



## COMMISSION TO ELIMINATE CHILD ABUSE AND NEGLECT FATALITIES

### TELECONFERENCE MINUTES

January 14, 2016, 5:00-7:00 p.m. EST

**Commissioners Attending via Telephone:** Chairman David Sanders, Amy Ayoub, the Hon. Bud Cramer, Susan Dreyfus, Dr. Wade Horn, the Hon. Patricia Martin, Michael Petit, Jennifer Rodriquez, Dr. David Rubin, and Dr. Cassie Statuto Bevan

**Commissioner Absent:** Theresa Covington

**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 January 14, 2016, from 5:00 p.m. to 7:00 p.m. EST. The purposes of the meeting were to discuss the structure and content of the Commission's final report.

#### Opening Remarks

Chairman Sanders opened the meeting by reviewing the agenda (<https://eliminatechildabusefatalities.sites.usa.gov/files/2016/01/CECANF-Mtg-Agenda-for-1-14-16.pdf>). He provided some context for the meeting, noting that staff were working to address the approximately 1,500 comments received from Commissioners about the draft. Chairman Sanders also stated that there appeared to be agreement among all the Commissioners about the large majority of issues. The areas of disagreement appeared to be these issues:

- Report structure
- Use of the Hillsborough model
- Public health approach
- Combining fatalities and near fatalities
- Funding

Commissioners had also suggested that the report should be clear about the fact that the Commission was not tasked with addressing the issues of foster care and permanency, and

there was a question about whether the Commission should be making recommendations to states. In addition, the report should not endorse any private organizations.

Chairman Sanders proposed that the meeting focus on the following items:

- Proposed restructuring of report chapters
- A definition of the recommended case review process
- The recommendation for joint congressional hearings

There was a dissenting opinion about whether the Commissioners had indeed agreed to content. Chairman Sanders explained that his assessment about agreement and disagreement was drawn from the written comments on the draft submitted by the Commissioners. He acknowledged that the report, once completed, might still draw differences of opinion, and not everyone might agree with it. But, the comments received thus far indicated few areas of disagreement.

### **Report Structure**

Comments were received that the report was too dense, too long, included too many recommendations, and was difficult to read. Chairman Sanders proposed the following changes to the format to make it crisper and cleaner:

- Focus more on high-level recommendations that flow from the Commission's findings.
- Start each of the Chapters 2-4 with those high-level recommendations.
- Follow with what the Commission learned and found in three or four points versus eight or ten.
- Focus on three to five high-level recommendations per chapter.
- Place more details in appendices.

Chairman Sanders noted that the new draft of Chapter 3 offered a sample of this new format.

Commissioners offered the following comments:

- The distinction between what we can do now and the longer term systemic changes seems to shortchange the systemic changes and make them seem less important.
- More headings and subheadings throughout the report and shorter paragraphs would make it easier to read.
- The executive summary would help to accomplish the goal of making it readable, but it might lose some of the richness of the full report.
- The report needs to be readable and understandable to readers who do not have child welfare backgrounds, including policymakers and the press.
- There is a significant difference in the level of detail among the recommendations, for instance, between the recommendation on surveillance and that on protective factors. That seems to imply that the longer recommendation is more important.
- The report should limit the use of acronyms.

There was general agreement that the next draft should be cleaner, shorter, and more geared to a general reader, with more details in the appendices.

### **Case Review Process**

Chairman Sanders moved to the discussion of the recommendation that has been termed “the look-back” or “multidisciplinary look-back,” which would require states to look at open CPS cases. In the draft, the recommendation talks about replicating the process employed in Hillsborough County, Florida, and there was consistent Commissioner feedback that this was not the intention. Commissioners recently received documents with a definition of the recommended case review process that is fairly extensive, and Chairman Sanders stated that needed to be the next topic of discussion.

Commissioners made the following points during the discussion on the case review process (not necessarily with consensus):

- There is confusion about whether this is proposed to be a one-time or ongoing process for states.
- The purpose of the look-back needs to be better defined. In current open cases, is it to ensure that the caseworker’s assessment was done correctly and that the circumstances remain the same for the child and family? Is it to get the eyes of different professionals on the family?
- Some Commissioners felt that the look-back should apply to children in foster care, not just those still in the home in open cases. The other opinion was that children in foster care make up very few of the child maltreatment fatalities, so it is less important to review their cases.
- The look-back should not look just at whether parents are in compliance with the case plan. It also should look at whether the agency is supplying appropriate services and supports and generally doing its job.
- Parents who are not in compliance may need parenting coaches who go into their homes and show them what to do.
- This recommendation is an overreach of the federal government, as it is currently written. It needs to include more of a learning and continuous quality improvement component.
- The purpose of the look-back is to stop the deaths of children known to be in high-risk situations by virtue of the fact that they remain in their homes after child abuse or neglect has been substantiated. The look-back would bring in the eyes of different professionals to reassess the child’s safety.
- States should be able to do the look-back voluntarily. It should not be required.
- The look-back could be structured to prioritize different groups, for instance, the cases of the youngest children could be reviewed first.
- There should be some flexibility for the jurisdiction to determine what cases are at highest risk.

- The look-back, or surge, needs to generate information about the system, not just the parents, that is useful in the long term. For instance, it might show that mental health services are lacking.
- This surge process might replace the Child and Family Services Reviews (CFSRs) for one year in order to lighten the burden on states.

Commissioners then had a discussion about the resources needed for the look-back or surge process and whether the \$1 billion proposed by some Commissioners was the appropriate amount. The question also arose of whether there would be additional funding for services, for instance, if the look-back identified that a family needed additional services. One suggestion was to add money to CAPTA for this process. However, there also were suggestions to look at other funding streams and federal agency funds, especially in light of the fact that this look-back should be a multidisciplinary project.

Commissioners went on to make the following points:

- States could look back at 10 years' worth of data on child maltreatment fatalities for cases that were both known and not known to CPS. This would give them the data needed to determine what children were currently at high risk.
- Rather than an ongoing surge, the state would use the data from its look-back to develop a plan to submit to the federal government showing how it will address fatalities.
- This process should not be called a look-back or surge.
- The Commission should be willing to say what does not work in preventing child maltreatment fatalities.

Chairman Sanders wrapped up the conversation by saying that staff were on the call and would use the points made in the discussion to amend the draft, which would be available on Saturday, January 16.

### Closing Remarks

There was a suggestion to allow Commissioners to submit individual letters for the back of the report. The letters would provide the opportunity to express dissent with something in the report. Chairman Sanders suggested that this possibility could be discussed at the next meeting.

The teleconference adjourned at 6:55 p.m.

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



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