



Alaska Citizen Review Panel

2012 Annual Report

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Mission and Mandate

MISSION

The Alaska Citizen Review Panel (CRP) is committed to reviewing and evaluating the practices and procedures of the Office of Children's Services (OCS) and in making recommendations relative to its findings to ensure the safety and the well-being of the children of Alaska.

The CRP will achieve this commitment by examining the policies and procedures of the Office of Children's Services, and collecting feedback from collaborating agencies; examining, where appropriate, specific cases; evaluating the extent to which the agency is carrying out its child protection responsibilities; and preparing and making available to the public an annual report.

MANDATE FOR THE GROUP

The Citizens' Review Panel (CRP) is federally mandated through the Child Abuse Prevention and Treatment Act (CAPTA); Keeping Children and Families Safe Act of 2003. The CRP is also mandated through Alaska Statute Sec. 47.14.205.

"By allowing the Panels to have complete access to child protection cases, by requiring Panels to publicize their findings, and by requiring states to respond to criticisms and recommendations of the Panels, the Committee intends to subject states to public criticism and political repercussion if they fail to protect children." (United States Congress, House Report 104-081, 1995, p.1)

DUTIES ASSIGNED TO THE GROUP

Summary of duties The CRP shall examine the policies, procedures, and practices of State and local agencies and where appropriate, specific cases, to evaluate the extent to which State and local child protection system agencies are effectively discharging their child protection responsibilities.

CRP duties

- Evaluate OCS compliance with federal and state laws, examine policies and procedures for consistent statewide implementation, review cases with fatalities or near fatalities. The CRP shall evaluate the extent to which OCS is effectively discharging its child protection responsibilities under:
 1. The State Plan submitted to the U.S. Department of Health and Human Services under 42 U.S.C. 5106a(b);
 2. Child Protection Standards under federal and state laws; and
 3. Any other criteria that the CRP considers important to ensuring the protection of children, including the level and efficiency of coordination of foster care and adoption programs in the state and a review of child fatalities and near fatalities.

In carrying out the responsibilities listed above, the CRP shall examine the policies, procedures, and practices of OCS, and, where appropriate, evaluate specific cases of child abuse or neglect.
- Maintain confidentiality. A person attending a CRP meeting or a CRP member or CRP staff may not make any disclosure related to information obtained during a review by the CRP. A violation is subject to a civil penalty of up to \$2,500 for each violation.
- Conduct public outreach. The CRP shall conduct public outreach and gather public comment on current OCS procedures and practices involving children and family services.
- Produce an annual report. The CRP shall prepare and make available to the governor, the legislature, and the public an annual report containing a summary of its activities and recommendations for the improvement of child protection services in the state.
- Meet at least every three months. The CRP is required by law to meet every three months. Additional meetings and/or teleconferences are scheduled as needed.

DUTIES ASSIGNED TO OCS RELATED TO THE CRP

HSS support. The Commissioner shall, by regulation, establish policies and procedures necessary to carrying out the duties of the CRP.

- Cooperation with state panel. OCS shall provide the panel access to information on child abuse or neglect cases that is necessary for the CRP to carry out its duties.
- Report response. Not later than six months after the date on which the report is released, OCS shall submit a written response that describes whether or how

OCS will incorporate the recommendations of the CRP (where appropriate) to make ***measurable*** progress in improving the child protection system.

Membership and Staff Support

Required membership The Panel shall be composed of volunteer members who are broadly representative of the state, including members who have expertise in the prevention and treatment of child abuse and neglect.

Current membership

Susan Heuer, Chair, Anchorage

Dana W. Hallett, Haines

Pat Hefley, Juneau

Kristin Hull, Wasilla

Steve McComb, Palmer

Stella Schuchardt, Fairbanks

Diwakar Vadapalli, Anchorage

Former members who left the group during this reporting period

BJ Coopes, Anchorage*

Bonnie Edmondson, North Pole

Jeanne Evans, Bethel*

*These members were never active. They applied, were interviewed for and joined the Panel, but then had changes in their life circumstances that prevented them from having time to participate in the Panel.

