



COMMISSION TO ELIMINATE CHILD ABUSE AND NEGLECT FATALITIES

COMMISSION MEETING - TELEPHONIC

JANUARY 30, 2016

Attendance:

- Chairman David Sanders
- Commissioner Amy Ayoub
- Commissioner Theresa Covington
- Commissioner Bud Cramer
- Commissioner Susan N. Dreyfus
- Commissioner Wade Horn
- Commissioner Patricia M. Martin
- Commissioner Michael R. Petit
- Commissioner Cassie Statuto Bevan
- Commissioner Jennifer Rodriguez
- Acting Executive Director, Amy Templeman

CHAIRMAN SANDERS: So I think we will go ahead and get started.

We have -- welcome to Commissioner Martin, Commissioner Cramer, Commissioner Dreyfus, Commissioner Ayoub. And if anybody else joins we will welcome them as they get on.

COMMISSIONER COVINGTON: Commissioner Covington is here.

CHAIRMAN SANDERS: Oh, hey, Commissioner Covington. Welcome.

And again thanks to all of the commissioners for the feedback on the -- the last draft that we have which still is being developed and all of you received the chapter of the rewrite of the process that we had previously referred to as the surge. The -- and thanks to all who were part of the call on -- a couple of days ago as that was almost everybody.

So there are four documents that you should have gotten. One is the rewrite of the chapter the -- for the case review. Second is the American Indian and Disproportionality chapters. Third is a summary of recommendations proposed for deletion. And the -- and then the sample commissioner letters from the National Commission on Children. And I'm pretty sure

Efforts have been made to accurately capture the proceeding of this meeting.
However, some slight discrepancies may still exist in this transcript.

Horn sent out the full report so that we could see the letters in the context of the full report. And I also subsequently sent out the -- the timeline for report completion.

The -- today we have the discussion of the American Indian and Disproportionality chapters as our first agenda item. And we have the report timeline public health approach, the Commissioner's letters in the report recommendation proposed for deletion and funding options as -- oh, and substantive language for the surge that we have on the agenda. And I'll probably suggest that we change the order because I want to make sure that we get to the discussion of the funding options but we should start with the American Indian and Disproportionality chapters which have been revised. I believe Commissioner Martin by the subcommittee and would you be willing to walk through any highlights of the American Indian Alaska Native chapter --

COMMISSIONER MARTIN: Certainly.

CHAIRMAN SANDERS: -- conversation? And both chapters received considerable feedback so we'll just -- we'll just open it up to discussion but if you wanted to just walk through the highlights.

COMMISSIONER MARTIN: Certainly. Let me just make certain. We also received some emails from commissioners who were on the phone or were on the phone for a portion of the time. Are we going to discuss those when we discuss the letters then?

CHAIRMAN SANDERS: Yeah.

COMMISSIONER MARTIN: Okay. Sorry. Certainly. With respect to the revised chapters that you currently have in hand for Native American children and Disproportionality what we've done is we've tried to incorporate just about all the comments that came in that we saw before submitting this last draft and giving some thought to comments. And some we purposely made a commitment not to incorporate because we don't think those are -- we didn't agree with the comments. And that doesn't mean it is not for discussion. It is just that this is our submission of what we think is best based on the comments that we've received thus far.

So hopefully -- and also people will notice that we did not put in stories. And that goes to my conversation two days ago or yesterday about not utilizing stories to sensationalize or to point to a fact or -- about a kid unless we thought it actually illustrated something in the context or some kind of recommendation that we were making or contributed to the recommendation that we are making. So that is why you don't see the stories here.

A lot of the recommendations regarding the Native American children bill to collaboration and data which lends itself obviously to jurisdiction because those seem to be a great deal of the problems that are -- that we heard about from native American people classifying in the literature and the information received at the commission. It's -- it's if that make sense. Most of them serve -- most of them grounded around that. But I am prepared to go to any one in particular that one of the commissioners wants to talk about directly.

With regard to the disproportionality the main recommendation is really the voluntary court. And that -- that originated from trying to incorporate a lot of the recommendations we are making in the whole report primarily getting to the 21st century where we don't have a child

welfare agency that is out there isolated on its own by itself trying to make these decisions, trying to provide services, and trying to evaluate services and making -- and taking full responsibility for our kids. But delineating that responsibility amongst medicine, health -- health care, law enforcement, clergy, community based services. And making certain that the focus is really on not only services but keeping families together and strengthening families through services and effective services and looking at and having the social worker be the professional that he or she went to school to be.

