# PREVENTION & EARLY INTERVENTION COMMITTEE SHIFTING TO COMMUNITY SUPPORTING

AND BUILDING A COMMUNITY PATHWAY FOR SUCCESS

MARCH 1, 2023



## **OUR PRESENTERS**



Kathy Icenhower Co-Founder & CEO SHIELDS for Families PEI Co-Chair



David Swanson Hollinger Director Child Welfare Services Ventura County PEI Co-Chair



Dana Blackwell Senior Director CA Strategic Consultation Casey Family Programs



Daniel Webster Project Scientist & Principal Investigator CCWIP



**Roger De Leon, Jr.** Parent Partner Riverside County, Children's Services Division



**Ebony Chambers** Chiel Equity & Partnership Officer Stanford Sierra Youth & Families



Katie Albright Senior Advisor, former CEO Safe & Sound



Kimberly Giardina Director Health & Human Services San Diego County



Tamara Hunter Executive Director Commission for Children & Families Los Angeles County



Ivy Breen Director Child Welfare Services Humboldt County



## **SETTING THE STAGE**

#### **PEI Has Been Building Toward This Moment**

- Our Committee is charged to work on issues of prevention and early intervention
- Tripled membership with diverse multi-sector, multi-stakeholder leaders from public systems and community partners, and individuals with lived expertise
- September 2020: Request from CWC/DHCS to provide initial recommendations on FFPSA (Part I) planning
- January 2022: Recommendations approved by CWC
- November 2022: CWC (Dr. Ghaly) requests detailed recommendations to guide FFPSA planning and implementation



## **SETTING THE STAGE**

#### Now is the Time to Leverage the Momentum

- **FFPSA opens the door to family strengthening**, moving past secondary and tertiary prevention
- **Recommendations for shifting from mandated reporting to community supporting,** as made by The Citizens review panel report, and documented in the issue brief from Safe & Sound
- Growing consensus that a Community Pathway is essential to reform Mandated Reporter policies and practices.
- Unprecedented agreement that we must address the structural racism embedded in our child and family serving public systems, based on the data which shows over surveillance at the front end and along the continuum.

# WE ALL HAVE A ROLE TO PLAY

Dana Blackwell, Casey Family Programs MARCH 1, 2023



# MANDATED REPORTING TO COMMUNITY SUPPORTING

Daniel Webster, California Child Welfare Indicators Project MARCH 1, 2023



#### **Child Neglect Definition**

California Penal Code § 270:

when a parent or legal guardian willfully (and without lawful excuse) fails to provide necessities such as clothing, food, shelter or medical attendance, or other remedial care...

Neglect is a vague, broad term that may be conflated with poverty, and which obscures complex, concurrent risk factors such as parental substance use, domestic violence, and mental illness.



#### What is Investigated as Neglect?

In a representative sample of 295 neglect investigations from California, structured data and narrative text fields were used to characterize the most common types of neglect (inadequate supervision, failure to protect, physical neglect) and to document concurrent parental risk factors investigated by the child protection system.

Original Manuscript

#### What Does Child Protective Services Investigate as Neglect? A Population-Based Study

Child Malcreatment 2022, Vol. 0(0) I–12 © The Author(s) 2022 COMPART State Article reuse guidelines: sagepub.com/journals-permissions DOI: 10.1177/10775595221114144 journals.sagepub.com/home/cmx SAGE

Lindsey Palmer, PhD<sup>1</sup><sup>(0)</sup>, Sarah Font, PhD<sup>1</sup><sup>(0)</sup>, Andrea Lane Eastman, PhD<sup>2</sup>, Lillie Guo<sup>2</sup>, and Emily Putnam-Hornstein, PhD<sup>2,3</sup>

#### Abstract

Most child protective services (CPS) investigations involve allegations of neglect. Broad and vague definitions have led to concerns that CPS-investigated neglect is driven by poverty-based material hardship. In a representative sample of 295 neglect investigations in California in 2017, structured data and narrative text fields were used to characterize the types of neglect and concurrent parental risk factors investigated by CPS and to assess the rate and nature of investigated physical neglect, defined as inadequate food, housing, or hygiene. The most common types of neglect were inadequate supervision (44%) and failure to protect (29%), followed by physical neglect (14%). Common risk factors identified in neglect investigations were parental substance use (41%), domestic violence (21%), mental illness (18%), and co-reported physical or sexual abuse (29%). Nearly all investigations of physical neglect (99%) included concerns related to substance use, domestic violence, mental illness, co-reported abuse or an additional neglect allegation (i.e., abandonment). Given concerns identified in neglect investigations, economic supports are likely insufficient without an array of behavioral-health supports.

