



2013

Citizen Review Panel 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)

SUMMARY OF DUTIES ASSIGNED TO THE GROUP

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, and review cases with fatalities or near fatalities. The CRP shall evaluate the extent to which OCS is effectively discharging its child protection responsibilities under:
 - The State Plan submitted to the U.S. Department of Health and Human Services under 42 U.S.C. 5106a(b);
 - Child Protection Standards under federal and state laws; and
 - 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

Diwakar Vadapalli, Chair, Anchorage
 Dana W. Hallett, Haines
 Kristin Hull, Wasilla
 Margaret McWilliams, Juneau
 Stella Schuchardt, Fairbanks

Former members who left the group during this reporting period

Susan Heuer, Chair, Anchorage
 Pat Hefley, Juneau
 Steve McComb, Palmer

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

July 10, 2012	Teleconference
August 7, 2012	Teleconference
October 23, 2012	Teleconference
November 13, 2012	Teleconference
November 23, 2012	Teleconference of Panel subgroup on communications
November 23, 2012	Teleconference of Panel subgroup on training
November 27, 2012	Teleconference of Panel subgroup on decision making
November 28, 2012	Teleconference of Panel subgroup on date
December 7, 2012	Teleconference
December 11, 2012	In person – Bethel
December 19, 2012	Teleconference of Panel subgroup on data
January 9, 2013	Teleconference of Panel subgroup on data
January 11, 2013	Teleconference
January 11, 2013	Teleconference of Panel subgroup on communication
February 8, 2013	Teleconference
March 5, 2013	Teleconference
March 14, 2013	Teleconference of Panel subgroup on communication
March 18, 2013	Teleconference of Panel subgroup on decision making
March 18, 2013	Teleconference of Panel subgroup on outreach and advocacy
March 26, 2013	Teleconference of Panel subgroup on training
April 10, 2013	In person – Anchorage
May 7, 2013	Teleconference
June 4, 2013	Teleconference

OTHER ACTIVITIES

August 3, 2012	Teleconference with Christy Lawton, Director
September 7, 2012	Anchorage: Panel strategic planning facilitated by Bill Hogan
October 24, 2012	Teleconference with Christy Lawton, Director
November 26, 2012	Fairbanks: Stella Schuchardt and Sylvan Robb met with Judge Blankenship
December 6, 2012	Teleconference with Christy Lawton, Director

December 9-11, 2012	Bethel: Panel met with local OCS staff and partnering agencies
January 18, 2013	Teleconference with Christy Lawton, Director and Travis Erickson, Program Administrator
January 25, 2013	Teleconference with Christy Lawton, Director and Travis Erickson, Program Administrator
February 20, 2013	Teleconference with Christy Lawton, Director
February 25, 2013	Juneau: Susan Heuer, Dana Hallett, Pat Hefley, Diwakar Vadapalli, and Sylvan Robb met with Ree Sailors, Deputy Commissioner
February 25, 2013	Juneau: Susan Heuer, Dana Hallett, Pat Hefley, Diwakar Vadapalli, and Sylvan Robb met with Mike Lesman, Governor's Office
February 26, 2013	Juneau: Susan Heuer, Dana Hallett, Pat Hefley, Diwakar Vadapalli and Sylvan Robb met with Commissioner Bill Streur and Deputy Commissioner Ree Sailors and Mike Lesman, Governor's Office
February 26, 2013	Juneau: Susan Heuer, Dana Hallett, Pat Hefley, Diwakar Vadapalli and Sylvan Robb met with Representative Gara
February 26, 2013	Juneau: Susan Heuer, Dana Hallett, Pat Hefley, Diwakar Vadapalli, and Sylvan Robb met with staff from Senator Stedman's office
February 26, 2013	Juneau: Susan Heuer, Dana Hallett, Pat Hefley, Diwakar Vadapalli, and Sylvan Robb testified before House Health and Social Services Committee
February 27, 2013	Juneau: Susan Heuer, Dana Hallett, Pat Hefley, Diwakar Vadapalli, and Sylvan Robb met with Senator John Coghill
February 27, 2013	Juneau: Susan Heuer, Dana Hallett, Pat Hefley, Diwakar Vadapalli, and Sylvan Robb met with Representative Bob Herron
March 8, 2013	Teleconference with Christy Lawton, Director and Travis Erickson, Program Administrator
April 8, 2013	Kotzebue: Panel met with local OCS staff and partnering agencies
April 9, 2013	Selawik: Steve McComb and Kristin Hull met with partnering agencies
April 9, 2013	Noorvik: Diwakar Vadapalli and Dana Hallett met with partnering agencies
April 9, 2013	Noatak: Susan Heuer and Sylvan Robb met with partnering agencies
April 12, 2013	Teleconference with Christy Lawton, Director
May 10, 2013	Teleconference with Christy Lawton, Director
May 10, 2013	Interviewed Margie McWilliams for Panel membership
June 14, 2013	Teleconference with Christy Lawton, Director and Ree Sailors, Deputy Commissioner

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. The group met face to face four times this year and held 9 regular teleconferences, 11 subcommittee teleconferences, and ten additional teleconferences with guests in attendance. The Panel conducted one site visit in the Bethel region and one to Kotzebue and three area villages. A subset of the Panel traveled to Juneau to present to the House Health and Social Services Committee and meet with legislators and other key personnel in Juneau. The Senate Health and Social Services Committee was unable to accommodate a presentation by the group.