So rather -- I've been trying to figure out a way to say it or to visualize it particularly for people who don't go to court every day. But it is almost like a court that rather than have attorneys directing what happens in the court it is really a social worker directing what happens because the social worker although is not isolated by themselves, they kind of help. They're the main focus of getting the assessment and when they work with medicine they make certain that medicine provides them the information that they need so the right services are referred whether it is mental health or something occupational therapy or something or recreational therapy, whatever the therapy is necessary.

And it is working with housing making certain that housing understands the priority for this family and what the housing needs of the family are.

And then making certain that all that is brought into court where there can be a conversation of what I loosely call staffing really that is really headed by what the social worker and the other providers have assessed. And the court codifies what happens. But it is really directed not so much by lawyers because there are no lawyers there but it's directed by the professionals who do this work. And the court is really an ancillary part just codifying what is going on.

And the idea like I said the focus is to make certain that we get the right services and most effective services to effectuate keeping the family together in a safe environment and those kids being safe.

And then not keeping the case open forever. Once we've secured the safety and set them up with a net of community providers making certain the child is safe and I think that that would require some time but then once that time has expired and I don't know what that is. I think it is fact dependent then the case would be closed out in this voluntary court.

So let's say if a mom is using drugs and her use is impairing her ability to parent her child to the point that the kids aren't going to school for instance, then after an initial assessment is made by the social worker, the social worker may then get substance abuse community involved.

And for instance in Cook County if mom has an infant and a toddler for instance there is a program called Women's Treatment Center for us that allows mom to bring her child or an infant there that provides housing for as long as they need it. But the focus is on making certain that mom stays with her kids because we understand the kids can sometimes cause triggers for parents. They can be a handful. And the idea is to teach mom about the basic parenting class about parenting skills as well as while she is sustaining from her drug of choice so that she learns both -- both the components of her sobriety, her -- her children and

basically abstaining from the drugs and so that she is better prepared to handle those same things when she gets out of the treatment center.

While she is there they are working on providing future housing for her and sustaining that housing by getting her connected with public aid and also job corp. and all those other things. They are also taking care of the medical needs of both her, her infant and her toddler. And the idea is to make it holistic to keep the family together.

And that is kind of what we are talking about in voluntary court. So I'll stop there and I'll let commissioners ask specific questions and I will take the lead on responding but anyone else on the committee can please jump in and help me respond.

CHAIRMAN SANDERS: And just to let everybody know Commissioner Horn has joined.

COMMISSIONER MARTIN: Great.

COMMISSIONER DREYFUS: Commissioner Martin this is Susan Dreyfus of the child welfare system you just depicted really so eloquently is sure the kind of child welfare system I think we all would like to see in our country. And I couldn't help but feel that as you talked about and described that system it fits beautifully with what I hope starts coming out from our lead recommendations in terms of the ways in which people start re-envisioning how their child welfare systems need to be organized so to effect -- to insure children are safe but certainly are you know fulfilling their lives with their families intact.

So can you help -- I guess I am asking maybe -- maybe this is more to Amy than it is to Commissioner Martin but Commissioner Martin please feel free if you can answer when I think about the chapter with our lead recommendations and made our recommendations and I know we are doing this through the purpose to the construct of disproportionality. But I can't help but feel that what you just clearly articulated is something I hope is what our nation is leaning toward in terms of its larger description of the 21st century system. I just want to make sure that this doesn't get viewed as a different set of recommendations around disproportionality when I think it fits or dovetails beautifully with so much else of our report I guess is all I am asking. I'm trying -- I guess Amy I'm trying to understand the fit?

COMMISSIONER PETIT: David, this is Michael. I'm on the phone.

CHAIRMAN SANDERS: Thank you Commissioner Petit. Can you hear everyone?

COMMISSIONER PETIT: David? Can everybody hear me now?

CHAIRMAN SANDERS: I can. Thank you Commissioner Petit. And welcome. Can you hear me okay?

COMMISSIONER PETIT: I can. Thank you.

I have some comments or questions if there isn't anybody else waiting on this piece.

CHAIRMAN SANDERS: Actually I think. Go ahead -- go ahead Amy Templeman and then Commissioner Petit you want to follow up. Amy I think Susan was directing that at you.

AMY TEMPLEMAN: Yes, thank you Commissioner Dreyfus. I wanted to say that the staff has been looking across actually all of the chapters so we can figure out if one really referencing back to the one item that is on the agenda today which is the public health approach and if we are describing how each of those sections of content or core components that the commissioners have described are being framed within the context of the 21st century child welfare system and the public health approach. So that is certainly on our list of things to do. And we will benefit from the question you all are having today about the public health approach.

