

Minutes
Senate Interim Committee on Children and Youth
House Interim Committee on
Aging, Children and Youth, Legislative and Military Affairs
Meeting Jointly

Wednesday, June 10, 2020

1:00 P.M.

Room A, MAC

Little Rock, Arkansas

Committee members present: **Senators** Bart Hester, Chair; Mathew Pitsch, Vice-Chair; Alan Clark, Breanne Davis and Gary Stubblefield; **Representatives** Charlene Fite, Chair; Sonia Eubanks Barker, Vice Chair; LeAnne Burch, Cindy Crawford, Denise Garner, Don Glover, Tippi McCullough, Richard McGrew, Jay Richardson, Keith Slape, Stu Smith and Joy Springer

Non-committee members present: **Senators** Linda Chesterfield, Mark Johnson and Jason Rapert; **Representatives** Stan Berry, Andy Davis, Marsh Davis, Jim Dotson, Kenneth Ferguson, Vivian Flowers, Jimmy Gazaway, Grant Hodges, Denise Jones Ennett, Jack Ladyman, Fredrick Love, Austin McCollum, Marcus Richmond, Johnny Rye and Jamie Scott

Senator Hester called the meeting to order.

Approval of Minutes: February 12, 2020 [Exhibit C]

Representative Burch made a motion for approval of the meeting minutes of February 12, 2020. Senator Clark seconded the motion, and the motion passed.

Arkansas State Police (ASP), Crimes Against Children Division (CACD), 2019 Annual Report, and Quarterly Oversight Report (October – December 2019) [Exhibits D1-D2]

Major Jeff Drew, Commander, ASP, presented the 2019 annual report. In 2019, the hotline received 67,420 calls, which were 652 calls less than there were in 2018. The number of accepted reports for investigations decreased by 1, 258 in 2019. The investigations unit of the CACD initiated 5,769 referrals in 2019. CACD investigators closed 5,513 referrals in 2019 and, of the closed referrals, 1,851 (34%) were found to be true. On average the hotline receives between 1200-1500 calls per week and, due to the pandemic, those calls have decreased substantially. Also, investigators are accepting more referrals and are finding them true on the basis of legally valid allegations of abuse or neglect.

Anna Imbeau, Attorney, DHS, CACD, explained the process of prosecuting cases that are found true beyond a preponderance of evidence, which in turn can place an individual on the child maltreatment registry. However, she echoed the statements of Major Drew, stating that once the cases are passed to the prosecutors, it is up to them based upon the information they have to prosecute.

Arkansas Department of Human Services, Division of Children and Family Services (DCFS), Rule for Review: Child Maltreatment Determination Investigations [Exhibit E]

Ms. Christin Harper, Assistant Director, DHS, DCFS, Infrastructure & Specialized Programs, reviewed the Child Maltreatment Investigation Determinations rule updates. DCFS issued an updated Child Maltreatment Investigation Determination Updates Guide, PUB-357. This guide provides rules for child maltreatment investigators on the legal elements required to make a finding of child maltreatment under the Child Maltreatment Act. This guide, formally known as the Child Maltreatment Assessment Protocol, has now been updated, amended, and clarifies the prior rules. Other items in the guide are technical corrections to PUB-357 to match the new terminology of the title. Only one public comment was received, requesting the addition of a “table of contents.”

Senator Hester stated that without objection the rule stands as reviewed.

Arkansas Department of Human Services, DCFS, 3rd Quarter Performance Report, SFY 2020, January 1, 2020 – March 31, 2020 and Overturned Investigation Report, June 1, 2020

[Exhibits F1-F2]

Ms. Mischa Martin, Director, DCFS, reported on the maltreatment reports received during 3rd Quarter, SFY 2020. During the quarter 8,518 reports were accepted with 83 percent assigned to DCFS, and 17 percent assigned to CACD, which is responsible for investigating the most serious allegations of maltreatment. With CACD reflecting a 31 percent true cases, there was not an increase or decrease in cases for the quarter, the overall substantiation rate stood at 23 percent; reporting higher than the national standard. Near death fatalities reported 10 maltreatment investigations and five were found true, one unsubstantiated, and four still pending. The law requires reporting of maltreatment to be initiated within 24 hours of receipt of Priority I report or within 72 hours for a Priority II report. DCFS completed 78 percent of its investigation on time (within 45 days of receipt of the report) during the quarter, an improvement over the previous quarter.

Ms. Martin mentioned during the pandemic, the federal government issued a statement to allow video conference to ensure their safety and well-being to conduct visits. For the quarter, there were 2,588 In-Home Protective Service Cases involving 6,145 children. During the beginning of the pandemic, foster care saw a four percent increase from the previous quarter, with 4,416 kids in the system. This also attributed to a decline in discharges from foster care in March 2020. Overall, 82 percent of the children in foster care at the end of the quarter resided in a family-like setting. Placement stability and permanency are both above the national average and is something that DCFS is working on. About 20 percent of the 443 kids in foster care are in the pre-adoptive placement stages. Lastly, the average caseloads statewide has been just over 20 cases per worker at the end of the quarter. DCFS’s goal is 20 or fewer cases per worker.

Ms. Martin, reviewed the Overturned Investigation report, which is submitted biannually to the Arkansas Legislature in accordance with Act 1025 of 2017. The report provides a breakdown of each investigative section by the county.

With no further business, the meeting adjourned at 2:05 p.m.