



New Jersey Task Force on Child Abuse and Neglect

Christine Norbut Beyer, Co-Chair  
Martin A. Finkel, DO, FACOP, FAAP, Co-Chair

## Minutes

**January 26, 2018**

9:30 a.m. – 12:00 p.m.  
Capital Center Building  
Trenton, NJ

### In Attendance

Christine Norbut Beyer	Department of Children and Families
Marygrace Billek	Mercer County Department of Human Services
Mary Coogan	Advocates for Children of New Jersey
Martin A. Finkel	CARES Institute
Marilyn Gorney-Daley	Department of Health
Corinne LeBaron	Foster and Adoptive Family Services
Niurca Louis	Robin's Nest, Inc.
Assemblywoman Nancy Munoz	Legislative District 21
Matthew Schwartz	Youth Representative
Richard Stagliano	Center for Family Services
Stephanie Ullman	Administrative Office of the Courts
Jennifer Underwood	Department of Community Affairs
Wendi White	Department of Corrections

### By Telephone:

Esther East	Jewish Family Services & Children's Center of Clifton/Passaic
Kaitlin Mulcahy	Montclair State University
Jason Sarnoski	Warren County Freeholder

### DCF Staff:

Daniel Yale	DCF – Office of the Commissioner
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*"In compliance with Chapter 231 of the Public Laws of 1975, notice of this meeting was given by way of notice filed with the Secretary of State, the Trenton Times and the Newark Star Ledger and posted at the Department of State, 125 West State St., 1st Floor, Trenton, New Jersey."*

### Introduction and Welcome

A brief welcome was provided by Dr. Finkel and each member briefly introduced themselves. Commissioner Nominee Christine Norbut Beyer introduced herself to the Task Force and provided a brief history of her employment with the Division as well as with Casey Family Programs.

### Review November 17, 2017 Minutes

The Task Force approved the November 17, 2017 meeting minutes without edit.



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### **Updates from Commissioner Nominee Norbut Beyer**

Commissioner Beyer offered her preliminary thoughts on the future of DCF. DCF will continue to work on the improvements that have been made through the Modified Settlement Agreement and continue to improve outcomes in the areas that have been identified to exit federal monitoring. The Commissioner discussed how New Jersey can become a 21<sup>st</sup> century child welfare system. The vision for DCF is to change the public perception as being not just a child protection agency, but a child services agency. The Commissioner would like to bring in community partners in a more meaningful way than in the past. One main focus of DCF will be prevention of child abuse and neglect and determining what supports will be necessary to improve efforts on prevention. New Jersey needs to do more primary prevention work by strengthening communities and building strong families. Families will not necessarily need state intervention if they are able to identify and utilize services in their community. DCF will start looking more at the front end of the system.

Commissioner Beyer informed the Task Force that she will take a fresh look at the progress in DCF by having ex-colleagues at Casey Family Programs conduct a system assessment. Commissioner Beyer hopes to gain insight on areas that need improvement by determining what has changed and how New Jersey compares to other states and counties. For the first few months in office, Commissioner Beyer plans to do a “listening tour/listening sessions” with parents and youth that are being served by DCF to determine what services are being provided, how they feel about the work that is being done, and what DCF can do to improve. Legislators and other stakeholders will be invited to attend these events. The hope is to open the doors to the communities to hear what they need and how we can be more supportive. These events will be documented to be able to create a blueprint for what we offer at the department.

Dr. Finkel stated that all child abuse prevention and protection agencies have a public relations problem. Even when families recognize the value of the services provided, they don’t go into the community and talk about the services they received. Primary prevention strategies are very easy to produce, but difficult to implement. It is important to create simple, consistent messaging. Dr. Finkel stated that the business community should be interested in this issue whether or not their main demographic is children. Businesses ultimately pay the cost. If they invest in children now, there will be better outcomes in the long run.