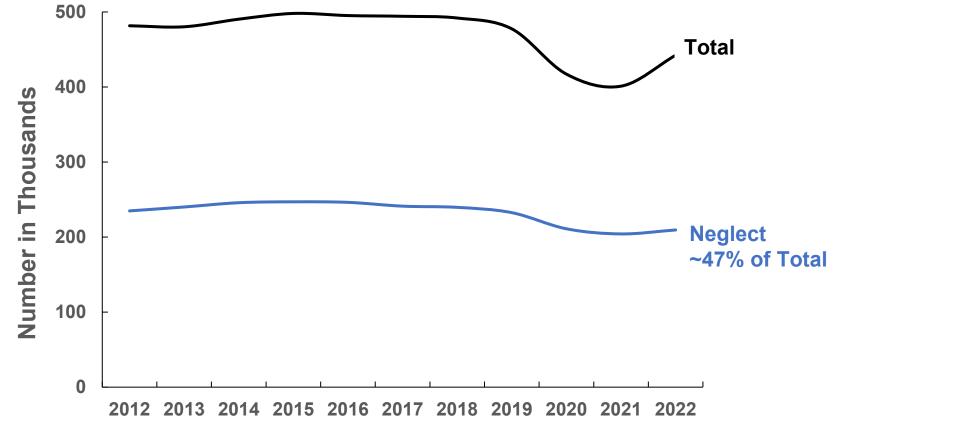
Parental <u>substance use, mental illness,</u> <u>domestic violence, and co-reported</u> <u>abuse</u> were present in more than three quarters of all investigations, regardless of neglect type.

"...preventing or alleviating harm due to neglect requires a detailed understanding of both how and why a child's needs were unmet." (p.7)



## **Children with an Allegation of Abuse or Neglect**

Almost half a million children each year are the subject of an allegation, and over 200k of these children (47%) are reported under the vague 'neglect' category.

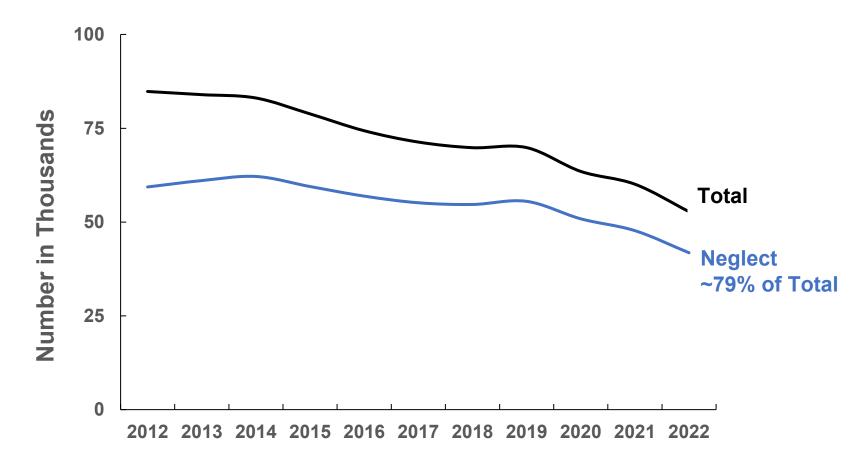


Source: Children with an Allegation of Abuse of Neglect, California Child Welfare Indicators Project (CCWIP), CDSS / U.C. Berkeley



## **Children with a Substantiated Allegation**

Neglect comprises an even larger proportion of children who are system-involved the further you go along the child welfare continuum-—accounting for over three fourths of children each year whose allegations are substantiated.

