

New York City Citizen Review Panel  
Minutes of the meeting  
January 4, 2007

*Attendees:*

David Lansner

Yvonne Hutchins Plummer

Marion White

Eric Brettschneider

Jocelyn Brown

Gerard Papa

Mathea Rubin

*Guest:* Assemblyman Scarborough

*OCFS Staff:* Renee Rider

*SCAA Staff:* Diane Mastin

*Handouts:*

Meeting Agenda

Draft Operating Guidelines

Draft elements for the 2006 report including recommendations

Notes from Case Review Conference Call, Dec. 20, 2006

Draft Letter to invitees for March 1<sup>st</sup> meeting

Draft NYS CRP Activities Chart

New York State Child Welfare Workload Study Report Summary

Minutes of the Dec. 7<sup>th</sup> meeting

The meeting began with approval of the minutes from the Dec. 7th meeting by a vote of 6 to 1. The Panel then discussed the draft operating guidelines included in the packets. Gerard Papa objected to the fact that no by-laws have as yet been presented and underscored their importance to proper functioning of the panel. He stated that the OCFS RFP to which SCAA responded mentioned the adoption of by-laws. Discussion centered on whether or not the panel should have by-laws instead of operating guidelines and what pieces were missing from the draft presented. SCAA staff will circulate by-laws from another organization(s) for the panel's review. Panel members are asked to highlight those items that stand out for them and that are missing from the draft presented.

The panel welcomed Assemblyman William Scarborough, Chair of the Assembly's Children and Families Committee to the meeting. Issues raised for Assemblyman Scarborough's consideration and discussion included:

- the lack of panel appointments
- the lack of real authority given the panels
- the poor quality of the case records that the panel has reviewed
- concern for the disproportionality that exists in the child welfare system
- frustration with the receipt of partial records from ACS
- CAC's are overwhelmed with all the children being brought in by ACS staff to be seen at the center
- lack of training, qualifications, accountability and disciplinary process for caseworkers
- issues with family court and child protection

- issues surrounding mandated reporters including lack of training, inexperience and fear of being sued if they don't report.

The panel reaffirmed their support for important preventive services such as the Trust Fund and home visiting programs. The emphasis in child protection has been placed on the investigation rather than on prevention services. More preventive services are needed.

Assemblyman Scarborough also referenced the Assembly hearings that were held in 2006 from which he learned about gaps in the system which need correcting. One particular example is the absence of guidelines for caseloads. He also discussed his interest in more independent reviews and oversight which is why he is interested in legislation to establish an Office of Child Advocate; such an office would oversee OCFS. The question was raised as to how such an office relates to the Citizen Review Panels and the Council on Children and Families. To have clout, such an entity would require power of subpoena, the ability to hold hearings, and have resources. He stated an interest in having a hearing or roundtable on the functioning of independent entities such as Citizen Review Panels.

Mr. Brettschneider affirmed his support for SCAA's administrative support to the panels, stating the support is superior to the panels' predecessor. Gerard Papa expressed his belief that SCAA is furthering its own agenda in its work with the panels.

Panel began a discussion regarding the Eastern and Western Panel recommendations and the additional two recommendations drafted at their request. Gerard Papa distributed a one page dissenting opinion to the annual report and asked that it be included in the full report. He stated his unhappiness with the last minute nature in the preparation of the annual report and the lack of time NYC panel members were given to discuss and give input into their report. An initial vote by the panel agreed to include the dissent as the NYC opinion by a vote of 6 to 1. Discussion followed about proposed changes to the document. In a second vote, the panel agreed to include the dissent as written in the report as the NYC panel's opinion by a vote of 4 to 3. The panel then voted 6 to 1 to allow individual dissenting opinions to be added to the report. By a vote of 6 to 1, the panel agreed to add a tag line to the submission stating that the dissent was originally submitted as a dissent and adopted by a majority of the panel.

The panel thanked Assemblyman Scarborough for attending their meeting. They stated an interest to meet again with him once recommendations from the case reviews are completed. They asked that Gladys Carrion, the newly appointed OCFS Commissioner, be invited to their next meeting on March 1<sup>st</sup>. Invitees for a discussion on the Nixzmary Brown case will be invited to the May 3<sup>rd</sup> meeting instead of the March meeting.