

# 2014-15 CAPTA CITIZEN REVIEW PANEL REPORT

---

In 1996, an amendment to the Child Abuse and Prevention Treatment Act (CAPTA) mandated that every state establish at least three Citizen Review Panels (CRPs) to review systemic issues within public child welfare and make recommendations to improve related policies, procedures, and practices. The Act requires panels to submit a report to the state child welfare agency annually and, within six months, the agency must respond to the report.

The Oregon Department of Human Services (DHS) transferred responsibility for administering the panels to the Oregon Judicial Department's Citizen Review Board (CRB) in 2012. This year, the CRB established three panels in Douglas, Lane, and Multnomah counties. Panel members included volunteer citizen review board members, judges, DHS staff, attorneys, court appointed special advocates and staff, foster parents, former foster youth, and other community stakeholders involved in the child welfare system.

Panels met at the Oregon Garden on July 14th and 15th, 2014 for a two-day kickoff session. Attendees

heard from Lois Day, Director of DHS' Office of Child Welfare Programs, about agency priorities and federal planning processes. Panels were then asked to brainstorm a list of system issues in each of their counties. Each panel prioritized those issues and selected one to explore throughout the year. Multnomah and Douglas counties initially chose placement with relatives as their area of focus and Lane County chose services and supports for older youth in foster care.

Between August 2014 and March 2015, each panel examined federal and state laws and policies, and reviewed data and resources. Panels also met with community stakeholders, including local juvenile court judges and staff, current and former foster youth, child welfare managers and staff, child advocates, attorneys, foster parents, service providers, educators, and business leaders to discuss system issues and review draft recommendations. In April 2015, each panel hosted a community forum to share their findings and draft recommendations, and solicit community input and recommendations.

*The Citizen Review Panels would like to extend a warm thank you to all the community members who attended panel meetings. Your questions, comments, and support for the CAPTA work was greatly appreciated.*



# DOUGLAS COUNTY CITIZEN REVIEW PANEL

## PANEL MEMBERS

### Citizen Review Board

#### Volunteers

Maria Bianchi  
Jennifer Doerner  
Tom Nikirk  
Jack Rone  
Linda Wells  
Robyn Widmann  
*Staff*  
Walt Gullett

### CASA

Katherine Elisar  
Susan Knight

### Dept. of Human Services

Darlene D'Angelo  
Sandy Henry  
Lisa Lewis

### Dept. of Justice

Summer Baranko

### Public Defense

Warren Bruhn  
Kathryn Kosstrin  
Gina Stewart  
Jason Thomas

## FOCUS

Significantly reduce the number of children with a permanency goal of another planned permanent living arrangement and eliminate it entirely for children under the age of sixteen.

The Douglas County CRP identified increasing relative placements and relative connections immediately after a child is placed in foster care as a priority area to explore. As they began to evaluate data related to the county's children in foster care, the panel's attention was drawn to the concerning number of children with a permanency goal of Another Planned Permanent Living Arrangement (APPLA). Recent federal legislation has mandated the elimination of APPLA as a permanency goal for children under 16 years of age. The Douglas County panel strongly supports this shift.

Given that APPLA on its face is the least permanent option for children in foster care, the panel decided to narrow their focus to significantly reduce the number of children with APPLA as a permanency goal and eliminate it entirely for children under the age of 16. With strong support from DHS, the panel was able to collect detailed data on the county's 77 children in foster care with a permanency goal of APPLA.

The statistics paint a disturbing picture:

- Over the last five years, these 77 children have experienced 350 placements, with an average of over 4 placements per child;
- These children spent an average of 70.3 months in foster care; and
- Five children under the age of ten have a permanency goal of APPLA.

