

## **PART 2**

# **Meetings Summary of the Arkansas Legislative Task Force on Abused and Neglected Children**

February 2, 2007

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## Arkansas Task Force for Abused and Neglected Children

Meeting dates:  
October 25th, 2005  
November 17th, 2005  
February 16th, 2006  
March 30, 2006  
May 5th, 2006  
June 5th, 2006  
August 11th, 2006  
August 31st, 2006  
September 19th, 2006  
October 31st, 2006  
December 12th, 2006

Meeting Summaries

### **ARKANSAS LEGISLATIVE TASKFORCE ON ABUSED AND NEGLECTED CHILDREN**

**Tuesday, October 25, 2005**

#### **SELECTION OF A CHAIRPERSON**

Senator Madison and Senator Malone opened the discussion by asking the Task Force to elect a Chair. Ms. Connie Hickman Tanner made the motion to have Senators Malone and Madison as co-chairs. The motion was seconded by Lisa McGee. The task force members agreed unanimously to have Senator Madison and Senator Malone Co-chair the taskforce.

#### **REVIEW OF PURPOSE AND MISSION OF THE TASK FORCE**

Senator Madison stated that legislators would be reimbursed for their attendance; if task force members need to be reimbursed, they may seek assistance from their respective employers/agencies.

She stated that the taskforce is comprised of both legislative and non-legislative members, and that the task force is required to comply with the Freedom of Information Act (FOIA). All meetings will be open to the press and the public and she said that public comments will always be welcomed at the meetings.

#### **INTRODUCTIONS**

Senator Madison and Senator Malone requested that the task force members introduce themselves and state who appointed them to the task force. Those present were:

Donna Malone - President Pro Tempore of the Senate appointee; Pam Utley - Arkansas State Police appointee; Pat Dahlgren - Division of Mental Health Services appointee; Pat Page - Division of Children and Family Services, DHS appointee; Lisa McGee - Governor's appointee; Tonya Russell - Division of Child Care and Early Childhood Education, DHS appointee; Angie Waliski - Speaker of the House of Representatives appointee; Connie Hickman Tanner - Administrative Office of the Courts (AOC) appointee; Ken Hales - Division of Youth Services, DHS appointee; Carla Reyes - Attorney ad Litem, AOC appointee; Vincent Henderson - Arkansas Code Revision Commission appointee.

Senator Malone advised that this would be a hardworking committee and that work groups would be formed. Senator Malone expressed the intent of the task force to address the needs of abused and neglected children in Arkansas. He stated that, while the current system for children was good, he hoped that the work of the task force would not be critical of the system. Senator Malone said that the intent of the taskforce was to coordinate all of the work of the child welfare/care agencies in order to protect Arkansas' children. For the purpose of workgroups, Senator Malone asked the task force members to share what issues interested them. He requested that committee members limit their presentations to the task force to a page/page and a half. Lengthier documents may be submitted to the committee for the record.

### **DISCUSSION OF CHILD ABUSE AND NEGLECT CONCERNS**

Senator Madison opened the discussion on topics for the task force to address. She mentioned the need for the committee to investigate the different kinds of abuse (mental, physical, and sexual), child neglect, review of the child abuse hot-line, mandated reporters, the tracking of children in the system, and the child death review panel.

Senator Madison referred to the *A Walk Up the Stream* video, obtained from the Department of Human Services. Senator Madison asked Ms. Page what the results of the discussion contained in the video were. Ms. Page and Ms. Russell responded. Ms. Russell said that, since the video was made, the Strengthening Families initiative has put together a panel. The panel's work is ongoing. She said that they are interested in prevention, i.e. training early childhood employees to recognize the signs of child abuse and neglect.

Donna Malone emphasized the need for the task force to focus on what is happening from the perspective of the child. She discussed the need for increased accountability and standardization of the child care process for abused and neglected children.

Senator Malone asked the task force to address consistency in child care across each region of the state. Senator Malone asked the task force members to consider one idea that might help improve the child care system.

Ken Hales stated that he felt there may be a need for an electronic database that would provide much needed background information on juveniles in the juvenile justice system, because many juveniles have had a history of abuse that has not been made available to juvenile justice professionals. Mr. Hales also suggested that the task force explore the placement of children after they leave the court system.

Ms. Tanner commented on the connection between abused and neglected children and the criminal justice system; she said that there is a strong correlation between abused and neglected youth and the youth are in the juvenile justice system. She suggested that the task force explore the factors of those children. Ms. Tanner also mentioned a joint study being conducted between the AOC, DYS, and the University of Arkansas at Little Rock (UALR) that will explore the question of multiple placements and mental health issues in juveniles. Ms. Tanner said that a press conference will be held on November 3, 2005 regarding a two year study that was conducted by the Supreme Court on juveniles of foster care and adoption and the courts.

Ms. Page stated that DCFS works with several national resource centers who may be able to provide technical assistance to the task force. She will provide the task force with a list of those centers/services.

Ms. Madison questioned the HIPPA requirements; Ms. McGee volunteered to research the requirements/legal restrictions for the committee.

Senator Malone discussed the need for the task force to investigate the placement of children, specifically in cases where the best interest of the child may conflict with the reunification of the family. Ms. Tanner stated that the goal of permanency outcomes for children should be to prevent a child from being damaged further by a negative living environment.

Donna Malone reiterated the need for accountability within the state system. She stated that the committee should view the cases from the perspective where the state becomes the parent.

Senator Madison asked Ms. Utley to discuss the child abuse/neglect hotline. Ms. Utley responded that yesterday the State Police had a record number of calls received at the hotline. She said they are looking at ways to provide a quicker response especially for mandated reporters. She also said that the hotline does work with the internet crimes division when internet crimes against children are reported.

Senator Madison questioned which state agency has been addressing internet crimes against children. Ms. Page mentioned that the Attorney General's Office was a good resource to provide answers to the task force.

Pat Dahlgren suggested that we need to do a better job of addressing mental health issues of children. She said that behavioral problems with children indicate that there may be a bigger problem, perhaps a problem within that child's family unit.

Angie Waliski commented on the need for early childhood mental health assessments. She said educating families on the mental health issues with children is significant. Senator Madison stated that this is especially important in isolated communities. Senator Madison asked Ms. Waliski to provide pamphlets to the task force. Ms. Dahlgren mentioned the need for financial support to pay for these mental health services.

Ms. Reyes commented on the standardization of the requirements for child care professionals. She also discussed the Child Advocacy Centers in her area. She stated that financially

supporting those Centers would help; perhaps through increased General Improvement Funds. Ms. Tanner mentioned an ideal CAC in Washington County - The Jones Center. Ms. Tanner stated that some of these Centers are equipped to provide on-site medical examinations for children.

Ms. Page suggested that the task force "walk through" the process to look at each stage, beginning with primary and secondary prevention, in order to see what areas need more attention.

Senator Madison requested that each member email Ms. Wilson his/her preference regarding the work groups that will be formed at the next meeting. Senator Madison requested that subgroups be created by the end of the year.

### **PUBLIC COMMENT**

Ms. DeeAnn Newell, National Coordinator of the Rights to Realities Initiatives for Children of the Incarcerated (Arkansas Voices for Children Left Behind, funded by the Rockefeller Foundation), introduced herself. She said that there is a correlation between the children in foster care and adult prisoners.

