



September 25, 2013

**New York State
Office of
Children &
Family
Services**

<http://ocfs.ny.gov>

Andrew M. Cuomo
Governor

Gladys Carrión, Esq.
Commissioner

Capital View Office Park

52 Washington Street
Rensselaer, NY
12144-2834

Honorable Timothy M. Kennedy
New York State Senate
63rd District
2239 South Park Avenue
Buffalo, New York 14220

Dear Senator Kennedy:

I am writing in response to your letter regarding the recent tragedy in Erie County regarding the child fatality and the Erie County Child Protective Services (CPS).

The New York State Office of Children and Family Services (OCFS) approaches and treats every child abuse and maltreatment case with the utmost seriousness. When a report is made to the OCFS Statewide Central Register of Child Abuse and Maltreatment (SCR) involving the death of a child, OCFS is required by State Social Services Law §20(5) to prepare a fatality report. Such report addresses issues including the cause of death of the child, child protective or other services provided to the child and his or her family, and the actions taken by the local social services district since the death of the child reported to the SCR.

OCFS also has the legal authority to review the practices and policies of the local social services district's child protective services unit to determine whether it is in compliance with applicable statutes and regulations. Accordingly, OCFS has taken several initial steps with Erie County.

First, we are conducting an immediate safety assessment on all open CPS cases to establish that the proper protections are in place to safeguard the children involved. In addition, we will be reviewing the next 200 cases prior to Erie County CPS making a determination that a case can be closed in order to assess whether the investigation was thoroughly conducted and that the conclusion is sound. We have also suspended the County's use of the Family Assessment Response (FAR), an alternative CPS response that engages families in an assessment of child safety and of family needs.

OCFS' evaluation of the child protective practices of the Erie County Department of Social Services is ongoing, and we will work closely with the Department to implement the necessary reforms.

Thank you for your inquiry.

Sincerely,

A handwritten signature in black ink that reads "Gladys Carrión, Esq.".

Gladys Carrión, Esq.
Commissioner



An Equal Opportunity Employer