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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

October 4, 2016

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

Dear Honorable Members:

At a recent Health and Human Services Committee meeting, several members of the majority caucus inquired about reducing the number of Child Protective Workers. The rationale for this proposal is we have achieved the goal of reducing our average caseload to the New York State-recommended maximum of fifteen investigations per worker and we therefore no longer need the positions added during our Child Protective Service (CPS) crisis. I wanted to give an explanation why we strongly disagree with any cuts to our CPS unit.

1. We need the current staffing levels to fulfill our mandated responsibility.

The level of staffing before the crisis, when average caseloads were often twelve cases per worker, was insufficient. To accommodate for that low level of staffing, investigations were completed quickly with the minimum amount of work completed. As noted in the OCFS Audit performed in October and November in 2013:

CPS workers did the minimum regulatory requirements and moved quickly to close cases. A substantial number of workers prepared to close their cases within 10-15 days after receiving a report...There was minimal compliance with collateral contact requirements. CPS is required to gather information about a case from schools, doctors, family members, or anyone who can provide information about a case.

The victims of this unconscionable practice were the children that suffered maltreatment but did not get the help they needed because the worker did not have the time to investigate their case. I think it is fair to say none of us wish to return to those dark days.

With our current staffing-levels, over the past twelve months, we are averaging approximately 110 employees being assigned five or more cases. Unfortunately, the high stress and low pay of the position results in a turnover larger than in our other program areas. The amount of training required to legally allow a worker to accept a case exasperates the situation. On average, over the past twelve months, we have averaged 850 new investigations per month. If our Department were to have every investigation open for sixty days, which is the amount of time we are required to make a determination within, our average caseload would be 15.45. Even though our current average caseload is currently below fifteen, during the month of August 2016, it took an average of 72 days to close a case. (The median was 60 days.) A reduction in number

of employees would require our Department to decrease the amount of work in investigations in order to maintain caseloads of fifteen or below.

2. There is likely to be legislation requiring child protective workers to have caseloads of fifteen or below.

In addition to being a moral imperative to keep CPS caseloads of fifteen or below, it is likely to be law. One measure (A.10506/S.2691) that passed both the state Assembly and Senate this year would direct OCFS to promulgate regulations establishing workload standards for CPS employees. This bill creates workload standards for CPS which would be no more than 15 active cases per month per full-time CPS worker. Although this bill has not been sent to the Governor and acted upon, it is likely that some type of stricter caseload requirements will be put in place at some point.

3. Erie County CPS will be expanding in 2017.

As we have told your honorable body, the legislation (A.869/ S.1519) that authorized Erie County to utilize a Society to Prevent the Cruelty to Children (Child & Family Services) to provide its mandated child protective duties sunsets on August 11, 2017. After that date, the Department of Social Services will have to provide this service 24 hours a day, seven days a week. As a result, we will need to add new positions to this CPS Unit in the future. We look at this as an opportunity to further improve the quality of investigative work to improve the safety of our community's children.

4. Too Soon to Determine Staffing Patterns.

As much as I agree with the need for all programs to be "right sized", CPS has just reached the milestone of caseloads being on average 15 or below. The primary goal remains to keep children in Erie County safe, not meet caseload targets set in Albany. We need the next year to analyze intake patterns, case closing patterns, and changing legislation to determine the appropriate staffing patterns. The focus remains on the safety of children.

After CPS has made so much progress, we do not want to go backward. Now is not the time to reduce staff.

Sincerely,

A handwritten signature in black ink, appearing to read "Al Dirschberger", is written over a circular stamp or seal.

Al Dirschberger
Social Services Commissioner

cc: Erie County Executive Mark Poloncarz