COMMISSIONER DREYFUS: Thank you.

CHAIRMAN SANDERS: Go ahead Commissioner Petit.

COMMISSIONER PETIT: Yeah, David, first can I just ask for a point of clarification. The Chapter 6 doesn't appear to be any different than it was earlier where some other changes have happened. A number of the comments that I made that Commissioner Horn made, that other people made as well seem to still be hanging there without having either built in or rejected or -- so I have some questions for Commissioner Martin -- I missed the opening of this.

CHAIRMAN SANDERS: To clarify what the chapter was reviewed by the subcommittee and this is the revision of that chapter. There were a number of comments throughout both chapters and so I decided just to put it on the agenda for broader discussion because there -- the -- because there were a number of comments. So if you see anything that you have go ahead and read.

COMMISSIONER PETIT: Well, I'll confine for the moment to this last point that Commissioner Martin was describing. So let me just put the questions there and then Pat if you can address them or somebody else can address them and just in reading this. One is it was part of a I guess so called war on poverty. I'm not sure what that means but I'd like to hear more about that.

In terms of reports coming in to the child welfare system could those calls be diverted or some of those calls be diverted to the family court and does the family court receive direct reports from the public as to when to look into a case. And does it include, in fact, current child protection cases.

I'd also wonder if there is a cost that you guys have calculated to run a court like this and are there numbers in terms of how many children run through the system, how many families run -- run through the system and is there data on the outcomes associated with this?

So if you could go through those maybe however long or brief you wish. I can repeat the individual questions after you've completed one if you want.

COMMISSIONER MARTIN: First of all thanks so much for your questions. Let me deal with the court ones if I can.

This would not be a report coming from CPS going directly to any individual court. It would be a one on hotline call to the CPS. On the cases that -- in Cook County we call these voluntary cases. I don't know what they are called in Maine or around the country but they are cases

that CPS originally goes out on and then, excuse me, I have a cold, so please forgive me. They are cases that CPS originally goes out and investigates and determines that there are some helps that are needed but it does not warrant and it is not at the level in which they are going to file a petition into court. So it may be a case that CPS feels that the child should go to grandmother's house for a period of time while mom gets some service or dad gets some services. But they are not filing a petition to come into court.

So in my language we would call that a case that is founded but we are not filing a petition. Those are the cases that would be eligible to come into the voluntary court. So any case that CPS BPC goes out and investigates and determines that it rises to the level of a court petition asking for adjudication of ward-ship that would go directly to the court system like it goes today. These are cases that are not necessarily going to the court system today. Does that make sense for you?

COMMISSIONER PETIT: Yes, but I want to say as desirable as it is to provide a range of services for families that you describe in terms of the child protection system those cases that are not coming into the family court are the ones in which CPS by presumably some consultation of the court or not but at least within CPS is that the case is more risky and would not -- would follow a more traditional path in terms of conducting investigations and -- and going to court if necessary and petition the court et cetera. This is a step short of that. So it is meant --

COMMISSIONER MARTIN: Right.

COMMISSIONER PETIT: -- to prevent people from getting into a more serious condition. But has there been any -- how many cases are there like this in a year in Chicago or in your court?

COMMISSIONER MARTIN: I don't know right now but I think there are a handful, there are quite a few of them because what happens oftentimes on these cases they will be treated as what we call voluntary for a year and then something happens. Usually the thing that happens is mom starts dropping dirty, mom start going to the home and taking the kid out of grandma's home without permission. And then they come in and file a petition and so oftentimes that temporary custody or the shelter care hearing we will hear that this case has been treated voluntarily for 30 days, 60 days, a year, a year and a half before the cases come into the system.

So the idea here is to take the case while it is in that voluntary situation to provide the support to make certain that we are all working together before it comes into the system and asks for ward-ship.

While I have the floor let me go to your issue about cost, okay. The cost involved here is -- and there is cost involved. So I don't want to sound superficial about this. But for instance in Cook County the cost would be minimal. And that would be a judge because I already have a judge available who can do it, a courtroom. I always -- I already have a courtroom who can do it. The worker is already involved in providing the voluntary services. And there will be a cost bringing in medical into the court. There will be a cost bringing in housing into the court through these conversations. There will be a cost in having the worker spend time, effort, and resources, going out and connecting to family -- community resources. But I have not, nor has

our committee, kind of charted out those costs. But the cost will be minimal but less than what is now involved in a regular court case.

