

State of Delaware Child Protection Accountability Commission Quarterly Meeting Minutes

WEDNESDAY, MAY 17, 2017
9:00 AM – 12:00 PM – New Castle County Courthouse
500 King Street, 12th Floor, Wilmington, Delaware

Those in Attendance:

Members of the Commission:	Statutory Role:
Ginger Ward, Chair	Child Protection Community 16 <u>Del. C.</u> § 931(a)(16)
The Hon. Josette Manning	Secretary of Services for Children, Youth & Their Families 16 <u>Del. C.</u> § 931(a)(1)
Carla Benson-Green	Dir., Div. of Family Services 16 <u>Del. C.</u> § 931(a)(2)
Susan Cycyk	Dir., Div. of Prevention of Behavioral Health Services 16 <u>Del. C.</u> § 931(a)(9)
Maureen Monagle	Chair of the Domestic Violence Coordinating Council 16 <u>Del. C.</u> § 931(a)(10)
The Honorable Michael Newell	Family Court 16 <u>Del. C.</u> § 931(a)(4)
The Honorable Joelle Hitch	Family Court 16 <u>Del. C.</u> § 931(a)(4)
Susan Haberstroh	Designee for Secretary of the Department of Education 16 <u>Del. C.</u> § 931(a)(8)
Corporal Adrienne Owen	Designee for Superintendent of the Delaware State Police 16 <u>Del. C.</u> § 931(a)(11)
Dr. Garrett Colmorgen	Chair of the Child Death Review Commission 16 <u>Del. C.</u> § 931(a)(12)
Jennifer Donahue, Esq.	The Investigation Coordinator 16 <u>Del. C.</u> § 931(a)(13)
Nicole Magnusson	Young Adult 16 <u>Del. C.</u> § 931(a)(14)
Dr. Allan De Jong	At-large Member - Medical Community 16 <u>Del. C.</u> § 931(a)(16)
Ellen Levin	At-large Member - Child Protection Community 16 <u>Del. C.</u> § 931(a)(16)
Randall Williams	At-large Member - Child Protection Community 16 <u>Del. C.</u> § 931(a)(16)
Captain Robert McLucas	At-large Member - Child Protection Community 16 <u>Del. C.</u> § 931(a)(16)
Janice Mink	At-large Member - Child Protection Community 16 <u>Del. C.</u> § 931(a)(16)

Staff:

Tania Culley, Esq., Executive Director
Rosalie Morales
Stephanie Scollo

Members of the Public:

Kecia Blackson	Islanda Finamore, Esq.	Sgt. Reginald Laster	Gwen Stubbolo
Dr. Jenny Bleznak	Meg Garey	Rachael Neff	Ellie Torres, Esq.
Megan Caudell	Jill Gresham	Trenee Parker	Brittany Willard
Ken DeCerchio	Kelly Ensslin, Esq.	Anne Pedrick	Drew Wilson, Esq.
Dr. Stephanie Deutsch	Emily Knearl	Jennifer Perry	

I. CHAIRPERSON'S WELCOME AND INTRODUCTIONS

Ginger Ward opened the meeting and welcomed the attendees.

II. APPROVAL OF MINUTES

The minutes from February 8, 2017 and March 27, 2017 were approved. A motion was made by Dr. Colmorgen to approve the February 8, 2017 minutes as amended, and Susan Cycyk seconded the motion. All others were in favor. A motion was made by Janice Mink to approve the March 27, 2017 minutes as

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amended, and Chief Judge Newell seconded the motion. All others were in favor.