This year saw a milestone for the Panel as it had a strategic planning session for the first time. Bill Hogan, former Commissioner of Health and Social Services, facilitated the session. The group has been striving to formalize some of its processes and decision making and the strategic planning session helped with that effort. The subcommittee meetings were to follow up on issues that were raised during the strategic planning. Six subcommittees were formed, each headed by a different Panel member. They focused on decision making about issues on which to focus, data, outreach and advocacy, decision making on where to visit for site visits, communication, and training.

This has been another transition year for the Panel's membership. One member left the Panel after years of service and many years as the chair of the Panel. One new member was added this year that bring a wealth of experience and expertise to the Panel. Margie McWilliams from Juneau brings years of experience as a guardian ad litem and her analytical skills as an attorney.

We conducted two major regional site reviews this year. In December we visited Bethel and had a very productive visit with Travis Erickson of OCS accompanying us. In April we visited Kotzebue and three surrounding villages—Selawik, Noorvik, and Noatak. This marked the first time the Panel has visited communities in the Kotzebue area.

We collected a great deal of information 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 testified to the Alaska 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, Deputy Commissioner, Ree Sailors, and numerous individual legislators. We also continue to maintain our website for public outreach at www.crpalaska.org.

As more people become aware of the Panel's existence we receive more communication 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.

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 communication with the Panel. We look forward to continuing to work with her to improve child protection in Alaska in the coming year. Travis Erickson, Program Administrator, has been very involved with the Panel this year. He traveled to Bethel with Panel members and has attended several meetings and teleconferences. Working with Travis has been very helpful and informative.

After nearly ten years of service on the Panel, Susan Heuer, our chair, resigned from the Panel. Dr. Diwakar Vadapalli is the new chair of the Panel. Long time Panel member, Dana Hallett is vice-chair.

ISSUES THE PANEL IS INVESTIGATING

There have been several field offices around the state that have accumulated a large back-log of initial investigations. In most cases, these situations have occurred due to long-term staff vacancies. Sometimes there have been hundreds of cases with unclear resolution. It's not certain if an investigation was completed and just not entered into ORCA before a worker left, or if no work was done on a case.

In these circumstances OCS has assigned one or more staff members from other offices to assist in getting through the back-log of cases. These large numbers of cases were reviewed in some manner and closed in a remarkably short amount of time. The Panel is concerned about the effectiveness of the process. At this point the Panel needs more information to determine if these cases were resolved with appropriate outcomes and child safety was not compromised. The Panel will work with OCS leadership in gathering more information and assessing the circumstances leading to the backlog and the process of clearing the backlog.

RECOMMENDATIONS

During the year 2012-13 the Panel's work focused on following up on the previous years' recommendations. As a result, we do not have new recommendations this year. While some progress has been made on some of the recommendations, these issues remain our top priorities.

RECOMMENDATION 1

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

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%. Despite OCS' active efforts for the last nine years, no progress has been made. Clearly, a new approach is necessary.

Such a high turn-over rate is severely detrimental to the functioning of OCS.

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.

In the past year, OCS has taken steps to improve the staff turn-over rate. These efforts have included activities targeting points throughout the recruiting and retention process.

- Recruiting videos: Videos showing the working conditions and context were made available to potential employees. These videos are not meant as a sales tool (e.g. not putting the most positive spin on everything), but instead are intended to reflect an honest view of the communities and the challenges of the job. OCS wants to make sure new employees are fully informed before they join.

- Better training schedule: OCS has revamped new employees training. New employees now intersperse training sessions with experience in the field, allowing them to connect training material with their practice experience. Additionally, the training calendar for new employees has been changed so that new employees can get into training (and thus begin carrying a case load) sooner.
- Better mentoring program: OCS has strengthened its mentoring program so new employees have continued access to experienced staff. New employees are also having their case load increase more slowly so they aren't overwhelmed by having a full caseload with only a few weeks experience under their belt.

OCS conducted an employee survey to determine what needs employees have. In an innovative development, OCS created a 'travel team' of workers that can be sent to an office to fill-in during a staff vacancy so that the office doesn't fall hopelessly behind. In addition to the positive benefits this has for staff, the most important aspect is that it keeps children safer.