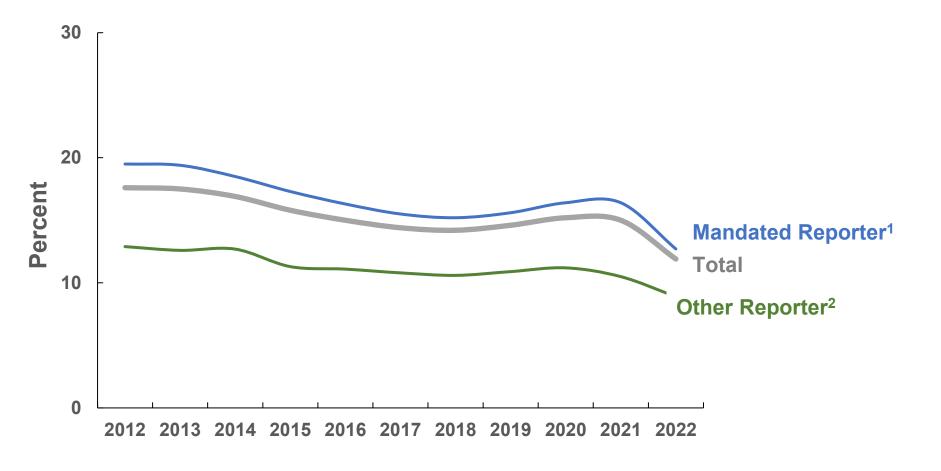


Source: Children with a Substantiated Allegation, California Child Welfare Indicators Project (CCWIP), CDSS / U.C. Berkeley



#### **Substantiations as Percent of Allegations**

Of all the children with an allegation each year, about 12% are found to be substantiated as victims; this proportion is higher for mandated reporters than for other reporter types.

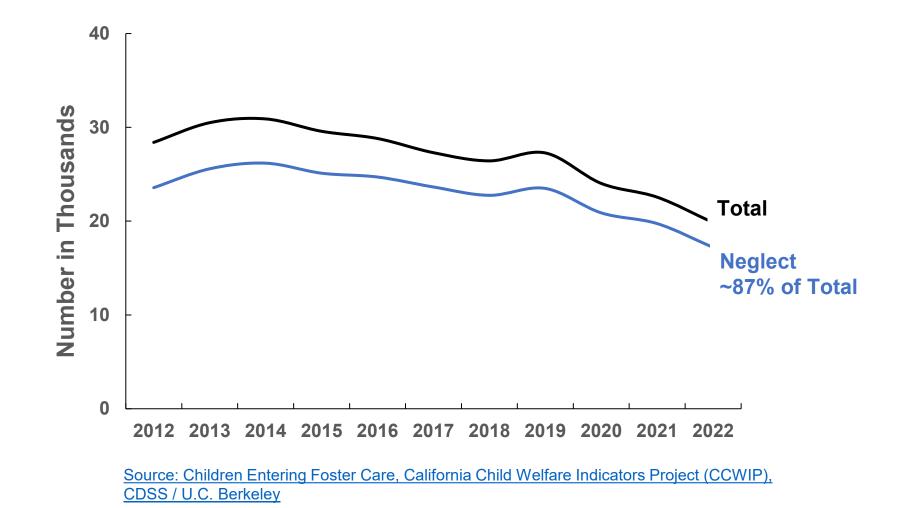


Source: Substantiations as Percent of Allegations, California Child Welfare Indicators Project (CCWIP), CDSS / U.C. Berkeley



#### **Children Entering Foster Care**

Among children entering foster care, the proportion removed from their families for reasons of neglect approaches 90% (and, more than half of children removed for reasons of neglect were age 5 and under).

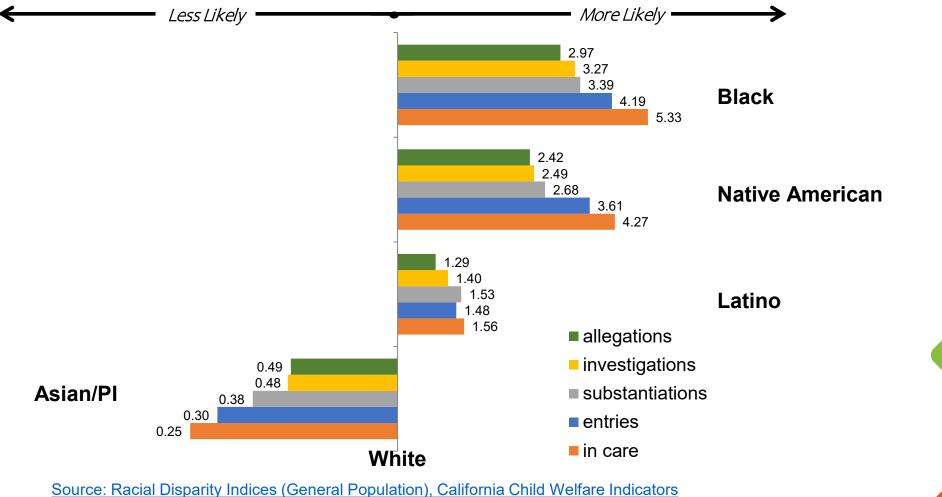




## **Racial Disparity Indices (General Population)**

Ethnic Group Disparity Compared with White Children along CW Continuum

Some ethnic groups (especially African American and Native American Children) are much more likely to experience CWS involvement, which becomes more pronounced at deeper levels along the continuum.