At the panel's meetings with child welfare stakeholders, conversation centered on court and child welfare agency processes within the county. Agreement was reached that things had been done in certain ways in Douglas County for many years and it was time to reevaluate how the system operates. A suggestion was made to reinvigorate the county's Model Court Team given that a new referee will soon be taking responsibility for the juvenile docket. Panel members and stakeholders agreed that this convening of the court, agency, attorneys, court appointed special advocates (CASA) and other stakeholders would be a good place to discuss how the

## What does APPLA look like in Douglas County?

(point in time data from November 2014)

### 77 children in foster care (about 23%) had APPLA plans.

- ◆ Together, they had 350 placements in the last 5 years.
- ◆ They averaged about 6 years in foster care.
- ◆ 23 were placed with a relative.
- ◆ 26 (34%) were age 13 or younger.
- ◆ 5 were under age 10 (the youngest was 3).



system could be reconfigured to more effectively serve children and families, and to have a conversation about shared values to ensure that everyone is working toward a shared set of goals for systemic reform based on agreed principles.

Since the panel began its work, much progress has already been made. A CASA is now assigned to every child with an APPLA goal. DHS also conducted Permanency Round Tables on 17 children with APPLA goals and 12 of them now have goals that will lead to greater permanency.

At the panel's public forum in April, DHS reported that while the 17 Permanency Round Tables were conducted by DHS' Central Office with its own prescribed processes, future round tables could be administered locally. Douglas County DHS would then be able to tailor the process to meet local needs. For example, attorneys and CASA could be invited to participate. Panel members agreed with a local attorney at the public forum that attorney presence during round tables is critical given that they have been working so closely with the children, often over a period of years.

Also at the public forum, DHS reported that there has been a significant spike in the number of children in care. Last summer, there were approximately 271 children in care and there are now 400. This important change must be explored further by all system stakeholders, and the re-invigorated Model Court Team is a viable venue to have this conversation.

## Panel Recommendations

1. DHS immediately eliminate APPLA as a permanency goal for all children aged 15 and under.
2. The court appoint a CASA for any child with an APPLA permanency goal, beginning immediately.
3. The court reinvigorate the Douglas County Model Court Team and convene the team in a strategic planning effort to:
  - a. Develop shared values to guide practice,
  - b. Identify and challenge the "way we've always done things in Douglas County" and develop and implement new methods and practices that better serve children and families,
  - c. Further define the systemic financial disincentives to permanency – developing methods to ensure the system pays for what children and families actually need, and
  - d. Define methods to create urgency for permanency when children are placed in a safe relative placement.
4. DHS adopt policy as soon as possible mandating that all verbal children be asked, throughout the life of the case, about possible relative placements and connections.
5. DHS develop its own local process and conduct permanency round tables on a regular basis for any child in care whose permanency goal is APPLA. As part of the permanency round tables, DHS invite other county agencies, like employment, health, and education, as there might be other resources available to children of which DHS may be unaware.

# Lane County Citizen Review Panel

## PANEL MEMBERS

### Circuit Court

Hon. Eveleen Henry  
Hon. Valerie Love

### Citizen Review Board

#### Volunteers

Maria Bybee  
James Horton  
Bev Schenler  
Roz Slovic

#### Staff

Lisa Romano

### CASA

Jean Mestdagh

### Dept. of Human Services

Sydney Putnam  
Julie Spencer  
Bridget Byfield

### Foster Youth

Michelle Palmer

### Foster Parent

Tiffany Olsen

### Independent Living

Andrea Hansen-Miller

### Private Attorney

Cathy Ouellette

### Public Defense

Tricia Hedin

## FOCUS

Increasing safety and permanent connections for older youth in foster care.

