



October 23, 2013

Dear Executive Director:

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

In an effort to keep agencies apprised of any new developments regarding the New York State Justice Center, the Office of Children and Family Services (OCFS) will be issuing Justice Center updates on a monthly basis. These monthly updates will also address questions/implementation issues that have come to our attention. Please see the following information on the investigatory process, significant incidents and the Internal Review Committee:

<http://ocfs.ny.gov>

### **Notifications**

**Andrew M. Cuomo**  
*Governor*

**Gladys Carrión, Esq.**  
*Commissioner*

We recognize that, initially, there were some delays in agencies receiving notification of reports of abuse and neglect when the new Justice Center went into effect. However, all agencies should now be receiving timely notification of the existence of reports of suspected abuse and neglect; please let us know if this is not true for your agency.

For your information, the notification process now is as follows:

### **Capital View Office Park**

52 Washington Street  
Rensselaer, NY  
12144-2834

- In cases of abuse and neglect where the OCFS is conducting the investigation, OCFS sends a notification letter to the parent/legal guardian and provides a “cc” to the Justice Center, custodial agency, and Executive Director of the agency where the incident occurred. OCFS also sends a notification letter to the suspect.
- In those cases where the Justice Center is conducting the investigation, OCFS sends a notification letter to the parent/legal guardian with a “cc” to the Justice Center, custodial agency, and Executive Director of the agency where the incident occurred. The Justice Center sends the notification letter to the suspect.

The Justice Center provides notification of the determination of all incidents of suspected abuse and neglect. When you receive the notification from the Justice Center, it is your agency’s responsibility to notify the custodial agency of the named victim of this determination.

### **AWOLs**

The decision to inform the Justice Center when a youth goes AWOL should be made on a case-by-case basis, taking into account the youth’s history, behavior plan and the circumstances surrounding the AWOL. For example, the following circumstances require notification to the Justice Center: If that youth is known to be currently violent and/or self-injurious, has expressed a desire to harm self or others outside the facility, or is visibly distressed, expressing an imminent desire to harm self or others.



**Significant Incidents**

OCFS is currently working with the Justice Center and other State oversight agencies to establish a uniform definition for significant incidents.

**Investigations**

As soon as you become aware of an allegation of abuse/neglect in your agency, you should take immediate steps necessary to provide safety to the named victim and any other youth in the agency. If the agency must conduct some investigative steps in order to provide for the safety of the youth in the agency, you may do so. Any information acquired during that time should be provided to OCFS or the Justice Center when you are contacted regarding the investigation.

**Safety Assessments (24-Hour & 7-Day)**

OCFS should be contacting you within 24 hours to formalize the safety assessment. The 24-hour safety assessment is conducted by OCFS, even if the Justice Center is conducting the investigation.

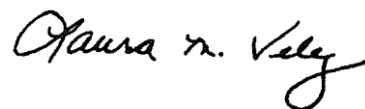
If OCFS is investigating the report, we will also conduct a 7-day safety assessment to review the continuing safety of the named victim and any other children in the care of the program. As previous to June 30, 2013, OCFS and the agency can modify the safety assessment during the course of the investigation into abuse and neglect as additional information becomes available. If the Justice Center is conducting the investigation, OCFS is unable to get access to any information about the investigation until it has a final determination. As such, OCFS is unable to approve any changes to a safety plan until the Justice Center's final determination is made.

**Internal Review Committee (IRC)**

OCFS is currently in the process of finalizing an administrative directive on the Justice Center requirement for each agency to establish an IRC. This document will provide guidance on this process, and will be issued to agencies and local districts shortly.

I hope this information is helpful to you. Please contact Vicky Hiffa ([Vicky.Hiffa@ocfs.ny.gov](mailto:Vicky.Hiffa@ocfs.ny.gov)) if you have any questions.

Sincerely,



Laura M. Velez  
Deputy Commissioner  
Division of Child Welfare & Community Services

Cc: Regional Office Directors  
Jim Purcell