening, functional assessments, and evidence-based practice.

In addition, funding for Community Optional Preventive Services (COPS) programs has been significantly reduced in recent years. COPS programs help families where placement is not immediate or imminent, but where youth and/or families are living in particular communities or have other conditions or circumstances that put them at

an elevated risk of foster care. COPS cases do not require individual eligibility determinations or the establishment of uniform case records for the child and family, as required for other types of preventive services cases.

### Recent Developments

Child welfare financing law was extended in 2008 and again in 2012 with funding levels maintained at 65%; the 62% matching rate was continued in the State budget.

COPS funding, once at \$55 million, is now at \$12.1 million and funds existing programs only. No new applications for COPS services are being accepted by OCFS.

In its 2014-15 proposed budget, the State Assembly included a 1% increase in the state share for child welfare services. The final budget did not include this increase.

### Recommended Actions

- Pass legislation to restore state funding for preventive services to its original level of 75% while keeping preventive services uncapped.
- In the meantime, amend budget language to restore the state funding share to the 65% currently established in child welfare financing law.
- Re-open applications for new COPS programs and allow counties to use their preventive services funding flexibly, based on data-driven local need and the ongoing assessment of impact.

## THE CHILD WELFARE WORKFORCE

**Identify and implement strategies to recruit and retain caseworkers and to promote nationally accepted workload standards.**

The child welfare workforce is integral to New York State's ability to provide quality child welfare services and achieve desired outcomes for children and families. Child welfare workers are the primary delivery system for child protective services. The work is complicated and difficult and requires a high degree of skill and experience to make the critical decisions required in the field and to be effective working with complex family situations.

A 2006 study of child welfare workloads prepared for OCFS by Walter R. McDonald & Associates, Inc., found that, on average, caseworkers were spending between 0.6 and 1.5 hours of face-to-face contact with children and families per case per month. It determined that this was not enough time to meet clients' needs or to meet the policy and best practice mandates established by state and federal agencies. The study recommended that caseworkers' workloads be reduced to 12 active investigations per month for Child Protective Services (CPS) caseworkers, 11-12 active child cases for caseworkers in Foster Care Planning Services, and 12-16 active family cases for workers in Preventive Services.<sup>8</sup>

Research also indicates that high caseloads are connected to high staff turnover levels. A study conducted in New York in 2005 found that counties with low staff turnover had lower median caseloads than counties with high turnover rates. But other factors come into play as well. Caseworkers are more likely to remain on the job when:

- They have a bachelor's or master's degree in social work<sup>9</sup>
- They feel that they are supported by their organization
- They receive adequate supervision and training<sup>10</sup>

### Recent Developments

In the wake of the workload study, \$4.7 million was allocated in the 2007-08 State Budget for hiring CPS workers and bolstering supervision. By 2011, these enhanced CPS funds had been reduced to \$757,200 and have remained at that level. Funds were allocated to nine counties for the 2014-15 fiscal year.

Several models have been developed to improve recruitment and retention of the Child Welfare workforce. OCFS began piloting the Teaming Model in early 2007 in an effort to counter the forces that contribute to caseworker turnover, such as stress and isolation. The BASSICS (Building a Sustainable Support System in Child Welfare Supervision) initiative was undertaken to develop a model of child welfare supervision, conduct a pilot test of the practice model in selected counties, implement individual and group coaching and skills clinics, and implement local teams to address county-level organizational issues. In 2013, the KEYS program (Keys to Excellence in Your Supervision) was piloted by OCFS in four counties with 30 participants.

Legislation was introduced that would require local districts to annually report on the caseloads of child protective services employees. The bill failed to pass both houses of the Legislature.

## Recommended Actions

- Implement proven recruitment and retention strategies, such as the use of behavioral interviewing and provision of incentives for job performance.
- Establish a loan forgiveness program for students seeking appropriate college-level and advanced degrees in the field.
- Increase enhanced funding for hiring CPS caseworkers.
- Implement KEYS statewide with training and coaching for supervisors.
- Support legislation that encourages adequate workload standards, including consistent reporting of caseload levels at the district level.



