



Francisco M. Vasquez, Ph.D., President/CEO David R. Barrett, Chair, Board of Directors

May 28, 2014

The Honorable Mark Polancarz, Erie County Executive
Edward A. Rath County Office Building
95 Franklin Street, 16th Floor
Buffalo, NY 14202

Dear Executive Polancarz:

I suppose an answer to the woes of Child Protective Services (CPS) is to ask for the Erie County Commissioner of the Department of Social Services (DSS), Carol Dankert-Maurer, to resign. It is a convenient answer, but would it be the proper response to a complex and challenging community issue? I do not believe it is. Allow me to explain.

We are all positioned somewhere along a "vulnerability continuum." At one end of this continuum are children and at the other are seniors. It is at these "ends" of the continuum that vulnerability is most pronounced. It is the space between these two boundaries that our society expects independent, reasoned and responsible comportment. It is in this space where the caregivers, the nurturers, the parents, and those that touch the lives of our children and seniors reside. It is in this space that our human capacity to comfort, to love, to offend, and to hurt plays out. It is also a space where the circumstances of life can bring out the best or the worst in us.

In particular, it is the period of childhood, a time when a human being is developing physically and mentally, that requires our special attention and protection. Our expectations target the well-being of the child – physical, mental, and social well-being. Child well-being is a parental responsibility, first and foremost, in our society. It is assumed that the natural bonds of affection will lead parents to act in the best interest of their children. There is a presumption that parents will do so. Yet many children in our community continue to be victims of abuse and neglect at the hands of their parents. Some have even died. What, then, is our obligation to children as a society, as a reasonable, empathetic, and responsible people?

We place a great deal of responsibility and accountability on our child protection system and on its leadership. We know that the system designed to protect children is utterly challenged. How many children "fly under the radar" of the child protection system because adults in their lives don't report the abuse? How many children escape the "sheltering" arms of our justice system because we fail to treat child abuse as the crime that it is? In part how we view the "system" is at the root of the problem – we expect it to be responsive, accountable, efficient, effective, and successful. But it cannot be. The system is built on models of service delivery that rely on imperfect information, untimely demands, insufficient capacity, and human judgment. By way of example, the first job of the protective services worker is to decide whether a child can safely remain at home. These decisions are based on judgment calls in difficult circumstances, some may be reasonable and proper, while others may not always turn

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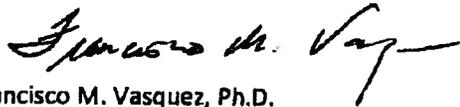
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out to have been justified, but no child welfare worker or agency wants to leave children in danger. So the system must change, it must evolve into something that prevents the heartache of losing our children.

I am convinced that the efforts by Commissioner Dankert-Maurer to correct the shortcomings of this unreservedly complicated child protection system will ultimately result in a more responsive and accountable system. She has asked for the tools in an attempt to "right the wrongs" – direct access to police and vital medical records, redefining the presumption of neglect, making it a felony crime for endangering the welfare of a child, and real-time access to calls made to the state's registry among others - and resources to do so. Her focus is on reforming the system. We do not want to see another child victimized by the system; we do not want to see another child die. Our patience is taxed. Admittedly, the pressure for Commissioner Dankert-Maurer to deliver is high. It should be. But what is a call for her to resign now but another exasperated response to an imperfect and complex system? She must be given an opportunity to fix it.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Francisco M. Vasquez". The signature is fluid and cursive, with a long horizontal stroke at the end.

Francisco M. Vasquez, Ph.D.
President and CEO