Commissioner Beyer stated that she wants to hear both positive and negative feedback from constituents and Task Force members. Commissioner Beyer informed the Task Force that she will not shy away from difficult conversations and would rather hear real comments. Conversations where people can agree to disagree are what make change happen.

A question was posed regarding whether any states have been able to gain ground regarding negativity around child protection? Some states and counties are doing a terrific job “chipping away” at the issue creating a more positive image. Commissioner Beyer stated that DCF will use social media more often to let the communities know of the good work that we are doing and to improve the image of child protection. There will also be a distinction made between DCF and DCP&P.

Unfortunately, many laws have been written, not because it is what is best for child welfare, but in response to horrible cases that are an exception to the ordinary. Need to bring more people to the table to strengthen primary prevention and strengthen communities and resources at home, which will result in less deep-end intervention.

Commissioner Beyer informed the Task Force that another issue is that there is no place in the country that has great well-being measures, although there are some good models to research. Most staff believe that



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safety, permanency and well-being measures are a DCP&P issue. Regardless of touch point, well-being is important. Safety is not first and foremost followed by permanency and well-being. All three are necessary to function well.

Commissioner Beyer stated that DCF will be developing principal-based goals, value-based goals. For example, if one of our principal goals is that all children belong in families, then that is what we should be living and working by. When we put kids into out of home care, group homes, or residential homes, we are going against our own principals, our own values. There must be a very good reason why we are doing that. DCF will have overarching principals that all of our work will be measured against. That will be a message that will also resonate with all of our partners. Nobody is going to say kids don't belong in families, but are we doing things every day to ensure that?

### **Assembly Bill A4442 – Rush Russell, Prevent Child Abuse New Jersey**

Rush Russell thanked the Task Force for the invitation to present Assembly Bill A4442. Rush informed the Task Force that NJ Assembly Bill 4442 is now called NJ Senate Bill 414. This bill would require schools to review employment history of applicants to determine prior allegations of sexual misconduct. Previously, this bill has been labeled the “Pass the Trash” bill. Although the media continues to call the bill by this name, legislators and supporters of the bill are not. It is felt that pejorative name calling is not necessary for a bill that's going to help protect our children.

When schools experience a case of sexual misconduct involving a teacher, many times they sign nondisclosure agreements out of fear of their reputations being harmed. There are many well-known examples of these occurrences, most recently with Larry Nassar and USA gymnastics. Supposedly false allegations led to a period of years where this was kept secret. The cases involving the Catholic Church. Secrecy is the underlying issue. Because publicizing the information may uncover the school's or other organization's liability, they decide to keep this information secret and that ultimately allows the individual to continue to abuse children.

This bill includes a two-pronged approach. It requires the applicants and schools to disclose information. So if an applicant was the subject of an investigation, they are required to tell their new employer about it and in addition, schools would be required to disclose that information as well. So “School A” terminates John Doe as a result of an investigation around sexual misconduct, “School B” calls and says John Doe has applied for a job here, “School A” would have to disclose that information. As of now, all “School A” is required to report is that John Doe worked there. This bill opens up the process to share information that any principal or organization would want to know. Applicants that provide false information or fail to disclose will be subject to penalties. There will be a twenty-day time limit for schools to disclose this information.

There are also protections against false reporting. In all cases, the bill's provisions are waived if there's a finding of unsubstantiated or false reporting. Information is not public record and schools are immune from liability for disclosure unless they know that the allegations are false or unsubstantiated.

There have been similar bills passed in other states:

- Washington State – 2004
- Oregon – 2010
- Missouri – 2011



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- Pennsylvania – 2014 (Passed unanimously)
- Connecticut – 2016
- Nevada -2017

A 2004 report from the U.S. Government Accountability Office found that 10% of all schools in the United States reported an incident of some type of sexual misconduct involving a teacher or school employee and a child between kindergarten and 12<sup>th</sup> grade. An education magazine ran a Google search and found over 500 cases of teachers or school employees being terminated due to sexual misconduct, 30 of which occurred in NJ.