## CHILD WELFARE AND CHILDREN OF INCARCERATED PARENTS

Improve outcomes for children of incarcerated parents by facilitating family contacts and raising awareness of the unique needs of this special population.

According to the Bureau of Justice Statistics, in 2007 an estimated 1.7 million children in the U.S. under the age of 18 had a parent in prison, an increase of almost 80% since 1991. It is estimated that 105,000 minor children in New York State have a parent in jail or in prison. Due to a lack of data, it is difficult to quantify how many of these children are involved in the child welfare system.

There is some evidence that the prison boom in American during the 1990s increased foster care case-loads. One study demonstrated that 30% of the increased number of foster care cases between 1985 and 2000 were due to an increase in maternal imprisonment.<sup>11</sup> Other research suggested that paternal incarceration increased

the risk of mothers abusing or maltreating their children, resulting from issues, such as economic insecurity and mental illness.<sup>12</sup>

For the child welfare system, an incarcerated parent presents a unique challenge to preventing placement and reducing stresses that can lead to child abuse and maltreatment. Some of the problems and concerns:

**Proximity to Families:** In 2011, there were 60 prisons in New York State, many located hundreds of miles from population centers. Nearly three quarters of prisoners are more than 100 miles from their homes; 58% of prisoners from New York City are more than 200 miles away from their families. While security and logistical concerns may prevent some parents from being close to home, proximity to children should at least be considered when making placement decisions.

**Supports for Visitation:** In-person visitation can help children cope, leading to less emotional distress and fewer problematic behaviors. In addition, visitation is

a positive predictor for reunification post-release. Prisoners who maintain family ties have improved behavior in prison and lower recidivism rates. After the DOCCS program providing free bus service for prison visits ended in 2011, visiting rates dropped as family members could no longer afford the cost of transportation.

### Distances Families Need to Travel to Visit People in Prison<sup>13</sup>

Distance from County of Commitment to Prison (miles)	Number of Incarcerated Individuals	Percentage of DOCCS Population
0-50	5,086	11%
51-100	10,379	19%
101-200	11,261	21%
201-300	11,652	22%
300+	14,478	27%

**Trauma to Children:** The negative consequences for children with an incarcerated parent can be substantial, including financial instability, changes in family structure, shame, and social stigma. However, research also shows that supporting healthy and positive relationships between these vulnerable children and their families has the potential to mitigate negative outcomes.<sup>14</sup>

### Recent Developments

The New York State Legislature passed Chapter 113 of the Laws of 2010 defining parents' rights when they are incarcerated and their children are in foster care. An administrative directive issued in 2011 stated that during the child's placement, agency and district caseworkers are to make suitable arrangements with a correctional facility for the parent to visit with the child within the facility unless such visiting would be harmful to the child.

Child-sensitive arrest policies have been developed to guide police and others in reducing trauma for the child. The *New York State Law Enforcement Handbook*, issued by the New York State Association of Chiefs of Police, includes a model and detailed protocol.

Bills were introduced in the State Legislature that would (a) encourage the judicial system to incarcerate parents in close proximity to their children and (b) establish a public website listing visitation rules at each prison in the state.

### Recommended Actions

- Pass legislation, such as S.1789/A.2308 (2013-14 session), that would establish a pilot program to move 60 incarcerated parents to facilities closer to their children.
- Change the child welfare data collection system to make it easier to identify and track children who are receiving child welfare services and who have incarcerated parents.
- Incorporate the needs of this special population of children into the core training curriculum for caseworkers.
- Support changes in visitation policies at correctional facilities to allow more frequent contact between parents and children via in-person visits and video technology.

