

Minutes

Senate Interim Committee on Children and Youth

House Interim Committee on

Aging, Children and Youth, Legislative and Military Affairs

Meeting Jointly

Wednesday, November 1, 2017

The Senate Interim Committee on Children and Youth and the House Interim Committee on Aging, Children and Youth, Legislative and Military Affairs met jointly on Wednesday, November 1, 2017, at 10:00 a.m., at the State Capitol, Room 171, Little Rock, Arkansas.

Committee members present: Senators Stephanie Flowers, Chair and Alan Clark. **Representatives** Charlene Fite, Chair; David Meeks, Vice Chair; Charles Blake, LeAnne Burch, Mickey Gates, Michael John Gray, Monte Hodges, Steve Hollowell, Clint Penzo, Clarke Tucker and Carlton Wing.

Non-committee members present: Senators Linda Chesterfield, Jonathan Dismang and Trent Garner. **Representatives** Fred Allen, Charlie Collins, Jim Dotson, Trevor Drown, Kenneth B. Ferguson, Justin Gonzales, Grant Hodges, Bob Johnson, Roger Lynch, Aaron Pilkington and Johnny Rye.

Senator Flowers called the meeting to order.

Review of Child Maltreatment Investigations Oversight Committee Appointees [Exhibit C]

Senator Flowers briefly discussed Act 713 of 2017, sponsored by Senator Alan Clark, that created the Child Maltreatment Investigations Oversight Committee. She made a motion to review the Oversight Committee roster. The motion was approved with the objection of Representative Burch. She stated that a meeting will be scheduled for the Oversight Committee in a few weeks and members will be advised as to whether this is an open or closed meeting.

Arkansas State Police, Crimes Against Children Division (CACD), Oversight Report, April-June 2017 [Exhibit D]

Senator Flowers recognized Debbie Roark, Acting Administrator, CACD. Mrs. Roark provided a review of the fourth quarter oversight report. She indicated that the CACD is evaluated on six (6) performance indicators of compliance, which were developed during the Angela R. lawsuit in federal court in the 1990's. She provided a brief description of each indicator. As requested by the committee the report shows a breakdown of the number of calls received from mandated reporters that totaled 9,302 calls between April and June. A map of the judicial district is included within the report as well as a listing of each individual color coded county along with the number of cases submitted to the

Prosecuting Attorney's Office.

Representative Burch requested that a breakdown of "true findings and allegations type" be included within the report.

Department of Human Services (DHS), Office of Chief Counsel, Caseload Report for County Legal Operations (CLO): Child Welfare Cases, Fourth Quarter 2017 [Exhibit E]

Senator Flowers recognized Jerald Sharum, Deputy Counsel, DHS. Mr. Sharum provided a brief overview of child welfare cases broken down by counties for the fourth quarter April – June 2017. He discussed CLO support specialists and the areas they cover. He also highlighted the number of dependency-neglect cases and families-in-need-of-services (FINS) cases noting a decrease from 3,567 to 3,555 at the end of the fourth quarter.

Senator Flowers recognized Jennifer L. Craun, Director, Juvenile Justice Division, Administrative Office of the Courts. Senator Flowers stated that she would like to see the number of cases, whether they are dependency neglect, or FINS cases that the Office of Chief Counsel is responsible for as well as the new cover sheet at a later date. Mrs. Craun stated that she will follow up with the Office of Research and Justice Statistics to see what statistics are available.

Department of Human Services, Division of Children and Family Services (DCFS), Child Death and Near Fatality Multidisciplinary Review Committee (CDNFMRC), Annual Report for SFY 2016 and SFY 2017 [Exhibit F]

Senator Flowers recognized Leslie Sebring, Assistant Director, DCFS, to present the Annual Report for SFY 2016 and SFY 2017. She provided a summary on child death and near fatality cases. During SFY 2016, 86 child deaths were reviewed by the CDNFMRC of those, 56 were accepted for investigation. There are true findings of maltreatment in 66% of the deaths that were investigated. DCFS had involvement with the child or a sibling to the child in the prior 24 months in 61% of the deaths. When compared to the characteristics of the children involved in true investigations of maltreatment, the age of a child reviewed by the CDNFMRC was disproportionately younger. Of the deaths reviewed in SFY 2016, 47% involved children under the age of one, and 73% were under the age of five.

During SFY 2017, 95 child deaths were reviewed by the CDNFMRC and of those 59 were accepted for investigation. There are true findings of maltreatment in 71% of the deaths that were investigated with 7 investigations still pending. DCFS had involvement with the child or a sibling to the child in the prior 24 months in 62% of the deaths.

Over SFY 2016 and 2017, the CDNFMRC reviewed a total of 171 child deaths. The CDNFMRC committee recommends the following strategies to reduce deaths and near fatalities of children who are

at a risk of harm:

Recommendation 1: Among all disciplines, increase public policies and education for safe sleep practices, the danger of substance abuse, gun safety, and water safety awareness. Education for water safety awareness needs to increase during the swimming season.

Recommendation 2: Continue to encourage law enforcement, hospital staff, coroners, and medical examiners of the mandate to report any suspicious death and any unexplained or unexpected death in children under 18 years of age to the Arkansas Child Abuse Hotline for investigation or death assessment.

Recommendation 3: Expand the service array to include available and effective substance abuse treatment in all parts of the state.

Recommendation 4: For DCFS, continue to coach and mentor staff on effective investigative techniques to include sufficient documentation, locating families, and contacting other states, when needed; to obtain medical records and interview medical professionals when encountering a family with medial neglect allegations or medically complex children; and to increase service referrals during the investigation, when appropriate.

Recommendation 5: Consider a legislative change to increase the number of near fatalities reported. This involves getting to those near fatalities that may come in as serious injury rather than fatalities.

Recommendation 6: Require all unexplained and unexpected child deaths to be referred to the Medical Examiner for autopsy.

Recommendation 7: Continue the work of the CDNFMRC in accordance with DCFS policy.

Representative Tucker made a suggestion that information be gathered on the number of deaths that are committed by firearms.

Department of Human Services, Division of Children and Family Services, Quarterly Performance Report (QPR), Fourth Quarter, SFY 2017 [Exhibit G]

Senator Flowers recognized Beki Dunagan, Deputy Director, DCFS, to present the QPR for the Fourth Quarter. She summarized “Quick Facts” pertaining to investigation findings for the quarter. There was a slight increase in the initiation Priority I and Priority II reports and combined allegations.

It was noted that November 1st marks the start of National Adoption Awareness Month. There are activities planned along with DCFS and its partner Project Zero. Out of the 701 children available for

adoption, only 375 need an adoptive home recruited for them. This exact number gives the committee an idea of the number of kids available for adoption. There were 240 adoptions finalized in the 4th quarter; this year will be a record adoption year. DCFS is set to finalize 955 adoptions for SFY 2017 with previous years being in the 700's. Mrs. Dunagan emphasized the color coded map on the caseload per worker with significantly lower numbers than previously reported with only one "red" county, that county having the highest caseload.

Ms. Dunagan stated that she will provide a report on the number of children who have never been placed in a stranger foster care home.

Representative Tucker inquired about the standard for average caseload or national average and how these goals are determined. Senator Flowers recognized Paul Knipscheer, Data Analyst, DCFS, Hornby Zeller Associates, Inc. He added that the Federal Children Bureau set, the national standards. Mrs. Dunagan followed up stating that DCFS will contact the Federal Children Bureau to obtain information on how these standards are determined.

With no further business the meeting adjourned at 11:34 a.m.