Ms. Jennifer Ferguson, Arkansas Advocates for Children and Families (AACF) introduced herself. She said that AACF has received funding for next year from the Rockefeller Foundation for two grants to review the child welfare system. She said that her organization is willing to provide additional research resources to the task force.

Amanda White, staffer for Congressman Vic Snyder, stated that she would be able to provide additional information regarding the internet crimes and juveniles. She suggested that Bureau staff contact the U.S. Attorney's office for additional information.

Finally, the task force viewed a portion of the *A Walk Up the Stream* video.

There being no further business, the meeting was adjourned.

## **Arkansas Legislative Task Force on Abused and Neglected Children**

**Thursday, November 17, 2005**

### **DISCUSSION REGARDING WORKGROUP ASSIGNMENTS**

Senator Malone asked the members of the task force to consider what issues to address for the workgroups. He also asked the task force to think about which work groups each member would like to serve on. He opened the floor to a round table discussion and asked each task force member to introduce themselves and to share his/her thoughts regarding work group assignments.

Ms. Dahlgren was interested in the mental health portion of the child abuse and neglect task force's mission. Dr. Jones mentioned the need for a more streamlined system.

Ms. Page supported the work group approach and suggested that the work groups meet and share the results of their work at meetings of the task force as a whole.

Ms. McGee suggested that DCFS consider overstaffing in order to ease the workload of caseworkers and to address child abuse and neglect cases more efficiently.

Dr. Farst mentioned the need for a more unified system, where each part of the child abuse and neglect system works simultaneously to better serve the children in need.

Ms. Reyes suggested that coordination between the courts and other agencies be addressed in dependency and neglect cases. She also stated that the system could be redesigned to consider the interest of the child better, she used counseling as an example.

Ms. Russell discussed the need for better data collection and early childhood training and prevention efforts. Ms. Robinson stated that mandated reporting was a significant area of study. She also supported improved staffing for DCFS.

Dr. Waliski reiterated the need for more prevention and educational initiatives. Ms. Hickman Tanner suggested that the task force look into the In Home Nursing Program, review the court proceedings process, DCFS staffing, the need for improved technology. Sheriff Lange mentioned the need for an improved understanding of the process and that agencies need for more money to help improve the quality of care for child abuse and neglect cases. Ms. Malone suggested that the work group ask national experts to visit with the task force.

Senator Malone asked the task force to consider several subject areas as possible work groups. He stated that work group assignments would be a priority for the next meeting and that the task force will receive additional information about the assignments via email.

### **STATE AGENCY PROCESS FOR CHILD ABUSE AND NEGLECT**

Ms. McGee led the overview on Child Maltreatment. Pam Utely, Billye Burke, and Pat Page also participated in the presentation. The presentation included statistics and a discussion of the Child Maltreatment Hotline, CAPTA (law, regulations, and funding); and Arkansas' Child Maltreatment Law(s).

Senator Malone asked that the committee discuss the juvenile court process at the next meeting.

There being no further business the meeting was adjourned at 3:40 p.m.



**Arkansas Legislative Taskforce on Abused and Neglected Children****Thursday, February 16, 2006****PRESENTATION ON DEPENDENCY - NEGLECT LEGAL SYSTEM**

Connie Hickman Tanner, Director, Juvenile Courts, Administrative Office of the Courts presented a video, "The Clock is Ticking"; the video addressed the court process for families involved in dependency neglect cases. It was stated that the video was not shown to parents who were unable to be rehabilitated from their abusive behavior(s).

Senator Malone questioned the definition of 'in the best interest of the child'. The taskforce discussed the legal definitions of familial reunification as it related to the best interest of the child.

Ms. Malone inquired about the role and actions of the ad litem in dependency/neglect cases. Ms. Tanner responded that the ad litem was required to conduct an independent investigation and to be involved in the various stages of the legal process. The taskforce questioned the procedure when a judge and ad litem disagreed on what was in the best interest of a child, and they discussed the possibilities for appeals in these instances. Senator Malone asked if the system should be reevaluated to provide more opportunities for appeals.

Senator Madison questioned the termination of parental rights in child abuse/neglect cases. Ms. Tanner said that the exceptions for termination, under federal and state law, included what was in the best interest of the child, the three exceptions of relative care, whether there was a compelling reason not to terminate, whether DHS had not provided services.

A discussion about family reunification followed. Senator Madison asked about reunifying a child with the parent who was not the guardian parent. Ms. Tanner stated that reunification was possible, in that instance, if it was in the best interest of the child. Ms. Tanner added that any of the judges would be happy to visit with the taskforce in the future.

Senator Madison questioned the reunification plans. Ms. Tanner stated that the judges were now being asked to order everyone to schedule the staffing of a case plan at the probable cause hearing - with a date being set for the final plan.

Senator Madison asked if the state tracked how many parents re-offended. Ms. Tanner said that DHHS had that capability and the AOC was working to create that capability. Ms. Page said that the DHHS reports to the Children and Youth Interim Committees contained that data. Ms. Reyes stated that ad litem were required to answer that question on an electronically tracked, standard form.

Senator Madison questioned the emergency care options for reported cases of severe child abuse. Ms. McGee responded that ideally the state should opt for the removal of children whenever their health and safety was at risk, although the reality of achieving this goal was different. Several taskforce members agreed that more money was needed for retention and recruitment of foster care facilities.

Ms. Reyes stated that there were three things that comprised a home study - a criminal background check, a central registry check, and a case, home visit. Then, Ms. Tanner described the "Buddy the Bailiff" program. Senator Malone asked the taskforce for additional comments.

Ms. Reyes said that the agency who was doing the home study needed a system that would allow quick access to that information to prevent children from remaining in foster care for up to 10 days or longer.

Another suggestion was for the taskforce to review the need for mandated reporting from law enforcement or other agency officials. Ken Hales mentioned the need for a better network for police or other officials to confidently place children in community receiving centers or into the hands of someone who could expertly determine the best placement of a child.

Senator Malone asked about the interpretation and implementation of the law regarding maltreatment and criminal cases. Ms. Utley explained the procedures for her division when a case of child abuse and neglect was reported; she said that her division notified local law enforcement upon receipt of a complaint and that local law enforcement should visit the victim within 24 hours.

Sheriff Ball commented on the role of local law enforcement. He said that his agency often relied on the State Police to assist with dependency neglect cases. Sheriff Ball said that he also had a good working relationship with DHHS.

Senator Malone questioned the legal and/or constitutional authority governing the responsibilities of the state police and local law enforcement. The taskforce discussed the meaning of notifying and investigating child abuse and neglect cases.

Ms. McGee stated that the reason the Crimes Against Children Division was created, by former State Representative Carolyn Pollan, was to properly handle Priority One investigations. She said that now, the question has returned to whether local law enforcement should be involved in child maltreatment investigations.

Ms. Tanner suggested that law enforcement handle the criminal side of these cases, while the state police would handle the maltreatment side; each division would work side by side without trying to replace the others' duties. Dr. Jones mentioned that by using the aforementioned model, there could be a loss in continuity. Senator Malone suggested that the taskforce invite Colonel Dozier and others to visit with the taskforce at a future meeting.

Pam Utley stated that, although there might be a lack of continuity, the CACD had been completing the maltreatment investigations, with the majority of investigations being completed within 30 days. Ms. Utley stated that her division currently had 63 authorized positions and between 52-58 investigators.