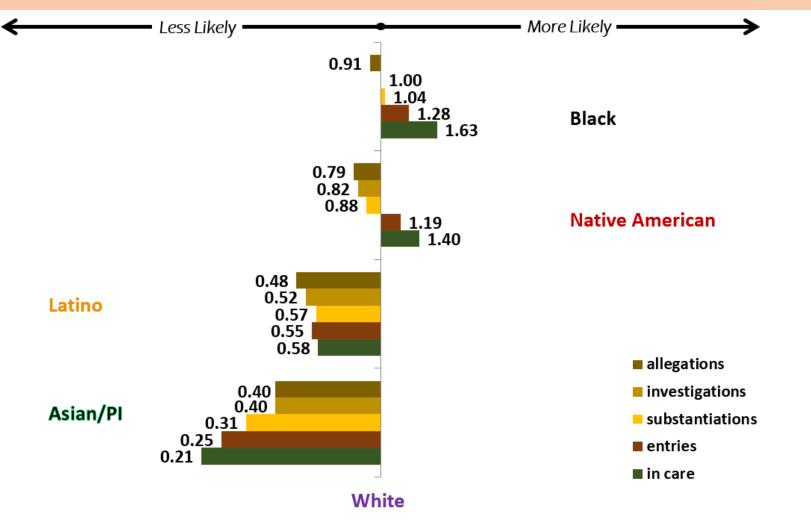
Project (CCWIP), CDSS / U.C. Berkeley



## **Racial Disparity Indices (Poverty Population)**

Ethnic Group Disparity Compared with White Children along CW Continuum

Even when controlling for poverty, disparity of system involvement is notably larger for African Americans and Native Americans than for other children.





Source: California Child Welfare Indicators Project (CCWIP), CDSS / U.C. Berkeley https://ccwip.berkeley.edu/childwelfare/reports/PovertyDispInd/STSG/r/rts/s

# WHY THIS MATTERS & WHY NOW

## FROM MANDATED REPORTING TO COMMUNITY SUPPORTING

Katie Albright, Safe & Sound MARCH 1, 2023



## **SAFE & SOUND**

#### Fifty years of experience supporting children, parents, caregivers, and families.

- Lead/co-lead San Francisco Child Abuse Prevention Council, San Francisco Children's Advocacy Center, San Francisco Family Resource Center Alliance, and San Francisco Family Support Network
- Co-Chair Marin County Child Abuse Prevention Council
- Member Greater Bay Area Child Abuse Prevention Council Coalition
- Co-Chair California Family Resource Association's Policy Committee
- Member Citizens Review Panel
- Member CWC/Prevention & Early Intervention (PEI) Committee
- Member CDSS Pre-Petition Representation Work Group

**AND,** as a designated trainer for mandated reporters of suspected child abuse and neglect, we acknowledge that we are complicit in participating in a system that is inequitable and often harmful to the children it is intending to protect.

#### **CREATING A CHILD & FAMILY WELL-BEING SYSTEM:**

A Paradigm Shift from Mandated Reporting to Community Supporting



**Creating a Child & Family Well-Being System:** A Paradigm Shift from Mandated Reporting to Community Supporting



Safe & Sound September 2022



#### **THE ISSUE BRIEF WAS A TEAM EFFORT!**

#### **Partners In Developing this Brief**

- California Department of Social Services/Office of Child Abuse Prevention
- Child Welfare Council/Prevention and Early Intervention Co-Chairs: Kathy Icenhower and David Swanson Hollinger
- Greater Bay Area Child Abuse Prevention Council Coalition
- i.e. communications: Laurie Kappe and Beth Kuenstler