Desired membership The CRP would like to meet its requirement to be broadly representative of the state by widening the geographic and racial and ethnic diversity of the membership. The group is working to recruit new members from underrepresented areas of the state as well as a greater diversity of child-centered expertise and backgrounds.

OCS liaison Christy Lawton, Director, is the current liaison between OCS and the CRP.

Staff support Staff support is provided by Sylvan Robb and Nancy Lowe of Information Insights.

Meetings and Activities

Group meetings

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| August 26, 2011 | Teleconference |
| September 16, 2011 | Teleconference |
| October 8, 2011 | In person – Anchorage |
| November 1, 2011 | Teleconference |
| December 6, 2011 | Teleconference |
| January 3, 2012 | Teleconference |
| January 20, 2012 | In person – Wasilla |
| January 31, 2012 | Teleconference |
| March 9, 2012 | In person – Anchorage |
| April 3, 2012 | Teleconference |
| April 24, 2012 | Teleconference |
| May 8, 2012 | Teleconference |
| June 5, 2012 | Teleconference |
| June 21, 2012 | Teleconference |

Other activities

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| August 8, 2011 | Teleconference with Christy Lawton, Director |
| August 11, 2011 | Webinar: Staff attended webinar presented by National CRP Resource Center |
| August 23, 2011 | Webinar: Panel training with OCS ORCA expert, Tim Huffman |
| September 14-15, 2011 | Bethel: Pat Hefley, Steve McComb, and Sylvan Robb met with local OCS staff and partnering agencies |
| October 5-6, 2011 | Kenai and Soldotna: Susan Heuer, Dana Hallett, Stella Shuchardt, and Sylvan Robb met with local OCS staff and partnering agencies |
| October 7, 2011 | Anchorage: Panel training on practice model at Child Welfare Academy by Tammy Sandoval |
| October 31, 2011 | Teleconference: Susan Heuer and Sylvan Robb met with research staff from the Ombudsman's Office |

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| | staff and partnering agencies |
| November 8, 2011 | Teleconference with Christy Lawton, Director |
| November 21, 2011 | Fairbanks: Kristin Hull, Stella Schuchardt, and Sylvan Robb conducted file review of in-home cases with Kim Guay of OCS |
| January 18-19, 2012 | Palmer and Wasilla: Panel members met with local OCS staff and partnering agencies |
| February 6, 2012 | Juneau: Susan Heuer, Dana Hallett, Pat Hefley, and Sylvan Robb met with Senator John Coghill and staffer Rynniva Moss and Representative Herron |
| February 6, 2012 | Juneau: Susan Heuer, Dana Hallett, Pat Hefley, and Sylvan Robb testified before Senate Health and Social Services Committee |
| February 7, 2012 | Juneau: Susan Heuer, Dana Hallett, Pat Hefley, and Sylvan Robb met with Speaker Chenault and Representative Hawker and Representative Gara |
| February 7, 2012 | Juneau: Susan Heuer, Dana Hallett, Pat Hefley, and Sylvan Robb testified before House Health and Social Services Committee |
| February 8, 2011 | Juneau: Susan Heuer, Dana Hallett, Pat Hefley and Sylvan Robb met with William Streur, Commissioner of HSS, Mike Lesman, Governor's Office, and Christy Lawton, Director |
| March 7, 2012 | St. Mary's: Steve McComb and Kristin Hull met with local OCS staff and partnering agencies |
| March 7, 2012 | Hooper Bay: Stella Schuchardt and Pat Hefley met with partnering agencies |
| March 7, 2012 | Bethel: Susan Heuer and Sylvan Robb met with local OCS staff and partnering agencies |
| March 8, 2012 | Bethel: Panel met with local OCS staff and partnering agencies |
| March 22, 2012 | Teleconference with Christy Lawton, Director and Travis Erickson, Program Administrator |
| April 10, 2012 | Teleconference with Christy Lawton, Director |
| April 18, 2012 | Teleconference with Christy Lawton, Director |