In August 2017, the NJ Partnership to Prevent Child Sexual Abuse began contacting other organizations to sign a letter of support that would be sent to legislators requesting that they support this bill. After a presentation on the bill at the Governor's Council on Sexual Violence, Patricia Teffenhart, Executive Director of NJCASA, requested to join as a primary sponsor of the advocacy effort. Other supporters of this effort include: NJ County Prosecutors Association, NJCAP, New Jersey Children's Alliance, PTA, YMCA, Parent's Anonymous, Hurst Regional Diagnostic Center, the CARES Regional Diagnostic Center, Wynona's House, and FAFS.

The Star Ledger has also helped raise awareness of the current situation. In early December, 2017, the Star Ledger ran a major story on the front page of their newspaper. The story described prominent cases of three teachers and school employees. The story tracked their employment at multiple locations and reported multiple charges of abuse and misconduct in each setting, as well as how the system kept it quiet. Administrators of the schools were quoted as saying "they did what they were supposed to do." Following that article, they released a major editorial on Christmas day, stating that our legislators must prevent teachers from preying on our children. Governor Murphy was quoted as stating that he read the article but hadn't seen the legislation, but that he was disgusted by the situation. Governor Murphy further stated that if it is "smart" legislation that prevents these situations from occurring, "count me in."

Rush stated that the bill passed, unanimously, in the Senate the previous day. There was some mention of possible amendments to the bill, including changing the definitions of substantiations and limiting the bill to only include substantiated cases. Rush stated that only including substantiated cases would, in practical effect, undermine the bill. Many of the cases, if not all of the cases listed in the Star Ledger, were kept secret, so by definition were not substantiated cases. Many cases are dropped along the way due to complexity, fear, etc. Those amendments were not included in the passage of the Senate bill.

At this point, Rush Russell asked the Task Force to support the bill.

There was a question posed about voting to support the bill. In the past, when there were issues that were legislative, the Task Force many times would weigh in, providing either written or verbal testimony. A motion was put forth to support Senate Bill 414 as was presented to the Task Force. The motion was seconded. Motion was carried.

**Matthew Schwartz**



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Matthew Schwartz provided a speech to the Task Force regarding improving outcomes for youth aging out of foster care. At the conclusion of his speech, he outlined fifteen motions for consideration by the Task Force. Both the speech and motions in their entirety will be attached to the minutes.

The Task Force will review the motions to determine if there are items that may already be included in the work of DCF that can be built on. Commissioner Beyer thanked Matthew for sharing his story and for putting together the material to share with the Task Force. Aging out youth and older youth permanency is something that DCF will be looking at as DCF has a responsibility to all foster youth to do better as an agency.

Matthew also stated that youth need therapeutic support, especially the aging out population.

Dr. Finkel stated that when children have a traumatizing experience when they're young, they look at it through a different lens than when they're older. They get treatment at that time, but ten years later they go back and look at things differently. Getting help with trauma is not just a point in time fix. It has to continue throughout your life so that eventually, it is a bump in the road that you can handle because you are aware of the resources that are available.

A question was posed to the Task Force regarding whether there was any longitudinal study currently being done. There is a federal requirement to interview children at different stages, however, most studies only continue to age 21.

A suggestion was made that this topic be included for the next Task Force meeting. Members of the Task Force can provide updates on what is actually happening and can make motions that are more on target. Motion to include this topic on the agenda for the next meeting was passed by the Task Force.

### **Task Force Retreat**

The Task Force was informed that there will be a retreat held on March 23, 2018. The retreat will last from 9:30 a.m. until 4:00 p.m. Included in the retreat will be an Ethics Presentation, a Bylaws Presentation, as well as presentation on the history of the Task Force.

Dr. Finkel reminded the Task Force that all members received an email regarding updating their applications and ethics forms and requested that all members please complete them.

### **Consideration of Committee Applications**

All proposed committee applications were accepted.