Senator Malone stated that if the taskforce learned that policy changes would help this system, then the group could make the appropriate policy recommendation(s).

Senator Malone complimented Senator Madison's efforts to develop topic areas for the taskforce to study; Senator Madison supported the idea of addressing all of the topic areas as a group and inviting Ms. Pollan to visit with the taskforce. Dr. Jones suggested bringing in an expert to review the state's current system and provide recommendations. Senator Madison suggested that the taskforce also hear from speakers from inside the state of Arkansas, like former State Representative Carolyn Pollan.

Senator Malone reiterated the group's goal to work with the current system to help improve the quality of life for Arkansas' children. Ms. Tanner invited the taskforce to hear a speaker, Lou Tyce, April 21st, at the Peabody.

There being no further business, the meeting was adjourned at 3:18 p.m.

### **Arkansas Legislative Taskforce on Abused and Neglected Children**

**Thursday, March 30, 2006**

#### **ROUNDTABLE DISCUSSION OF THE ISSUES SURROUNDING THE COURTS AND CRIMINAL PROCEDURES/INVESTIGATIONS OF CHILD ABUSE AND NEGLECT CASES**

Senator Malone introduced Police Chief Al Harris and Sergeant Chris Harper, Arkadelphia Police Department. The officers discussed some of the problems that their Department had encountered while handling child abuse and neglect cases. They expressed the desire for the child abuse and neglect hotline response to be improved and for the 72 hour hold to be studied. Senators Madison and Malone asked for a response from the State Police; Kaye Beall stated that she would be willing to share the taskforce's concerns with the Division in order to educate the hotline operators on improving the response times in child abuse and neglect cases.

The taskforce discussed the need for educating response personnel, including hotline operators, local social service agencies, and local law enforcement, on the differentiation between the levels of child abuse and neglect (Priority One and Priority Two cases) and the need for immediate response in Priority One cases. Senator Madison asked if the taskforce could discover where the breakdowns in the system were occurring. Senator Malone suggested that the taskforce take a close look at the law code that addressed the notification in child abuse and neglect cases. The taskforce agreed that, in addition to quicker responses by local law enforcement, social service agencies, and hotline personnel, accountability measures were significant.

Ms. Sallings, Public Defender Commission, stated that placement was significant in cases where parents were arrested. Mr. Henderson suggested that the taskforce consider partnering a study with the Arkansas Bureau of Legislative Research to see how widespread the problems were. Ms. Malone said that the taskforce should look critically at the reporting requirements for these cases. Ms. McGee stated that, as of November, the hotline had 26 budgeted positions and 22 filled positions.

Senator Madison questioned the payments for medical reviews. The taskforce discussed concern for this system and agreed that certain changes would allow qualified medical personnel to handle more of these cases. Dr. Jones said that the costs were approximately \$1,000 per case/Medicaid provided a little over \$200 per case. The taskforce said that they should study the funding for advocacy centers. Dr. Farst suggested that the taskforce work with the UAMS College of Public Health to study some of these issues.

The taskforce agreed to consider a monthly meeting schedule; everyone was asked to submit meeting day suggestions to committee staff. Senator Madison asked the taskforce members to send a proxy, if possible, to meetings that they were unable to attend. Senator Malone asked the taskforce to submit names of potential speaker(s)/subject areas to Regina; Ms. Tanner stated that she had some grant monies that may be used to help cover those expenses.

There being no further business, the taskforce adjourned at 12:10 p.m.

### **Arkansas Legislative Taskforce on Abused and Neglected Children**

**Thursday, May 5, 2006**

#### **ROUNDTABLE DISCUSSION OF THE ISSUES REGARDING CHILD ABUSE AND NEGLECT CASES**

Taskforce members discussed issues relating to the improvement of the procedures and investigations of crimes against children. The taskforce heard comments regarding protocol practices; multi-disciplinary teams, roles of different agencies, prosecutor's roles, and how, in some counties, the process worked well, while in other counties the process was not as successful. The group discussion identified several areas for review including training, investigative process, accountability, leadership, and coordination between agencies.

The taskforce then discussed the role and effectiveness of children's advocacy centers. In order for children's advocacy centers to be certified, the prosecuting attorney or deputy prosecuting attorney must attend multi-disciplinary team meetings. This became a major stumbling block in some counties.

The taskforce suggested possible ways to motivate leadership across the state, such as looking for a way to fund a crimes against children prosecutor for each district or in those counties where a children's advocacy center was located. Some counties did not have adequate staffing of prosecutors, and therefore, did not prosecute many crimes against children. The suggestion of a crimes against children prosecutor would benefit the prosecutor's office and this would enhance the protection of the children.

Dr. Karen Farst, UAMS, Department of Pediatrics, Center for Children at Risk, gave a presentation to the taskforce on the cost of the cycle of child abuse and neglect. The total cost to the United States in 2001 was \$94.1 billion, and the cost for Arkansas' proportion of the population was \$856 million. Costs were difficult to calculate, but significant. Every system

must decide if they would spend reactively to the problem after it happens or proactively on risk factors/causes in an attempt to keep the long term effects and costs on the system minimized.

Mr. Vincent Henderson, Bureau of Legislative Research staff, suggested that the taskforce conduct a survey of local law enforcement to gather information about initial services for children suspected of being abused or neglected. A draft questionnaire was distributed to all taskforce members.

### **OTHER BUSINESS**

Senator Madison introduced Representative Sharon Dobbins. She asked Rep. Dobbins to share her current experience with a child abuse and neglect case. Rep. Dobbins' constituent, Mr. William Sullivan, was asked to address the taskforce. Mr. Williams recounted the details of his child abuse and neglect case. He answered questions from the chairs and members of the taskforce. Mr. Williams agreed to provide copies of the records from his case to Senator Malone and any other members of the taskforce.

The committee discussed meeting dates and times for future meetings. The taskforce decided to meet at 10:00 a.m. on the second Thursday each month beginning with the August 2006 meeting. There were guest speakers scheduled for June and July. The committee agreed to meet June 5, 2006, and the guest speaker would be Chris Newlin, National Children's Advocacy Center. The July meeting was scheduled for July 19, 2006.

Senator Madison reminded taskforce members to submit the names of potential speakers for future meetings to Regina Wilson.

Taskforce members were invited, by Connie Hickman Tanner, to attend the 2006 Children & the Law Conference, May 24 - 26, 2006, at the Embassy Suites, Little Rock, Arkansas. Registration information and forms were distributed.

There being no further business, the taskforce adjourned at 12:10 p.m.

## **Arkansas Legislative Taskforce on Abused and Neglected Children**

**Monday, June 5, 2006**

### **PRESENTATION BY CHRIS NEWLIN, MS, LPC, EXECUTIVE DIRECTOR, THE NATIONAL CHILDREN'S ADVOCACY CENTER, HUNTSVILLE, ALABAMA**

Dr. Jerry Jones introduced guest speaker, Mr. Chris Newlin, Executive Director of the National Children's Advocacy Center (CAC), Huntsville, Alabama. Mr. Newlin discussed the purpose of the CAC. He said that the CAC was to provide a comprehensive culturally competent, multidisciplinary team response to allegations of child abuse in a dedicated, child-friendly setting. Mr. Newlin provided general statistics on child abuse. He stated that approximately 10 percent of substantiated reports were sexual abuse reports and that there had been a decline of sexual abuse over the last 15 years. Mr. Newlin shared Arkansas data reporting that almost 21

percent of substantiated child abuse cases involved disabled children, and approximately 30 percent of the substantiated child abuse cases were for sexual abuse, which was almost three times the national average. Mr. Newlin stated that there were seven Children's Advocacy Centers (CAC) in Arkansas.