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| April 19, 2012 | Wasilla: Kristin Hull and Steve McComb with several members of the Wasilla OCS office staff |
| June 5, 2012 | Teleconference with Travis Erickson, Program Administrator and Michael Isom, Western Region CSM |

Annual activities

Although the CRP was formed in May 2002, the group has been active and functional only since 2004. This has been another very active year for the Panel. While the group met face to face just three times this year, it held 11 regular teleconferences and seven additional teleconferences with guests in attendance. The Panel conducted two site visits in the Bethel region (one of which included a trip to two regional villages), one to the Palmer/Wasilla area, and one to Kenai/Soldotna. A subset of the Panel traveled to Juneau to present to the Senate and House Health and Social Services Committees and meet with legislators and other key personnel in Juneau. Additionally the Panel conducted its first file review in Fairbanks.

This year also included a great deal of training. The entire Panel attended a webinar on OCS' data system, ORCA and a full day of training at the Child Welfare Academy on OCS' current practice model. In January one Panel member, Stella Schuchardt, attended half of SKILS training that new OCS workers attended. Panel staff also attended a webinar conducted by the National CRP Resource Center.

This has been another transition year for the Panel's membership. One member left the Panel after years of service. Two new members were added this year that bring a wealth of experience and expertise to the Panel. Pat Hefley is retired from his position as Deputy Director of the Department of Health and Social Services. Diwakar Vadapalli is a professor at the Institute for Social and Economic Research at UAA who used worked as an ICWA worker in Sleetmute for several years. This year the Panel also successfully recruited two additional members, but both experienced changes in circumstances that didn't allow them the time to actively participate in the Panel.

We conducted three major regional site reviews this year. In October, we visited Kenai and Soldotna marking the first time the Panel has visited communities on the Kenai Peninsula. In January, we visited Palmer and Wasilla. We especially wanted to go and see firsthand the impact of the Compression Planning conducted by the Annie E. Casey Foundation in October. In March we traveled to Bethel and two villages in that region—St. Mary's and Hooper Bay. Two Panel members and staff also visited Bethel in September for a short review.

We collected a great deal of regional data personally through these community site visits. We interviewed local OCS staff and staff from the following types of partnering

agencies regarding what is working and what needs improvement in their relationship with OCS and how we can help facilitate those efforts.

- Child advocacy center staff
- Counseling center staff
- District attorneys
- Foster parents
- Guardians ad litem
- Health aides and public health nurses
- Health clinic staff
- ICWA workers
- Judges and court personnel
- Local police department officers and supervisors
- Municipal representatives
- OCS staff at all levels
- School principals, teachers, nurses and counselors
- State troopers
- Tribal representatives

As part of our public outreach we presented testimony to the Alaska Senate and House Health and Social Services Committee about our activities and recommendations. While in Juneau we also met with the Commissioner of Health and Social Services, William Streur and numerous individual legislators. We also continue to maintain our website for public outreach at www.crpalaska.org.

As more people become aware of our existence we receive more calls from dissatisfied citizens. As in the past, we have informed citizens that we do not intervene in individual cases, but encourage people to avail themselves of either the OCS grievance process or to open a case with the Ombudsman's Office. At their invitation, we had a teleconference with a staffer from the Ombudsman's Office to discuss OCS related cases. When we are aware of cases, however, we do try to monitor complaints with an eye out for patterns of concerns and problems.

As was the case last year as well, rather than branching out into new regions of the state, this year the Panel tried to remain focused on areas we have previously visited that we felt still merited our attention: Bethel and Palmer/Wasilla.

Last year we recommended that OCS improve the prominence of the telephone number to report child abuse in telephone books around the state. Our understanding is that this is in the works and will be reflected as new directories are published. We look forward to seeing those changes.