III. EXECUTIVE DIRECTOR'S REPORT

Tania Culley, Esq. provided the Executive Director's report. The Court Appointed Special Advocate (CASA) Program's move to OCA on March 6, 2017 was a success. Along with CASA becoming a part of OCA, there were eight (8) attorneys who accepted the OCA Child Attorney contracts. Jennifer Perry, OCA's new Investigation Coordinator (IC) Case Review Specialist, was introduced to the Commission. Sam Clancy, Family Crisis Therapist, accepted the position of CASA Coordinator and officially started on May 1, 2017. Stepfanie Scollo, Clerical/Seasonal, accepted the role of Office Manager and officially started on April 10, 2017. The open positions of the Kent Family Crisis Therapist and Clerical/Seasonal will not be filled until the state hiring freeze has been lifted. Additionally, Ms. Culley has been looking into renovations for the 3rd floor suite at 900 King Street. Instead of going through with costly renovations to move all staff, it has been decided that operations staff will only move up to the 3rd floor. In the last two and a half months, 115 children entered DSCYF custody. In addition to the volume of entries causing a concern, there are few CASA volunteers available.

Ms. Culley provided an update on five bills CPAC is championing through the General Assembly this session as well as a bill that impacts CPAC. Jennifer Donahue will provide an update on Aiden's Law – CPAC's other bill. Three bills were introduced yesterday: HB181, which establishes best practices for investigating child abuse cases; HB182, which strengthens confidentiality for CAN Panel Reviews; and, HB183, which strengthens confidentiality for panel reviews by the Child Death Review Commission (CDRC). Two bills have not been assigned bill numbers yet. The first bill gives Family Court the authority to appoint an Educational Decision Maker, and the other establishes the Educational Success for Students Act (ESSA) for children in Foster Care. The last bill, which makes changes to Erin's Law, will be introduced today. The bill requires that students, enrolled in grades pre-kindergarten through 6, receive education on personal body safety, sexual abuse and other forms of child abuse. Ms. Culley reported Prevent Child Abuse Delaware (PCAD) already provides this education to students in the state, and PCAD is requesting a letter of support from CPAC to increase its grant-in-aid funding to \$90,000.00 a year. After much discussion about the impact to CPAC, the Division of Family Services (DFS) and the Department of Education (DOE), a motion to support the request by PCAD was made by Janice Mink, and seconded by Dr. Colmorgen. Eight Commissioners voted in support, 3 opposed, and 4 abstained. The motion carried. A second motion was made by Judge Hitch to write a letter to Senator Henry delaying implementation of this education component for students for 2 years, and seconded by Carla Benson-Green. All voted in favor. The motion carried.

Ms. Culley also discussed the priority funding requests for the child welfare system that will be presented in a letter to the Joint Finance Committee. The funding priorities are as follows: infants with prenatal substance exposure (HB140), DFS caseloads and agency cuts, the Children's Advocacy Center's budget, and resources for the Department of Justice (DOJ) Special Victims Unit.

Finally, Ms. Culley addressed the need to revise Delaware's MDT Case Review Protocol, which came about from discussions involving the updated Memorandum of Understanding (MOU) for the Multidisciplinary Response to Child Abuse and Neglect. A motion to create the MDT Case Review Workgroup under the CPAC Training Committee was made by Randy Williams, and the motion was seconded by Janice Mink. All voted in favor. The motion carried. Rosalie Morales will take the lead in organizing the group.

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IV. PRESENTATION ON DELAWARE'S IN-DEPTH TECHNICAL ASSISTANCE

Ken DeCerchio and Jill Gresham from the National Center on Substance Abuse and Child Welfare gave a presentation on Delaware's Substance Exposed Infants – In-Depth Technical Assistance (IDTA) initiative. In addition, Jennifer Donahue, Esq., Co-Chair of the Committee on Substance Exposed Infants/Medically Fragile Children, discussed the 4 state goals established through the Policy Academy. Ms. Donahue also provided an update on HB140 or Aiden's Law, which requires notification on infants with prenatal substance exposure. The bill was introduced in the House Judiciary Committee last week.

