



2011



Citizen Review Panel Annual Report

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Mission and Mandate

MISSION

The Alaska Citizen Review Panel (CRP) is committed to reviewing and evaluating the practices and procedures of the Office of Children’s Services (OCS) and in making recommendations relative to its findings to ensure the safety and the well-being of the children of Alaska.

The CRP will achieve this commitment by examining the policies and procedures of the Office of Children’s Services and collaborating agencies; examining, where appropriate, specific cases; evaluating the extent to which agencies are carrying out their child protection responsibilities; and preparing and making available to the public an annual report.

MANDATE FOR THE GROUP

The Citizens' Review Panel (CRP) is federally mandated through the Child Abuse Prevention and Treatment Act (CAPTA); Keeping Children and Families Safe Act of 2003. The CRP is also mandated through Alaska statute Sec. 47.14.205.

“By allowing the Panels to have complete access to child protection cases, by requiring Panels to publicize their findings, and by requiring states to respond to criticisms and recommendations of the Panels, the Committee intends to subject states to public criticism and political repercussion if they fail to protect children.” (United States Congress, House Report 104-081, 1995, p.1)

DUTIES ASSIGNED TO THE GROUP

Summary of duties The CRP shall examine the policies, procedures, and practices of State and local agencies and where appropriate, specific cases, to evaluate the extent to which State and local child protection system agencies are effectively discharging their child protection responsibilities.

CRP duties

- Evaluate OCS compliance with federal and state laws, examine policies and procedures for consistent statewide implementation, review cases with fatalities or near fatalities. The CRP shall evaluate the extent to which OCS is effectively discharging its child protection responsibilities under:
 1. The State Plan submitted to the U.S. Department of Health and Human Services under 42 U.S.C. 5106a(b);
 2. Child Protection Standards under federal and state laws; and
 3. Any other criteria that the CRP considers important to ensuring the protection of children, including the level and efficiency of coordination of foster care and adoption programs in the state and a review of child fatalities and near fatalities.

In carrying out the responsibilities listed above, the CRP shall examine the policies, procedures, and practices of OCS, and, where appropriate, evaluate specific cases of child abuse or neglect.
- Maintain confidentiality. A person attending a CRP meeting or a CRP member or CRP staff may not make any disclosure related to information obtained during a review by the CRP. A violation is subject to a civil penalty of up to \$2,500 for each violation.
- Conduct public outreach. The CRP shall conduct public outreach and gather public comment on current OCS procedures and practices involving children and family services.
- Produce an annual report. The CRP shall prepare and make available to the governor, the legislature, and the public an annual report containing a summary of its activities and recommendations for the improvement of child protection services in the state.
- Meet at least every three months. The CRP is required by law to meet every three months. Additional meetings and/or teleconferences are scheduled as needed.

DUTIES ASSIGNED TO OCS RELATED TO THE CRP

HSS support. The Commissioner shall, by regulation, establish policies and procedures necessary to carrying out the duties of the CRP.

- Cooperation with state panel. OCS shall provide the panel access to information on child abuse or neglect cases that is necessary for the CRP to carry out its duties.
- Report response. Not later than six months after the date on which the report is released, OCS shall submit a written response that describes whether or how

OCS will incorporate the recommendations of the CRP (where appropriate) to make ***measurable*** progress in improving the child protection system.

Membership and Staff Support

Required membership The Panel shall be composed of volunteer members who are broadly representative of the state, including members who have expertise in the prevention and treatment of child abuse and neglect.

Current membership

Susan Heuer, Chair, Anchorage

Bonnie Edmondson, North Pole

Dana W. Hallett, Haines

Kristin Hull, Wasilla

Steve McComb, Palmer

Stella Schuchardt, Fairbanks

Former members who left the group during this reporting period

Arthur Hansen, Fairbanks

George Kirchner, Fairbanks

Ralph Taylor, Eagle River

Fred Van Wallinga, Willow

Desired membership The CRP would like to meet its requirement to be broadly representative of the state by widening the geographic and racial and ethnic diversity of the membership. The group is working to recruit new members from underrepresented areas of the state as well as a greater diversity of child-centered expertise and backgrounds.

OCS liaison Christy Lawton, Director, is the current liaison between OCS and the CRP.

