

**MINUTES**  
(Subject to Approval by the Committee)  
**Child Protection Legislative Oversight Committee**  
**Thursday, December 05, 2019**  
**9:00 A.M.**  
**Room EW41**  
**Boise, Idaho**

Co-chair Lee called the meeting to order at 9:02 a.m.; a silent roll call was taken.

Committee members in attendance: Co-chair Abby Lee and Co-chair Mike Moyle; Senators Mary Souza and Cherie Buckner-Webb; and Representatives Jason Monks and Melissa Wintrow. Representative Bill Goesling participated via conference-phone. Absent and excused: Senator Kelly Anthon. Legislative Services Office (LSO) staff present: Elizabeth Bowen, Jared Tatro, and Ana Lara.

Other attendees: Barbara Felty, Jack Zarybnisky, Jeannine Barneby, Diane Wolfkiel, Elizabeth Jo Johnson, Brian McCauley, Shannon McCarthy, Cindy Floyd, John Sahlin, and Tim Kastning - Citizen Review Panel; Nikki Zogg - Public Health Districts; Director Dave Jeppesen, Chris Freeburne, Miren Unsworth, Roxanne Printz, and Michelle Weir - Dept. of Health and Welfare; Darci Anderson and Jaime Hansen - Court Appointed Special Advocate (CASA); Taunya Jones - Problem Solving Court; Christine Tiddens, Sierra Rudi, and Emily McClure - Idaho Voices for Children; Kris Ellis - Head Start; and David Barneby and Jill Watts - self.

#### **Introductory Remarks**

Co-chair Lee acknowledged that there are many issues of concern in the area of child protection. She explained that this specific meeting was focused on what the state could do through its policies to prevent child abuse and to strengthen families. Co-chair Moyle stated that while the state had made some progress regarding child protection, there was still much to be done in this area.

Co-chair Lee called for the approval of the February 28, 2019 minutes. **Senator Buckner-Webb made a motion to approve the February 28, 2019 minutes. Senator Souza seconded the motion. The motion passed by voice vote.**

#### **Overview of Office of Performance Evaluations (OPE) Reports - Rakesh Mohan, Director, and Amanda Bartlett, Principal Evaluator, OPE**

Co-chair Lee called upon Director Mohan to address the committee. Director Mohan stated that Ms. Bartlett would provide a brief summary of three evaluation reports concerning child welfare. He explained that OPE had provided one-page summaries of each report and a one-page summary of all three reports. He emphasized that the work he had done on these three reports was the most rewarding of his career and credited the committee for that. He explained that what OPE found in performing the evaluations was a lack of systematic knowledge, lack of collaboration, lack of accountability, and lack of oversight. He further explained that, for those reasons, OPE had recommended an oversight committee. He commented that OPE would be issuing its fourth report regarding child welfare, which would be primarily focused on child neglect, during the legislative session.

Ms. Bartlett explained that one of the repeated recommendations that OPE had made in its previous reports was that there wasn't a forum available to have review state policy regarding child protection policy. She explained that her summary would draw comparisons between the findings in their reports and what changes have been implemented since then. She noted that the newly formulated committee could help in four key ways:

- Promote learning at a system's level;
- Construct common goals across professions and the branches of government regarding child protection;

- Facilitate dialogue among differing opinions and professions; and
- Help ensure that there are sustained and focused efforts in the long term.

Ms. Bartlett referred to the [handout](#) titled Child Welfare System: Reducing the Risk of Adverse Outcomes and summarized some key findings, mainly:

- Child and Family Services' data systems did not support the collection practices necessary for systematic analysis of foster care diversion;
- Data sharing obstacles hindered stakeholders' understanding of youth who have had contact with both the child protection and juvenile justice systems; and
- The Guardian ad Litem (GAL) Program did not have a clear data sharing agreement between the GAL program and the Idaho Supreme Court to know whether every child and youth had either a GAL appointed to them or a public defender.