Mr. Newlin reported that some of the services provided by Children's Advocacy Centers included forensic interviews; forensic evaluations; therapy for abused children and non-offending caregivers/siblings; medical exams; multidisciplinary team work; and prevention efforts. He also discussed the organizational structure of CAC's; funding of CAC's; and coordination efforts between CAC's and existing public agencies mandated to investigate child abuse allegations such as law enforcement agencies, DCFS offices, District Attorneys, and victim advocates.

Mr. Newlin discussed coordination with other non-profit agencies dedicated to child welfare such as medical facilities, mental health facilities, and domestic violence shelters. He also discussed legislative efforts such as funding for CAC's, closing loopholes in sexual offenses, immunity for CAC employees, and child abuse protocols for each county.

Mr. Newlin talked about possible programs to develop well-trained professionals such as a program called Finding Words, a program that was currently used in Arkansas. He informed the taskforce members of training available for professionals by the National Children's Advocacy Center.

#### **DISCUSSION AND QUESTIONS WITH THE TASKFORCE MEMBERS AND GUESTS**

Mr. Newlin answered questions from taskforce members and provided information regarding upcoming training and conferences available. Additional information was available at the National Children's Advocacy Center website: [www.nationalcac.org](http://www.nationalcac.org). Mr. Newlin also furnished additional resources and links for information.

#### **OTHER BUSINESS**

The taskforce planned to meet on July 19, 2006, 9 a.m. - 3 p.m. with Mr. Victor Veith.

There being no further business, the taskforce adjourned at 12:00 p.m.

**Arkansas Legislative Taskforce on Abused and Neglected Children and  
The Senate Interim Committee on Public Health, Welfare, and Labor**

**Friday, August 11, 2006**

**PRESENTATION AND DISCUSSION WITH VICTOR VIETH, DIRECTOR, CHILD  
ABUSE PROGRAMS, NATIONAL CENTER FOR THE PROSECUTION OF CHILD  
ABUSE**

Ms. Malone introduced Mr. Victor Vieth, Director, Child Abuse Programs at the National Center for the Prosecution of Child Abuse, who discussed his research findings and his theory on ways to end child abuse.

Mr. Vieth outlined the history of child abuse and stated that the Society to Prevent Cruelty to Children was established in 1874, almost a decade after the establishment of the Society to Prevent Cruelty to Animals. Mr. Vieth noted Anne Cohn Donnelly who stated that ending child abuse "is possible."

Mr. Vieth then described five obstacles that have prevented the end of child abuse in the U.S.:

- 1) Even when we know a child is being abused, most people won't do anything about it
- 2) Even when reports come in, most cases will never be investigated
- 3) When cases are investigated, investigators are often inadequately trained and inexperienced; there is literally on-the-job-training
- 4) When the abuse is substantiated, the child is typically older and it is difficult to address the impact of abuse; the average age of victims: 3, average age of victims in court: 10, median age: 13
- 5) A lack of a unified voice to communicate the needs of maltreated children, therefore child abuse prevention receives an inadequate share of this country's financial resources.

Next, Mr. Vieth introduced the Battle Plan for Ending Child Abuse:

- 1) Abused children must be reported into the system, and every university/college must teach mandated reporting skills, and all mandated reporters receive annual refresher training
- 2) Competent investigations of every substantiated case of child abuse; protection workers and law enforcement officers must know how to conduct the interviews - "Finding Words" program
- 3) On-the-job training must end - Colleges and universities must have practice "lab centers" to recognize abuse and follow-up with instruction in proper investigations and family repair and prevention
- 4) Law students, medical students, veterinary students, seminary students, and other professional persons also need training to recognize child abuse
- 5) Police officers, social workers, prosecutors and child protection professionals must become community leaders in child abuse prevention
- 6) Prevention efforts must build from the ground up and meet local needs
- 7) The support of the faith community needs to be enlisted in the prevention of child abuse

A timeline for ending child abuse was then presented by Mr. Vieth. He began with the first 40 years (2001-2040):

- 1) Every suspected case of abuse will be properly reported
- 2) Quality investigative interviews
- 3) End of on-the-job training; training through universities/colleges
- 4) Training specific for dynamics unique to various communities
- 5) Cultural Sensitivity: Race, religion, economic status

The Next 80 years (2040-2120): The Tipping Point (Gladwell) - taking care of the little things so the big things are impacted. We must change the culture:

- 1) "Connectors" who spread the message of ending child abuse
- 2) Messages must "stick" - they must make an impact
- 3) Power of Context: The solutions to the epidemics cannot be far removed from the problem solver. Therefore, the solutions do not lie at the national level but at the front lines with those working with the abused
- 4) Recruiting a second generation to build on the success

Senator Malone entertained questions for Mr. Vieth from the Task Force members as well as others attending. He recognized Henderson State University President, Dr. Charles Dunn, who asked if Winona State University (the home of the model program for teaching child abuse prevention), had a model curriculum that could be implemented elsewhere. Mr. Vieth replied that there was an interdisciplinary curriculum consisting of three courses. Any university/college could request syllabi from the courses, meet with professors, and sit in on the classes.

Dr. Linda Beene, Director of the Arkansas Department of Higher Education, was recognized by Senator Malone, and she questioned funding resources for implementing these child abuse education programs. Mr. Vieth stated that Congress amended the Victims of Child Abuse Act which increased the authorized level of Federal funding from \$1.5 to \$7.5 million per year, and he hoped that some of that money would be devoted to helping universities establish child abuse prevention curriculum. He stated that it was his hope to have representatives from 100 universities trained at the national center, at least one from each state.

Senator Malone recognized Tonya Russell, Director of the Child Care and Early Childhood Education, who asked about the role of early care and ending abuse at that level. Mr. Vieth stated that there was a national program for mental health professionals targeting the age range of 0-3.