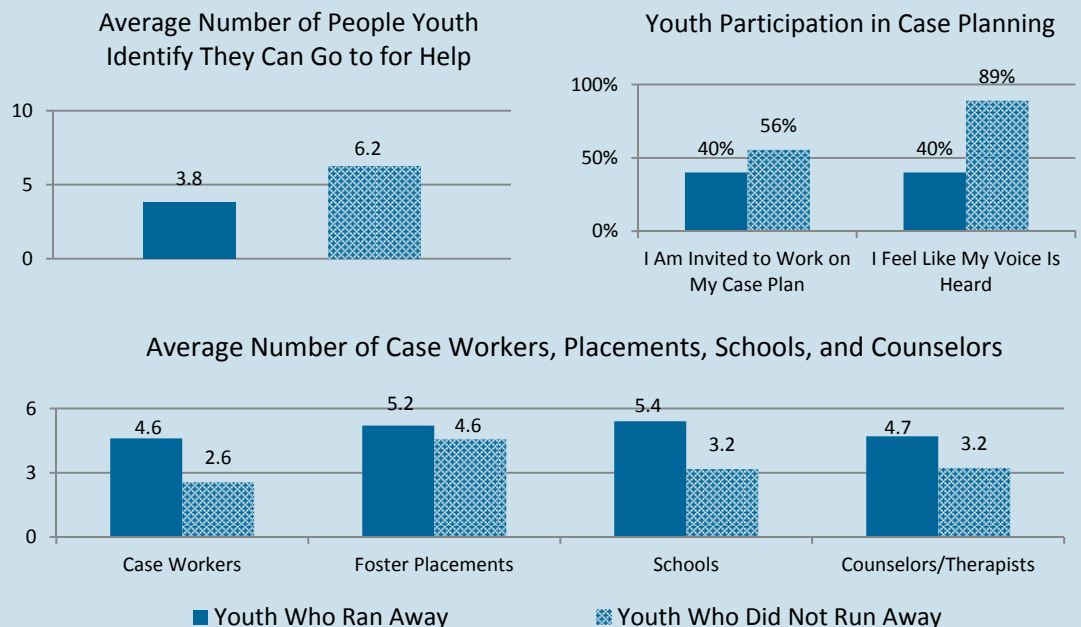
The Lane County CRP focused on increasing safety and permanent connections for older youth in the foster care system to ensure adequate services and supports are in place to help them become successful adults and productive members of the community. The panel was particularly interested in exploring ways in which the system could provide supports to prevent runaway behavior and lower the risk of commercial sexual exploitation of children in foster care. At their first stakeholder meeting on October 3, 2014, the panel chose to narrow their scope to a project focused on keeping youth connected by looking at what types of supports older youth need to remain in care successfully.

Early in their work, the panel identified a number of issues of concern including:

- Failure to identify victims or youth at risk of commercial sexual exploitation,
- Lack of skilled foster homes for older youth,
- Lack of a secure shelter and residential treatment facilities in Lane County,
- Re-entries into foster care,
- Need for better exit strategies for older youth,
- Need for ongoing relative searches,
- Barriers to participation in services and programs,
- Post-DHS involvement in services, and
- Foster parent retention and support.

The panel surveyed 30 foster youth age 14 or older. The majority of them were involved in the Independent Living Program (ILP) or Foster Youth Connections (an advocacy group of current and former foster youth) because the survey was administered at ILP and Foster Youth Connection meetings. Thirty-three percent of the foster youth surveyed had run away at some point and, when they did, most stayed with a friend or at a shelter.

## Differences Between Foster Youth Who Ran and Those Who Did Not



Of youth who ran away, 70% said "cooling down" helped them return to foster care. Compared with youth who did not run away, youth who ran had fewer people they would go to for help; more changes in caseworkers, foster placements, schools, and counselors; and were less likely to feel like they had real power to make decisions in their case. The panel gathered additional information through a focus group of foster youth and by DHS conducting file reviews of youth who had run away.

The panel had a serious concern that there is no local shelter facility in Lane County. Historically, youth have been placed out of county when they need short term shelter care. After hearing from foster youth and community partners, the panel wrote a letter of support to the Oregon Legislature supporting funding for a local shelter facility.

The panel discussed many issues facing older foster youth in Lane County. While all of their important findings could not be included in the panel's final recommendations, the panel wishes to note the following:

### **The Foster Youth Bill of Rights**

DHS policy requires that the Bill of Rights be posted in all foster homes. The panel discussed the importance of foster parents personally reviewing it with the foster youth in their homes.

### **Connections for Foster Youth**

Given that the surveys and focus groups conducted by the panel illustrated that children are less likely to run away if they can reach their support people, the panel discussed the importance of each youth having a laminated wallet-sized contact card in their possession containing the names and after hours contact information for their worker, lawyer, therapist, and CASA. The panel also supported the idea of older foster youth serving as mentors for younger foster youth.

### **Youth Voice**

Youth who felt empowered to participate in their case plans and believed that their voices were heard were less likely to run away. The panel discussed the idea of conducting a yearly meeting, to which foster youth could invite attendees, to discuss the overall plan for the youth and hear any recommendations or concerns the youth may have.