- Casey Family Program: Dana Blackwell, Justin Lee, Peter Pecora, Kim Ricketts, Toni Rozanski, and Jack Trope
- California Citizen Review Panel on Prevention of Child Abuse and Neglect
- California Child Welfare Indicators
  Project: Daniel Webster



#### **THE ISSUE BRIEF WAS A TEAM EFFORT!**

#### **Stakeholders provided insights and quotes:**

- Kimberly Brown, Teacher, Dr. Charles R. Drew College Preparatory Academy
- Jada Curry, Community Organizer, Member of the BIPOC Family Justice Summit Organizing Committee
- Kimberly Giardina, Director Child Welfare Services, County of San Diego Health & Human Services Agency
- Dr. Claire Gibson, Neonatology Specialist, University of California San Francisco
- Michael Funk, Director, Expanded Learning Division, California Department of Education

- Jessica Mateu-Newsome, Program Director, Family and Children's Services, San Francisco Human Services Agency
- Jerry Milner and David Kelly of Family Integrity & Justice Works
- The Honorable Judge Martha Matthews, California Superior Court, Los Angeles County
- Shelley Lopez, Survivor, Parent and Advocate
- Dr. David Sanders, Executive Vice President of Systems Improvement, Casey Family Programs
- David Swanson Hollinger, Deputy Director, Ventura Children and Family Services, Co-Chair, Prevention and Early Intervention Committee of the California Child Welfare Council

### WHY THIS MATTERS

"My daughter was born medically fragile. I had no support from my family. I didn't know where to go for help. I didn't know how to ask for help because I didn't know what I needed. The domestic violence in our home got worse because of the stress of being parents of a child with significant needs. When the police called CPS, I had no idea that my child could be removed because I was a victim of domestic violence. How could they take her away? *I believe my experience—and my daughter's life—would have been* different if we had support, if someone had explained the "failure to protect" laws. Even though my daughter was in foster care for less than a year, she continues to suffer from the experience."

- Shelley Lopez, Survivor, Parent and Advocate

#### **PERSPECTIVES ON THIS PARADIGM SHIFT**

"The shift from mandated reporter to a community of supporters can't happen without complete transparency. Transparency about how our own implicit biases lead to harm. Transparency about who is harmed, and how. Transparency about what happens to a family once they are reported. The shift is possible, but the system has been insular for so long, it must open up to the community so we can all heal and co-create a solution."

*— Jada Curry, Community Organizer, Member of the BIPOC Family Justice Summit Organizing Committee and Author of 2021 BIPOC Family Justice Summit Report* 

"...policymakers and advocacy groups that are singularly focused on increasing surveillance in the name of safety do not see the collateral damage it causes to real people that care about their children and children themselves. Damage includes unnecessary separation, trauma, the inclusion of names on registry lists that will forever limit employment opportunities and economic mobility, and countless other indignities and ongoing threats to the well-being of children and parents."

— Jerry Milner and David Kelly, Family Integrity & Justice Works

#### **PERSPECTIVES FROM MANDATED REPORTERS**

"When we discuss the data, people are shocked. Black and Native American children and families are touched by the child welfare system at significantly higher rates than other groups. Understanding this disproportionality helps us examine our own biases and start to think about how we can be part of the change instead of part of the problem."

— Jessica Mateu-Newsome, Program Director, Family and Children's Services, San Francisco Human Services Agency

"This is the only mandated reporter training I have taken that talks about disproportionality within the Child Welfare system. . . . I appreciated the inclusion of cultural considerations for each type of abuse and the discussion we had about how to mitigate bias in reporting."

- Training Survey Feedback, San Francisco Mandated Reporter

#### **FEAR-MOTIVATED REPORTING**

"The child welfare system has historically been rooted in fear: fear of the rare tragic cases of severe abuse that are missed, and the consequences to the children and professionals involved. We must resolve the dilemma of keeping children safe and supported without magnifying the feeling of threat, fear, and surveillance often associated with mandated reporting."

*— Kimberly Giardina, DSW, MSW, Director Child Welfare Services, County of San Diego Health & Human Services Agency* 

"We want educators, clinicians, and case managers to have more room to offer support and collaborate with families to build strengths rather than send them into a fear-based system of surveillance that may not result in greater safety for the child. When the risk of imminent danger to a child is low, we must be able to engage in offering sincere support with integrity, and without the shadow of fear that accompanies the obligation to report."

