

60-Day CIRT REVIEW
¹Report Date September 27, 2006

I. INTRODUCTION

Oregon Department of Human Services adopted the Critical Incident Response Team (CIRT) protocol on November 1, 2004. This protocol was developed for the following purposes:

- To specify the Department of Human Services, Child Welfare procedures that will be used when a critical incident occurs;
- To increase the Department's accountability to the public;
- To ensure timely responses by the Department with respect to any critical incident in Child Welfare; and
- To increase the Department's ability to recommend necessary changes to statutes, administrative rules, policies and procedures, practices, training and personnel matters.

II. CIRT RESPONSE/CASE STATUS UPDATE

a. Criminal Investigation & Case Status

A decision was made by the County District Attorney not to file criminal charges in this case.

The CPS assessment was completed on 6/27/06 and resulted in a founded disposition for neglect.

b. Media Response

No media contact reported on this case to date.

c. Staff Interview Process

Human Resources (HR) and Administrative staff completed interviews at the local child welfare office. The staff that were interviewed included a CPS supervisor, two CPS assessment workers, two permanency supervisors, and one permanency worker. The information obtained in staff interviews was consistent with the

¹ Posting or report delayed due to resolution of criminal matter.

findings in this report. Human resources concluded that there are no individual staff actions warranted.

III. CIRT AND ACTION STEPS

a. Identified Issue: How can DHS and its community partners best respond to domestic violence reports where children are in the home, appropriately assess protective capacity of both the offending parent and the parent who is the survivor of domestic violence, and what barriers exist in accessing community resources for the batterer and survivor of domestic violence and monitoring the ongoing safety of the children and family. Are these statewide issues that require review?

Recommendations:

- Assess the need for services to survivors of domestic violence who are also parents when child safety concerns are paramount. Review these issues at both the state and local level.
- Examine statewide relationships between child welfare and providers of services to both offenders and survivors of domestic violence. Look for promising practices in communities that have overcome barriers in jointly serving adult survivors and children impacted by family violence.
- Review, at both the state and local level, supervisor and caseworker training in the following areas related to domestic violence:
 - Interviewing, assessing and providing services to the parent who is a domestic violence batterer.
 - Assessing the protective capacity and providing services to the parent who is a survivor of domestic violence and who may also be the primary caregiver.

Action steps:

- Local child welfare office managers will engage in monthly meetings with the Director(s) of the local battered women's shelters or crisis center with the goal of partnering and educating one another around issues related to services to domestic violence survivors in the County.
 - **Timeline:** Monthly meetings.
 - **Responsible party:** District Manager

- Look for District DHS resources to develop needed support groups and/or services to domestic violence survivors, i.e. through Family Based Services contracts, Title IV-E money, System of Care contracts, etc.
 - **Timeline:** Evaluation of internal resources within 60 days
 - **Responsible party:** District Leadership Team, Resource Developer
- Assure all local branch staff and child welfare staff statewide are appropriately trained on the Oregon Safety Model, which includes detailed instruction on the assessment of “parental protective capacity.”
 - **Timeline:** Initial Training Completed by March, 2007
 - **Responsible party:** District Supervisors, CAF Program managers and consultants

b. Identified Issue: Was notification to the Mexican Consulate required by policy and statute in this case? Is there confusion either at the local or statewide level regarding laws and policies that control when working with Mexican Nationals? Is there a clear understanding about what is required by the Vienna Convention when a child is a citizen of Mexico as opposed to a dual citizen, or child of a Mexican National?

Recommendations:

Further review of this issue indicated that the Vienna convention did not apply in this case and DHS was in compliance with all laws and polices related to this area.

c. Identified Issue: Are there barriers to services that exist when a parent or child is undocumented? Are there barriers to services that exist when a parent is not a native English speaker or does not speak English at all? How can DHS address an undocumented or non-native English speaking parent’s access to medical cards, mental health services or family support services? CAF administration will communicate to DHS administration the challenges faced by undocumented families in accessing services when involved in the child welfare system.

- DHS is developing cultural competency training for all department staff. CAF administration will support the priority need of this updated training.
- The local child welfare office will access the program office to provide activities to increase awareness of cultural competency needs and of the

- specific community services or resources that exist for meeting those needs.
- The local office will maintain a current list of local resources available to non-documented citizens. The local office will utilize the Resource Developer, other bicultural staff and community partners to develop a list of providers and services. System of Care funds for child specific (family specific) needs are intended for development of services to meet needs when not otherwise available.

