

DEPARTMENT OF SOCIAL AND HEALTH SERVICES



THE CHILDREN'S ADMINISTRATION CENTRAL CASE REVIEW

FY2012

**Division of Licensed Resources,
Child Protective Service
(DLR/CPS) Investigations
Braam Revised Settlement and
Exit Agreement Report**



The Children's Administration is committed to ongoing quality assurance activities as part of a proactive process to assist social workers, supervisors and managers to improve outcomes for children and families.

Children's Administration
Central Case Review
Timeliness and Quality of
Division of Licensed Resources
Child Protective Service (DLR/CPS) Investigations
Braam Revised Settlement and Exit Agreement Report
for Fiscal Year 2012

I. Introduction

This report measures compliance with one outcome from the original Braam Settlement Agreement that was continued in the recently negotiated Revised Settlement and Exit Agreement:

Outcome 5

All referrals alleging child abuse and neglect of children in out-of-home care will receive thorough investigation by the Division of Licensing Resources (DLR) pursuant to CA policy and timeline and with required documentation.

The Full Compliance for this outcome was changed from 100% to 95% in the Revised Settlement and Exit Agreement.

This report provides background information for this annual review, and a summary of the review process, the sampling methodology, performance data by state and region, practice trends, and recommendations. Included as an appendix is the case review criteria used and applied. An additional appendix is provided to DLR leadership that provides case identifying information to help inform their practice improvement work.

II. Background and Purpose

The sixth case review of DLR/CPS investigations was conducted by the Children's Administration Central Case Review Team in January 2013 for the period July 1, 2011 through June 30, 2012 (Fiscal Year 2012). The first two reviews included four questions related to the quality of the DLR/CPS investigation and addressing all serious and immediate safety concerns for the child. In 2009, two additional items were added:

- Was there an initial response (as measured by the initial face-to-face with the alleged victims) to the intake within required timeframes (24 or 72 hours)?
- Was the investigation closed within 90 days? If not, did the extension of the investigation meet the exceptions allowed by statute and policy? How did the case meet the exception to the extension of the closing of the investigation (i.e., to collaborate with a law enforcement investigation).

The case review questions are located in the Appendix of this report.

III. Review Process

A random sample of cases from each region was reviewed. A total of 256 cases were reviewed across the six regional hubs. The DLR/CPS case review involved an electronic review of the following records: DLR/CPS intakes, case notes, provider notes, and Investigative Assessments.

IV. Sample Methodology

The case review sample includes investigations involving homes and facilities with a child placed in the home/facility who was a member of the Braam class.

A random sample of cases was obtained from FamLink of investigations completed during FY 2012. The total number of completed investigations in FY2012 was 765. A stratified sampling methodology at the 95% statewide confidence level was used, which ensured that the number of intakes reviewed from each of the six regional hubs closely approximated their representation in the population of completed investigations for FY2012. The number of intakes and corresponding investigations reviewed for this report was 256.

Additionally, Children’s Administration adjusted the case review methodology to allow the case review team to make adjustments if the DLR/CPS case had been incorrectly screened in for investigation, or if subjects and/or victims had been incorrectly identified. These changes were reviewed by the deputy DLR administrator.

Table 1

DLR/CPS Case Sample FY2012							
	State Total	Region 1 North	Region 1 South	Region 2 North	Region 2 South	Region 3 North	Region 3 South
Total # of Investigations FY 2012	765	142	81	69	128	165	180
Stratified Sample Percent	100%	18.56%	10.59%	9.02%	16.73%	21.57%	23.53%
# of Intakes Reviewed	256	48	27	23	43	55	60

Table 2

Types of Facilities Included in the Review							
	State Total	Region 1 North	Region 1 South	Region 2 North	Region 2 South	Region 3 North	Region 3 South
Foster Homes	233	38	27	23	36	52	57
Group Homes	18	10	-	-	5	2	1
State Operated/ Certified Facilities	5	-	-	-	2	1	2
Total Number of Intakes Reviewed	256	48	27	23	43	55	60

The types of facilities subject to this review included the following groups:

1. **Foster home and adoptive home:** This included the following types of homes if there was a child placed by Children’s Administration in the home:
 - Foster homes licensed by CA
 - Foster homes licensed by Child Placing Agencies
 - Homes currently certified by CA as a potential adoptive placement