Staff support Staff support is provided by Sylvan Robb and Nancy Lowe of Information Insights.

Meetings and Activities

Group meetings

July 30, 2010	Teleconference
August 5, 2010	In person -- Wasilla
September 28, 2010	Teleconference
October 28, 2010	Teleconference
November 13, 2010	Teleconference
December 3, 2010	In person – Wasilla
December 7, 2010	Teleconference
December 14, 2010	Teleconference
December 17, 2010	Teleconference
January 6, 2011	Teleconference
January 27, 2011	Teleconference
February 4, 2011	Teleconference
February 16, 2011	Teleconference
April 12, 2011	Teleconference
May 13, 2011	In person -- Fairbanks
June 14, 2011	Teleconference

Other activities

August 2-4, 2010	Palmer and Wasilla: met with local OCS staff and partnering agencies
August 19, 2010	Teleconference with Tim Bolles, CSM SCRO
August 19, 2010	Teleconference with Christy Lawton, Acting Director
September 15, 2010	Teleconference: Susan Heuer, Legislative staffer Beth Schneider, and Sylvan Robb
November 30- December 1, 2010	Copper River Basin: Dana Hallett, Bonnie Edmondson, and Sylvan Robb met with local OCS staff and partnering agencies
November 30- December 1, 2010	Palmer and Wasilla: Susan Heuer, Fred Van Wallinga, Kristin Hull, George Kirchner met with local OCS staff and partnering agencies

December 2-3, 2010	Wasilla: met with OCS staff and partnering agencies
December 29, 2010	Teleconference with Christy Lawton, Acting Director
January 21, 2011	Teleconference with Tim Bolles, CSM SCRO and other SCRO staff
February 9, 2011	Juneau: Susan Heuer, Dana Hallett, Fred Van Wallinga, and Sylvan Robb met with Mike Nizich, Governor Parnell's Chief of Staff, Michael Streur, Commissioner of HSS, Pat Hefley, Deputy Commissioner of HSS, Mike Lesman, Governor's Office
February 9, 2011	Juneau: Susan Heuer, Dana Hallett, Fred Van Wallinga, and Sylvan Robb testified before Senate Health and Social Services Committee
February 10, 2011	Juneau: Susan Heuer, Dana Hallett, Fred Van Wallinga, and Sylvan Robb met with Senator John Coghill and staffer Rynniva Moss
February 10, 2011	Juneau: testified before House Health and Social Services Committee
March 21, 2011	Susan Heuer and Kristin Hull interviewed prospective Panel member, Steve McComb
March 23, 2011	Teleconference with Christy Lawton, Director
March 29, 2011	Susan Heuer, (via phone), Bonnie Edmondson, and Sylvan Robb interviewed prospective Panel member, Stella Schuchardt
April 18, 2011	Teleconference: Dana Hallett, Kirstin Hull and Sylvan Robb held orientation with new members Stella Schuchardt and Steve McComb
May 10, 2011	Fort Yukon: Fred Van Wallinga and Stella Schuchardt met with partnering agencies
May 10, 2011	Galena: Kristin Hull and Sylvan Robb met with local OCS staff and partnering agencies
May 10-11, 2011	Allakaket and Altna: Bonnie Edmondson and Dana Hallett met with partnering agencies
May 10-11, 2011	McGrath: Susan Heuer and Steve McComb met with local OCS staff and partnering agencies

May 11-12, 2011	Fairbanks: met with local OCS staff and partnering agencies
May 25, 2011	Teleconference with Coleen Turner, CSM Northern Region
June 8, 2011	Susan Heuer attended annual staff meeting of the Ombudsman's Office
June 15, 2011	Bonnie Edmondson, Stella Schuchardt, Steve McComb, and Sylvan Robb met with Senator John Coghill and Rynniva Moss
June 28, 2011	Teleconference with Christy Lawton, Director and other senior staff
June 30, 2011	Susan Heuer, Steve McComb, and Kristin Hull attended a public meeting at the Wasilla Legislative Information Office regarding concerns about the local OCS field office

Annual activities

Although the CRP was formed in May 2002, the group has been active and functional only since 2004. This has been a very active year for the Panel. While the group met face to face just three times this year, it held 13 regular teleconferences and eight additional teleconferences with guests in attendance. The Panel conducted two site visits in the Palmer/Wasilla area, one to the Copper River Basin area, and one to Fairbanks and four Interior villages. A subset of the Panel traveled to Juneau to present to the Senate and House Health and Social Services Committees and meet with legislators and other key personnel in Juneau.