COMMISSIONER PETIT: I guess as I question the cost would be minimal if these cases that haven't yet risen to the level of CPS intervention but are close and needs a range of services and activities because of either their being at poverty level, or their mental health, or substance abuse issues, those things are typically quite expensive. And now we don't have a lot of those services for open CPS cases; right?

COMMISSIONER MARTIN: Well, we -- in my -- I apologize. I didn't mean to cut you off.

COMMISSIONER PETIT: No I'm just saying those cases right now we've been hearing for two years people who are already in the system are not getting services that they require. So in that hierarchy of need, that triage of need would you be doing services that haven't yet been elevated to a CPS intervention which we all would like to see that kind of early intervention working. But in terms of immediacy of stopping fatalities I think there is a question of which is the higher priority population.

COMMISSIONER MARTIN: Well it seems to me though if these are cases that we've determine - - we, CPS initially with their DCP investigators if there is some need, some service needs in order to keep this family together there is obviously some risk that has been identified. And what I am saying is that at least my experience is a lot of these cases end up coming to the system anyway. And so it seems to me the earlier we get to these families and the whole idea of prevention and keeping families together this seems to me it is -- it is shorter money in the beginning rather than longer money in the long term.

Now if I understand your -- if I understand your question correctly these must not be the cases that have the greatest need or there is the greatest risk of fatality for a kid; is that your question?

COMMISSIONER PETIT: More or less, yeah.

COMMISSIONER MARTIN: All I can say is these are the cases that I often find that start with neglect and once the kid comes into care there is abuse. There is abuse and very bad physical abuse. And so what we are trying to do is prevent that on the front end if you will.

COMMISSIONER DREYFUS: Commissioner Petit this is -- Commissioner Petit this is Susan. I'll ask you a question. So I'm listening to this and other than the voluntary court piece which is a little bit different I'm curious in terms of being able to cost this out is this really any different than what we have seen states do in terms of diversion, alternative response where CPS goes in, they see that there clearly are risks and issues, they do identify strengths in that household and in that caregiver and they want to keep from going into court so they voluntarily get the family to agree to services and support. This is no different than what we did in Milwaukee where in two and a half years we had two times as many kids staying out of care than coming into care and those costs -- those costs are all being well documented. Is that what we are talking about here?

COMMISSIONER PETIT: I think we are.

COMMISSISONER MARTIN: Actually I would -- no actually I would this is heightened because what we are doing here is -- in Cook County when we have a diversion and we give mom a piece of paper saying we are diverting you -- we are referring you to -- we are referring you over to substance abuse.

In this court we are not looking for petition of ward-ship, we are looking for a petition of preservation. And so the worker would actually more than just giving mom a piece of paper saying contact this telephone number, contact this service, the worker is actually walking mom to the service. We are having mom actually be put in the service. So it is more than what we would do in a voluntary case in Cook County.

COMMISSIONER DREYFUS: Yeah, and that would be the --

COMMISSIONER MARTIN: I apologize and the only other thing is that we would have medicine, we would have law enforcement, we would have dental and housing working with us right in the courthouse. It looks more like a staffing of what I call a staffing where you have the people who are necessary there to provide the services so that we don't have any problems getting Section 8 housing, we don't have any problems getting a bed into a treatment facility or a mental health facility. We have the heads there that can get us directly to those services. So that is the difference. It is a heightened voluntary program I guess is the best way of describing.

COMMISSIONER STATUTO BEVAN: This is Cassie and I'm on the phone.

COMMISSIONER PETIT: Susan, in response to your point I think that is right. This is very similar in its intention and even in its structure and the process that it goes through. And what we have seen are very mixed results across the country on this. Some states have done a very good job of implementing it, other states have done a poor job implementing it, and some states are just struggling still with it all in many instances due to the fact that they just simply don't have the resources to bring to it. We know we've got these high screen out rates and it's predictable that many of them are going to return.

So I think that the model that we are discussing in terms of early intervention and all the elements that are associated with that is exactly what we should be doing. However, the principle goal over the next with this report in my mind is what does it take to stop fatalities for those kids that are already in high risk situations. So this model that the judge has laid out what you've just raised I think it is what we are heading -- what we have to head to long term so that we are not creating so many situations where children have to be brought to child welfare, child protection in the first place. But in this particular instance for me it is how much does this contribute to the stopping of killing of children now.