## ADDITIONAL RECOMMENDATIONS

In addition to the previous recommendations, the New York State Citizen Review Panels offer their continued support for the following past recommendations and urge their adoption:

### FAMILY ASSESSMENT RESPONSE (FAR)

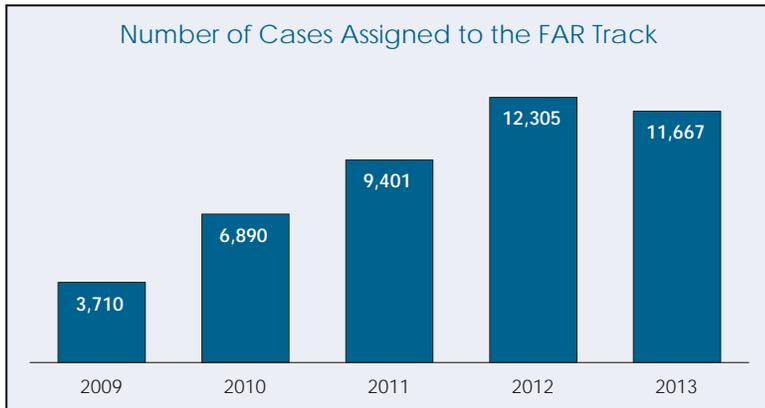
**Continue to support implementation of FAR throughout New York State, by providing the necessary training, coaching, and flexible funding needed to meet individual family needs.**

**Conduct an evaluation of FAR, incorporating a broader representation of counties utilizing an approach that includes a cost/benefit analysis.**

Child Protective Services caseworkers perform safety and risk assessments on every report that is made to the Statewide Central Register. If a serious concern is identified, the case is transferred to the investigative track. Family Assessment Response (FAR) can be used for low- or moderate-risk cases. It is a strength-based, family-focused approach that has been proven to reduce risk of child abuse and maltreatment. FAR allows local districts to strategically align staff time and investigation resources to high-risk reports in which court involvement may be necessary to protect children.

FAR has grown from the initial six counties offering the response in 2008 to 23 counties in 2014. Since January of 2013, three new districts have implemented FAR and with other districts continuing to apply to OCFS for permission and support to implement and expand FAR. New York City began implementing FAR in the Borough of Queens in January 2013.

Since the beginning of FAR implementation in 2008, over 45,000 CPS familial reports have been assigned to FAR for their child protective response. Seven districts have withdrawn from this voluntary program, primarily due to district-specific issues not related to FAR practice. In addition, while the number of reports referred to FAR rose sharply between 2011 and 2012, that number declined in 2013.



Source: 2013 Monitoring and Analysis Profiles, OCFS Bureau of Research, Evaluation and Analytics, data for reports that were registered in calendar year 2013 and determined by 4/2/14.

OCFS conducted an evaluation of FAR in two counties, finding that families assigned to FAR were less likely to have a petition filed in Family Court and children were less likely to be placed in foster care. As four years have passed since that evaluation, panel members are recommending that OCFS conduct a broader evaluation of FAR that incorporates additional counties, including the seven districts that have suspended the program. When such an evaluation is done, it should include a cost analysis of the program compared with the longer-term benefits of improved outcomes, improved safety, and lower use of services.

## RACIAL EQUITY

**Continue to address and seek to eliminate racial and ethnic disproportionality and disparities by expanding OCFS's work to additional counties through the use of data-informed and data-driven strategies.**

**Recruit more racially and ethnically diverse and bi-lingual staff to child welfare.**

**Require continuous staff development and education to advance cultural competence and responsiveness in child welfare.**

It is well known that children of color are over-represented in the child welfare system in New York State and across the country. Black, Latino, and Native American children enter the system in greater numbers relative to their proportions of the general population and are more likely to have an indicated case, enter foster care, and remain in foster care longer. The disparity for Black

children is particularly pronounced. Research indicates that solving disparities must be supported by an understanding of contributing social, economic, and organizational factors.

Since 2009, the OCFS Disproportionate Minority Representation (DMR) pilot project, coupled with the Race Equity and Cultural Competence (RECC) program, have been examining these factors with the goal of developing interventions, programs, and policies to mitigate disparities in the system. This program is centered in 13 counties, with an emphasis on three counties that offer a FAR track.