This has been a transition year for the Panel's membership. Four people left the Panel and two new members were added. Two new members were added this year that bring a wealth of experience to the Panel. Steve McComb is retired from his position as Director of the Division of Juvenile Justice. Stella Schuchardt is a social worker who worked for CPS in Texas for 10 years. One of her duties in Texas was to coordinate one of their Citizen Review Panels.

We conducted two major regional site reviews this year. In August, we visited Palmer and Wasilla. Initially we planned to conduct a review in Anchorage in the fall, but instead returned to Palmer and Wasilla to address ongoing concerns there. The fall trip also included a return to the Copper River Basin at the request of local partnering agency staff. (We had previously been to Copper River Basin in the fall of 2007.) This spring we traveled to Fairbanks and four villages in the Interior—Allakaket and Alatna, Fort Yukon, Galena and McGrath.

We collected a great deal of regional data personally through these community site visits. We interviewed local OCS staff and staff from the following types of partnering agencies regarding what is working and what needs improvement in their relationship with OCS and how we can help facilitate those efforts.

- Child advocacy center staff
- Counseling center staff
- District attorneys
- Foster parents
- Guardians ad litem
- Health aides and public health nurses
- Health clinic staff
- ICWA workers
- Judges and court personnel
- Local police department officers and supervisors
- Municipal representatives
- OCS staff at all levels
- School principals, teachers, nurses and counselors
- State troopers
- Tribal representatives

As part of our public outreach we presented testimony to the Alaska Senate and House Health and Social Services Committee about our activities and recommendations. While in Juneau we also met with members of Governor Parnell's staff, the Commissioner of Health and Social Services, Michael Streur, the Deputy Commissioner of Health and Social Services, Pat Hefley and numerous individual legislators. We also continue to maintain our website for public outreach at www.crpalaska.org.

As more people become aware of our existence we receive more calls from dissatisfied citizens. As in the past, we have informed citizens that we do not intervene in individual cases, but encourage people to avail themselves of either the OCS grievance process or to open a case with the Ombudsman's Office. At their invitation, we attended the annual staff meeting of the Ombudsman's Office to discuss OCS related cases. When we are aware of cases, however, we do try to monitor complaints with an eye out for patterns of concerns and problems. The Ombudsman's Office is extremely concerned. They share our concerns about regional intake and the limited number of screened-in cases.

More than branching out into new regions of the state, this year the Panel tried to remain focused on areas we have previously visited that we felt still merited our attention: Bethel, Palmer/Wasilla and the Copper River Basin. In addition to regional areas of interest, there have been some OCS policy changes we have been monitoring such as the move to regional intake.

The CRP has also focused for a number of years on the impact of unacceptably and unnecessarily slow Internet connection speeds. We are pleased by the improvements that have been made in this area. While many rural areas still have slow connections, this is improving and locations are at least getting the best available speed for their area.

Director Christy Lawton has been our OCS liaison for the entire year. We have been pleased with the direct communication and access this affords us. Due to Ms. Lawton's long tenure with OCS, the Panel had an existing relationship with her. She has been open and forthcoming in her dealings with the Panel thus far. We look forward to continuing to work with her to improve child protection in Alaska in the coming year.

Susan Heuer continues to serve as chair of the Panel. We will elect a new vice-chair at our next meeting; the position is currently vacant.

Recommendations

Last year for the first time the Panel grouped its recommendations to acknowledge the party responsible for implementing change. We have continued to do so this year since several of our recommendations are beyond the scope of OCS' authority. We feel our recommendations this year either require action by OCS or the legislature. We have four recommendations for OCS and one for the Legislature. The recommendations are presented in priority order.

RECOMMENDATIONS FOR THE OFFICE OF CHILDREN'S SERVICES

Recommendation 1: Based on our recent site visits to the Fairbanks and Wasilla field offices, we recommend that OCS work to improve the culture within the agency. The current atmosphere impairs the ability of workers to appropriately protect Alaska's children and families.