V. INVESTIGATION COORDINATOR REPORT

Ms. Donahue reported on the activities of the Office of the Investigation Coordinator (IC) for the last quarter. The IC has been receiving data extracts monthly from the Delaware Criminal Justice Information System (DELJIS). As a result, the IC has been monitoring more extra-familial cases, and several instances of failure to report by schools and law enforcement agencies have been identified. DOJ has been notified. Additionally, several extra-familial cases were not included in the data extracts from DFS, but the IC and DFS data team have since resolved this issue. The IC has been participating in the monthly MDT Case Review meetings, including the special case reviews requested by the DOJ. Throughout the quarter, IC Referrals were sent to involved parties for all serious physical injury and death cases.

In addition, Ms. Donahue gave a presentation on the IC data. During the quarter (3/17), the IC opened 210 cases and 630 referrals were received. In the last year, 755 cases were opened by the IC, and the majority were intra-familial sexual abuse (570). At the end of March, 563 cases were being tracked and monitored by the IC. Fifty-four (54) cases were closed in the last quarter, and the civil and criminal outcomes were presented for these cases. Lastly, Ms. Donahue provided the victim and perpetrator profiles for the open cases by maltreatment type.

VI. CPAC DATA DASHBOARD

Brittany Willard, the CPAC Data Analyst, gave a presentation on the quarterly child welfare trends identified by the CPAC Data Utilization Committee. Ms. Willard reported some decrease in the statewide caseload average for investigations as compared to December of last year. The number of fully functioning investigation workers statewide had increased in the same period. In addition, the Beech Street region saw a 97% increase in its investigation caseloads in the past 12 months. At the end of March, the statewide caseload average for treatment showed an 11% decrease since February. The Beech Street and Kent regions were over the caseload standard, but saw some decrease.

In addition, Ms. Willard discussed the DFS Hotline Reports screened in. In the last quarter, there was a 31% increase in the sex abuse reports, a 21% decrease in dependency reports and a 19% decrease in emotional abuse and neglect reports.

Next, the CAN Panel saw an overall increase in the number of cases opened and a higher number of death cases than any quarter for the past year.

Ms. Willard also reviewed the Children's Advocacy Center (CAC) data. The CAC saw a 46% increase in the intra-familial sex abuse and a 27% increase in extra-familial sex abuse.

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Additionally, in the last two quarters, there was a decrease in the number of children entering DSCYF custody. Children and youth ages, 0-4 and 13-17, had the highest number of entries. As for the permanency outcomes for children and youth exiting DSCYF custody, there was a decline in reunifications and an increase in the number of children exiting to guardianship for the last quarter.

Ms. Willard discussed the OCA clients with juvenile justice involvement, which now includes the youth represented by the Court Appointed Special Advocates (CASA) Program. The OCA and CASA teen populations were not all that different. In fact, 48% of youth, ages 13 and older, had juvenile justice involvement either before or after entering care.

In the last quarter, the Committee received the updated data on the education outcomes for children in foster care. For the 2015-2016 school year, there was a decline in the special education rates for children in DSCYF custody. There was also a decline in the overall graduation rates.

Lastly, the percentage of children who re-enter care in less than 12 months is below the standard after a few quarters of being above the standard.

VII. CHILD ABUSE AND NEGLECT DEATH/NEAR DEATH REVIEWS

A. CAN CASELOADS REPORT/ADMINISTRATIVE UPDATE

Ms. Culley reported that there were 45 CAN cases open. Of those cases, 20 are in the initial stage and 25 are in the final stage. Twelve (12) initials are being prepared or are pending review. Six (6) cases are scheduled to be reviewed as a final, and 12 are pending prosecution. Ms. Culley also stated that there were 6 deaths this year as compared to the 5 received in 2016. Three (3) of the 6 cases were substance exposed infants and died as a result of bed sharing. Ms. Culley acknowledged the DOJ for the plea deal by one of the defendants in the CAN case that resulted in Aiden's Law.

