

APPENDIX V
Monitoring Report #5-- October 1, 2008

Case Review Report
Quality of DLR/ CPS Investigations for FY07



Central Case Review

Children's Administration

Central Case Review

Quality of DLR/CPS Investigations Report for Fiscal Year 2007

I. Background and Purpose

In September 2007, the Braam Oversight Panel accepted a proposal submitted by Children's Administration (CA) to utilize the CA quality assurance team, the Central Case Review Team, to provide data that cannot be gathered through CAMIS for the Braam benchmark: Unsafe /Inappropriate Placements, Goal 2, Outcome 2.

A one-year baseline for FY 2005 will establish the percentage of referrals alleging child abuse and neglect of children in out-of-home care that receive thorough investigations within the CA policy timelines and with the required documentation by the Division of Licensed Resources, including safety assessment and safety planning by region and for the state as a whole. Summary annual reports to the Panel will include: 1) characteristics of the alleged victimization (e.g. age, gender, perpetrator, type of out-of-home setting), 2) outcomes of the investigation (e.g. time from referral to completion of investigation, including any removal action or licensing decision) by region and by state as a whole.

The focus of the DLR/CPS case review is on thoroughness of investigation and safety assessment and safety planning. The DLR/CPS case review questions and decision rules were developed in small group discussions that included collaboration with representatives from the Braam Panel, Braam plaintiff's attorneys, Children's Administration, and with consultation from Lucy Berliner, Director of the Harborview Center for Sexual Assault and Traumatic Stress. The DLR Child Abuse and Neglect Section Practice Guide was utilized as a reference guide in the development of the questions and decision rules. The case review questions and decision rules were approved by the Braam Panel in October 2007 and are located in the Appendix of this report.

II. Review Process

In January 2008, the Central Case Review Team completed the first review to measure FY 2007. Oversight to the review process was conducted by an independent contractor, Lucy Berliner, Harborview Center for Sexual Assault and Traumatic Stress, and her staff. Quality assurance oversight occurred on 24 cases. A random sample of cases from each region was reviewed by both CA and the contractor and agreement was reached on the ratings. The DLR/CPS case review involved a review of the following records: DLR/CPS referrals, service episode records, and Investigative Risk Assessments.

III. Sample Methodology

Agreement was reached between CA and the Braam Panel that the case review sample would include investigations involving homes and facilities with a child placed in the home/facility by CA. Investigations of day care facilities and homes or facilities that did not have a child placed by CA in the facility would be excluded from the sample as they did not involve children in the Plaintiff class.

A random sample of cases was obtained from CAMIS of investigations completed during FY 2007. The total number of completed investigations in FY 2007 was 548. A stratified sampling methodology at the 95% statewide confidence level was developed in consultation with Nancy Raiha, Senior Research Manager from DSHS Research and Data Analysis (RDA). The stratified sampling methodology ensured that the number of referrals reviewed from each of the six CA regions closely approximated their representation in the population of completed investigations for FY 2007. The number of referrals and corresponding investigations reviewed was 230.

Table 1

| DLR/CPS Case Sample | | | | | | | |
|--|--------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| | State Total | Region 1 | Region 2 | Region 3 | Region 4 | Region 5 | Region 6 |
| Total # of Investigations FY 2007 | 548 | 63 | 50 | 82 | 69 | 125 | 159 |
| Stratified Sample Percent | 100% | 11.50% | 9.12% | 14.96% | 12.59% | 22.81% | 29.01% |
| # of Referrals Reviewed | 230 | 26 | 22 | 34 | 30 | 53 | 65 |

Table 2

| Types of Facilities Included in the Review | | | | | | | |
|---|-------------|-----------|-----------|-----------|-----------|-----------|-----------|
| | State Total | Region 1 | Region 2 | Region 3 | Region 4 | Region 5 | Region 6 |
| Foster Homes | 209 | 26 | 21 | 31 | 22 | 47 | 62 |
| Group Homes | 13 | - | - | 2 | 7 | 2 | 2 |
| State Operated/ Certified Facilities | 6 | - | - | 1 | 1 | 4 | - |
| Unlicensed Homes & Closed Foster Homes | 2 | - | 1 | - | - | - | 1 |
| Total Number of Referrals Reviewed | 230 | 26 | 22 | 34 | 30 | 53 | 65 |