2. **Group home:** This included any of the following types of facilities if there was a child placed by Children’s Administration in the facility or supervised by agency staff.
 - Group homes
 - Staffed residential homes
 - Group receiving home
 - Emergency respite center
 - Overnight youth shelters
 - Crisis residential centers
 - Child placing agency staff

3. **State operated/certified facilities providing 24 hour care:** This included facilities operated by one of the following DSHS agencies if there was a child placed by CA or a child in the Braam Class living in the facility:
 - Division of Alcohol and Substance Abuse (DASA)
 - Division of Developmental Disabilities (DDD)
 - Juvenile Rehabilitation Administration (JRA)

- Mental Health Division (MHD)
- Washington State School for the Deaf
- Washington State School for the Blind

V. Results

A. Compliance by State and Region

Statewide & Regional Annual Performance FY12							
Full Compliance Measure	Outcome 5 95% of referrals/intakes alleging child abuse and neglect of children in out-of-home care will receive thorough investigation by DLR pursuant to CA policy and timeline, with required documentation.						
	Statewide	Region 1 North	Region 1 South	Region 2 North	Region 2 South	Region 3 North	Region 3 South
Performance	95% (243 of 256)	88% (42 of 48)	96% (26 of 27)	96% (22 of 23)	93% (40 of 43)	98% (54 of 55)	98% (59 of 60)

Statewide Annual Performance for FY07-FY12						
FY12=95%	FY07	FY08	FY09	FY10	FY11	FY12
Performance	87.0% (200 of 230)	90.9% (210 of 231)	82.9% (218 of 263)	83.3% (224 of 269)	90.2% (229 of 254)	95% (243 of 256)

Regional Annual Performance for FY07-FY12

	FY07	FY08	FY09	FY10	FY11	FY12
Region 1 North	92.3%	88.2%	77.8%	72.2%	89.8%	87.5%
Region1 South	87.8%	77.8%	77.4%	73.5%	84%	96.3%
Region 2 North	88.2%	97%	83.8%	81.3%	91.4%	95.7%
Region 2 South	86.7%	97%	83.3%	86%	88%	93%
Region 3 North	86.8%	93.3%	88.2%	96%	93.6%	98.2%
Region 3 South	86.2%	86.8%	87.8%	87.8%	91.7%	98.3%

B. Results by Facility Type

Statewide Annual Performance by Facility Type FY12

	Foster Homes	Group Homes	State Operated/Certified Facilities
Performance	95%	94%	100%
Total Applicable Cases	233	18	5

Case Review Questions

Six questions were developed to evaluate the timeliness of investigations, thoroughness of the investigations, safety assessments, and planning. Each question was given equal weight. Compliance with the outcome was achieved when each of the six questions were rated Fully Achieved or Not Applicable. The decision rules for rating each of the questions are located in the Appendix of this report.

Question 1	Was an initial face to face (IFF) contact made with all alleged child victims within required timeframes?						
	Statewide	Region 1 North	Region 1 South	Region 2 North	Region 2 South	Region 3 North	Region 3 South
Full Compliance	98.4%	97.9%	100%	100%	95.3%	100%	98.3%
Total Applicable Intakes	256 (252 of 256)	48 (47 of 48)	27	23	43 (41 of 43)	55	60 (59 of 60)

252 of 256 cases were rated Fully Compliant

- In one case, the intake incorrectly identified only one victim. There were five foster children in the home. The identified victim was interviewed timely, and the other four children were interviewed three days after the 72 hour timeframe.
- In the second case, two of three victims were not interviewed
- In two cases, a supervisory extension was completed but was not supported by policy. The initial face to face interview occurred seven days and 29 days following receipt of the intake.

Question 2	Were all suspected victims of alleged child abuse or neglect (CA/N) interviewed?						
	Statewide	Region 1 North	Region 1 South	Region 2 North	Region 2 South	Region 3 North	Region 3 South
Full Compliance	99.6%	100%	100%	100%	100%	100%	98.3%
Total Applicable Intakes	256 (255 of 256)	48	27	23	43	55	60 (59 of 60)

255 of 256 cases were rated Fully Compliant

- In one case, two of three victims were not interviewed. There was a decision to not interview all alleged victims as the allegations had already been reported in a prior intake; however, not all allegations had been addressed with all alleged victims for the two intakes.

