



**Report to the Legislature**

**Child Protective Services - Staff Safety**

Chapter 518, Laws of 2005, Section 2(4)

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Department of Social & Health Services  
Children's Administration  
PO Box 45040  
Olympia, WA 98504-5040  
(360) 902-7822  
Fax: (360) 902-0725

## Child Protective Services – Staff Safety

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## Executive Summary

Chapter 389, Laws of 2005 requires that the Department of Social and Health Services (DSHS) establish a work group to develop policies and protocols to address the safety of child protective services (CPS) and child welfare services (CWS) staff. This legislation requires that DSHS make recommendations regarding training to address recognition of highly volatile, hostile, and/or threatening situations and de-escalation and preventive safety measures. The legislature required that the work group include representatives of DSHS/Children's Administration (CA), including representatives of CPS staff and CWS staff from offices in both rural and urban areas, law enforcement and prosecuting attorneys.

DSHS/CA convened a work group that met twice to review current CA policies and training on worker safety and make recommendations regarding modification or changes to employee safety policies and protocols.

The work group identified a number of issues and made recommendations addressing worker safety. The following recommendations were those determined to be priorities. Additional recommendations are outlined in this report.

- Amend RCW 72.01.045, Assaults to employees- -Reimbursements for costs to include CA employees and Adult Protective Services (APS) workers.
- Amend RCW 9A.46.110 Stalking to include CA employees and APS workers.
- The Washington State Criminal Justice Training Center (CJTC), in collaboration with the CA Office of Staff Development and Training should provide annual mandatory staff safety training for all CA field office staff.
- A statewide critical incident response protocol should be developed and implemented to ensure consistent regional response when critical incidents occur.
- Identify databases that can provide the most useful background information on individuals in order to assess safety issues for a worker prior to commencing a CPS investigation.

## **Background**

On February 16, 2005, a CA social worker was physically assaulted while investigating a report of child neglect in a remote area of Ferry County. The Ferry County deputy who accompanied the social worker shot and killed the father of the children. His action likely saved the lives of both the social worker and the co-worker who accompanied her.

This incident was a tragic and traumatic reminder of the risks that DSHS workers face each day in protecting children and serving families. These risks are not limited to CPS or CWS workers, but extend to other DSHS staff who conduct field investigations or home visits to assess the health and safety of vulnerable children or adults.

In response to this tragedy, House Bill 2189 was passed by the legislature in April 2005. The act required DSHS to convene a work group to develop policies and protocols to address the safety of CPS and CWS staff. In addition, the work group was to make recommendations regarding training for workers to address recognition of highly volatile, hostile, and/or threatening situations and de-escalation and preventive safety measures.

## **Members of the Committee/Meeting Overview**

A work group chaired by staff of the CA Office of Practice Consultation and Risk Management met on September 19, 2005 and October 10, 2005. The work group consisted of CA CPS and CWS social workers from both rural and urban areas, a representative from the Washington State Patrol, an attorney from the Washington State Association of Prosecuting Attorneys, CA training staff, a legislative aide from Representative Kagi's office, DSHS APS staff, and CA headquarters staff. A list of committee members is attached.

The work group reviewed relevant information related to social worker safety in addition to the current CA staff safety policy and training curriculum (both available upon request), and was briefed on the work of the CA Critical Incident Response and Support Task Force. The work group then identified missing elements and additional recommendations, identifying those they determined to be priorities. These recommendations follow.

## **Priority Recommendations**

### ***Legislative Changes***

- **Amend RCW 72.01.045, Assaults to employees- -Reimbursements for costs.**

Presently, this statute recognizes the hazardous nature of employment in state institutions and provides a supplementary program to reimburse some DSHS and other specific state agency employees for some of their costs attributable to being victims of assault by residents, patients, or juvenile offenders. The work group recommends this statute be amended to include additional DSHS employees who are at risk of being victims of assault (e.g., CA social workers and APS workers).

- **Amend RCW 9A.46.110, Stalking.**

Presently this statute makes stalking a class C felony if the stalker's victim is or was a law enforcement officer, judge, juror, attorney, victim advocate, legislator, or community correction's officer, and the stalker stalked the victim to retaliate against the victim for an act the victim performed during the course of official duties or to influence the victim's performance of official duties. The work group recommends this statute be amended to include CA staff and APS workers.

### *Training*

- **The Washington State CJTC, in collaboration with the CA Office of Staff Development and Training should provide annual mandatory staff safety training for all CA field office staff.**

Currently new social workers receive a half-day training on staff safety issues through CA's social worker academy. This past summer, CA piloted a full-day staff safety training. Some of these trainings were presented jointly with the Washington State CJTC and these trainings were well-received.

The CJTC currently provides safety training for other state employees in the criminal justice system and those working in state institutions. The CJTC has offered to extend the same training twice per region per year (12 trainings) for DSHS staff. CJTC may charge for this training but believes the cost would be minimal. The work group recommends this training be mandatory.

### *Critical Incidents*

- **A statewide critical incident response protocol should be developed and implemented to ensure consistent regional response when critical incidents occur.**

Critical incidents are generally defined as incidents involving very serious injury or death to clients, staff or agency stakeholders. Critical incidents are unpredictable by nature and have the potential to traumatically impact those involved. CA formed a Critical Incident Response Task Force that met for the first time in January 2005. Its primary purpose was to develop formalized protocols and mechanisms in response to critical incidents including incidents involving staff safety. The work group recommends that the Critical Incident Response Task Force's work continue to ensure a statewide protocol is developed and implemented.