Despite these positive actions, much is yet to be done. The Panel will continue to monitor efforts in recruitment and retention and reduce the staff turn-over rate. This is an area of high concern and needs to be addressed to ensure a productive and stable workforce for OCS.

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.

Our recommendation last year identified the following needed improvements:

- Improve supervision of 'in-home' services to make it a viable option for cases that do not need removal
- Provide access to much needed services for those families where abuse/neglect may not necessitate removal
- Establish better control over cases involving non-responsive parents
- Ensure that 'mild but sustained' (thus threatening, in the long run) abuse/neglect is not ignored

We suggested that OCS use the available tool - 'non-emergency petition' outlines in section 2.4.1 of the OCS Child Protective Services Manual – to accomplish these goals. Additionally, we suggested that OCS establish a threshold number of reports to trigger a non-emergency petition before the situation escalates to necessitate a removal.

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.

OCS concurred with the utilization of non-emergency petitions. In the past year OCS presented this idea to the Court Improvement Project and garnered some support for it as a concept from the other involved parties. However, non-emergency petitions increase the work load of all parties whose involvement is invoked by a court filing. Consequently, there seems to be minimal enthusiasm for actual implementation. . The Panel acknowledges that it is unlikely that additional positions will be funded to allow this solution anytime in the near future. However, our concern remains. We recommend that OCS take other measures to ensure the safety of children left in their parents' care and timely progress toward a resolution of in-home cases.

While OCS did not concur with the suggestion to trigger a non-emergency petition upon reaching a threshold number of reports of maltreatment on any one child, there was agreement on triggering a supervisory review of the case. This is considerable change from previous practice. However, this new practice is still under consideration and development. While this is a positive development, it is important that this practice is institutionalized as soon as possible.

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.

We recommended that the Western 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. Even though Western Region only has three field offices, those field offices serve 56 villages covering a large geography that makes service provision a challenge.

When the Panel visited the Western Region this year, we heard from staff that they feel 'like the ugly step-sister.' They cited a conference attended by staff from all regions of OCS. At some point, attendees were directed to get into groups by region. The Western Region attendees noted that the other regions each had at least ten people in attendance, while they had two people. Western Region is a region, yet critical functions are being provided by each of the other OCS regions. We are sympathetic to OCS' challenge to make the staffing work given the small case loads. We know OCS has been investigating creative solutions such as joining needed functions into one job so there is enough work to justify the position. However, this issue needs to be resolved without another year passing.

In the report *State of Alaska FY2013 Governor's Operating Budget, DHSS Children's Services Management Component Budget Summary* in the 'Key Component Challenges' section a challenges is listed as "Continue support to the Western Region to full development of regional functions." Additionally in the same report in the section 'Significant Changes in Results to be Delivered in FY2013' the report notes that "Full and stable staffing in the Western Region will help improve service delivery to

Bethel and surrounding communities.” We strongly agree with this statement and urge OCS to find a solution to provide Western Region with the staff to perform all regional functions for itself.

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.

In the past year nothing has changed on this issue. During our visit to Juneau in February we spoke to Commissioner Streur about this issue. He suggested that OCS data compiled by zip code areas should suffice. A quick review leaves this solution with the same problem as mentioned above. Zip code areas do not coincide with OCS regions. We also shared our concern with the House Health and Social Services Committee.

As an illustration, as states in the third recommendation, OCS is finding it hard to provide a full complement of specialized staff to Bethel region owing to its low case loads. However, if one considers the number of substantiated cases per 1000 children residing in the region, this will certainly shed more light in comparison to other OCS regions in the state. This perspective is just not possible at this time because it is almost impossible to know how many children reside in each of the OCS regions. Many similar allocation decisions hinge on the knowledge of relative severity of needs among various regions.

While OCS acknowledged the need, the Panel is disappointed that OCS fails to recognize the seriousness of the need and refuses to initiate any action. While the panel understands that other departments and divisions may all have different boundaries, many of them coincide with some other existing boundaries

that allow meaningful comparisons among regions. While it may be expensive to attempt to realign the boundaries, lack of action due to more pressing technical needs hardly seems justifiable.

The Panel will continue to try to impress upon OCS, DHSS, and the Legislative committees that it is extremely important to be able to assess the severity of need in making decisions of resource allocation among regions.

COMMENDATIONS

We commend Susie Heuer for her work as a member and chair of the Citizen Review Panel. Her tireless work for the Panel and strong advocacy for Alaska's children will be greatly missed on the Panel. We also commend Steve McComb and Pat Hefley for their excellent, insightful service on the Panel.

Respectfully submitted by the Citizen Review Panel:



Diwakar Vadapalli, Chair

Electronically signed
June 30, 2013



Dana W. Hallett, Member

Electronically signed
June 30, 2013



Kristin Hull, Member

Electronically signed
June 30, 2013



Margaret McWilliams, Member

Electronically signed
June 30, 2013



Stella Klein Schuchardt, Member

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