- Dr. Malcolm Gaines, Senior Clinical Projects Director, Safe & Sound

#### **MANDATED REPORTERS WANT TO SUPPORT**

"Making a CPS report as a health care provider is like a black box where no communication comes back out from the system. This is a missed opportunity for collaboration between child welfare and health care providers. We are written out of the equation once a report is made, which drives a wedge between the provider and the family."

*— Dr. Claire Gibson, MD, Neonatology Specialist, University of California San Francisco* 

"Before and after school program staff typically live in, and are from, the same communities as the families who benefit from these programs. Their relationship with the families is not transactional, which is what most families experience from the systems that are meant to support them. Doing the work to see, know, and support kids and families takes time and intentionality. This is the hard work that these families need and deserve. We call it 'leading with love.'"

— Michael Funk, Director, Expanded Learning Division, California Department of Education

### MANDATED REPORTERS ENDORSE A COMMUNITY PATHWAY

"Current laws and policies on mandated reporting, together with a lack of access to community-based supports for all families, may inhibit teachers, health care professionals, and other mandated reporters from engaging in creative problemsolving and helping to build family strengths and protective factors."

— The Honorable Judge Martha Matthews, California Superior Court, Los Angeles County

"I care deeply about my students. If a child is falling asleep in class or going to extreme measures to get more food at school, I try to talk to them to see how I can help. Sometimes I'm just not sure how to get them enough support without involving child protective services because I don't have connections to the resources that these children and their families need."

- Kimberly Brown, Teacher, Dr. Charles R. Drew College Preparatory Academy

## FAMILY RESOURCE CENTERS' ROLE IN A COMMUNITY PATHWAY

#### **FRCs are effective:**

- **45% reduction in cases of child abuse and neglec**t, and significantly lower rates of child maltreatment investigations. (National Data/Casey Family Programs)
- Direct child welfare savings of \$3.65 for every \$1.00 spent on prevention services through the FRC. (September 2021 Study at the Westminster Family Resource Center in Orange County, California)
- Families demonstrated statistically significant increases in parent hope, affect, and flourishing, and approximately **90% of parents made progr**ess towards their identified goals and reported high levels of hope. (A 2020/2021 study of FRC supports to families at Pathways to Hope for Children in **Shasta County**)
- Comprehensive home visiting services provided through a network of FRCs reduced the risk of substantiated child abuse and neglect complaints in participating families. (An external evaluation of the Sacramento's Birth and Beyond Program)

## LEGISLATIVE ANALYST OFFICE ASKS KEY QUESTIONS TO CONSIDER

- Do mandated reporters receive sufficient training, in particular implicit bias training? Should all mandated reports go directly to the child welfare agency?
- Could some reports instead be referred to services or some other type of intervention—based on a mandated reporter's professional judgment, experience and specific state guidance and training?
- How can the state ensure child safety is prioritized while reforming mandated reporting?
- Are there statutory changes or clarifications that should be made to the definition of neglect?
- What data should the state collect to better understand the cases of neglect? Could this data inform future policy changes?
- How can the Legislature help ensure poverty alleviation programs and child welfare supports are complimentary?
- Which programs are most likely to contribute to a reduction in child maltreatment, and what are the budgetary implications?

— Legislative Analyst Office, <u>Initial Analysis and Key Questions: Racial Disproportionalities and</u> <u>Disparities in California's Child Welfare System</u>, Presented to the Assembly Budget Subcommittee No. 1 On Health and Human Services (March 2022).

#### Initial Analysis and Key Questions:

MARCH 9, 2022

#### **Racial Disproportionalities and Disparities**

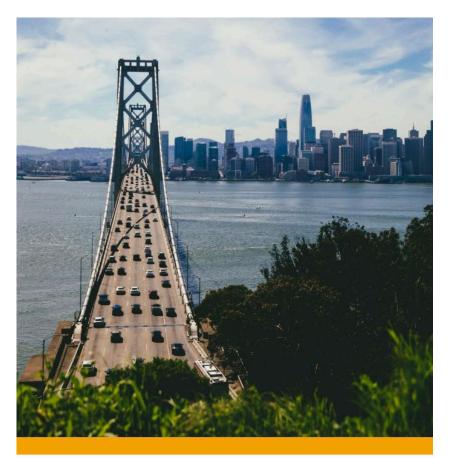
#### in California's Child Welfare System

NTED TO: Assembly Budget Subcommittee On Health and Human Services Hon. Joaquin Arambula, Chair

LEGISLATIVE ANALYST'S OFFICE



## **CITIZEN REVIEW PANEL CALLS FOR TASK FORCE**



California Citizen Review Panel 2021-2022 Annual Report





There are promising practices that provide opportunities to reduce the number of families who are reported to Child Welfare.