After a break, Mr. Vieth resumed with the second part of his talk: "In Our Hands: Building a Community Response to Child Abuse." His suggestions included the following:

- 1) Coordinate efforts by developing a protocol
  - a. limit child abuse investigators to a select team
  - b. limit the number of prosecutors who handle child abuse cases
  - c. involve prosecutors at the outset of the case
  - d. set up child-friendly interview rooms
    - e. after interviews, corroborate with other professionals involved in the case
    - f. train investigators on how to properly interview children
    - g. train investigators on how to wisely interview child abusers
- 2) Educate the community about child abuse issues and prevention through:
  - a. newspaper ads
    - b. press releases with each conviction of an abuser, including an educational message for the community (press releases also need to focus on successes since abusers read them)
    - c. informative newspaper columns



- d. responses to criticism as a united front - all those who work to prevent child abuse should stand together on issues
  - e. volunteer to speak to civic groups
  - f. respond uniquely to the culturally diverse needs of people
- 3) Involve the Clergy in child abuse prevention and mandated reporter training
  - 4) Train local doctors, and stress mandated reporting
  - 5) Assist teachers and child care providers in recognizing and reporting child abuse
  - 6) Learn how to write grants and seek community donations
  - 7) Take care of the needs of the team
    - a. praise efforts of all those involved in fighting child abuse
    - b. stay abreast of current field research through getting local/state government to fund library
    - c. prevent team burnout: socialize regularly

Mr. Vieth stated that the special needs and fears of children made it extremely difficult for child abuse victims to testify in court. Some fears Mr. Veith identified were: children have little/no conception of court, they are often confused by questions; they fear being laughed or yelled at; they are afraid of facing the offender; they are often frustrated with legal terminology. Mr. Vieth's suggested methods of preparing children for court testimony included:

- 1) Empowering the child: familiarizing the child with the courtroom - court school programs
- 2) Modify courtrooms and testimony procedures without violating the Constitution by providing:
  - a) child-friendly oath that they understand
  - b) recesses during testimony
  - c) schedule the testimony in the morning
  - d) allow the child to bring a comfort item
  - e) allow a support person for the child
  - f) anatomical dolls
  - g) tone of voice: no yelling
  - h) asking developmentally appropriate questions that kids can understand
  - i) kids have the right not to be intimidated
  - j) child friendly courtrooms for comfort
  - k) child advocacy centers with therapy pets

Mr. Vieth then discussed psychological maltreatment and stated that it is the most common form of abuse in our country. In addition to being an independent and equally harmful form of abuse, psychological abuse is imbedded in all other forms of abuse. He further stated that the reason emotional abuse charges are rarely filed is because this form of abuse is so hard to prove. Mr. Vieth gave the legal definition for psychological abuse: "repeated pattern or extreme incidence of caregiver behavior that conveys the message that a child is worthless, flawed, unloved, unwanted, endangered or only valuable in meeting someone else's needs." In Arkansas, psychological abuse is defined as "injury to a juvenile's intellectual, emotional, or psychological development *as evidence by observable and substantial impairment of the juvenile's ability to function.*" Mr. Vieth stated that requirements for this form of abuse need to be legally changed to eliminate *proof of damage* in the law verbiage.

Mr. Vieth said that intervention for young victims of sexual abuse could decrease their risk for serious problems later in life. It is very difficult to substantiate sexual abuse because physical findings are rare, and communication with verbally underdeveloped youth is often challenging for the child and the adult case worker(s).

Mr. Vieth highlighted an emerging issue in child abuse: Child Prostitution -

The Profile: The average age was 14, they were Caucasian, lower to middle class backgrounds, had run away from abusive living environments. A significant number of these kids were reported in the system when they were 3, 4 or 5 years old. Mr. Vieth said if we can take care of these children when they are being physically and sexually abused in their own homes, we may stop child prostitution in this country. He went on to say that 1.1 million kids annually run away or are thrown out of their own homes. He concluded that those kids who do not return home within 30 days are likely to be consumed by the sex industry.

Mr. Vieth discussed how the legislature may help:

- 1) Regulate strip clubs closely for prostitution and child employees
- 2) Prohibit lap dancing
- 3) Forensic interviewing for all ages and interviewing skills for older kids
- 4) On-line solicitations should be investigated more skillfully and at local levels

Senator Malone thanked Mr. Vieth for his presentation and called for questions. Dr. Waliski was recognized by Senator Malone and asked Mr. Vieth for suggestions on what to do when reports of child abuse do not go anywhere. Mr. Vieth suggested going to child protection team members and to enlighten others to document the need for intervention.

Dr. Jerry Jones asked if any states had passed legislation for a Children's Bill of Rights. Senator Malone concluded that Arkansas would be one of the first states, if not the first, to pass a Children's Bill of Rights in January 2007.

Senator Malone announced that the next meeting of this committee would be on August 31, 2006. He then adjourned the meeting at 1:45 P.M.

**Arkansas Legislative Taskforce on Abused and Neglected Children and  
The Senate Interim Committee on Public Health, Welfare, and Labor**

**Thursday, August 31, 2006**

He then went on to discuss a meeting that took place with Mr. John Selig, Director of DHHS and Colonel Dozier, Director for the State Police about decentralizing the reporting and investigation of child abuse and neglect allegations and allowing the local prosecutors to handle these cases.

Senator Malone then called for introductions from interested parties in attendance. He then shared that he counted eight animal protection groups represented versus one child protection

group listed in the vendors book at the National Council of State Legislators' Conference which he attended this month in Nashville, Tennessee.

Mrs. Malone announced that the next meeting would be on Tuesday, September 19, 2006. The speakers would be: Alice Vachss, J.D., former Chief of the Special Victims Bureau of the Queens, New York, D.A.'s Office, Greg Weber, Wisconsin Prosecutor with the Attorney General's Office, and a prosecutor from Ft. Worth, Texas.

Connie Hickman Tanner offered to put together a program of current state prosecutions of crimes against children to obtain a snapshot of where prosecutions are occurring going back two to three years. Senator Malone said this would be helpful, and Ms. Tanner said she would have it ready for the next meeting.

### **C. TESTIMONY OF SERGEANT HOYT HARNESS, SPECIAL AGENT, STATE POLICE INTERNET CRIMES AGAINST CHILDREN DIVISION (ICAC TASK FORCE)**

Mr. Harness stated that the ICAC Task Force is a federal program supported through the Office of Juvenile Justice and Delinquency Prevention. He continued that it is one of 47 regional task forces in the country today and began in 1998. Arkansas joined the program in 1993 and became operational in June 2004.

The mission of the Arkansas ICAC Task Force, Mr. Harness stated is, "*To provide a comprehensive, multi-agency response to identify, investigate, apprehend and successfully prosecute offenders who use the internet, online communication systems, or other computer technologies to sexually exploit children and to provide pro-active tools, resources and information to educate parents, teachers and children about internet safety and victimization prevention.*" He continued to say that the mission far exceeds law enforcement and the traditional boundaries and disciplines. He showed a list of those affiliate partners, which he said is growing everyday

Mr. Harness went on to speak of the five core components of the ICAC:

1. Investigations
2. Forensic Support - without altering evidence (Arkansas State Crime Lab)
3. Prosecution - empowering the prosecutors to drive solid convictions
4. Capacity Building - adding law enforcement agencies and other partnerships (social services, attorney general's office, etc.)
5. Public Education - to combat the desensitizing of society toward pornography

Senator Malone interrupted to clarify terminology related to child pornographic photos. Mr. Harness said that these photos are referred to as "child sexual abuse images" but that definition has been challenged. Senator Malone then called Legislative Bureau Attorney Mike Feehan and asked him if we have the authority to put these types of definitions into Arkansas state law. Mr. Feehan said we could put it law, but the state definition would be challenged as to whether or not it was scientific enough. The word "abuse," he stated, was attacked by defense attorneys who

question if it was actually abuse before it was proven. Mr. Feehan stated that experts will have to write the definition of abuse. Senator Malone asked Mr. Feehan to present some potential definitions at the next meeting. Senator Madison asked Ms. Tanner if she had encountered problems with the definition, and though she hadn't, she stated she would pool some judges and prosecutors as what language would be acceptable to get it into law.