The types of facilities included the following groups:

1. **Foster home and adoptive home:** This included the following types of homes if there was child placed by Children’s Administration in the home:
 - Foster homes licensed by CA
 - Foster homes licensed by Child Placing Agencies
 - Homes currently certified by CA as a potential adoptive placement

2. **Group home:** This included any of the following types of facilities if there was a child placed by Children’s Administration in the facility or supervised by agency staff.
 - Group homes
 - Staffed residential homes
 - Group receiving home
 - Emergency respite center
 - Overnight youth shelters
 - Crisis residential centers
 - Child placing agency staff

3. State operated/certified facilities providing 24 hour care: This included facilities operated by one of the following DSHS agencies if there was a child was placed by Children's Administration in the facility:

- Division of Alcohol and Substance Abuse (DASA)
- Division of Developmental Disabilities (DDD)
- Juvenile Rehabilitation Administration (JRA)
- Mental Health Division (MHD)
- Washington State School for the Deaf
- Washington State School for the Blind

4. Unlicensed homes and closed foster homes: This included the following types of homes if there was a child placed by Children's Administration in the home:

- Homes with a pending initial foster home license
- Homes with a closed foster care license if when the allegations of CA/N occurred, the foster home license was active within 5 years of the referral
- Unlicensed homes

IV. Results

A. Benchmark Compliance by State and Region

| Benchmark | D 2.2.1 Percentage of referrals alleging child abuse and neglect of children in out-of-home care receiving thorough investigation and with required documentation by the Division of Licensed Resources, including safety assessment and safety planning will be 100% by region and the state as a whole. | | | | | | |
|--------------|---|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| | Statewide | Region 1 | Region 2 | Region 3 | Region 4 | Region 5 | Region 6 |
| % Compliance | 87% <i>(200 out of 230)</i> | 92.3% <i>(24 out of 26)</i> | 81.8% <i>(18 out of 22)</i> | 88.2% <i>(30 out of 34)</i> | 86.7% <i>(26 out of 30)</i> | 86.8% <i>(46 out of 53)</i> | 86.2% <i>(56 out of 65)</i> |

B. Results by Facility Type

| Statewide Results By Facility Type | | | | |
|------------------------------------|---|-------------|-------------------------------------|--|
| | Foster Homes | Group Homes | State Operated/Certified Facilities | Unlicensed Homes & Closed Foster Homes |
| % Compliance | 85.6% <i>(179 out of 209)</i> | 100% | 100% | 100% |
| Total Applicable Cases | 209 | 13 | 6 | 2 |

C. Case Review Questions

Four questions were developed to evaluate thoroughness of investigation, safety assessment, and safety planning. Each question was given equal weight. Compliance with the benchmark was achieved when each of the four questions were rated Fully Achieved or Not Applicable. The decision rules for rating each of the questions is located in the Appendix of this report.

| Question 1 | Were all suspected victims of alleged child abuse or neglect (CA/N) interviewed? | | | | | | |
|----------------------------|--|----------|----------|----------|----------|----------|----------|
| | Statewide | Region 1 | Region 2 | Region 3 | Region 4 | Region 5 | Region 6 |
| Full Compliance | 99.1% | 100% | 95.5% | 100% | 100% | 100% | 98.5% |
| Total Applicable Referrals | 230 | 26 | 22 | 34 | 30 | 53 | 65 |

228 out of 230 cases were rated Fully Compliant

| Question 2 | Were all subjects interviewed? | | | | | | |
|----------------------------|--------------------------------|----------|----------|----------|----------|----------|----------|
| | Statewide | Region 1 | Region 2 | Region 3 | Region 4 | Region 5 | Region 6 |
| Full Compliance | 97% | 100% | 90.9% | 97.1% | 93.3% | 98.1% | 98.5% |
| Total Applicable Referrals | 230 | 26 | 22 | 34 | 30 | 53 | 65 |

223 out of 230 referrals were rated Fully Compliant

- In the seven cases rated non compliant, both the foster mother and foster father were identified as alleged subjects of CA/N and only one of the foster parents was interviewed about the allegations.