Question 3	Were all subjects interviewed?						
	Statewide	Region 1 North	Region 1 South	Region 2 North	Region 2 South	Region 3 North	Region 3 South
Full Compliance	100%	100%	100%	100%	100%	100%	100%
Total Applicable Intakes	256	48	27	23	43	55	60

Question 4	Was adequate information gathered during the investigation to assess child safety?						
	Statewide	Region 1 North	Region 1 South	Region 2 North	Region 2 South	Region 3 North	Region 3 South
Full Compliance	96.1%	89.6%	96.3%	95.7%	97.7%	98.2%	98.3%
Total Applicable Intakes	256 (246 of 256)	48 (43 of 48)	27 (26 of 27)	23 (22 of 23)	43 (42 of 43)	55 (54 of 55)	60 (59 of 60)

246 of 256 cases were rated Fully Compliant

- In four cases, interviews with the alleged victims were not comprehensive and did not provide enough information to assess child safety.
- In four cases, there were other children (biological, foster, or relatives of the foster parent) who resided in the home at the time of the alleged incident. There was no documentation of attempts to interview these individuals as collaterals.
- In one case, there was a delay in interviewing the subject. (foster mother) The interview was not comprehensive and not all allegations were addressed with her.
- In one case, collateral contacts with professional staff were not made.

Question 5	If child safety threats existed, were appropriate actions taken to ensure the safety of the child(ren)?						
	Statewide	Region 1 North	Region 1 South	Region 2 North	Region 2 South	Region 3 North	Region 3 South
Full Compliance	97.6%	100%	100%	75%	100%	100%	100%
Total Applicable Intakes	41 (40 of 41)	6	4	4 (3 of 4)	6	10	11

Safety threats were defined as conditions in which a child was at risk of serious and immediate harm. Consequently, if no safety threats existed in the investigation, this question was rated as Not Applicable. Safety threats existed in 41 of the 256 cases reviewed. Appropriate actions such as moving a child from an unsafe placement were taken to ensure safety of the children in 40 out of 41 investigations.

40 out of 41 cases were rated Fully Compliant

- In one case, could not locate there was adequate planning around the safety of the children after an incident when a 17 year old overdosed and was taken to a hospital leaving a ten year old foster child home alone. There were prior supervision concerns in the foster home.

Question 6	Was the investigation closed within 90 days?						
	Statewide	Region 1 North	Region 1 South	Region 2 North	Region 2 South	Region 3 North	Region 3 South
Full Compliance	99.6%	97.9%	100%	100%	100%	100%	100%
Total Applicable Intakes	256 (255 of 256)	48 (47 of 48)	27	23	43	55	60

255 of 256 cases were rated Fully Compliant

- There were seven cases that were open longer than 90 days because the prosecuting attorney and/or law enforcement were involved.
- In one case, the intake was received on 7/12/11 and was closed on 10/12/11. (92 days)

VI. Appendix: DLR/CPS Case Review Questions and Decision Rules

1. Was an initial face to face (IFF) contact made with all alleged child victims within required timeframes?

Full Compliance: The IFF contact was made with all alleged child victims within the required 24 or 72 hour response time, **or** There was a child safety concern or inability to locate the child victim(s) that required a time limited extension or exception to the 24 or 72 hour face to face requirement that is supported in policy. These include:

Extensions:

1. When protocols with law enforcement or other community resources (e.g. sexual assault clinics) exist that require CA to delay seeing the child or contacting parents in order to assign specialists, or to coordinate the investigation.
2. When a child is unable to be located within the 24 or 72 hour timeframe after diligent efforts to locate the child. The DLR/CPS investigator shall continue to make efforts to locate and initiate face-to face contact with the alleged victim as soon as possible.
3. When a child is placed in protective custody and transported to another licensed facility (foster home, group care, CRC, crisis nursery, etc.) by law enforcement and the immediate safety issues for that child are addressed. A DLR/CPS investigator shall have face to face contact with the child by the end of the next business day.
4. When a child is placed on a hospital hold or in protective custody that does not allow the child to leave the hospital, and the immediate safety issues for that child is addressed. A DLR/CPS investigator shall have face to face contact with the child by the end of the next business day.
5. In situations where a child's safety may be compromised by conducting the initial face to face contact within 24 hours, the Area Administrator may approve a time-limited extension.
6. In cases where an intake relates to the alleged abuse or neglect of a child in an out-of-home placement and the victim(s) of emergent DLR/CPS referrals are no longer in the facility. The DLR/CPS investigator shall have face to face contact with the alleged child victim(s) within the 72 hour timeframe. The DLR/CPS investigator shall have face to face contact with children who have not been identified as victims who are in the facility and may be at

risk of imminent harm within 24 hours from the date and time the referral is received by CA.