### *Access to Information*

- **Identify databases that contain criminal history and other information regarding clients that relate to staff safety. Obtain timely access for DSHS staff in order to ensure that staff has information to sufficiently plan for safety.**

Presently, access to criminal history backgrounds can be limited, and is not available after hours through the DSHS background check central unit. In addition, the work group determined there were other databases that could be helpful in providing background

information to social work staff. Research needs to be completed on what databases are available and the viability of giving staff access. The work group recommends that the National Crime Information Center (NCIC) be one of the available databases, if feasible. NCIC is a computerized index of criminal justice information, i.e., criminal record history information, fugitives, stolen properties, missing persons. It is available to Federal, state, and local law enforcement and other criminal justice agencies and is operational 24 hours a day, 365 days a year.

In addition, the work group recommends that a statewide staff safety work group continue to meet as needed to address current staff safety issues and to ensure implementation of all recommendations.

### **Additional Recommendations**

In addition to the prioritized recommendations listed above, the work group recommends the following:

#### ***Policy***

- Local office safety committees should address employee safety issues in addition to building (facility) safety.
- Training for Intake workers should include assessing safety issues for making contact with a family.
- CA should have a working agreement with all law enforcement jurisdictions and staff should be able to easily identify which law enforcement agency has jurisdiction in an investigation.
- Clarify the use and adopt guidelines for the use of “danger codes and notes” in CA’s primary database (CAMIS). These codes and notes alert CA staff to individuals who may be dangerous.

#### ***Equipment, Resources, Access to Information***

- CA and Aging and Disability Services Administration (ADSA) should have timely access to databases that provide additional background information prior to and during investigations.
- Identify geographical areas around the state where cell phones do not work. Continue to explore the use of other technology for those areas (i.e., radios).
- Greater sharing of mental health and substance abuse information when the safety of children, families or employees may be at risk.
- Determine the need for additional state vehicles (even if minimum mileage requirement not met). State vehicles, instead of personal vehicles, should be available for use by workers when conducting field investigations or visits. When workers use their personal vehicles while conducting investigations and home visits, their license plate numbers may be used to obtain further identifying information, including their home address. There have also been instances where social workers, driving their own vehicles, have been followed by clients or other individuals.

### ***Communication***

- Require social workers to maintain up-to-date itineraries. Design a mandatory check in/check out procedure so the location of any worker at any time is known.
- Conduct a bi-annual staff safety survey.
- Require staff to annually review and sign off on the staff safety policy.
- Develop a staff safety link on the CA website where relevant staff safety information/reminders can be posted.

### ***Collaboration***

- Establish regular meetings with local law enforcement and CA (potentially by using Law and Justice or Regional Resource Team meetings).
- Develop a pocket card that clarifies statutory authority for law enforcement placing children in protective custody.

### ***Critical Incident Response/Debriefing***

- Ensure debriefing is available within a short timeline (usually between 24 to 72 hours after an incident).
- Consider the possibility of having a trained mental health professional on staff to provide and/or coordinate this function.
- Explore the possibility of CA headquarters providing a statewide incident response team.

## HB 2189 - Worker Safety Committee

Name	Phone	Email
<b>Sharon Gilbert</b> , Chair CA Practice Consultation & Risk Management	360-902-7822	GilbeSA@dshs.wa.gov
<b>Stacy Winokur</b> CA Management Services	360-902-8019	SWIN300@dshs.wa.gov
<b>Bruce Barcklow</b> CA Staff Development & Training	206-923-4916	BARB300@dshs.wa.gov
<b>David Beard</b> Legislative Aide to Representative Ruth Kagi	206-368-4691	beard.david@leg.wa.gov
<b>Gary Gasseling</b> Washington State Patrol	509-332-9633	ggasseling@wsin.riss.net
<b>Tim Jaasko-Fisher</b> Office of the Attorney General	360-493-9415	TimothyJ@atg.wa.gov
<b>Ilene Le Vee</b> CA Workforce Management	360-902-7944	LEVE300@dshs.wa.gov
<b>Jennifer Lopez Silvers</b> CPS Social Worker, Tacoma	253-983-6128	LSJE@dshs.wa.gov
<b>Michael Luque</b> CA Staff Development & Training	360-902-7648	LUMI300@dshs.wa.gov
<b>Tom McBride</b> WA Association of Prosecuting Attorneys	360-753-2175	TMcBride@olywa.net
<b>Carl Mease</b> CWS Social Worker, Shelton	360-432-2058	MECA300@dshs.wa.gov
<b>Michael Parker</b> CWS Social Worker, Kent	253-372-6054	PRKM300@dshs.wa.gov
<b>Jeff Quigley</b> Adult Protective Services Supervisor	360-416-7407	QUIGLJC2@dshs.wa.gov
<b>Betty Ramage</b> Personal Services Development Deputy Director	360-902-7938	RAMAGBJ@dshs.wa.gov
<b>Toni Sebastian</b> CA Practice Consultation & Risk Management	206-341-7310	SETO300@dshs.wa.gov
<b>Carol Sloan</b> Aging & Disability Services Program Manager	360-725-2345	SLOANCS@dshs.wa.gov

<b>Chris Trujillo</b> CA Communications	360-902-0221`	TRCH300@dshs.wa.gov
<b>Nancy Tyson</b> Aging & Disability Services Regional Administrator	360-725-2343	TysonNL@dshs.wa.gov
<b>Edith Vance</b> CPS Social Worker, Colville <i>Alternate:</i> <b>Paul Thurick</b> CPS Social Worker, Colville	509-685-5662 509-685-5683	VADE300@dshs.wa.gov THUP300@dshs.wa.gov