## **Panel Recommendations**

1. DHS seek all public and private funding opportunities to establish a short term shelter facility in Lane County.
2. DHS develop additional transportation resources so foster youth can participate in extra-curricular activities, the Independent Living Program, Foster Youth Connection, jobs, and internships. The panel also recommends that DHS provide information to older foster youth about Foster Youth Connection and other opportunities to interact with other foster youth.
3. DHS develop specialized training and additional supports (e.g., foster parent mentor program, support groups) for foster parents who care for teens.
4. Fact sheets for each foster home outlining the rules of the home, family dynamics, etc. be developed by DHS to assist in better matching foster youth with foster families.
5. A protocol to identify youth at risk of or having been exposed to commercial sexual exploitation be developed by a workgroup of interested stakeholders representing the court, DHS, foster parents, CASA, and attorneys. Training and implementation should be accomplished within the next six months.
6. A task force be appointed by DHS within three months to follow up on the panel's recommendations.



# Multnomah County Citizen Review Panel

## PANEL MEMBERS

### Citizen Review Board

#### Volunteers

Jean Cauthorn  
 Donna Ching  
 Charlotte Cook  
 Diane Greenman  
 Jason Wishert

#### Staff

Tiffany Lamberth  
 David Smith

### CASA

Betsy Stark Miller  
 Lynn Travis

### Dept. of Human Services

Kellie Barber  
 Edgar Perez

### Parent Mentor

Alicia Knox

### Public Defense

Jennifer Meisberger

### Service Provider

Leah Hall, Morrison Ctr.

The Multnomah County CRP chose relative placement and life-long connections as its area of focus. The panel explored whether law, policy, and practice relating to relative placements have a disproportionate impact on communities of color, with more relatives from those communities being ruled out as placement resources.

The panel reviewed DHS policies and procedures, surveyed DHS staff, and conducted focus groups with foster parents and DHS foster care certifiers. Foster parents and certifiers shared barriers that both relative and non-relative foster care providers must overcome in order to provide care.

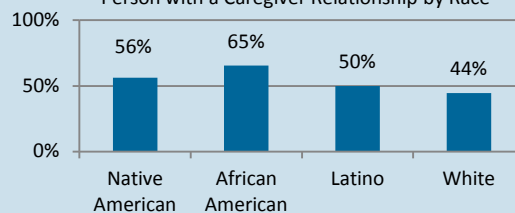
Most importantly, providers noted that the reimbursements for foster care are inadequate. They cannot afford to pay for day care for the children in their care so many foster parents are unable to work. This places even more financial pressure on foster families. Foster parents also noted that their first monthly payment is not received until a child has been in their care for a full month. This places a burden on foster families to “front” the cost of items and services needed by their foster children during the first month of placement.

Certifiers reported that criminal background checks and child welfare history are barriers to certifying more relatives. Adult children residing in the relative home may have had previous system contact that precludes certification of the relative home. The panel learned that DHS does not track denials and requests for non-safety waivers for eligible criminal records. Since the panel has begun its work, DHS has seen value in tracking this information to ensure consistency in the application of policy across waiver requests.

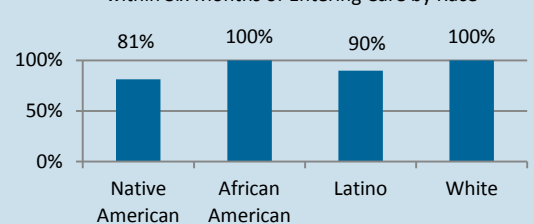
Both the certifiers and foster parents expressed concern about the lack of support groups for foster parents. The church groups through the Embrace Oregon program were noted as especially supportive. Foster parents were concerned that the home study process is very intrusive and they sometimes feel blamed for the problems in the family. Workers are concerned that the safe home study takes approximately three times longer to complete than the previous process.