Ms. Bartlett emphasized that it can be difficult to create common goals among different professions and perspectives. She suggested that the committee could assist in determining how to interpret data and how to prioritize responses to the data. She offered an example, stating that there is a need to clarify the intent and the role of diversion action in statute and policy and to distinguish some placement criteria for licensed foster care versus kinship diversion. She stated that, regarding legal representation for children and youth in care, children ages 11 and under receive a GAL and children 12 and older receive a public defender. She explained that the type of representation a GAL provides is much different from the type of representation a public defender provides and noted that there are consequences to this design. She stated that, at this time, there is no state level decision making process to ensure that every child has representation and how to ensure that the representation is of good quality.

### Discussion

Representative Wintrow asked whether the ability to provide good representation to children is a budgetary issue. Ms. Bartlett responded that the budget is an issue. She explained that Idaho primarily relies on seven nonprofit organizations called GAL programs that use the CASA model, which relies on volunteer advocates to provide representation. She noted, however, that in the past there have not been enough volunteers to provide adequate representation for every child. She emphasized that this is partially due to the significant amount of time that the GAL programs spend on fund-raising and recruiting, training, and retaining a large volunteer base to provide services.

Representative Goesling references his experience as a GAL and emphasized that it is imperative for children to have GALs.

### **Dept. of Health and Welfare (DHW) Report on Foster Care in Idaho - Roxanne Printz, Deputy Division Administrator, DHW**

Ms. Printz earnestly expressed gratitude that a forum was put in place to discuss the issue of child protection and to begin the work needed to address concerns. She stated that the DHW's responsibilities are encompassed in four broad categories: receiving reports of abuse and neglect, assessments of safety, decision-making regarding safety, and addressing safety threats with parents whose children come into care. She referred to a [handout](#) and noted that in Fiscal Year (FY) 2019, the DHW received 23,108 referrals, performed 11,562 assessments, and placed 1,407 children into care. She commented that, over the last few fiscal years, the trend is upward for these areas. She offered that the increase in Idaho's population could be a factor for the increase in trend. She also suggested that the communities in Idaho may be taking the issue of child protection more seriously and are reporting child protection concerns more proactively. She also stated her concern that more families in Idaho are falling victim to substance abuse issues. She informed the committee that last June, DHW began collecting information on substance-affected infants, and in April of next year, DHW will begin tracking more definitely when substance is a factor in child protection cases.

Ms. Printz explained that while 1,407 children were placed into care in FY19, the number in chart 2 of the handout included the children who were already in care prior to FY19 for a total of 3,111 children in care. She stated that while the child safety is paramount, the act of transitioning children into foster care is traumatizing. She emphasized that as a system, DHW works to mitigate the stress and harm that entering foster care can cause, noting that the department makes every effort to find relatives or close family friends so to lessen the impact. She referenced chart 3 that shows the number of children in foster care according to the type of placement. She directed the committee to chart 4, noting that 64% of foster children went home in FY19. She also noted that parents often find navigating the Child and Family Services process confusing and referred to a [brochure](#) that DHW had created to help explain the process to parents.

### Discussion

Co-chair Moyle questioned DHW's placement decisions in a couple of cases and asked who his point of contact in DHW should be regarding placement decisions. Ms. Printz explained that one of DHW's metrics is ensuring that children are at their permanent home at the six-month mark should they be unable to return home. She stated that she relies on her staff to engage in critical thinking and make the best placement decisions per DHW's systemic guidelines and practices, but the legislators may contact her or Miren Unsworth, Division Administrator, with any questions regarding placement decisions and they will perform a review. Co-chair Moyle asked whether DHW incorporates the GAL's recommendation/input into the decision-making process with regard to placement. Ms. Printz responded that the GAL is invited at the six-month meeting when the placement plan is designed to provide input and a vote.

Representative Wintrow acknowledged that her first question would have to be answered by the DHW at another time due to time constraints. She requested an update from DHW regarding how it has incorporated the recommendations from the OPE reports. She asked how DHW is assisting its staff to mitigate the various competing concerns to address the needs of the child and to do what is in the best interest of the child. Ms. Printz offered that DHW could provide a written report to the committee regarding its progress in implementing OPE's recommendations. Co-chair Lee stated that she would welcome a report from the DHW. In regard to the second question, Ms. Printz responded that DHW has worked to provide structure to the Family and Child Services system. She noted that DHW staff recently completed training with the courts so to be able to better explain the factors that impacted their decision-making with regard to placement.