| Question 3 | Was adequate information gathered during the investigation to assess child safety? | | | | | | |
|-----------------------------------|--|----------|----------|----------|----------|----------|----------|
| | Statewide | Region 1 | Region 2 | Region 3 | Region 4 | Region 5 | Region 6 |
| Full Compliance | 89.6% | 92.3% | 86.4% | 91.2% | 96.7% | 86.8% | 87.7% |
| Total Applicable Referrals | 230 | 26 | 22 | 34 | 30 | 53 | 65 |

206 out of 230 cases were rated Fully Compliant

- In some cases rated non compliant there were other children (biological, adopted or foster) who resided in the home at the time of the alleged incident. These children, who were not identified as possible victims, may have been possible witnesses to the alleged incident and/or could have provided additional information in assessing child safety and risk.
- In other cases rated non compliant there were other collateral contacts that could have been made and were not. These included contacts with medical providers, a therapist, a school employee, a bus driver and a birth father. In these cases, it was determined that additional information from the collateral sources could have provided additional information in assessing child safety and risk.

| Question 4 | If child safety concerns existed, were appropriate actions taken to ensure the safety of the child(ren)? | | | | | | |
|-----------------------------------|--|----------|----------|----------|----------|----------|----------|
| | Statewide | Region 1 | Region 2 | Region 3 | Region 4 | Region 5 | Region 6 |
| Full Compliance | 96.9% | 100% | 100% | 100% | 90.9% | 92.3% | 100% |
| Total Applicable Referrals | 65 | 9 | 3 | 11 | 11 | 13 | 18 |

63 out of 65 cases were rated Fully Compliant.

Safety concerns were defined as conditions in which a child was at risk of serious and immediate harm. Consequently, if no safety concerns existed in the investigation, this question was rated as Not Applicable. Safety concerns existed in 65 of the 230 cases reviewed.

There were two cases in which documentation could not be located that fully addressed serious safety concerns.

V. APPENDIX

DLR/CPS Case Review Questions and Decision Rules

1. Were all suspected victims of alleged child abuse or neglect (CA/N) interviewed?

Full Compliance:

All children were interviewed who were suspected victims of CA/N including the following:

- Suspected child victims that were identified at the time of the referral (they were coded as victims in the referral)
- Additional suspected child victims who were identified during the course of the investigation and were subsequently coded as victims
- Children who were not identified as suspected child victims but based on a review of the case should have been identified as victims,

and/or

The suspected child victim(s) was non-verbal, and a physical and behavioral description of the child(ren) including injuries (if applicable) was documented,

and/or

The child interview was unsuccessful because the suspected victims(s) refused to cooperate, and a physical and behavioral description of the child including a description of injuries was documented,

and/or

The whereabouts of the suspected child victim were not known, and efforts were made to locate the child.

Non-Compliance

There were suspected child victims who were not interviewed,

and/or

The suspected child victim(s) was non-verbal, and a physical and behavioral description of the child(ren) including injuries (if applicable) was not documented,

and/or

The child interview was unsuccessful because the suspected victims(s) refused to cooperate, and a physical and behavioral description of the child including a description of injuries was not documented,

and/or

The whereabouts of the suspected child victim were not known, and efforts were not made to locate the child.

NA:

None

Factors to consider when determining if a child should be considered a suspected victim:

- *Was information gathered through interviews with suspected child victims, subjects, collateral contacts or witnesses that indicated other children in the subject's care may also have been victims of CA/N?*
- *Were there other children living in the facility at the time of the alleged CA/N who may also have been victimized?*
- *Were other suspected child victims identified by a review of records relevant to the investigation?*

2. Were all subjects interviewed?

Full Compliance:

All subjects were interviewed including:

- Subjects identified at the time of the referral (they were coded as subjects in the referral)
- Additional subjects who were identified during the course of the investigation and were subsequently coded as subjects
- Subjects who were not identified as subjects but based on a review of the case should have been identified as subjects

and/or

All subjects were interviewed by LE according to local LE protocols and the DLR investigator offered all alleged subjects the opportunity for an interview,

or

All subjects were interviewed by LE according to LE protocols and the DLR investigator did not offer an interview to the subject(s) due to the request by LE,

and/or

Reasonable attempts were made to interview all alleged subjects, but the alleged subjects refused to cooperate.

Non-Compliance:

There were subject(s) who were not interviewed and reasonable attempts were not made to locate or interview the subject(s).