This Year's Recommendations for CDSS Action:

- Lead a coordinated statewide effort to review and reform the mandated reporting system in California.
- Sponsor one or more "Mandated Supporter" pilot program(s) in local jurisdiction(s).

 California Citizen Review Panel 2021-2022,
 <u>Annual Report to the California Department of</u> <u>Social Services</u> (September 2022).



#### **ASSEMBLY BILL 2085 REVISES DEFINITION OF NEGLECT**

As used in this article, "neglect" means the negligent treatment or the maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare. The term includes both acts and omissions on the part of the responsible person....

"General neglect" means the negligent failure of a person having the care or custody of a child to provide adequate food, clothing, shelter, medical care, or supervision where no physical injury to the child has occurred <u>but the</u> <u>child is at substantial risk of suffering serious physical harm or illness.</u> "<u>General neglect</u>" does not include a parent's economic disadvantage.

— California Penal Code Section 11165.2(b), emphasis added to indicate <u>Assembly Bill 2085</u> amendments (effective January 1, 2023).

## [PROPOSED] NEXT STEPS

#### Child Welfare Council Prevention & Early Intervention Committee

#### Statewide Mandated Reporting to Community Supporting Task Force



# THE NECESSITY OF TRANSFORMATION

#### COUNTY PRESENTATIONS MARCH 1, 2023



# PEI COMMUNITY PATHWAY RECOMMENDATIONS

Kathy Icenhower David Swanson Hollinger MARCH 1, 2023



#### **RECOMMENDATIONS: CORE TENETS**

- California's vision for Child, Family and Community Well-Being, centered on equity and social justice and respect for tribal sovereignty, requires an approach that is dependent upon the successful implementation of a Comprehensive Prevention Plan (CPP) in each County.
- The CPP must be co-created with individuals, parents and families with lived expertise in order to build a Community Pathway that is available for families to access culturally derived, appropriate, relevant and responsive services and supports, that are located in their community, from organizations and community partners they know and trust.
- Success will only be realized if current practices and policies regarding mandated reporting, and responses to child abuse and neglect allegations, are dramatically reformed.

#### **RECOMMENDATION 1: SHIFTING THE FOCUS**

**Implement a statewide Mandated Reporting to Community Supporting Task Force,** in alignment with the recommendations of the <u>California Citizen Review Panel</u>, by July 2023. The Task Force shall be implemented under the auspices of the Child Welfare Council with oversight by the PEI Committee and in partnership with CDSS. It will lead a coordinated statewide effort to reform the mandated reporting system in order to avoid child welfare system involvement for families that can be supported in the community.

Task Force goals are to provide guidance and actionable recommendations regarding: 1) Legal and legislative reform, including setting limits on liability and narrowing the legal definition of neglect; 2) Redesign of mandated reporter training to shift the focus to child safety and address disproportionality, implicit bias and the consequences of over surveillance; 3) and policy and practice reforms necessary to implement the change.

**The Task Force shall provide quarterly updates and a final report.** All reports will be delivered at Child Welfare Council meetings. The final report will be delivered at the end of Fiscal Year 2023-2024.

#### **RECOMMENDATION 2: ACCOUNTABILITY/OVERSIGHT**

Community Pathways will only be successful if they are built by and for families in the community, with an intentional focus on communities impacted by disparities and disproportionately. Resources and supports must match the needs and assets of the community, be accessible and culturally responsive, and be available from community partners that families know and trust.

There needs to be planning AND oversight specific to the Community Pathway at both the State and County level, that incorporates youth and parents with lived expertise, community residents and community partners.

**Therefore, we recommend** a State Community Pathway Advisory Group be established as a subcommittee of the State FFPS Advisory Committee. Further, the State should encourage all Counties implementing a Community Pathway to implement and maintain an Advisory Committee or use an existing similar group to provide the accountability and oversight of services and outcomes achieved, in alignment with local system of care integration (AB 2083).

