

Child Abuse Prevention and Treatment Act
Report of the Child Abuse and Neglect Advisory Committee Citizen Review Panel
Family and Children's Trust Fund of Virginia
June 2019

Background

The Child Abuse Prevention and Treatment Act (CAPTA) mandates the establishment of citizen review panels to examine Child Protective Services (CPS) policies and procedures. Citizen review panels may also review specific child protective services cases in order to evaluate CPS program compliance with the State Plan, coordination with Title IV-E foster care and adoption programs, child fatalities and near fatalities, as well as other concerns the panel considers important to the CPS program.

The Commonwealth of Virginia has three citizen review panels: the Child Abuse and Neglect Advisory Committee of the Family and Children's Trust Fund (CAN/FACT); the State Child Fatality Review Team (CFRT); and the Children's Justice Act/Court Appointed Special Advocate Committee (CJA/CASA).

The Family and Children's Trust Fund (FACT) Board was established by the Virginia General Assembly in 1986 through enactment of § 63.2-2102 of the Code of Virginia. Created as a public-private partnership with the capacity to raise funds in the community for family-serving programs, the FACT Board has the stated mission of providing support and development of services for the prevention and treatment of family violence in Virginia. The vision of the Board is to reduce incidences of family violence through support of community-based initiatives, public awareness, and collaboration. FACT defines family violence to include child abuse and neglect, domestic violence, dating violence, sexual assault and elder abuse and neglect. Through its Trust Fund, supported by donations from a variety of sources, the FACT Board is able to provide grants to financially support programs throughout the Commonwealth that serve Virginia families.

The FACT Board is governed by a 15-member Board of Trustees appointed by the Governor. The Board meets quarterly, and the members serve a maximum of 2 four-year terms. The Commissioner of the Virginia Department of Social Services (VDSS) serves as a permanent member. In 2012, the Governor's Advisory Board on Child Abuse and Neglect (GAB) was absorbed into the FACT Board, with the citizen review panel functions of the GAB being assumed by the Child Abuse and Neglect (CAN) Committee established by the FACT Board at that time. The CAN Committee also meets quarterly.

At its March 27, 2019 meeting, the FACT Board received and approved the findings and recommendations of the CAN Committee on key concerns regarding child abuse and neglect and the response to it in Virginia. Those are set out below.

Specific Areas of Continued Monitoring

The CAN Committee appreciated the response letter provided by VDSS Child Protective Services addressing the five areas concern the CAN Committee submitted, and the FACT Board adopted in March of 2018. The complexity of these concerns warrants comprehensive and multi-year efforts at solutions.

Therefore, the CAN Committee will continue to monitor the five concerns noted in 2018 with additional comments below:

1. **Workforce development and retention:** The CAN Committee commends VDSS' multipronged approach to address their recruitment and retention challenges in local departments of social services across the Commonwealth. The committee requests continued updates on the new Virginia Services Training Model Implementation, Quality Improvement Center for Workforce Development results, in addition to the Child Welfare Stipend Program and Child Welfare Employee Education Assistance Program. The committee is specifically requesting individual outcome data from each program as well as a report on the overall trends in VDSS staff development and retention.
2. **Responsiveness of the state hotline and local call lines:** The CAN Committee is encouraged by the drop in wait times for the State CPS/APS hotline from 1+ hours to approximately 15 minutes. However, 15 minutes is still an unacceptable wait for an individual taking the important action of making a CPS report, an action that is often accompanied with conflicting feelings of concern over the possible consequences of contacting the government about the conduct of another person and fear over possible harm to a child if that contact is not made. We commend the steps taken by the VDSS in the last year to address this issue and suggest the Department continue to strengthen hotline worker training, streamline processes and develop expediting platforms such as the Mandated Reporter electronic platform to continue to decrease the hotline wait time and improve customer service. The committee is requesting continued evaluation of each program's effectiveness and reports on those outcomes.
3. **Use of Structured Decision-Making (SDM):** The CAN Committee would like to continue to receive updates on the revisions to the SDM tool based on the National Children's Research Center's (CRC) Validation Study. The Committee would also like to be informed of new processes and training initiatives implemented as a result of the study.
4. **Practice of Diversion:** The CAN committee requests the results of the Annie E. Casey Foundation Kinship Diversion Study as well as updates on the VDSS plan of response to study results. The CAN committee maintains that statewide standards of practice for diversion are needed, due to potential poor outcomes for children and VDSS' lack of capacity for tracking informal diversion arrangements. Standards of practice should include evaluation measures focused on increasing the safety and welfare for children in care.
5. **Substance-Exposed Infants:** The CAN Committee commends VDSS' multipronged approach to improving outcomes for Substance-Exposed Infants, including data collection and analysis, public awareness, legislative action, and education and resource material development. We request continued updates on the progress and outcomes of these multiple interventions.

New Areas of Concern

In addition to continuing to monitor the five areas of concern from the 2018 CAPTA letter, the CAN Committee submitted and the FACT Board adopted the following two new areas of concern where VDSS attention and action are needed:

1. **Child on child sexual abuse:** Localities in Virginia respond to child on child sexual abuse in varied ways, sometimes through the criminal justice system, sometimes through CPS, and sometimes the abuse isn't responded to by either system and falls through the cracks. The committee

recognizes the jurisdictional challenges associated with these cases and would like VDSS to explore solutions in the following areas: (1) how can these cases be more uniformly responded to so that children in Virginia communities are protected and (2) how can the children committing these acts be helped in a trauma-sensitive way.

2. **Child victims of sex trafficking:** There is not a clear or streamlined avenue for addressing child sex trafficking cases in Virginia. Responses vary by locality and, as a result, victims of child sex trafficking cases often fall through the cracks. The committee would like VDSS to monitor and report on the newly established CPS response category specifically established for child sex trafficking victims. This will include an assessment of the sex trafficking victim's home of origin to determine if the victim should be returned home or enter the CPS and foster care system.

The FACT Board would like to thank VDSS for working to address the complex challenges of the Child Protective Services System and looks forward to working closely together for the benefit of Virginia's children and families.