Panel members encourage OCFS to reach out to mandated reporters, including law enforcement, health care professionals including hospital staff, and school district personnel as part of the information-gathering project. In addition, panel members encourage a deeper examination of the system as a whole, beyond the county level.

## HOME VISITING PROGRAMS

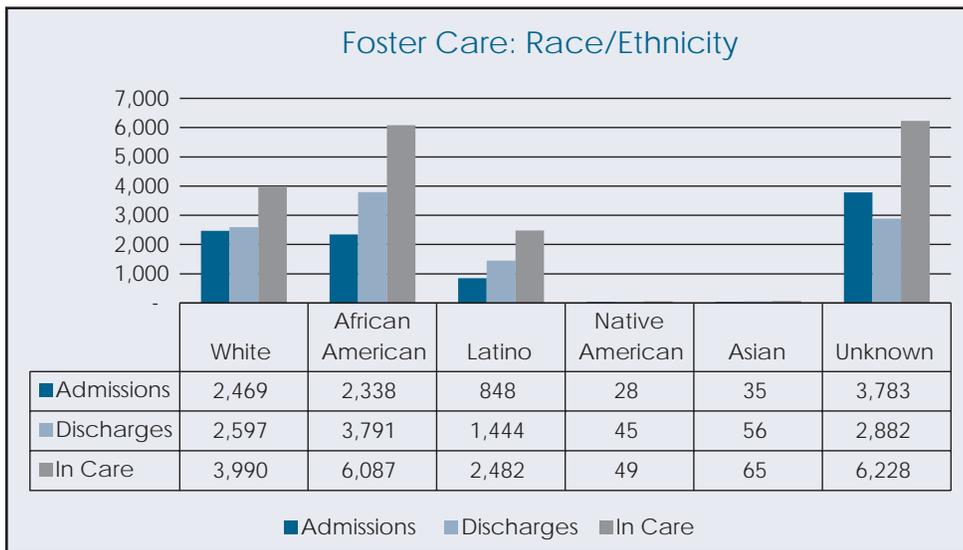
**Restore funding for Healthy Families NY to \$26.8 million, an increase of \$3.5 million.**

**Provide \$5 million in funding to sustain the Nurse-Family Partnership (NFP program), for an increase of \$3 million.**

Home visiting programs are evidence-based primary prevention programs aimed at new mothers and fathers at a time when they are most receptive to services. Programs improve health outcomes for babies, improve parenting skills, reduce the incidence of abuse and maltreatment, and increase school readiness and parental employment. These programs have suffered from a lack of funding to meet the demand for services.

Funding for Healthy Families NY has been effectively reduced by 15% since SFY 2007-08. HFNY providers report a cutback in services offered, inability to provide families needed supplies to care for and keep babies safe, and higher caseloads and reduced wages leading to staff turnover. In the 2014-15 State Budget, funding for HFNY remained frozen at \$23.3 million.

The Nurse-Family Partnership Program was allocated \$3 million in the 2014-15 State Budget, a \$1 million increase from the previous year but still far below the \$5 million level provided in 2009-10.



Source: 2013 Monitoring and Analysis Profiles, OCFS Bureau of Research, Evaluation and Analytics, data for reports that were registered in calendar year 2013 and determined by 4/2/14.

## KINSHIP CAREGIVER SERVICES AND KINGAP

**Restore funding for Kinship Caregiver Services and the Kinship Navigator Program to \$3 million.**

**Fund Kinship Guardianship Assistance Program (KinGAP) as an uncapped permanency option outside of the Foster Care Block Grant, with no reduction to the Foster Care Block Grant**

Two programs administered by OCFS are available to family members who care for children when their parents can no longer do so: Kinship Caregiver Programs and Kinship Guardianship Assistance Program (KinGAP). In 2013, 1,107 children exited foster care to be cared for by relatives.

