

RESOLUTION NO. - 2021

CALLING ON NEW YORK STATE TO ESTABLISH A CHILD PROTECTIVE SERVICES CITIZEN REVIEW PANEL SUBCOMMITTEE FOR THE LOWER HUDSON VALLEY REGION

WHEREAS, the Federal Child Abuse Prevention and Treatment Act of 1996 (hereafter “CAPTA”) and subsequent amendments require states to establish Citizen Review Panels (hereafter “CRPs”) made up of citizen volunteers to evaluate the extent that local agencies are effectively discharging their child protection responsibilities; and

WHEREAS, the federal statute requires that CRPs make evaluations by examining, and when necessary, investigating the policies, procedures, and practices of state and local agencies within their jurisdictions, maintain the strictest confidentiality about specific child protection cases, prepare and make available to the public an annual report containing a summary of their activities and recommendations, and provide for public outreach and comment to assess the impact of current procedures and practices upon children and families in the community; and

WHEREAS, CRPs are specifically tasked with evaluating the extent to which agencies are effectively discharging their child protection responsibilities in accordance with the State’s CAPTA Plan, child protection standards set forth New York State (hereafter “NYS”) Social Services Law, and any other criteria that the panel considers important to ensure the protection of children; and

WHEREAS, CRPs are further empowered to review the extent to which the NYS child protective services system is coordinated with the foster care and adoption programs established under part E of title IV of the Social Security Act, along with a review of child fatalities and near fatalities, and

WHEREAS, there are currently three panels in the New York State, each comprised of thirteen appointed members who broadly represent the community, including those who have expertise in the prevention and treatment of child abuse and neglect, with the Western Panel covering the seventeen counties in the western region of the state, the New York City Panel covering the five boroughs of New York City, and the Eastern Panel covering the remaining forty counties; and

WHEREAS, the state is mandated to support CRPs by providing access to information on cases, with staff assistance, respond to the panels’ annual report in writing within six months to the recommendations of the Panels, include a summary of the activities of the CRPs in their annual report to the federal government, and establish civil sanctions for a violation of confidentiality by a panel member; and

WHEREAS, one study estimated that at as many as one in three children living in the United States will go through at least one child abuse and maltreatment investigation during their lives, and in more than eighty percent of those cases, the investigation will conclude without a finding of child abuse or maltreatment, and

WHEREAS, Child Protective Services investigations are often lengthy, invasive affairs that can sometimes be maliciously used to inflict social and emotional harm, and even when reports turn out to be unsubstantiated, the process itself can cause lasting trauma to the family and permanently affect their relationships and standing in the community; and

WHEREAS, a disproportionate division of counties amongst the three CRPs has resulted in the Eastern Panel overseeing forty counties, and widespread over reporting of alleged incidents of child abuse, has caused a strain on resources for the region and the caseworkers tasked with investigating these reports; and

WHEREAS, the New York City Panel has a subcommittee dedicated to each of its boroughs to help residents address their concerns with child protection services, and generally serving to assist its parent's panel in fulfilling its mandate; and

WHEREAS, the establishment of a similar panel subcommittee for the Lower Hudson Valley Region comprised of Westchester, Rockland, Putnam, Sullivan, Ulster, Dutchess, Orange, Nassau, Suffolk Counties would likely help to eliminate many of the problems that families and employees involved with child protection services currently face; now therefore

BE IT RESOLVED, that the Westchester County Board of Legislators, hereby call on New York State to establish a Child Protective Services Citizen Review Panel subcommittee for the Lower Hudson Valley Region and any other appropriate region at the earliest practicable opportunity; and

BE IT FURTHER RESOLVED, that copies of this resolution be distributed to the Governor, Senator Stewart-Cousins, Leader of the New York State Senate, Assembly Member Carl Heastie, Speaker of the New York State Assembly, and the members of the Westchester State Delegation.

Dated: 2021