This concern was raised after we spent several days in each of these field offices talking with OCS workers at all levels. Line workers and supervisors felt that the OCS culture devalues them and that they are trying to do an extremely difficult job while often feeling disempowered. Staff at partnering agencies perceive the behavior of OCS staff as defensive. The perception among community partners was that many OCS staff isolate themselves and do not collaborate or communicate in a collegial manner.

When asked about desired working relationships with partnering agencies OCS spoke of a desire to collaborate. Yet OCS does not collaborate with its own staff when it comes to changing policies and procedures. Staff from a number of field offices have mentioned how new policies or programs are handed down without them having an adequate opportunity to provide input. At present they are not asked the right question in order to generate input—for example, they are offered an opportunity to wordsmith the policy without being asked about its impact. The assumption has already been made that the new initiative will be implemented; they can just weight on the 'how,' NOT the 'if.' We suggest that OCS leadership respect the enormous knowledge base of workers enough to ask them 'if' a new policy or procedure is a good idea and whether it would work well in their unique region of the state.

Staff indicated that they are on the receiving end, simply told what to do. We recognize that within a bureaucracy there is a necessity for a certain amount of hierarchy or nothing would get done. However, when feedback from staff is fully

considered, not only is buy-in increased, but outcomes are usually better. Front line staff are just that—on the front line. They know how things will play out in the field, and how things will be received by partnering agencies, how the families would respond to a given policy.

The current culture within OCS stifles worker initiative and creativity. Workers in Fairbanks and Wasilla are reluctant to problem solve within the limits of policies and procedures because of fear of retribution. The current atmosphere limits individual professional initiative. Workers feel like there are check lists to be completed and no place that allows them to use their judgment, experience or discretion. Ultimately, this costs OCS staff. Many competent professionals leave, some physically, some emotionally. We recommend that every staff member be empowered to talk to any level OCS staffer, without having to go through the chain of command. We prefer the chain of command and think it works in most circumstances, but sometimes an individual needs to be able to step out of the chain to get to the right person. The obvious goal is more open communication to improve relationships and lessen the ponderousness of the bureaucracy.

We recommend that training be more tailored to an employee's skill needs rather than a one-size-fits-all approach. We understand that, at this time, individualized training is something OCS is interested in implementing in the future, once mass trainings required by the PIP are completed. We are very supportive of this effort.

In an effort to determine how staff and resources can more effectively be allocated, OCS identified three studies they would like to conduct. These three studies include the following:

- A study to determine what tasks may appropriately be handled by support staff and which tasks must be handled by the line workers;
- A study to determine to appropriate level of support staff for workers including SSA and clerks; and
- A study to evaluate the staff to caseload ratio around the state to determine the equitable placement of PCNs.

Over the past several months, OCS staff attempted to evaluate this internally. They have decided the assessment is too complicated and time consuming for current staff to add to their existing workloads. They now plan to contract with an outside agency. In this time with fewer resources, these studies will allow existing resources to be spent as effectively as possible. Ensuring the front line workers are doing social work not

transporting children, supervising visits, or delivering documents to court will allow for a more satisfied and empowered staff. All these efforts will help decrease the high turnover rate among OCS staff. More continuity among staff coupled with feeling valued and empowered leads to better service to children and their families. The CRP supports their decision to get accurate data from professionals who can accomplish this in the most timely manner. Future staff management cannot be successfully implemented without this information.

Recommendation 2: That OCS revisit the idea of regional intake and continue to evaluate its effectiveness.

Regional intake was an idea that was first touted when Tammy Sandoval was still Director of OCS. There was a great deal of resistance to the idea and it was not implemented. The Panel is not aware of why the climate changed, but OCS is currently in the middle of implementing regional intake. By its nature as a singular geographic area, Anchorage has always had regional intake, but the rest of the regions have not. Over the course of the past year, regional intake has been implemented in the Northern Region and SCRO. Other regions are still in the middle of implementing regional intake.

We can see both sides of this issue. On one side, in a small community, it might be easier to call someone remotely especially if you were reporting on a relative. On the other side, we can understand how in other circumstances or for non-relatives, calling the local social worker, who knows the situation, would be much more comfortable.