Kinship Caregiver Programs commonly provide peer support, assistance with services, activities and other resources. Eight Kinship Caregiver programs are in their last year of funding. The 2014-15 State Budget added \$500,000 from the previous year, to bring the total amount of funding to \$838,750. Funding for the Kinship Navigator Program, which provides information and referrals, did not increase.

The KinGAP Program, which provides financial assistance to relatives who assume guardianship of the children in their care, continues to be funded through the federal Foster Care Block Grant. In 2013, 257 children entered the KinGAP program; 188 children in New York



City and 69 in the rest of the state (ROS), as compared to 21 (NYC) and 35 (ROS) in 2012. As of March 31, 2014, a total of 426 children had been discharged from foster care to a KinGAP arrangement since the project went into effect in April 2011.

Between January 1, 2013 and December 31, 2013, there were a total of 351 KinGAP applications received. Out of these, 300 were received by New York City and 51 by counties in the rest of state, a significantly higher number than the 2012 level of 157 (NYC) and 23 (ROS). Only two KinGAP applications were denied.<sup>15</sup>

Panel members urge that the State Legislature establish an additional funding stream for the KinGAP Program, which provides a new and effective permanency option for children in foster care.

# 2014 PANEL ACTIVITIES



## New York City Panel

### MEETING, JANUARY 14, 2014

Lilliam Barrios-Paoli, New York City Deputy Mayor for Health and Human Services and Gladys Carrión, Administration for Children Commissioner, met with panel members to discuss health and human services priorities for New York City in the new administration. Panel members received updates on a number of topics and discussed topics and dates for their 2014 meetings.

### MEETING, APRIL 13, 2014

Zeinab Chahine, Casey Family Programs Managing Director, Strategic Consulting Services, provided an overview of her work to improve child safety and prevent fatalities through a public health approach. Stephen Levin, Chair of the New York City Council's General Welfare Committee, met with panel members to discuss his priorities for his term as committee chair. Panel members reviewed the 2014-15 Enacted budget, proposed legislation for the current session, and planned for their May meeting.

### MEETING, MAY 13, 2014

Tanya Krupat, Osborne Association's New York Initiative for Children of Incarcerated Parents Program Director, provided an update on her work to advance policies to benefit children with parents in prison. New York City's Administration for Children's Services (ACS) staff, Deputy Commissioner for Coordination and Integration of Services Eric Brettschneider; Executive Deputy Commissioner for Child Protection Eden Hauslaib; Deputy Commissioner of Policy, Planning, and Measurement Kerri Smith; and Deputy Commissioner for Family Court Legal Services Alban Spurtz met with panel members to discuss priorities, changes and various initiatives of the new administration.

### MEETING, SEPTEMBER 9, 2014

Raymond Toomer summarized OCFS's response to recommendations in the Review Panels' 2013 report. There was a general discussion about the efforts being made by OCFS and ACS to achieve the recommendations of

Citizen Review Panels. The panel reviewed the summary of the June 13, 2014 meeting and there was general agreement about the recommendations to be made in the 2014 annual report.

### MEETING, DECEMBER 4, 2014

Lisa Gordon from OCFS presented an overview of OCFS' new draft model of child welfare practice. Grace Thompson from CDHS presented an overview of the KEYS model of supervision being implemented in local districts, and Chris Cargain from OCFS provided an update on the issue of unaccompanied refugee children entering the U.S. Greg Owens from OCFS discussed OCFS' efforts to support local districts in child welfare racial equity. Maria Lauria, Director of Services, and Jeanette Feingold, Director of CPS, discussed efforts in Nassau County DSS to reduce disproportionality, including their "blind removals" initiative.

## Eastern Panel

### MEETING, FEBRUARY 28, 2014

Fred Scaglione, Editor of the *New York Nonprofit Press*, discussed coverage of child welfare issues and the role of the media with panel members. OCFS Assistant Deputy Counsel John Stupp provided an overview of the parameters related to confidentiality and answered panel member questions. OCFS Associate Commissioner Renee Hallock provided an update on OCFS work related to child well-being and trauma informed practice. Panel members received an update on the Executive Budget and child welfare legislation under consideration this session.