Mr. Harness referred to the Federal definition of pornography which was "the lewd, lascivious display of the genitals of either sexed child." He stated further that typically the content of the materials under investigation was an illegal image. The problem though he stated was "is the child in the image being abused or is it just child porn?" Another problem was that these are new types of prosecutions.

Mr. Harness then presented some investigation statistics regarding complaints, pornography, referrals, dispositions of these cases, and forensics. He told what the internet is doing for these sex offenders. He said the internet gave offenders access to children, appealing to the natural sexual curiosity of young teens, allowing offenders to target, groom and exploit. Another function the internet has for offenders he went on to say was that they used the internet to form groups validating one another - to normalize, legitimize and legalize sexual activity between adults and children. They use the internet to educate one another with tips on how to carry out sexual activity with minors.

Mr. Harness spoke of public awareness and training, stating to date, training had been conducted for 697 Arkansas law enforcement officers, 17 prosecutors, and 28 other professionals. 811 presentations have been given for over 61,000 children, parents, teachers and care givers, attended 42 public events attended by about 16,000 people to provide information and over 1,000 media events.

Senator Malone then called for questions. Senator Madison referring to the handouts, asked Mr. Harness to identify who mandatory reporters were. Mr. Harness that the statute was for internet service providers (ISPs) and internet bulletin board services. Senator Malone commented that in ambiguous cases, ISPs do not need to be held liable if their suspicions turn out to be incorrect. Ms. Carla Reyes stated that she has never seen a failure to report charge case come to trial.

Mr. Harness referred to his handouts of statutes and how they apply to investigating child abuse crimes. He suggested that the legislature consider the lack of distinction made with sentencing when comparing child sex images which are possessed versus those distributed versus those that were manufactured. Another statute Mr. Harness wanted legislators to review is 5-27-306 (Handout #2) which made traveling to meet with a child a Class A Felony, but it had to be a real child, not an undercover agent. He stated that there is no provision for the actual travel. Senator Malone asked Mr. Harness to compile this in a document for review.

Senator Madison then referred to Handout #4, the Adam Walsh Child Protection and Safety Act which became effective in July, 2006. She asked for the Legal Council of the Legislative Bureau to review this for state mandates and report to the committee as to what needed to be done.

**D. TESTIMONY OF ROSEMARY WHITE, ASSISTANT DIRECTOR OF THE DIVISION OF CHILDREN AND FAMILY SERVICES**

Senator Malone introduced Ms. Rosemary White who stated she was invited to speak about foster parents and their requirements for licensing. She stated in Arkansas there were 3,480 children in foster care. Neglect and substance abuse issues were the most prevalent reasons for placements. Physical abuse, abandonment, sexual abuse, inadequate housing were other reasons. She reported 974 licensed DCFS foster homes were currently in Arkansas. These homes, Ms. White stated, must comply with standards set forth by Child Welfare Review Board. Some of the standards include: background check(s), vehicle safety check, minimum of 21 years of age, financially stable, home studies with all household members, complete 30 hours of initial pre-service training followed by 15 hours a year annually of this training, complete CPR training, and all members must have a physical exam and have a T.B. skin test. Ms. White told that they were actively recruiting for more foster homes.

Senator Malone asked who the members of the Child Welfare Review Board were to which Ms. White answered that it is a state board which Ms. Pat Page was the president. Ms. Page then elaborated that this board was Governor appointed chaired by James Balcom, Children's Home of Paragould and comprised of providers. She added that Ted Suhl from the Lord's Ranch, Sanford Tollette with Pfeiffer Camp, Ernestine Thomas who is involved with foster parenting, David Whatley with Watersprings Ranch, and Charles Flynn from Arkansas Baptist Children's Homes. Ms. Page stated that by statute, they are responsible for issuing licenses to child welfare agencies and placement agencies in the state which included foster, adoption and residential facilities. Senator Madison asked for clarification, asking Ms. Page if these members serve on the board which was responsible for their licensing. Ms. Page acknowledged that that was correct.

Senator Malone asked how it would be possible to have more foster parents. He asked Ms. White why she thought there was a decrease in the number of foster parents, concerned that it may be the rigorous licensing requirements. Ms. White stated that it might be the licensing demands but that these licensing standards were important to insure the safety of the children. Senator Malone asked for a list of those standards for review.

Representative Dobbins asked how often kinship foster was sought? She wanted to make sure that family members are made aware of their eligibility and requirements so they could step in for placement of children. Ms. White stated that they are committed to relative placement.

Dr. Jerry Jones was recognized by Senator Malone. He asked about the amount of time it takes for relatives of those children needing foster care to get clearance. Ms. White stated that a child was first placed in a licensed foster family while the relative family was investigated - home inspection, background checks, etc. She stated that this was an automated process, and the agency tried to avoid a lag time. Dr. Jones also asked what the legislature could do to assist in increasing the number of foster parents in the state. Ms. White answered that increased board payment would be beneficial. She added that a foster parent support group from northeastern Arkansas had planned to meet and present some recommendations to the agency. She would relay these to this committee.

Sheriff Chuck Lange asked Ms. White for a definition of "quick placement" where relative foster care was being considered. She responded that that was about seven days.

Senator Malone recognized Ms. Carla Reyes who stated that sometimes family placements have taken 30 days. Ms. White commented that depending on the area of the state, the placement timing can vary.

Ms. Tanner was recognized and shared that she tried to do a statewide campaign for recruitment, however, the foster care agency did not have the staff to handle the calls. She stated that DCFS needed help in getting the staff, suggesting that foster parents be contracted to recruit.

Mrs. Malone asked how many foster families were currently in Arkansas, and how many foster families were presently needed. Ms. White stated that there were 974 foster homes open and the need was probably doubled. She added that more children were entering care than ever before and from extraordinary situations (neglect, drug and sexual abuse, for example). Ms. White stated that the 800 number was on the DDHS website for those interested in becoming a foster parent.

Senator Madison asked about recertification to which Ms. White stated that annual reviews are required.

Senator Malone asked Ms. White to come up with ways her department felt the legislature can make the foster parent program better. Ms. White said she would get the committee a list of improvements.

There being no other business, the meeting was adjourned.

## **Arkansas Legislative Task Force on Abused and Neglected Children**

**Tuesday, September 19, 2006**

Without objection, the minutes of the August 31, 2006 meeting were approved for filing.

The focus of the meeting was a panel discussion about crimes against children lead by Mr. Grier Weeks, Director, National Organization to Protect Children. [Mr. Weeks introduced the other panel members as follows:](#)

Alice Vachss, Former Prosecutor, Queens, New York;

Greg Weber, Wisconsin Prosecutor with the Attorney General's Office;

David Montague, Assistant District Attorney, Tarrant County, Fort Worth, Texas;

H. G. Foster, Arkansas Prosecuting Attorney, Faulkner County, 20<sup>th</sup> Judicial District; and

Lona McCastlin, Arkansas Prosecuting Attorney, Lonoke County, 23<sup>rd</sup> Judicial District.

[Vachss, Weber, Montague, Foster, and McCastlin](#) introduced themselves and gave a brief presentation and a [story describing](#) his/her work relating to crimes against children and the prosecution of [child abuse and neglect cases](#). [They emphasized the significance of](#) motivation,

commitment and excellence in responding to [these cases](#). The panel members answered questions from committee members.