## **RECOMMENDATION 3: CONSISTENT DEFINITIONS**

California should develop a statewide Community Pathway implementation framework that ensures access for all families regardless of FFPSA candidacy and/or eligibility.

While each county requires flexibility, core components are necessary statewide for achievement of the State's vision, inclusive of consistent definitions and identified outcomes that are informed by individuals with lived expertise, community residents, and community partners.

#### We recommend these core components include:

- No Wrong Door
- Build on and Integrates Existing Resources
- Defines the Roles of Publix and Private Cross System Partners
- Equitable Access and Services
- Build on Community and Lives Expertise
- Supportive of the Protective Factors



## **RECOMMENDATION 4: FINANCING**

Financing the Community Pathway requires identifying resources and funding that support an equitable continuum of care, knowing how to blend and braid that funding, and creating equitable procurement and claiming methods so ALL community partners can participate in Community Pathway delivery.

For Counties to implement equitable and accessible resources and supports, the must be intentional in their financial planning. To help counties be successful, the State must provide guidance and support, and assist with eliminating barriers.

#### We recommend:

- Counties conduct Community Pathway Inventories that focus on resources and funding unique to their communities.
- Every effort be made to **build on existing resources and services**.
- Counties incorporate strategies that develop infrastructure and support sustainability.
- Equitable procurement strategies so non-traditional partners can participate.
- Community Pathway Advisory Committees advise on decisions regarding reimbursement and funding allocations.
- The State provide clear definitions and guidance on concepts that impact financial planning, such as "Payor of Last Resort" and "imminent risk."

#### **RECOMMENDATION 5: MEASURABLE OUTCOMES OF WELL-BEING AND ACCOUNTABILITY**

In order to determine if the Community Pathway is effective and generating better results for families, there must be a mechanism to continuously determine if children and families are better off than they were.

In addition to required FFPS data, outcomes should include: (1) expanded access to community-based supports and services— formal and informal, (2) partnerships developed or enhanced amongst key community partners, (3) families getting access to what they want, when they want it and (4) impact of community-based service delivery (items 1-3) on child welfare involvement.

To do so, we recommend the State and Counties implementing a Community Pathway:

- Work in collaboration with the Community Pathway Advisory Committee to develop key indicators of success that are informed by parents, youth and children with lived expertise and community residents.
- Incorporate the voice of parents, youth and children into the data collection process.
- Ensure the ongoing review of data to assess progress on outcomes, as well as adjustments and/or enhancements needed.

## **RECOMMENDATION 6: SERVICES AND PRACTICES**

Community Pathways should include evidence-based practices (EBPs), as well as primary and secondary services and supports that are reflective of, and tailored to, the needs and strengths of families and communities, as advised by stakeholders including those with lived expertise

Critical to this service array is: 1) support to counties and community partners to promote staff training and capacity building to successfully implement selected EBPs, 2) the integration and expansion of primary and secondary services and supports, and 3) cultivation and identification of community-defined best practices and culturally responsive EBPs for future inclusion in the state FFPSA plan.

#### To do this we recommend:

- The State support the training and technical assistance required to effectively deliver EBPs.
- Community Pathways include services and supports that target the needs of all families, with emphasis on building the service capacity of grassroots partners.
- The State use Community Pathway success indicators to identify evidence for community-defined evidence-based practices for future inclusion in the FFPSA plan.
- State level training and technical assistance continue to support and coordinate FFPS services.

#### **RECOMMENDATION 7: TRAINING AND TECHNICAL ASSISTANCE**

The State should provide training and technical assistance (TA) to counties specific to Community Pathways and and in support of implementation of ALL the recommendations stated in this package.

Any technical assistance provided should also be available to community partners and community members involved in planning and development.

#### To do so, we recommend the State include:

- Accessible Training and TA Infrastructure: Develop a central training and TA support infrastructure, accessible to public systems, community partners, Tribal Families, and individuals with lived expertise.
- **Usability:** Ensure that training and TA recognize and address the need for varied audiences/users to interact with, learn from, and develop capacity together.
- Vendor Selection: Utilize an advisory process that intentionally leverages the expertise of the State's Community Pathway Advisory Committee.
- Alignment of Training and TA Content with FFPS Vision: Prioritize existing strategies that promote integrated systems and service approaches.
- Oversight and Accountability: Utilize the State's FFPS Community Pathway Advisory Committee to guide development and oversight of these strategies.

## **QUESTIONS & DISCUSSION**