- SORS: Robyn Veasey  
Lisa Chapland
- Communication:  
Christie Bruce

### **Subcommittee/Committee Updates**

### **Communication**



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The Communication Committee held their last meeting on December 19, 2017. The committee is working on a proposal to the Task Force for approval to send an email and flyer to tax professionals encouraging tax exempt donations to CTF during this tax season. Committee members are in the process of obtaining a mailing list of all major NJ tax preparers. Once that is complete, the committee will obtain an estimate of cost to cover the necessary expenses to copy and mail flyers. The committee is also looking to recruit interns to assist with the mailing process. The committee will seek the help of the prevention committee to increase donations to the CTF. Matthew Schwartz created an informational desk card that is in the process of being edited by the committee and will soon be ready for distribution.

The Communication Committee is looking to increase membership and urges Task Force members to join as Seetha Holmes would like to be replaced as chair. Cheryl Mojta, attending the Task Force meeting as a guest, informed the Task Force that the Communications Committee has great plans but that it is a tremendous undertaking to further increase CTF funds. The Task Force was informed that other states have done a great job with the CTF because they have staff that complete the necessary work. Cheryl stated that the plan to increase donations has been complete for over a year, however it is difficult to accomplish anything without funding. Cheryl also suggested that the committee contact the Star Ledger or NJ.com to write a story about the CTF and the check box on tax forms. The committee should also be using social media to promote donations through the website.

Dr. Finkel stated that he doesn't see any reason why some of the funds already in the CTF can't be used to support work to increase donations. The first step would be to propose a budget as to what it would cost to accomplish the goals. It was suggested that the committee contact VITA (Volunteer Income Tax Assistance) and AITC preparers.

### **Prevention**

The Prevention Committee held their last meeting in November 2017. The committee is in the process of making final edits to the Prevention Plan, which will then be presented to the Task Force for approval. The committee is ensuring that the Prevention Plan is actionable and that progress is being made. Workgroups will be formed to focus on specific areas of the plan.

### **Protection**

The Protection Committee held their last meeting in November 2017. The Protection Committee has developed two workgroups. The Digital Realm of Child Abuse workgroup is focused on Internet safety and protecting children. The workgroup is collaborating with the Department of Education to distribute surveys to public schools to evaluate what they are doing around educating children and parents. An update regarding the Digital Realm Survey was provided to the Task Force. The survey was sent to superintendents and principals by the Department of Education and participants were asked to complete the survey by January 26, 2018. There has been a total of 259 responses at this point. Once the data is collected, it will be shared with the Protection Committee.

The Juveniles with Sexually Inappropriate Behaviors workgroup is focused on disparities between different counties on how the needs of this population are addressed, lack of distinction among different offenses, lack of treatment programs, as well as how to advocate for more consistency.

### **SORS**



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The next SORS meeting will be held on March 13, 2018. Priorities for the upcoming year are Child Fatality Advisory Committee Recommendations Presentation, presentation from Office of Strategic Development, requested an update from the Office of Training and Professional Development on the electronic learning management system as well as new training initiatives on LGBTQI and cultural competency. Request form DCPD Office of Resource Families on recruitment and retention plan, update on data fellows, we will monitor the shift of mental health and substance services from DOH to DCF. Explore these issues to determine what oversight will be necessary to ensure that improvements being achieved now are sustained for years to come and ensure the safety of our children.

### **Announcements**

Dr. Finkel announced that on February 13<sup>th</sup> CARES Institute will hold their quarterly Experts on Child Abuse and Neglect Lecture Series. The keynote speaker for this lecture will be Sam P. Gulino, a medical examiner and pediatric pathologist from Philadelphia. The lecture will be entitled “The Autopsy and Medicolegal Investigation of Child Abuse.” The event is free of charge and will be held at Mercer County Community College.

Dr. Finkel stated that the CARES Institute will hold their Annual Symposium on April 27, 2018. The keynote speaker will be David Finkelhor.

**Next Meeting – March 23, 2018 in New Brunswick (DCF Professional Center)**