### MEETING, APRIL 30, 2014

Bill Gettman, St. Catherine's Center for Children Executive Director, and Jeremy Kohomban, Children's Village President & CEO, met with panel members to discuss practice and workforce challenges in child welfare. Greg Owens, OCFS Director of Special Projects in the Office of Strategic Planning & Policy Development, provided an update on OCFS work related to racial equity. Mary McCarthy, Director of the Social Work Education

Consortium at the School of Social Welfare at SUNY Albany and Co-Principal Investigator for the National Child Welfare Workforce Institute, provided an overview of child welfare workforce research and recommendations for improvements that lead to better outcomes. Panel members reviewed the 2014-15 Budget and child welfare legislation under consideration during the current session.

#### **MEETING, SEPTEMBER 19, 2014**

Kristin Gleeson from the Office of Children and Family Services (OCFS) provided the OCFS response to recommendations in the 2013 report. Panel members expressed interest in the expansion of the Family Assessment Response (FAR) in Child Protective Services and would support a proactive approach which may include enhanced funding to local districts to undertake FAR. The panel also discussed learning more about several new OCFS initiatives, including the Child Welfare Model of Practice and KEYS training for supervisors.

#### **MEETING, DECEMBER 12, 2014**

Michelle Heyward, and Charles Carson of OCFS met with the panel to discuss the need for a protocol for Citizen Review Panels to use when they review specific CPS cases and reports. OCFS staff also provided updates on the KEYS model of supervision, the Child Welfare Practice Model, child fatality reviews, Child Advocacy Centers, and undocumented children. Tanya Krupat, director of the Osborne Association's New York Initiative for Children of Incarcerated Parents, provided an update on efforts to advance policies to benefit children with parents in prison.

### **Western Panel**

#### **MEETING, MARCH 13, 2014**

The *Buffalo News* Managing Editor Mike Connelly and Deputy Managing Editor Stan Evans met with panel members to discuss the role of the media in covering child welfare cases and child fatalities in particular. Panel members received an update on the Executive Budget, panel recommendations related to the budget, and child welfare legislation under consideration this session and planned for their May meeting.

#### **MEETING, MAY 9, 2014**

Mary McCarthy, Director of the Social Work Education Consortium at the School of Social Welfare, SUNY Albany and Co-Principal Investigator for the National Child Welfare Workforce Institute, provided information regarding work at the national level to make improvements in child welfare for the workforce. Erie County

Commissioner Carol Dankert-Maurer, Special Assistant to the Commissioner Brian Bray, Child Protective Services Director Roberta Farkas-Huezo, and Assistant Commissioner of Services Gavin Kasper met with panel members to provide information related to practice changes in Erie County. Panel members received various updates.

#### **MEETING, SEPTEMBER 5, 2014**

Tanya Krupat of the Osborne Association gave a presentation on issues surrounding children of incarcerated parents. This is an invisible issue because of the stigma associated with it. Training programs for professionals often do not address this issue, but it is a significant issue that many children are grappling with. Renee Hallock of OCFS reported to the panel on the OCFS response to the Citizen Review Panels' 2013 Report. The panel discussed possible recommendations for the 2014 report.

#### **MEETING, NOVEMBER 14, 2014**

Lisa Gordon from OCFS presented an overview of OCFS' new draft model of child welfare practice. Grace Thompson from CDHS presented an overview of the KEYS model of supervision being implemented in local districts, and Chris Cargain from OCFS provided an update on the issue of unaccompanied refugee children entering the U.S. Dawn Scott from the OCFS Buffalo Regional Office discussed the safety and risk assessments CPS workers are expected to conduct, and the services and interventions available to families to protect children.