Director Christy Lawton has been our OCS liaison for the entire year. We have been pleased with the direct communication and access this affords us. Due to Ms. Lawton's long tenure with OCS, the Panel had an existing relationship with her. She has been open and forthcoming in her dealings with the Panel thus far. We look forward to continuing to work with her to improve child protection in Alaska in the coming year.

Susan Heuer continues to serve as chair of the Panel. We will elect a new vice-chair at our next meeting; the position is currently vacant.

Recommendations

Recommendations are presented in priority order.

Recommendation 1: That OCS take aggressive action to reduce staff turn-over.

In 2011 the turn-over rate for OCS staff was 34%. The mean rate since 2004 was 34.6%; there were some fluctuations, but the rate has held quite steady over the last eight years. OCS has a target turn-over rate of 20%. We know OCS has made efforts to address this problem. However, in eight years no progress has been made. Clearly a new and creative strategic plan is called for that would get at the root of the problem and address it.

Having this high a turn-over rate makes everything else OCS is trying to accomplish that much more challenging. Each year one-third of the workers are new. There is a lot to learn on this job and experience is invaluable. Additionally, having such a high turn-over rate means the agency is rarely fully staffed. Until new staff are hired, the workload on remaining employees increases. Even after a worker is hired, the time it can take for that individual to wait to attend SKILS plus five weeks it takes for SKILS to be completed can add up to four to six months. Every line worker lost disrupts the office they worked in for close to a year before their replacement is hired, trained, and experienced enough to carry a full case load. In single worker offices, turn-over causes a huge rip in the fabric of child safety until the next worker is in place. Turn-over also causes there to be multiple workers on a case, which either means workers need to start over at the beginning of a case, or worse, the new worker doesn't have time to start at the beginning and proceeds without a full understanding of the case.

The Panel has suggested that funding be allocated so that OCS may offer decent housing as a recruiting and retention tool in rural communities where housing is a challenge.

Currently there are many resources that are available in numerous state departments that are not standardized. We acknowledge and agree that not all departments have the same needs nor do they require being treated the same in all circumstances. However, if Alaska values the safety of its children it must not prolong the time it allows the Office of Children's Services to continually be under-resourced.

One resource that is available to some state agencies as a recruitment tool for rural workers is housing. We feel this would enable OCS to recruit and retain workers in these challenging communities much more easily. Having consistent staffing not only improves individual cases, but allows OCS to develop a presence in the community. For the same reason people talk of the positive impact a 'police presence' can have on a community, being able to rely on the same OCS worker, who knows the community

allows OCS to have this same positive, preventive presence in a community. The value of this cannot be underestimated.

The Panel asks that OCS be allowed to find solutions to this problem; using different methods in different communities as appropriate. The Panel is aware that other state agencies offer housing for their personnel in rural areas. Schools and Troopers in some rural communities have recognized that being able to offer decent housing makes it much easier to recruit qualified workers to remote communities and retain them. OCS would like to be able to use this recruiting tool as well since attracting applicants to rural positions is difficult. We recommend this issue be explored and a plan developed. Since the model already exists in other departments, the issue may be one of funding rather than logistics or having to pilot a project.

There is a window in a child's life in which to make an impact. There are children right now who are aging out of that window without positive intervention from OCS because the office in their rural community is understaffed or unstaffed. We do not think it is too strong a statement to say that lives are at stake. Even if no child dies from abuse, negative life-altering events are occurring. OCS needs to be fully staffed in rural areas to combat these issues. The easier it is to recruit and retain workers, the better for Alaska's children.

Recommendation 2: That OCS establish deadlines that require non-emergency petitions to be filed allowing for supervision of the family by the continuum of legal parties without necessitating the removal of the child.

