



COMMISSION TO ELIMINATE CHILD ABUSE AND NEGLECT FATALITIES

TELECONFERENCE MINUTES

November 12, 2015, 1:00-3:00 p.m. EST

Commissioners Attending via Telephone: Chairman David Sanders, Amy Ayoub, the Hon. Bud Cramer, Susan Dreyfus, the Hon. Patricia Martin, Michael Petit, and Jennifer Rodriguez

Commissioners Absent¹: Theresa Covington, Dr. Wade Horn, Dr. David Rubin, and Dr. Cassie Statuto Bevan

Designated Federal Officer: Amy Templeman, acting executive director, attended the meeting.

Conduct of the Meeting: In accordance with the provisions of Public Law 92-463, the Commission to Eliminate Child Abuse and Neglect Fatalities held a teleconference meeting that was open to the public on November 12, 2015, from 1:00 p.m. to 3:00 p.m. The purposes of the meeting were to discuss the content and structure of the Commission's final report, specifically:

- The draft vision statement
(<https://eliminatechildabusefatalities.sites.usa.gov/files/2015/08/CECANF-DRAFT-VISION-for-11.12.15.pdf>)
- The draft short-term and long-term recommendations
(<https://eliminatechildabusefatalities.sites.usa.gov/files/2015/08/DRAFT-Recommendations-11-10-15.pdf>)
- The content and recommendations of the chapter on American Indian and Alaska Native (AI/AN) children
(<https://eliminatechildabusefatalities.sites.usa.gov/files/2015/08/CECANF-DRAFT-CHAPTER-OUTLINE-AI-AN-Children-for-11.12.15.pdf>)
- The content and recommendations of the chapter on disproportionality
(<https://eliminatechildabusefatalities.sites.usa.gov/files/2015/08/CECANF-DRAFT-CHAPTER-OUTLINE-Disproportionality-for-11.12.15.pdf>)

¹ Marilyn Bruguier Zimmerman resigned from the Commission on November 6, 2015, in order to accept a position with the U.S. Department of Justice.

The Vision Statement

Chairman Sanders opened the meeting with a discussion of the draft vision statement, asking the Commissioners if the statement reflected the Commission's thinking and will. He noted that the vision statement is meant to contrast the current system with the envisioned 21st-century child welfare system and to separate the recommendations into those with short-term and long-term results. This new vision statement addresses a number of points:

- We can act now to save lives.
- There is an urgent need to do something now, today, using what we know.
- The current system, which has both strengths and weaknesses, falls short in protecting children.
- We also need a long-term plan to prevent child abuse and neglect fatalities.

In the ensuing discussion, one or more Commissioners made the following points:

- The language of the vision statement is too transactional, focusing too much on services to families; rather, it needs to reflect the 21st-century vision of collective responsibility for the safety of children.
- There is not enough urgency in the recommendations. In addition to short-term and long-term goals, a category of immediate goals may need to be added.
- The report will need to include a comprehensive statement of the problem of child abuse and neglect fatalities, including statistics, to fully describe what the Commission is trying to address.
- Although increasing resources to the currently underfunded and understaffed CPS agencies will help reduce fatalities, it will not eliminate fatalities. Elimination of fatalities will require a more comprehensive and long-term solution.
- The report should include definitions of terms, including the terms "child welfare agency," "child welfare system," and "public health system."

Chairman Sanders made the following suggestions for a revised vision statement in response to the Commissioners' recommendations and discussion:

- The first step is for the Commission to agree on and to convey to the country the Commission's vision for eliminating child maltreatment fatalities.
- The system, as it currently functions, will never be able to completely eliminate child abuse and neglect fatalities.
- The current system needs to be built up in order to immediately improve safety for many children. In addition, there should be a longer term plan for eliminating all child maltreatment fatalities.

Short-Term and Long-Term Recommendations

Chairman Sanders provided a brief introduction to the recommendations, noting that he wanted Commissioners to comment on the following:

- Do the Commissioners agree with the recommendations?

- Are any recommendations missing?
- Are the recommendations accurately worded?

Chairman Sanders stated that the recommendations had come from Commission subcommittees, as well as from presenters at public meetings. The acting executive director pointed out that this was the first time that the recommendations had been divided up according to audience.

In the ensuing discussion, one or more Commissioners made the following points:

- The recommendation about state plans (C1) needs to clearly include the capacity of the child protection function.
- The report needs to say that CAPTA and CAPTA funding are inadequate.
- The recommendations need to explicitly say that states need increased federal funding, which will be important as state requirements are increased.
- The recommendations for Congress should add the word “immediate” in order to stress the urgency of those recommendations.
- The recommendation to investigate and assess all reports of child abuse or neglect (C4) should add “provide resources to the family” in order to cover intervention as needed.
- Rather than just recommending that CAPTA clarify the language around public disclosure of information on child abuse and neglect fatalities (C3), the recommendation should state that full public disclosure is the default position, and any exceptions to that position would have to be made by a court.
- The report should include a strong recommendation to the federal government regarding confidentiality and sharing of information across systems. Specifically, there should be clarifying points on HIPAA and children’s educational records because recommendation C5 is currently not strong enough.
- The recommendation on conducting reviews of records on past fatalities and near fatalities as well as reviewing all open child welfare cases in which children remain in their homes (S3) should be moved to the front of the recommendations to emphasize its importance.
- The recommendation on information sharing (C5) should be strengthened to ensure that CPS agencies have access to relevant crime information.
- The Commission’s recommendations about CAPTA should stay within the scope defined in the legislation that created and empowered the Commission. Straying beyond the Commission’s defined scope might allow Congress to ignore or dismiss Commission recommendations.
- The recommendation for the executive branch to elevate the Children’s Bureau to a Cabinet-level department (E1) might not have permanent impact, because the next president could reverse the decision. This recommendation should be reconsidered.

Chapter on American Indian and Alaska Native (AI/AN) Children

Commissioner Martin, speaking on behalf of the Commission's subcommittee on AI/AN children and the subcommittee on disproportionality, opened the discussion of the chapter outlines on AI/AN children and on disproportionality. She noted that the recommendations were drawn from the expert testimony given at public meetings, and these recommendations are grouped under themes. All are aligned with the current 21st-century strategy framework. It will be the Commission as a whole that will decide which of these recommendations should be included in the report.

In the ensuing discussion, one or more Commissioners made the following points:

- There may be too many recommendations in these chapters.
- The Commission will need to discuss the recommendation in the AI/AN chapter that states that school curricula should be modified.
- There should be a problem statement, with numbers, in each of these chapters describing the issues relevant to child fatalities among AI/AN children and minority children.

Chairman Sanders thanked Commissioner Martin and the subcommittees for their work. He asked that the AI/AN subcommittee reconvene in order to narrow the list of recommendations to those that fit well under the identified themes.

Final Comments

The Commissioners held some remaining discussion on recommendation C7 regarding a multidisciplinary initial CPS response to child abuse and neglect reports for young children ages 0-3. The discussion focused on whether it was appropriate to restrict the recommendation to children ages 0-3. Commissioners also noted that the final report should provide information on why the Commission's recommendations focus on younger children.

Chairman Sanders closed the meeting by noting that the next (December 3) teleconference would open with a discussion of recommendations regarding AI/AN children and disproportionality.

The meeting adjourned at 3:05 p.m.

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.



David Sanders, Chairman, Commission to Eliminate Child Abuse and Neglect Fatalities
3/14/2016