### **Joint Panel Meetings**

#### **MEETING, JUNE 13, 2014**

The three New York State panels met via video-conference with OCFS Deputy Commissioner, Division of Child Welfare & Community Service, Laura Velez, who provided updates on a variety of panel interests and OCFS initiatives. Each panel provided an overview of their work and discussed their 2014 panel report.

#### **MEETING, OCTOBER 2, 2014**

The three panels met via videoconference. Each panel reported on their most recent meetings and activities. Lisa Gordon and Renee Hallock of OCFS provided updates on topics of interest to the panels and answered panel members' questions. There was extensive discussion of the panels' recommendations for 2014. Panel members also reviewed the status of previous years' recommendations and proposed that an Impact Statement be completed over the next year.

## Endnotes

- <sup>1</sup> Waldfogel, J. (1998). *The future of child protection: How to break the cycle of abuse and neglect*. Harvard University Press: Cambridge, MA
- <sup>2</sup> Zimmerman, F. and Mercy, J.A. (2010). A better start: child maltreatment as a public health priority. *Zero to Three Journal*, 30(5), 4-10
- <sup>3</sup> Covington, T. (2013). The Public Health Approach for Understanding and Preventing Child Maltreatment: A Brief Review of the Literature and a Call to Action. *Journal of Child Welfare*, 92(2)
- <sup>4</sup> Child Welfare Information Gateway (2011). Child Maltreatment Prevention: Past, Present, and Future. Available at <https://www.childwelfare.gov/pubs/issue-briefs/cm-prevention/>
- <sup>5</sup> New York State Justice Center for the Protection of People with Special Needs, Statement of Values and Guiding Principles, accessed at <http://www.justicecenter.ny.gov/about/vision>
- <sup>6</sup> OCFS (2014). 2013 *Monitoring and Analysis Profiles*, OCFS Bureau of Research, Evaluation and Analytics
- <sup>7</sup> Gettman, W. (2010). Testimony provided when Executive Deputy Commissioner of OCFS
- <sup>8</sup> Walter R. McDonald & Associates, Inc. (2006). *New York State Child Welfare Workload Study*. Rockville, MD
- <sup>9</sup> Social Work Policy Institute, *Professional Social Workers in Child Welfare Work: Research Addressing the Recruitment and Retention Dilemma*, accessed at <http://www.socialworkpolicy.org/research/child-welfare-2.html>
- <sup>10</sup> General Accounting Office (2003). *Child Welfare: HHS Could Play a Greater Role in Helping Child Welfare Agencies Recruit and Retain Staff*. Accessed at <http://gao.gov/new.items/d03357.pdf>
- <sup>11</sup> Swann, C.A., Sylvester, M.S. (2006) "The Foster Care Crisis: What Caused Caseloads to Grow?" *Demography*. 43:309-35.
- <sup>12</sup> Turney, K. (2014). "The Consequences of Paternal Incarceration for Maternal Neglect and Harsh Parenting," *Social Forces*. 92:1607-1636.
- <sup>13</sup> Dzerega, M. Asifuddin, F., & Tobias, L. (2012). *New York State prison visiting bus: A public safety resource that benefits children and families*. New York, NY, Vera Institute of Justice.
- <sup>14</sup> Justice Center, Council of State Governments (2013). *Children of Incarcerated Parents Initiative Fact Sheet*, accessed at <http://csgjusticecenter.org/nrrc/federal-interagency-reentry-council/publications/children-of-incarcerated-parents-fact-sheet/>
- <sup>15</sup> *Report to the Governor and Legislature on the Kinship Guardianship Assistance Program* (January 2014), OCFS, Rensselaer, NY

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## 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 assess whether state and local agencies are effectively carrying out their child protection responsibilities. 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 and recommendations to improve the child protection system at the state and local levels. 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, procedures, and practices 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, establishing no less than three Citizen Review Panels, with at least one in New York City. The other panels are in Eastern and Western New York.

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

For further information please visit the panels' website at [www.citizenreviewpanelsny.org](http://www.citizenreviewpanelsny.org) or contact:

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