## Relative Search and Placement Statistics

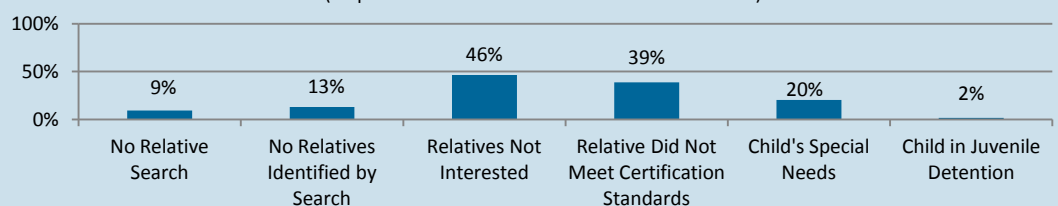
Percent of Children Placed with a Relative or Person with a Caregiver Relationship by Race



Percent of Children with Relative Searches within Six Months of Entering Care by Race



Reasons Why a Child was Not Placed with a Relative (respondents could choose more than one reason)



## FOCUS

Relative placement and life-long connections.

Former foster youth attended the panel's second stakeholder meeting. They noted that they had never been asked whether they had relatives with whom they were connected. DHS policy states that the agency "must communicate with the following individuals to identify the child or young adult's relatives or persons with a caregiver relationship: (a) The child or young adult's parents or legal guardians; (b) the child or young adult, whenever possible[.]"

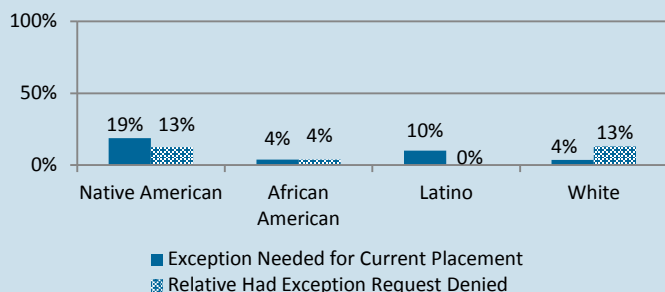
Stakeholders also expressed concern that the letter sent to relatives can be seen as unwelcoming. The panel was informed that there is no requirement that DHS follow up personally with relatives once the letter is sent. DHS procedures, however, do direct staff to make initial contact with relatives in person or by phone to assist relatives in working through emotions and answer any questions immediately. The procedures indicate the letter sent to relatives should be in follow-up to the initial contact in person or by phone. See [DHS Child Welfare Procedure Manual, Ch. IV, Sec. 3](#), Pgs. 5 - 8.

DHS assisted the panel by performing a case review of relative placement issues. No disparity was found by race in placement rates. It was noted, however, that most of the Latino families in the small sample did withdraw from consideration as placement resources. Further examination of these cases may illuminate patterns that cause this to happen. In 22% of the cases, either no relative search was done or no relatives were identified. The panel discussed the importance of DHS considering Family Decision Meetings as required by law as these meetings provide a helpful forum to identify relatives. ORS 417.368 requires the meeting to be held within 60 days of placement. If DHS elects not to conduct the meeting, they must document the reasons for that decision in the case plan.

## Panel Recommendations

1. DHS modify policy and practice, as soon as possible, requiring all verbal children be asked about their relatives to help aid and expand the relative search effort. Children need to be asked over time as new information becomes available. All attorneys and CASA should ask verbal children about relatives beginning immediately.
2. Foster parent support groups and mentoring program be re-initiated by DHS. The panel noted it would be helpful to have certifiers follow-up personally with foster parents to explore what types of support they need and to help them get connected with those supports.
3. DHS re-write the letter to relatives to make it more welcoming.
4. DHS ensure caseworkers are aware of procedures to make initial contact with relatives in person or by phone prior to sending them the letter.
5. DHS review and revise the relative inquiry form to include additional information to be reported. The form does not capture adequate information as written. Information needs to be captured about relatives who would be able to support the child in other ways if they cannot be a placement resource (respite, visits, support, hearing attendance, etc.).
6. Multnomah DHS follow-up immediately to ensure compliance with ORS 417.368 to consider Family Decision Meetings in every case and hold them within 60 days or document why a meeting is not appropriate in individual cases. The panel recommends that relative identification be incorporated into the Family Decision Meeting.

Exceptions to Foster Home Certification Requirements by Race



Relatives Who Withdrew their Request to be a Foster Placement by Race