Mr. David Montague, Prosecuting Attorney, Fort Worth, Texas, lead a discussion about hearsay exception when prosecuting crimes against children. Mr. Montague stated that there were three hearsay exceptions used in Texas: First, the outcry exception, the details of what the child tells an adult when he/she first says something which can be admissible in the trial of a case; second, the medical hearsay exception, the statements made to a doctor, nurse, and in some situations, the treating mental health professional; and third, the excited utterance exception, the statement made by the child in a state of excitement about the events that occurred. Mr. Montague stated the outcry exception was probably the most critical.

Ms. Connie Hickman Tanner, task force member, discussed these three hearsay exceptions as they related to Arkansas. She stated that the excited utterance and medical diagnosis exceptions were used most in Arkansas and that the outcry exception was a very broad hearsay exception in Arkansas.

Senator Malone asked that the Bureau of Legislative Research staff research the issue of hearsay exceptions and compare Arkansas law to other states.

Mr. Weeks lead the panel in a discussion and tracked the path of these special cases through the criminal justice system. He also mentioned how a case might have a good outcome and continue through the system or how it might simply disappear. A question and answer session followed.

Arkansas law directs that calls to report allegations of child abuse should begin through the hot line run by the Arkansas State Police. Calls are sometimes reported to local law enforcement or through schools/counselors, etc. The State Police are obligated by the Child Maltreatment Act to contact local law enforcement and if the call is to a city or area where the local law enforcement is very involved in working these cases, they may decide to handle the investigation. The committee identified this as a possible area to look into, specifically whether Arkansas law required the state police to defer to local law enforcement. Senator Malone asked that the Bureau of Legislative Research staff review Arkansas law to determine the authority in handling these cases.

The committee discussed the Child Advocacy Center (CAC) concept and Multi-Disciplinary Teams (MDT's). There are nine CAC's in Arkansas. The task force was concerned with funding and participation. Key components of the CAC's were constant communication, relationship building, and education. MDT's are part of the Commission on Child Abuse, Rape, and Domestic Violence and there are 33 MDT's in Arkansas. Senator Malone asked the prosecutors in Arkansas for input on how to make Arkansas' system more efficient.

The task force members further discussed Arkansas' Child Maltreatment Act, specifically regarding the procedures of when the investigating agency shall immediately notify local law enforcement of all reports of severe maltreatment. The committee discussed that if investigators are not doing this then it is problematic. Standards and qualifications for investigators, reasonable case loads, training, and accountability were critical.

The panel and task force members discussed designing an accountability model for Arkansas, an instrument(s) to measure performance. The task force discussed asking prosecutors in Arkansas to identify areas for improvement that would boost qualitative and quantitative performance.

Mr. Weeks lead the committee in a discussion about the statutory right to substitute a judge. He stated that like a defendant, a prosecutor has by statute, at least one right to substitute a judge. Ms. Lona McCastlin, Prosecuting Attorney, Arkansas 23<sup>rd</sup> Judicial District, stated that Arkansas does not provide by statute a right of substitution to prosecutors. She said that defendants may appeal a right of cause, but prosecutors cannot. She also stated that prosecutors in Arkansas may request a substitution of a judge but it is rarely granted. Mr. Weeks informed the committee members that the legislature could pass a law that would give prosecutors the right to request a substitution against a judge as a matter of right, without giving a reason. Panel member Mr. David Montague stated this was a matter of due process and that due process could be modified by statute. After final comments from members of the panel, Senator Malone thanked everyone for participating.

There being no further business, the meeting was adjourned at 2:30 p.m.

## **THE LEGISLATIVE TASK FORCE ON ABUSED AND NEGLECTED CHILDREN**

**Tuesday, October 31, 2006**

### **Discussion with Ms. Sherri Jo McLemore, Director, Children's Trust Fund, Child Abuse and Neglect Prevention Board**

Ms. Sherri Jo McLemore, Director, Children's Trust Fund, Child Abuse and Neglect Prevention Board discussed the background and current activities of the Child Abuse and Neglect Prevention Board and the Children's Trust Fund. She said that the money collected by the fund, currently about 1.7 million dollars, was dispersed to prevention programs across the state via a competitive, annual grant process. Ms. McLemore described several initiatives that they were involved with including the Strengthening Families Initiative and the Statewide Training Assistance and Resources (STAR) team. Ms. McLemore said that the Trust Fund had partnered with other agencies, like the Department of Education, to develop programs to assist children and families in need.

Then Senator Malone asked Mr. Keith Gober, Bureau Fiscal Analyst, to update the Task Force on the budget request from the aforementioned agency. Mr. Gober described the agency's request for a reallocation of resources. Senator Malone summarized Mr. Gober's presentation and the state budgeting process, and opened the floor for discussion.

At the request of Senators Malone and Madison, Ms. McLemore explained the reasoning behind her agency's proposal. Ms. Page described DCFS' relationship with the Board, and Ms. Russell stated that the Division of Child Care had collaborated successfully with the Board to help children and families.



Next, Senator Malone invited Colonel Dozier, Director, Department of State Police, to address the Task Force. Colonel Dozier addressed some questions and concerns regarding the State Police Department and the Children's Advocacy Centers (CAC's) in Northwest Arkansas. He assured the task force that he did not intend to pull investigators away from the advocacy centers. He said that he was committed to finding ways for the State Police to positively impact child abuse investigations.

Following Colonel Dozier's statements, the task force continued discussing Ms. McLemore's budget request. Senator Malone asked Ms. McLemore to submit a recommendation for language to the Task Force that would give the Board legal authority to form local councils in counties that lacked one.

Senator Malone moved that the task force recommend the approval of the 1% to Prevent appropriation - \$100,000 each fiscal year of the biennium, with no new general revenue funding. Senator Madison seconded, and the motion passed.

### **Discussion Regarding Multi-Disciplinary Teams (MDT's)**

Mr. Max Snowden, Executive Director, and Ms. Sherry Williamson, Project Coordinator for Child Abuse Programs, Arkansas Commission on Child Abuse, Rape and Domestic Violence, University of Arkansas School for Medical Sciences, testified about Multi-Disciplinary Teams . Mr. Snowden provided a brief history of the Commission. He said that in 1995, the Commission received its' first state funding appropriation from the General Assembly, and the appropriation was used to support Multi-Disciplinary Teams (MDT's) and other efforts related to domestic violence.

Ms. Williamson then referred to several handouts. The handouts included a map of the current MDT's. She said that currently, there were 31 teams. Then, Ms. Williamson explained the Interagency Agreement that was signed every year by the head of the Department of Health and Humans Services and the Commission's Executive Director. She referred to the language of Arkansas Code Annotated 12-12-502. Ms. Williamson went on to say that MDT's differ from county to county and they were placed in the areas of the state with the greatest need. She said that while the MDT's functioned differently, each team was required to have the participation of certain agencies; those agencies were listed in the Multi-Disciplinary Team Agreement and Performance Criteria.

Senator Malone questioned the participation of certain agencies and asked for recommendations from Mr. Snowden and Ms. Williamson regarding what agencies should be added to the mandatory participation list. Ms. Williamson described the Rules and Duties of MDT's. Ms. Williamson described the training opportunities for MDT coordinators. Ms. Williamson affirmed that coordinators would benefit from an organized, unified training program.