B. CAN FINDINGS/DETAILS/LETTER TO GOVERNOR

Janice Mink, the CAN Panel Chair, reported on the 12 cases reviewed by the CAN Panel in the last quarter. Six (6) were initials and 6 were finals. Nine (9) of the cases were near deaths, and 3 were deaths. In total, the CAN Panel identified 45 findings and 35 strengths. Ms. Mink discussed the trends identified for the findings and strengths and presented the letter to the Governor. A motion was made by Dr. Colmorgen and seconded by Ms. Donahue to approve the strengths summary and detail, findings summary and detail, and letter to the Governor. All others were in favor.

Ms. Culley asked the Commissioners from law enforcement to ensure their representatives are present for the CAN Panel reviews. Ms. Culley asked Ms. Mink to convey to the Panel that CPAC acknowledged their great work.

VIII. COMMISSIONER REPORTS

A. DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES

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Secretary Manning shared that DFS had 8 strengths in one of the 12 cases presented to CPAC. She appreciated receiving this feedback and conveyed it to the case worker and supervisor.

I. PREVENTION AND BEHAVIORAL HEALTH

Susan Cycyk provided an update on the final year of the federal system of care grant. The Division of Prevention and Behavioral Health Services (PBH) has put together a Wrap team to serve DFS clients, half of whom are in treatment and the other half in DSCYF custody. They have also rolled out Wrap training and the Wrap approach across the system. PBH has seen great outcomes, such as a reduction in crises and hospitalizations. In addition, PBH wrote a federal Substance Abuse and Mental Health Services Administration (SAMHSA) grant application to provide treatment services to woman with children transitioning out of substance abuse treatment and to train providers. Ms. Cycyk reported that DFS is involved in the development of the Request for Proposal (RFP) for crises services and selection of a crisis provider. Lastly, PBH is funding extended hours in the city of Wilmington for its summer prevention programs.

II. DIVISION OF FAMILY SERVICES

Carla Benson-Green provided an update on the 27 positions reallocated to DFS. The Sussex County and University Plaza positions were filled. Kent County has 2 over hire and 1 supervisor position open, and Beech Street offered 6 of its 9 positions. In addition, Ms. Benson-Green discussed the 699 children in DFS placements and the recent trend of large sibling groups entering care. She mentioned that two of her Program Managers, JoAnn Bruch and Linda Shannon, will be retiring.

Ms. Benson-Green also reported the Administration for Children and Families has approved the Program Improvement Plan (PIP) as of April, and the first quarter of activity begins in August. As part of the PIP, DFS plans to expand the Family Assessment Intervention Response (FAIR) internally and across the state. They are also considering expanding FAIR externally to different age groups and case types (i.e., neglect, domestic violence).

B. FAMILY COURT

Judge Hitch shared the Court Improvement Program (CIP) Leading Practices Report was released in April, and a workshop on the report was presented at the Protecting Delaware's Children Conference. The Court also launched a social services project in New Castle and Sussex Counties, which pairs a social worker with parents to support and engage them early. The goal is to see more parents engaged in the case planning process. Additionally, Rachael Neff, the CIP Grant Manager, is co-chairing the CPAC Caseloads/Workloads Committee, and the group is exploring assistance from the University of Delaware. Judge Hitch also reported the Court has been circulating Quality Hearing Surveys to practitioners in the court room to determine where improvements need to be made. A report will be issued in early summer. Lastly, the Court will train judicial officers on the Comprehensive Education Report in June.

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C. DEPARTMENT OF EDUCATION

Susan Haberstroh shared an update on the CPAC Education Committee. DOE's priority is to get the ESSA and Educational Decision Maker legislation passed. In addition, DOE plans to promote the use of the Comprehensive Education Report and provide training.

D. CHILD DEATH REVIEW COMMISSION

Dr. Colmorgen reported CDRC has reviewed and updated all of its external policies. The Bylaws will be completed over the summer. In addition, the Chronic Health Conditions and School Aged Children Committee continues to meet. The backlog has been eliminated for the Fetal Infant Mortality (FIMR) and Child Death Review (CDR) panels. Dr. Colmorgen stated the CDRC Annual Report data was presented and approved at its April Commission meeting, and a copy of the presentation was provided to CPAC. Lastly, Dr. Colmorgen shared Delaware is the second state in the country to require a DFS investigation for any sudden, unexplained death under age 3.