Currently, when OCS has safety concerns about a child which are too great to screen out but require some intervention on the part of the agency, the family is referred to the "in home" designation. A social worker is required to work with the parents on the safety issues, make referrals for services, and visit the home to check on the child. The parents' participation with OCS is voluntary. OCS does not have legal or physical custody and no other legal parties are involved. This has not been an effective way to work with families with dysfunctional behaviors who need more information and resources to make the behavior changes necessary to keep their children safe. Further, there is marginal accountability in the OCS system to make sure that workers are engaging with families on this informal basis.

We are recommending that in these instances, OCS file non-emergency petitions which give OCS legal custody but allow the child to remain at home with the parents who retain physical custody. This allows for court oversight, the parents are able to have an attorney appointed to represent them, the Tribe (in an ICWA case) is a party, and a guardian ad litem is appointed for the children. The result is more support and involvement of the parents while protecting the legal rights of the parents, the children, and if applicable, the Tribe. This also ensures the accountability of OCS.

Currently there are two ways that a family can be referred to “in home” services. The first is at the Initial Assessment (IA) stage. When a Protective Service Report is made to intake, it is sent to IA where an in-depth investigation happens within 45 days. During those 45 days, the parents can voluntarily place their child somewhere else, out of home, while they work with the social worker and access services through an out-of-home safety plan. At the end of 60 days, if the parents have not remedied the concerns, OCS already has a requirement that a non-emergency petition be filed. Up to that point, the parents’ participation is voluntary. The non-emergency petition, if granted by the court, brings the parents and child under the scrutiny of the court but the child remains at home with the parents. This protocol is in place and is happening in Anchorage. Compliance needs to be ensured statewide.

The second way a family can be referred to “in home” is a direct referral from Initial Assessment as a result of the investigation. This would occur when the parents have not documented sufficient progress during the assessment period and OCS considers the child to be at continued risk. These cases tend to be put on the back burner of the social worker’s caseloads and there are no clear deadlines for monitoring progress, closing cases in a reasonable time, or filing a non-emergency or emergency petition. When a parent is not making progress, the CRP is recommending that OCS establish a deadline for filing non-emergency petitions with an in-home safety plan. The involvement of the court and other legal parties provide oversight and resources to the family and there are more eyes on the child to ensure safety while they remain placed in the home.

The CRP is also recommending OCS develop protocols to file non-emergency petitions in two other situations. It is not unusual to have parents who refuse to cooperate with OCS either during the IA process or after a referral to “in home” services. They do not return phone calls, access services, or allow workers in the home to visit the child. In this situation, OCS should develop a protocol to file a non-emergency petition to ensure the safety of the child.

The second situation involves actual numbers of Protective Service Reports (PSR) and their impact on the trauma experienced by children over time. Currently there is no intervention based solely on the number of PSRs. Frequently Child In Need of Aid (CINA) petitions have 10-30 prior PRSs listed in the petition. OCS may or may not have been formally involved. The CRP recommends that OCS determine a benchmark number of PSRs that would trigger a non-emergency petition to be filed, regardless of the status of individual PSRs. When children live through years of abuse and neglect, the impact is disastrous on their emotional well-being. When reporters call multiple times, something is wrong and OCS needs to evaluate the safety of that child from a different perspective.

Non-emergency petitions catch the children in the middle and increase the ability to keep them safe in their homes while giving parents the opportunity or extra push to

change their behaviors. They are in families where the safety concerns never rise to the level of removing them from home but where they are in situations that have escalating safety concerns over time. The goal is to improve the safety of children and reduce multiple Protective Service Reports within the same family. The current OCS practice is too informal with limited oversight to monitor the actual improvement of parental behavior and ensure that children are safe.

Recommendation 3: OCS should provide Western Region with a full complement of supportive (e.g., adoption specialist, intake supervisor, etc.) positions identical to those offered in all other regions.