7. In cases where an intake relates to the alleged abuse or neglect of a child in a facility that is not providing care for children during the weekend or holiday, the face to face contact shall occur by the end of the next business day.

8. In custody cases where an intake relates to the alleged abuse or neglect of a child by one parent (subject) and the child is residing with the other parent, face to face contact with the child shall occur by the end of the next business day. Children who have not been identified as victims, who are in the care of the alleged abuser, and who may be at risk of imminent harm, shall have face to face contact with a CA social worker within 24 hours from the date and time of the referral is received by CA.

9. In cases where an intake initially screens in to licensing and it is changed to DLR/CPS based on new information, the response time begins when the intake screens in for DLR/CPS.

Exceptions:

1. When a child cannot be located and diligent efforts have been made, or face to face contact cannot occur because the child is deceased or has moved out of state.

Non-Compliance:

The IFF contact was not made with all alleged child victims within the required 24 or 72 hour response time, and there was not a time limited extension or exception to the required timeframe that is supported by policy, **or** There was an extension supported by policy but timely follow up efforts to see all alleged victims did not occur.

NA:

None

2. Were all suspected victims of alleged child abuse or neglect (CA/N) interviewed?

Full Compliance:

All children were interviewed who were suspected victims of CA/N including the following:

- Suspected child victims that were identified at the time of the referral (they were coded as victims in the referral)
- Additional suspected child victims who were identified during the course of the investigation and were subsequently coded as victims
- Children who were not identified as suspected child victims but based on a review of the case should have been identified as victims, **and/or**

The suspected child victim(s) was non-verbal, and a physical and behavioral description of the child(ren) including injuries (if applicable) was documented, **and/or**

The child interview was unsuccessful because the suspected victims(s) refused to cooperate, and a physical and behavioral description of the child including a description of injuries was documented, **and/or**

The whereabouts of the suspected child victim were not known, and efforts were made to locate the child.

Non-Compliance

There were suspected child victims who were not interviewed, **and/or**

The suspected child victim(s) was non-verbal, and a physical and behavioral description of the child(ren) including injuries (if applicable) was not documented, **and/or**

The child interview was unsuccessful because the suspected victims(s) refused to cooperate, and a physical and behavioral description of the child including a description of injuries was not documented, **and/or**

The whereabouts of the suspected child victim were not known, and efforts were not made to locate the child.

NA:

Face to face contact with the suspected victim(s) could not occur because the victim was deceased or had moved out of state.

Factors to consider when determining if a child should be considered a suspected victim:

- *Was information gathered through interviews with suspected child victims, subjects, collateral contacts or witnesses that indicated other children in the subject's care may also have been victims of CA/N?*
- *Were there other children living in the facility at the time of the alleged CA/N who may also have been victimized?*
- *Were other suspected child(ren) victims identified by a review of records relevant to the investigation?*

3. Were all subjects interviewed?

Full Compliance:

All subjects were interviewed including:

- Subjects identified at the time of the referral (they were coded as subjects in the referral)
- Additional subjects who were identified during the course of the investigation and were subsequently coded as subjects
- Subjects who were not identified as subjects but based on a review of the case should have been identified as subject **and/or**

All subjects were interviewed by LE according to local LE protocols and the DLR investigator offered all alleged subjects the opportunity for an interview, **or**

All subjects were interviewed by LE according to LE protocols and the DLR investigator did not offer an interview to the subject(s) due to the request by LE, **and/or**

Reasonable attempts were made to interview all alleged subjects, but the alleged subjects refused to cooperate.

Non-Compliance:

There were subject(s) who were not interviewed and reasonable attempts were not made to locate or interview the subject(s).

NA:

No subject was identified on the referral, **or**
The subject(s) location was not known.