During recent visits to rural communities in Northern Region where this is fully implemented we heard from the social worker that partnering agencies “hate it.” We have a number of concerns about the way it is being approached. One is that there does not seem to be a plan to evaluate its effectiveness or to gather feedback from partnering agencies on their reaction to it. We would very much like to see partnering agencies surveyed to ensure that it meets everyone’s needs and is considered effective in getting people to use it to report concerns of child abuse.

Another concern is that even when fully implemented, regional intake is only a reality during business hours. After business hours, intake reverts to whatever method a local office was using to cover that period before. For rural communities this varies from field office to field office. If regional intake is important and valuable enough to implement during business hours then it should be worth implementing all the time.

Much of what we heard from partnering agency staff—and even OCS staff—that they found objectionable about this was that too many cases are being screened out. The intake staff do not always follow up with the reporter or others who would have information on the situation so they screen out cases that need to be screened in.

Collateral people must be contacted even when the intake worker feels they have enough information before contacting them. Rural OCS staff reported calling to ask that screened out cases be screened in because of their additional knowledge about the situation. Across the board there is a sense that the threshold of abuse necessary in order for OCS to get involved continues to be raised. What used to merit OCS involvement now does not. Partnering agency staff feel that children are being left in unsafe situations.

The other problem with this system is that workers are not aware of reports made on cases that are screened out. A rural worker will be asked what is happening with a report by someone in their community and they have no knowledge of the report. This system keeps valuable eyes and ears—OCS' own workers—out of the loop. This is an urban model that is not working in rural communities.

Rural communities should have the option to call the 800 number or their local field office. The more OCS hears about children in danger or at risk, the better. Keep more doors open.

A strong concern we have is about calls made to the 800 reporting number after business hours. After searching the phone book to find the number, the Panel called the 800 number in the evening from Fairbanks. The call was answered by an answering service in Anchorage. The response was that for an immediate threat the caller should hang up and call 911, otherwise they are connected with an answering service employee who takes a message that is forwarded to OCS and picked up in the morning. Our concerns are that this puts the onus on the answering service employee or the caller to determine imminent harm. If the caller does decide to leave a message, then an untrained, non-OCS employee is gathering and triaging the information--raising issues of confidentiality and the individual's ability to gather the pertinent information. While many reporters will leave their contact information, some callers prefer to remain anonymous so if the answering service employee doesn't ask the right questions there is no opportunity to follow up with the reporter.

We understand that OCS has a long range plan of a statewide hotline that would provide 24-hour coverage by social workers with expertise to handle these reports of harm. The barrier to implementation is funding.

Recommendation 3: Improve compliance with court obligations.

At this time, this recommendation applies mostly to the Wasilla field office although we have heard similar concerns in other communities. This is an area in which the CRP will be paying close attention to all areas of the state as we continue to do site visits.

OCS is statutorily required to make "reasonable and active efforts" on behalf of children and families to help them with services in order to either reunify children or find other permanent placements if reunification is not possible. "Reasonable efforts" include

referrals for parents and children; development and facilitation of family contact; support for foster/relative homes; and financial assistance for assessments, clothing, food, etc. "Active efforts" is a higher standard for Alaska Native children and OCS must offer more assistance to these families to do whatever possible to prevent the breakup of Indian families. This is directly linked to the disproportionality issue of higher percentages of native children who end up in custody and who are at risk of losing their ties to their communities and culture.

During most court proceedings in Child of Need of Aid (CINA) cases, the judges are required to make findings that reasonable or active efforts have been made on the child's behalf during the period between the last court hearing and the current one. If the court makes the reasonable/active efforts finding, OCS can be reimbursed from the federal government through Title IVE funds. Generally, if the court does not find that reasonable/active efforts have been made, OCS loses the federal funding for that time period and must pay for services out of its general funds.

As part of the Mat-Su site visit in August/December 2010, it was brought to our attention that OCS is frequently not making adequate efforts to meet either reasonable or active standards. Judges were concerned that if they didn't make an efforts finding, that services to children and families would be cut off which they were very reluctant to do. When judges continued to make efforts findings when there was poor social work, it perpetuated the problem since there was no consequence financially for OCS. Judges were provided with IVE regulations to explain that there was no service disruption for children or families if a "no reasonable/active efforts" finding was made - the funds just came directly from OCS rather than the federal government. Some of the Palmer Court is now making "no reasonable/active efforts" findings when appropriate.