Senator Souza referenced the Foster Care Improvement Act that the Legislature had passed a couple of years earlier and questioned whether DHW is placing foster parents on equal footing with extended relative and family friends with regard to permanent placement. After some clarification, Ms. Printz responded in the affirmative. Senator Buckner-Webb voiced her approval of equal footing for foster parents, but also emphasized that the cultural makeup of a child is an important factor to consider with regard to permanent placement and what is in the best interest of the child. Ms. Printz noted that the culture of the child is one of the eight factors that are reviewed when considering what is in the best interest of the child.

Co-chair Lee stated that while Ms. Printz shared that the DHW is including GALs in important meetings involving foster care children, she has received reports to the contrary from GALs across the state. She encouraged the DHW to continue collaborating with GALs and suggested that the DHW consider whether it should hold such meetings without the presence of GALs.

Representative Goesling asked whether post-secondary institutions were providing sufficient social workers. Ms. Printz explained that the DHW needs to engage high school students to create an interest in social work. She commented that it is difficult to recruit social workers in some areas of the state, particularly in northern Idaho.

### **Child Abuse Prevention Efforts/Emerging Ideas - Roger Sherman, Executive Director, Idaho Children's Trust Fund**

Co-chair Lee called upon Director Sherman to present. Director Sherman informed the committee that he serves as the chair of a subcommittee on primary prevention. He described primary prevention as prevention that occurs before the first incident of abuse takes place. He directed the committee to slide 2 that provided a list of adverse childhood experiences and adverse community environments, also known as the pair of ACEs. He noted that the children in Idaho have more ACEs at the four-plus range than the rest of the county on average does and he noted that this range represents higher consequences with respect to long term health and behavioral issues at school. He emphasized that adverse childhood experiences are a critical way of understanding the issues of families and children in Idaho and in the country. He noted that children in juvenile detention have had more adverse experiences than the children in the general population and it has impacted their behavior and poor choices. He added that ACEs significantly impact school performance in Idaho.

Director Sherman stated that one of the recommendations from the Primary Prevention Work Group on Family First is that a statewide child abuse and neglect prevention plan should be developed with stakeholders statewide for the purpose of building healthy communities, and the prevention service array in Idaho; other recommendations are listed on slide 6. He informed that committee that the Center for Disease Control (CDC) had produced five strategies to prevent early adversity ([slide 7](#)). He reported that Idaho is doing some work in regard to the five strategies, but not enough of any of the strategies. He advocated the following:

- Strengthen economic supports to families (e.g., paid family leave, flexible work hours);
- Promote social norms that support parents and positive parenting (e.g., public education campaigns);
- Ensure a strong start for children (e.g., high quality child care, home visitation, pre-school);
- Teach skills (social-emotional learning); and
- Connect youth to caring adults and activities (e.g., after school programs, mentoring programs).

Director Sherman reported that several states are creating child maltreatment prevention plans that focus on bringing stakeholders from a variety of disciplines together to set goals for effective prevention activities. He noted that plan can drive data collection and evaluation.

### Discussion

Senator Souza asked about the interplay regarding children interacting with senior citizens in senior centers. Director Sherman responded that he believed intergenerational interaction is great. He explained that providing children with opportunities to provide services helps build inner strength and resilience.

Representative Wintrow referred to Director Sherman's comments that not enough is being done to address all five strategies and asked where he would focus additional resources. Director Sherman suggested an increase on resources for home visitation and recommended that the state begin working to develop a prevention plan.

The committee recessed for a break at 10:27 a.m.

The committee reconvened at 10:38 a.m.

**Home Visiting Programs as Prevention Efforts - Christine Tiddens, Community Outreach Director, Idaho Voices for Children**

**Home Visiting Update - Nicole Zogge, Region 3 Public Health District (PHD)**

**Citizen Review Panel Update/Concerns - Nicole Zogge, Region 3 Health District and John Sahlin and Shannon McCarthy, Citizen Review Panel**

**Access to Case Records for Citizen Review Panels - DHW**

**Committee Discussion**

The committee adjourned at 12:10 p.m.