Factors to consider when determining if reasonable attempts were made to interview the subject:

- *If the subject's location was unknown, were attempts made to locate the subject through an inquiry with people likely to know the subjects current whereabouts?*
- *Were multiple attempts made to contact the subject at all known phone numbers and/or locations the subject was likely to be?*
- *Was a letter sent to the subject offering an interview?*
- *Was the subject contacted for an interview and refused to cooperate?*

4. Was adequate information gathered during the investigation to assess child safety?

Definitions from Practice Guide to Risk Assessment:

- *Child safety is a condition in which a child is protected from serious and immediate harm.*
- *Serious and immediate harm involves child abuse and neglect that could result in death, life endangering illness, injury requiring medical attention, traumatic emotional harm or severe developmental harm that has severe lasting effects on the child's well being.*

Fully Achieved: Adequate information was gathered during the investigation to adequately assess child safety through the following investigative activities when applicable:

- Child interviews
- Subject interviews
- Collateral contacts
- Witness contacts
- Review of records

Not Achieved: Adequate information was not gathered during the investigation to assess child safety.

NA: None

Factors to consider when determining if adequate information was gathered:

- *Were all suspected child victims interviewed?*
- *Did child interviews address all allegations and safety concerns?*
- *Were all subjects interviewed?*
- *Did subject interviews address all allegations and safety concerns?*
- *If information in the referral was unclear, was the referent contacted to clarify the intake information?*
- *If the allegation of CA/N indicated a possible crime was committed, was law enforcement contacted for coordination?*
- *Were there professionals in the subject's or child's life who may shed light on the matter under investigation and/or may provide pertinent history? Were they contacted or an attempt made? (collateral sources may be medical providers, therapists, school personnel, and/or the child's social worker)*
- *Were there witnesses to the incident under investigation? Were they contacted or an attempt made? (witnesses may include other children in the home, other staff, or others with knowledge of the incident)*
- *Were records reviewed that may have shed light on the matter under investigation? (facility investigations records may include: logs, child records, personnel records, training records, attendance records and/or licensing records)*
- *Was an on-site visit made to the facility during the course of the investigation to evaluate the current condition and environment of the suspected child victims to determine health and safety risks?*
- *Was consultation from other professionals including physicians or psychologists sought? This would include medical consultation to assist in determining the origin of a child's injuries.*
- *Was the pattern of prior complaints considered when assessing safety?*

5. If child safety threats existed, were appropriate actions taken to ensure the safety of the child(ren)?

Definitions from Practice Guide to Risk Assessment:

- Safety threats involve conditions in which a child is at risk of serious and immediate harm
- Serious and immediate harm involves child abuse and neglect that could result in death, life endangering illness, injury requiring medical attention, traumatic emotional harm or severe developmental harm that has severe lasting effects on the child's well being.
- Safety planning protects the child from serious and immediate harm by concrete steps and immediate action that addresses the danger or threat.

Fully Achieved: Safety threats for the child(ren) existed and appropriate action was taken to ensure the protection of the child(ren) which may include the following:

- Safety planning occurred that addressed the safety concerns (e.g. the alleged subject/perpetrator was asked to leave the facility pending the investigation)
- Removal of the child from the facility

Not Achieved: Safety threats existed for the child(ren) and appropriate actions were not taken to ensure the protection of the child.

NA: Child safety threats did not exist, **or**
The home addressed all child safety threats before the department was involved.

Factors to consider when determining if appropriate actions were made:

- *If there was safety planning, was it developed within a time frame that ensured the immediate safety of the child?*
- *Was the safety planning effective by:*
 1. *Focusing on the child's safety needs*
 2. *Increasing the child's visibility*
 3. *Including a number of parties who share the role of assuring child safety*
 4. *Being realistic and achievable*
 5. *Being developed in consultation with the caregiver*
 6. *Being specific, detailed and containing timelines for completion*
 7. *Identifying the roles and responsibilities of various adults in helping keep the child safe*
- *Did the safety plan require monitoring beyond the closure of the investigation? If needed, was there a plan for monitoring?*

6. Was the Investigation closed within 90 days?

Full Compliance: The Investigative Assessment was completed and approved by the supervisor within 90 days of the date of the intake, **or**

The case was open beyond 90 days due to continued involvement with law enforcement or the prosecuting attorney.

Non-Compliance: The Investigative Assessment was not completed and approved by the supervisor within 90 days of the date of the intake and there was not continued involvement with law enforcement or the prosecuting attorney.

NA: None

Rules Used to Assess Compliance

If questions #1 through #6 are “Fully Compliant” or “Not Applicable” the case is compliant.