NA:

No subject was identified on the referral,

or

The subject(s) location was not known.

Factors to consider when determining if reasonable attempts were made to interview the subject:

- *If the subject's location was unknown, were attempts made to locate the subject through an inquiry with people likely to know the subjects current whereabouts?*
- *Were multiple attempts made to contact the subject at all known phone numbers and/or locations the subject was likely to be?*
- *Was a letter sent to the subject offering an interview?*

- *Was the subject contacted for an interview and refused to cooperate?*

3. Was adequate information gathered during the investigation to assess child safety?

Definitions from Practice Guide to Risk Assessment :

- *Child safety is a condition in which a child is protected from serious and immediate harm.*
- *Serious and immediate harm involves child abuse and neglect that could result in death, life endangering illness, injury requiring medical attention, traumatic emotional harm or severe developmental harm that has severe lasting effects on the child's well being.*

Fully Achieved: Adequate information was gathered during the investigation to adequately assess child safety through the following investigative activities when applicable:

- Child interviews
- Subject interviews
- Collateral contacts
- Witness contacts
- Review of records

Not Achieved: Adequate information was not gathered during the investigation to assess child safety.

NA: None

Factors to consider when determining if adequate information was gathered:

- *Were all suspected child victims interviewed?*
- *Did child interviews address all allegations and safety concerns?*
- *Were all subjects interviewed?*
- *Did subject interviews address all allegations and safety concerns?*
- *If information in the referral was unclear, was the referent contacted to clarify the intake information?*
- *If the allegation of CA/N indicated a possible crime was committed, was law enforcement contacted for coordination?*
- *Were there professionals in the subject's or child's life who may shed light on the matter under investigation and/or may provide pertinent history? Were they contacted or an attempt made? (collateral sources may be medical providers, therapists, school personnel, and/or the child's social worker)*
- *Were there witnesses to the incident under investigation? Were they contacted or an attempt made? (witnesses may include other children in the home, other staff, or others with knowledge of the incident)*

- *Were records reviewed that may have shed light on the matter under investigation?(facility investigations records may include: logs, child records, personnel records, training records, attendance records and/or licensing records)*
- *Was an on-site visit made to the facility during the course of the investigation to evaluate the current condition and environment of the suspected child victims to determine health and safety risks?*
- *Was consultation from other professionals including physicians or psychologists sought? This would include medical consultation to assist in determining the origin of a child's injuries.*
- *Was the pattern of prior complaints considered when assessing safety?*

4. If child safety concerns existed, were appropriate actions taken to ensure the safety of the child(ren)?

Definitions from Practice Guide to Risk Assessment:

- *Safety concerns involve conditions in which a child is at risk of serious and immediate harm*
- *Serious and immediate harm involves child abuse and neglect that could result in death, life endangering illness, injury requiring medical attention, traumatic emotional harm or severe developmental harm that has severe lasting effects on the child's well being.*
- *Safety planning protects the child from serious and immediate harm by concrete steps and immediate action that addresses the danger or threat.*

Fully Achieved:

Safety concerns for the child(ren) existed and appropriate action was taken to ensure the protection of the child(ren) which may include the following:

- Safety planning occurred that addressed the safety concerns (e.g. the alleged subject/perpetrator was asked to leave the facility pending the investigation)
- Removal of the child from the facility

Not Achieved:

Safety concerns existed for the child(ren) and appropriate actions were not taken to ensure the protection of the child.

NA:

Child safety concerns did not exist,

or

The home addressed all child safety concerns before the department was involved.

Factors to consider when determining if appropriate actions were made:

- *If there was safety planning, was it developed within a time frame that ensured the immediate safety of the child?*
- *Was the safety planning effective by:*
 1. *Focusing on the child's safety needs*
 2. *Increasing the child's visibility*
 3. *Including a number of parties who share the role of assuring child safety*
 4. *Being realistic and achievable*
 5. *Being developed in consultation with the caregiver*
 6. *Being specific, detailed and containing timelines for completion*
 7. *Identifying the roles and responsibilities of various adults in helping keep the child safe*
- *Did the safety plan require monitoring beyond the closure of the investigation? If needed, was there a plan for monitoring?*

Rules Used to Assess Compliance

If questions #1 through #4 are “Fully Compliant” or “Not Applicable” the case is compliant.