While Western Region is the smallest region in with only three field offices, it is currently not staffed like a full-fledged region. There are a number of positions that the other regions all have, but Western Region does not. The region should be provided with the equivalent administrative support professionals that make other regions cohesive: a psychiatric nurse, an adoption specialist, an independent living program worker, ICWA reviewers, non-ICWA reviewers, licensing workers, travel coordinator, etc. Western Region as a region is expected to provide the same services as other regions, so it should have the same resources. We understand that it is expensive to provide these positions and that the positions have not been provided to date because of the small number of field offices, but OCS needs to devise a solution to address this issue. Even though Western Region only has three field offices, those field offices serve 56 villages.

Without these positions in Western Region there is a lack of efficiency; children and families in the region are receiving lesser service. It would be natural for the workers in other regions who are currently providing these services to Western Region to be more responsive to workers from their own region—those right down the hall—before those hundreds of miles away. Travel is impacted; the region can't make timely decisions because it lacks a finance person, licensing decision are slower and made without regional and cultural knowledge. We heard during our visits to the region how the lack of these positions is impacting morale and leads workers in Western Region to think they are being set up to fail as a region. Based on community feedback from OCS and community partners, there continues to be broad support and expectations that senior leadership will continue to make decisions to support the WRO. The CRP recommends that a plan be developed on how and when to get this essential group of professional support services in place in WRO.

Recommendation 4: We encourage OCS to enhance data compilation efforts to facilitate better understanding of child welfare issues in the state and promote evidence-based practice.

- Aligning OCS regional boundaries with established census boundaries. CRP greatly appreciates the efforts of OCS in compiling data and using evidence in establishing policies and practices. Such efforts are evident in tracking home visits out of the Wasilla office. However, use of data on several other indicators is limited due to the distinct regional boundaries of OCS. For example, OCS collects and releases data on 'number of children in out-of-home placements' for each region. A quick look at the data shows that Anchorage has the largest number of children in out-of-home placements. However, examining the rate rather than the absolute number of children shows that the Western Region has the highest number children in out-of-home placements per every thousand children. Such insights are possible only if census data can be used in conjunction with data collected by OCS. The current regional boundaries do not coincide with any other known boundaries for which census data may be available, making it difficult to measure the extent and severity of any specific concern regarding child protection. Such alignment allows for better evidence collection and improves policies and practice. CRP recommends that OCS realign their regional boundaries to coincide with either the census boundaries or other administrative boundaries such as the ones used by the Alaska Department of Labor. CRP also recommends that OCS be supported in realigning their boundaries.
- Compiling and releasing data at a regional level. Currently OCS releases reports on all the indicators specifically mentioned in AS 47.05.100. However, with the current push towards regional intake, and to better understand the regional disparities in child protection and safety in Alaska, compiling data on all those indicators at a regional level would be useful. CRP appreciates the limitations of confidentiality due to small numbers. Despite this limitation, we encourage OCS to examine the possibility of releasing data at a regional level, where possible.

Commendations

We believe that all OCS staff have very challenging jobs striving to make a difference in the lives of children and families. Staff in the Wasilla office have worked especially hard to embrace change and their efforts are yielding good results. We commend them for being willing to try new approaches and working on establishing new relationships with families and community partners.

We commend Bonnie Edmonson for her work as a member of the Citizen Review Panel. She brought a unique and valuable perspective to the Panel.

Respectfully submitted by the Citizen Review Panel:



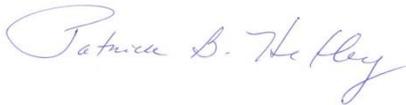
Susan Heuer, Chair

Electronically signed
June 30, 2012



Dana W. Hallett, Member

Electronically signed
June 30, 2012



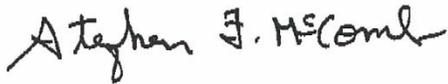
Patrick Hefley, Member

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June 30, 2012



Kristin Hull, Member

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June 30, 2012



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Stella Klein Schuchardt, Member

Electronically signed
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Diwakar Vadapalli, Member

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