Ms. Williamson stated that one of their challenges was funding. She said that more money in the state appropriation would enable them to provide more training opportunities, like Finding Words. Senator Madison questioned the costs of sending someone to forensic interview training. Ms. Shell explained the costs of the Finding Words training, \$200 per person. Janice

McCutcheon, Director, Hot Springs Advocacy Center, and Core Trainer for Finding Words Arkansas said, after listing several training programs, that Finding Words was the most used program in the nation. Ms. Madison asked if the draft legislation should mention training from "a nationally recognized" program. The task force agreed that Finding Words would be an affordable option, since Arkansas had a Finding Words program.

Senator Malone mentioned a discussion that the Chairs had with the judges regarding reporting in child abuse and neglect cases. Senator Malone also had several questions regarding closed cases from the State Police Crimes Against Children Division reporting hotline. Ms. Davidson described the call-in process and she said that hotline operators used the reporting act, DCFS protocol(s), and a review by the supervisor to determine whether a call was valid. She said that a supervisor reviewed every call and would call the reporter back if a decision on a call was changed.

The task force then discussed the training for hotline operators. Ms. Tanner mentioned the language in the severe maltreatment code. Ms. Davidson said that operators received three weeks of classroom training and a week or two of listening-in on hotline calls. She also said that most of the operators were Grade 17's who were not required to have a degree, and some of those Grade 17 employees had worked at that grade for several years. Other options the task force discussed included hiring more supervisors, elevating the pay grade for hotline operators and rotating the calls to prevent employee burn-out.

There being no further business, the task force adjourned at 4:05 p.m.

## **Arkansas Legislative Task Force on Abused and Neglected Children**

**Tuesday, December 12, 2006**

### **Discussion Regarding Child Abuse Prevention and Neglect with Dr. Debora Daro**

Ms. Sherri McLemore introduced Dr. Debora Daro, Ph.D., Research Fellow, Associate Professor, Chapin Hall Center for Children, University of Chicago. Dr. Daro's key points regarding child abuse and neglect included the causes and consequences and the different frameworks used to plan prevention strategies.

Dr. Daro shared statistics and explained a number of theories regarding why some people abuse children. She said that in some cases, parents lacked good resources to change their behavior in order to meet the needs of their children. In other situations, parents suffered from psychological illnesses.

Dr. Daro then listed some of the consequences of child maltreatment. Her list included: 1) child fatalities, 2) permanent developmental delays, 3) poor self-concept and psychological functioning, 4) aggressive and violent behaviors, 5) poor social interactions, 6) peer relationships, 7) and poor school performance.

Dr. Daro also discussed the history of child abuse and neglect research, and she opened this discussion by describing the work of Dr. Henry Camp, founder of Modern Child Abuse in 1962. Dr. Camp studied 70 hospitals across the nation for a significant article titled "The Battered Child". One important factor among the many findings of this study was that child abuse was embedded deeper into the social fabric than anyone had first thought. Additional research showed that change was possible for families but it was not universal.

Dr. Daro continued to trace the history of child abuse and neglect into the 1990's thru the present. She said that , in the 1990's, political interest became a major factor in helping states make reforms in this area. Since that time, different prevention programs were established, including: public awareness campaigns, child assault prevention, family resource centers, group-based parenting education programs, and home visitation services. Senator Malone asked about the Child Assault Prevention Program, and Ms. Robinson stated that the Little Rock School District had similar programs in place. Ms. Reyes stated that some school programs were available on a grant basis. Senator Madison said that the programs should be universal. Senator Malone said that legislation for such programs would be introduced during the upcoming General Assembly.

Dr. Jones asked Dr. Daro to mention other successful prevention programs. Dr. Daro listed: the Early Head Start Program, Healthy Families of America, the HIPPIE Program and the Nurse Family Partnership. Dr. Daro stated that the costs to provide Home Visitation Services would vary.

Then, Senator Malone introduced Colonel Dozier, Arkansas State Police. Colonel Dozier said that there was a consensus by the prosecutors and the Arkansas State Police for the use of Children's Advocacy Centers (CAC) as an effective way to combat child abuse and neglect. Colonel Dozier recommended assigning an officer to each of the CAC centers. Also, Colonel Dozier stated that he would request funding for the Crimes Against Children Division and hotline operators during the upcoming General Assembly.

The task force then discussed funding for the Finding Words Program and Multi Disciplinary Teams (MDT). Senator Malone stated that every district should have an MDT. Ms. Pat Page informed the committee that she would be working to find more money for the Finding Words Program.

### **Discussion with Mr. Chris Newlin, Executive Director, The National Children's Advocacy Center**

Senator Malone introduced Mr. Chris Newlin, MS, LPC, Executive Director, The National Children's Advocacy Center, Huntsville, Alabama. He said that CAC's in the United States aided in the reduction rates of child sexual abuse cases. He discussed the importance of the involvement of the MDT's, law enforcement, child protective services, prosecutors, medical and mental health professionals. Mr. Newlin also described the forensic interview process for children and the National Children's Alliance (NCA) standards for CAC accreditation.

Mr. Newlin said that Arkansas had two programs that received \$50,000 grants this year from the National Children's Alliance for program development. Mr. Newlin explained that, as a fully accredited Center, a CAC could receive \$10,000 dollars a year.

Max Snowden, Executive Director, Arkansas Commission on Child Abuse, Rape, & Domestic Violence, stated that agencies in the state received money from the Children's Justice Act but none of the money went toward CAC's. Mr. Newlin said that in order for CAC's to be accredited they have to either provide therapy services or provide referrals for the services. Sen. Malone asked for Mr. Newlin's help in gathering information.

The Honorable Barbara Mariani, Deputy Prosecuting Attorney, suggested that CAC's could track juvenile sex offenders to gather information on how many juvenile sex offenders had contact with CAC's.

Max Snowden stated that the state was mandated to develop and support Multi-Disciplinary Teams. Sen. Malone said that if the committee could locate the funding, there could be a MDT in each county. He also solicited help from Mr. Snowden in determining the amount that would be needed to establish MDT's in each county.

Ms. Cindy Crone suggested that CAC's obtain national accreditation. Mr. Newlin stated there were incentives for nationally accredited Centers. Then, the task force discussed funding options for the Centers and MDT's.

Mr. Newlin suggested the drafting of legislation for sharing information to M D T's and the transportation of children to a CAC. Mr. Newlin said CAC's should be active in their communities. He said that there should be mandated reporting statistics so that data collection was uniform.

Ms. Tanner stated that protecting our children should be the task force's number one priority. Sen. Madison reiterated that the task force would support the MDT's. Sen. Madison said that it must be clear to teachers in schools that they must report Child Abuse to the Hotline. It was stated that laws and penalties are in place for reporting, but they were not being enforced. Mr. Snowden said that there was training for teachers and counselors for reporting Child Abuse. Ms. Sherri McLemore suggested the expansion of the sexual assault prevention programs in the schools across the state.

Sen. Madison informed the task force members to help get legislation passed. Mr. Mike Feehan, Attorney, Bureau of Legislative Research, stated that in order to draft a bill there had to be specific information such as base guidelines for protocols and the identification of a fund and state agency that would disburse the funds.

Mr. Feehan also discussed the procedures for data collection. He suggested assigning someone to collect the data, such as a school, a division, or the Criminal Justice Institute at UALR. Mrs. Malone stated that the task force could hold another meeting.

There being no further business, the committee adjourned at 4:00p.m.