E. INTERAGENCY COMMITTEE ON ADOPTION

In April, Dr. Joseph Crumbley gave a presentation on diverse adoptive families at the 2017 Delaware Adoption Conference. A lot of families came out for the event. The Committee is working on its focus for next year.

F. LAW ENFORCEMENT

No report was provided.

IX. CPAC COMMITTEE REPORTS

A. CASELOADS/ WORKLOADS

Ms. Benson-Green provided an update on the CPAC Caseloads/Workloads Committee. The Committee met twice and is still in the exploratory stage. The group is looking at data and the information provided by system partners. In addition, the Committee is having conversations with the University of Delaware about conducting a caseload/workload study.

B. TRAINING

Ms. Morales reported the CPAC Training Committee last met on March 10th to plan the 2017 Mandatory Reporting Outreach Campaign, provide oversight for the Protecting Delaware's Children Fund and seek updates on the Committee's 6 workgroups. The Committee approved contributing \$10,000 from the Protecting Delaware's Children Fund to the 2017 Mandatory Reporting Campaign. The campaign featured 8 billboards through Clear Channel – 2 in Sussex and 6 in New Castle and Kent Counties. The billboards all displayed the Hero logo. There was also a digital campaign through WJBR, which included targeted messages via email and social media sites and public service announcements. After deducting the expenditures from the campaign, there was \$13,319 remaining in Protecting Delaware's Children Fund. Since January, the fund has received \$6,921 from the personal income tax

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check off.

The Protecting Delaware's Children Conference was held on April 25th and 26th at the Chase Center and attended by approximately 453 professionals. The Advanced Training Course took place on the first day. It was well attended by various law enforcement jurisdictions, DOJ, the Division of Forensic Science, CAC, DFS and the medical community. Cpl. Adrienne Owen provided an overview of the finalized MOU for the multidisciplinary response to child abuse and neglect. Then, national experts, Clay Jansson and Deb Robinson, trained on sudden unexplained infant death investigations, which included how to conduct doll re-enactments and interviews. Several doll kits were distributed to the Division of Forensic Science and law enforcement agencies. The general conference kicked off with the annual Blue Bow Ceremony to commemorate National Child Abuse Prevention Month. Participants had their choice of 20 workshops on various topics. The conference was highly rated by the 100 participants who submitted an evaluation online. The next conference will be April 2019 in Dover, DE.

The MOU was finalized in early April by the CAN Best Practices Workgroup. Since then, Cpl. Owen and Ms. Morales have been obtaining signatures. The MOU and all of its resources will be uploaded to the CPAC website under the reports page. In addition, the mobile application has been completed. It is available for iPhone and Android users on the App Store and Play Store by searching "DE MOU." The CAN Best Practices Workgroup plans to reconvene to develop the county-based training and identify trainers.

The ChildFirst/MDT Workgroup will reconvene to plan the next program for 2018. Additionally, the Mandatory Reporting Workgroup met a few weeks ago to discuss updates to the school training. The revised training will be made available to DOE by early August. The Cross-Education Workgroup has been put on hold due to all of the Committee's other training priorities.

The De-escalation of Life Support Workgroup has met twice so far. At the last meeting, they explored components of the MDT response in cases where a child presents at a hospital with serious, potentially life-threatening injuries. They reviewed current best practices and ways to improve the response. This included discussion about: key information to communicate to DFS in the hotline report; whether parents who are suspected of causing the injuries should be allowed to make decisions; points of contact for hospital and DFS staff; and the recommendation to de-escalate care, hospital staff making the determination and communicating it to parents. Their next meeting is June 14th.

X. PUBLIC COMMENT AND ADJOURNMENT

There was no public comment. The meeting was adjourned at 11:41 p.m.