

**Children's Administration Indian Policy Advisory Subcommittee  
Child Abuse Prevention and Treatment Act (CAPTA)  
Citizen Review Panel  
CAPTA Report for and Work Plan 2010**

**March 22, 2011**

**Purpose**

The purpose of the Citizen Review Panel (CRP) is to evaluate the extent to which the State is fulfilling its child protection responsibilities in accordance with its Child Abuse Prevention and Treatment Act (CAPTA) State plan. Children's Administration Indian Policy Advisory Committee (CA IPAC) is serving as a CRP; CY 2008 was the first year IPAC has done so. Established in 1977, IPAC was created to assist the collective needs of the Tribal governments and other American Indian organizations to assure quality and comprehensive service delivery from the Department of Social and Health Services (DSHS) to all American Indians and Alaska Natives in Washington State. The IPAC is comprised of representatives from the 29 federally recognized tribes in Washington and from five Recognized American Indian Organizations. Each DSHS division has an IPAC subcommittee including CA. The CA Subcommittee meets monthly in either a State office or at a tribal location.

**Acknowledgements**

CA would like to thank the IPAC CRP co-chairs Liz Mueller, Vice Chair of the Jamestown S'Klallam Tribe and Jim Sherrill, Social Services Director of the Cowlitz Tribe for their wisdom and leadership. CA would also like to thank Colette McCully, CA CPS Program Manager for inviting IPAC to become a CRP and for providing comprehensive information to support IPAC in its work.

**Area of Focus Selected**

- Continue to work on the development of the Washington State Indian Child Welfare Act.
- Utilize the second ICW Case Review outcomes to develop regional and statewide implementation plans.
- Develop mechanism to allow for tribal access to the CA, DSHS data system.
- RA's will work with Tribes in their area to complete Local Tribal/State Agreements.

**Continue to work on the development of the Washington State Indian Child Welfare Act**

In CY 2008 a draft Washington State Indian Child Act was developed, and distributed to tribes, CA staff and community stakeholders. The goal for the previous year was to have it ready for submission for the 2011 Legislative session. During this last year a coalition of representatives from Washington State Tribes and Indian Organizations determined they would develop the Washington State Indian Child Welfare Act (WSICWA) independent of DSHS. As such, DSHS staff stepped away from the process. The coalition developed the WSICWA over the last year. They obtained sponsors in the Washington State House and Senate as well as legal assistance to

create the proposed Act. The bill provides protections to Indian children, families and tribes based on the government to government relationship between the State of Washington and federally recognized tribes. CA ICW Program Manager Nancy Dufraine and AAG Steve Hassett both analyzed and provided input to the bill once it was completed and sent to CA. CA has supported the bill. The bill passed the Senate in March 2011 and is currently awaiting the House vote.

### **Conduct the second ICW Case Review in September, 2009**

Regional reviews occurred in all six regions during months of September, October and November, 2009. 217 cases were reviewed and included in home and out of home placement cases. 176 cases were reviewed during the 2007 case review. Some of the feedback in 2007 was to increase sample size so this was done. Each case was read by two persons. The questions remained the same as the 2007 review. Each review had about 10-12 reviewers. The overall team included 15 volunteers from tribes and Recognized American Indian Organizations (RAIO's) and 17 DSHS staff. Six regional reports and the statewide rollup were completed and sent to tribe, RAIO's, and DSHS staff in March, 2010.

The report included strengths of casework services and areas needing improvement.

After the 2007 ICW case review implementation plans were handled at the regional level which led to inconsistency. As such CA requested and received funding from Casey Family Programs to support a day long work session to develop regional and statewide goals. The request included funding for two members from each tribe and RAIO to travel to this one day meeting.

The work session occurred on 10/13/10 and resulted in six regional implementation plans and a statewide implementation plan. Tribes, RAIO's and DSHS staff collaborated in the development of these plans. Although there were regional variations there were also areas of commonality across the State. Common themes included sending tribes' legal notice and inquiries into Indian identification in a timely manner consistent with law and policy.

Regions report out periodically on the progress of these plans.

Of note, Jim Sherrill suggested that the statewide plan include a requirement that a certain number of cases be pulled for review in every office using the ICW case review tool and that tribal and RAIO staff be invited to assist. This plan can be used to determine training needs and for quality assurance purposes.

CA Assistant Secretary Denise Revels Robinson agreed to this plan.

### **Develop mechanism to allow for tribal access to the CA, DSHS data system**

All 29 tribes in Washington State have been invited to enter into a government to government agreement that will allow access to the CA SACWIS data system called FamLink. To date, 23 tribes have signed agreements in place. Tribes agreed to sign user agreements and allow for background checks. A FamLink module was developed to allow external partners (in this case tribal staff) to gain the access through the internet. A training curriculum was developed and delivered to participating tribes. Some tribes are still in the process of obtaining the access (completing agreements, obtaining training etc.). One tribe has opted out of the agreement at this time. DSHS regional staff has been delegated to provide assistance to tribes at the local level. The access by external partners is relatively new to CA. As such, this process provided the first opportunities to develop and implement the agreements, policies, training and field support to move this forward. There were times when the process moved forward smoothly and times when it was not so smooth. Tribes and CA have worked through many barriers successfully. There are still some areas to trouble shoot but we are excited about the collaboration thus far and

look forward to continued improvement in the process. CA's experience with this may serve as a spring board for access by other external partners in the future.

**Regional Administrators' will work with Tribes in their area to complete Local Tribal/State Agreements**

Regional Administrators continue to work with area tribes in the development of Local Agreements to help identify and facilitate delivery of services and enhance the government-to-government relationship as it applies to each tribe. Once these Agreements are completed and signed by both governments they will be posted on the CA intranet webpage so that all CA staff may access and utilize the agreements.

**Recommendations to the Agency:**

- 1. Participate and track compliance Indian Child Welfare Act (ICWA) and Disproportionality impacts in the implementation of SHB 2106.**
- 2. Children's Administration will engage with CA JRA IPAC sub-committee to continue to develop a plan for ICW Quality Assurance in every CA office statewide.**