The Wasilla Field Office is struggling on almost every level. Many eyes are on the problem and solutions are being sought. However, in addition to the efforts problem, mandatory court reports are often late, causing unnecessary continuance after continuance, wasting valuable time for the court and legal parties. Most importantly, families are affected because the cases have bogged down and have drug out much longer than necessary because they haven't received appropriate services nor have had timely court hearings. Another issue is that social workers have not worked collaboratively with the Attorney General's Office which adds another barrier to meeting court requirements adequately.

There have been a multitude of meetings to address these issues without any significant success. Specifically, the Wasilla Field Office needs to prioritize court requirements and improve their compliance with court obligations. Hopefully the judges will continue to assess whether reasonable or active efforts have been made and will make firm but fair findings on behalf of children.

Recommendation 4: That OCS improve the prominence of the telephone number to report abuse in telephone books.

We have tried to locate the number to report child abuse and neglect in several telephone books with difficulty. We do not want anyone to not be able to make a report because they have trouble locating the phone number to do so. We recommend that OCS work with all publishers of telephone directories in Alaska to have the telephone number for reporting child abuse or neglect be prominently listed at the front with the other emergency contacts in the next published version of each directory.

RECOMMENDATIONS FOR THE LEGISLATURE

Recommendation 1: That funding be allocated so that OCS may offer decent housing as a recruiting and retention tool in rural communities where housing is a barrier.

Currently there are many resources that are available in numerous state departments that are not standardized. We acknowledge and agree that not all departments have the same needs nor do they require being treated the same in all circumstances. However, if Alaska values the safety of its children it must not prolong the time it allows the Office of Children's Services to continually be under-resourced.

One resource that is available to some state agencies as a recruitment tool for rural workers is housing. We feel this would enable OCS to recruit and retain workers in these challenging communities much more easily. Having consistent staffing not only improves individual cases, but allows OCS to develop a presence in the community. For the same reason people talk of the positive impact a 'police presence' can have on a community, being able to rely on the same OCS worker, who knows the community allows OCS to have this same positive, preventive presence in a community. The value of this cannot be underestimated.

The Panel asks that a capital fund be created to fund housing for rural OCS workers. The Panel is aware that other state agencies offer housing for their personnel in rural areas. Schools and Troopers in some rural communities have recognized that being able to offer decent housing makes it much easier to recruit qualified workers to remote communities and retain them. OCS would like to be able to use this recruiting tool as well since attracting applicants to rural positions is difficult. We recommend this issue be explored and a plan developed. Since the model already exists in other departments, the issue seems to be one of funding rather than logistics or having to pilot a project.

There is a window in a child's life in which to make an impact. There are children right now who are aging out of that window without positive intervention from OCS because the office in their rural community is understaffed. We do not think it is too strong a statement to say that lives are at stake. Even if no child dies from abuse, negative life-altering events such as sexual abuse are occurring. OCS needs to be fully staffed in rural areas to combat these issues. The easier it is to recruit and retain workers, the better for Alaska's children.

Commendations

We commend Art Hansen, George Kirchner, Ralph Taylor, and Fred Van Wallinga for their work as members of the Citizen Review Panel. Each brought a unique and valuable perspective to the Panel. We are saddened and diminished by their resignations from the Panel.

Respectfully submitted by the Citizen Review Panel:



Susan Heuer, Chair

Electronically signed

June 30, 2011



Bonnie Edmondson, Member

Electronically signed

June 30, 2011



Dana W. Hallett, Member

Electronically signed

June 30, 2011



Athur S. Hansen, Member

Electronically signed

June 30, 2011



Kristin Hull, Member

Electronically signed

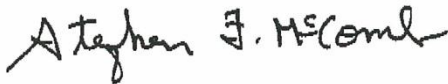
June 30, 2011



George Kirchner, Member

Electronically signed

June 30, 2011



Stephen F. McComb, Member

Electronically signed

June 30, 2011



Stella Klein Schuchardt, Member

Electronically signed

June 30, 2011



Ralph D. Taylor, Member

Electronically signed

June 30, 2011



Fred VanWallinga, Member

Electronically signed

June 30, 2011