Action Steps:

- The local branch already has a comprehensive resource manual that includes all community services available for its residents. The branch will put into a separate format all services and resources specific to Spanish speaking families, and/or families who do not have access to the Oregon Health Plan. The branch will also review the above services and resources in its neighboring districts and include that information in the resource manual.
 - **Timeline:** Complete by January 1, 2007
 - **Responsible party:** Resource Developer
- The local branch will seek assistance from the already established District Diversity Committee to make known to its workers activities available in the area to increase cultural competency
 - **Timeline:** Ongoing activity
 - **Responsible party:** District Program Managers
- DHS administration will continue ongoing training regarding cultural competency and reinforce these principles in work with child welfare families.
 - **Timeline:** Ongoing
 - **Responsible party:** DHS Administration

d. Identified Issue: Are CPS assessments being conducted according to the rules? Are all parties being interviewed as part of the assessments? If not, are supervisors approving an exception to the requirement to interview all parties, and is that approval being documented?

Recommendations:

The local office will reinforce the rule requirement that both parents and all children in the household be interviewed and observed during the CPS assessment process.

Action step:

- All District Intake Supervisors will review the current Child Welfare administrative rules with their units emphasizing expectations regarding interviewing alleged victims, siblings, and all legal parents during each and every assessment.
 - **Timeline:** Completed in 30 days.
 - **Responsible party:** District CPS Supervisors

e. Identified Issue: Is cross reporting of child abuse occurring as it should according to ORS 419B.017 and DHS administrative rule?

Recommendation:

The local child welfare office will request a review of the cross reporting statute and administrative rule by their County MDT to support compliance with this requirement by all local law enforcement, as well as DHS.

Action steps:

- The local branch will address the issue at the next regularly scheduled MDT meeting, asking that the MDT review the protocol for cross reporting specifically emphasizing domestic violence reports where children are in the home.
 - **Timeline:** To be completed by the next regularly scheduled MDT meeting in the District.
 - **Responsible party:** District Child Welfare Program Manager
- The local branch will ask that the cross reporting statute be put on the agenda for the next regularly scheduled MDT training to be held on January 29 and February 9, 2007.
 - **Timeline:** To be completed by February 9, 2007
 - **Responsible party:** Child Welfare Program Manager
- The local branch will specifically put this case and the related cross reporting issues on the agenda at the next quarterly statutory compliance meeting for the local MDT.
 - **Timeline:** To be completed by January 2007
 - **Responsible party:** Child Welfare Program Manager

f. Identified Issue: Where a family or family member is a non-native English speaker, are meetings, documents, and service plans provided verbally and in written form in the family's first language? Is there sufficient documentation regarding the services provided and intervention with families when the worker is dealing with a non-native English speaking family?

Recommendations:

- The District will provide direction and additional training to supervisors and workers in timely and sufficient case recording requirements. Supervisors will be directed to assure that case recording sufficiently supports safety and service planning activities.
- The local child welfare supervisors will be directed to assure that documentation reflects delivery of all case related information and interaction in the family's first language.
- Supervisors and caseworkers will assure that documentation is translated for supervisory review purposes if necessary.

Action Steps:

- The local branch Managers will address the issue of sufficient case recording requirements with their unit supervisors during a regularly scheduled supervisor staff meeting and will reinforce the issue during regularly scheduled conferences. The discussion will include the fact that signing off on a case narrative means the supervisor approves the content of the narrative. Supervisors will discuss with caseworkers the need to have case materials translated into English in a timely manner for supervisory review purposes.
 - **Timeline:** To be completed within 60 days.
 - **Responsible party:** Child Welfare Program Managers
- The local branch will add a line item to its three month, seven month, and transfer staffing lists that a supervisor does a case note review of the case being staffed to assure both compliance with face-to-face contacts and to assure that the case notes address the significant elements of that contact.
 - **Timeline:** Documents will reflect the changes within 30 days
 - **Responsible party:** Child Welfare Program Managers
- The local branch Supervisors will review with their workers in their respective unit meetings the need to put all case narration, service

agreements, letters of expectation, Family Decision Meeting minutes, and any other documents that go to families in the family's primary language.

- **Timeline:** To be completed within 60 days
- **Responsible party:** Local Supervisors