And so it would be great to see if in Chicago or in Illinois since the implementation of this whatever law was implemented what impact has it had in reduction of severe abuse or even fatalities if they've served that large a pool. And I don't know how large a pool they are doing. If they are doing ten cases a week, ten a month, 10,000 a year, you know, I don't know what the number is. There are a lot of families that would qualify for it we are talking about.

COMMISSIONER MARTIN: Well I think just the opposite. I think this is a first step process as opposed to a last step in a series of processes. I see this as an opportunity to catch bases and

allow families to stay together towards work -- while we work towards providing better safety for our children while they are in a home so we are not splitting up families.

Let me be clear this does not happen in Cook County today. We don't have this in Cook County today. I am utilizing Cook County as some of the examples of what I would do if it were in Cook County. But I don't have this court in Cook County today. So I'm not -- I don't have anything to show you that this works or doesn't work.

COMMISSIONER PETIT: Okay.

COMMISSIONER MARTIN: I'm trying to take -- we are trying to take all the recommendations globally that we've made about this report and put it into one place so that we can have one demonstration site with the majority of these recommendations to see if it works. None of these recommendations do we know work yet.

I mean that is kind of the point. All of the recommendations are being teased from different parts throughout this -- throughout this nation. And the idea is to see if they work. And this recommendation above all in my humblest of opinion tries to bring in the majority of recommendations, put them in one spot, one demonstration pot so we can really evaluate objectively how this works and how to improve it to make it work.

COMMISSIONER PETIT: I guess the last question I have on this, David, and I'll stop on this particular recommendation is Pat the war on poverty reference --

COMMISSIONER MARTIN: Okay.

COMMISSIONER PETIT: -- which is you know measured ultimately in terms of household income. What is it that is being proposed here in terms of channeling resources or job opportunities or whatever it is that would have an impact on poverty? And what are you thinking is the -- is the principle piece on this that we need to add to that?

COMMISSIONER MARTIN: So first of all it is -- it is the committee, it is not just Pat herself. But one of the -- and again, please, other committee members jump in. The idea is that we have to find a way to help our families sustain themselves. I mean the goal is to utilize resources so that we can get people steady -- stable so that they can sustain themselves.

My -- one thing that has come up time and time again is that oftentimes we use source -- resources like substance abuse and parenting coaching and all these resources that we spend great deals of money on getting people stable and then as soon as these resources cease to exist or the parents cease to participate in them they find themselves back in situations where they don't have the supports from their families.

And so what would it look like if we had a world where we had these resources that also provided and started working from the very get-go of sustaining and stabilizing the families. So the reference to the war on poverty, the war on poverty is to make certain that we deal with housing and try to deal with job development and skill development while we have the attention of the families so that when we -- the service -- when substance abuse stops they are in a better position to take care of themselves and they are not put in the same environments where we took them from.

COMMISSIONER PETIT: I'm all for the early intervention prevention 100 percent. I would just note just in terms of the debate we've been having on the finances of all this we are talking many, many billions of dollars. I think that would be appropriate but that is many billion dollars more than the one billion that we are talking about for beefing up CPS.

COMMISSIONER HORN: So this is Wade --

COMMISSIONER PETIT: -- it be field tested.

COMMISSIONER HORN: Could I ask Judge Martin a clarifying question because it wasn't clear. You said that you were talking about a demonstration program to see whether in fact it works. But that didn't come across as clearly to me in the write-up. Are we talking about a demonstration or are we talking about going national with this right away?

COMMISSIONER MARTIN: No, I'm talking about a demonstration site. I think it is imperative -- I'm sorry --

COMMISSIONER HORN: Okay. I could totally support a demonstration site?

COMMISSIONER MARTIN: I apologize. But no I think it is imperative that we have a demonstration site so that we can make certain that we are putting in the right tools and pillars for this program so before we send it nationwide we actually have some numbers and evidence that it works and how it works.

COMMISSIONER HORN: Yeah, I think that is good idea. Do you have an estimate as to what the cost might be going beyond the demonstration site. I fully support the idea of doing a demonstration of it.

COMMISSIONER RODRIGUEZ: And I -- this is Jennifer. I also think that the idea of the resources that are involved I mean the reality is even with beefing up CPS you at best or -- at best or at worse I guess what you would get is identification of children who weren't currently safe removal but then I mean the CPS -- the foster care system is already stretched in terms of capacity and doesn't serve well and those kids will either be reunified or they will be in a system that is under even more strain. So I think even if it is a lot of resources I think though they are the resources we have to be talking about eventually down the line whatever -- that I think is our charge.

CHAIRMAN SANDERS: And I guess I would go back to the comment Commissioner Dreyfus made because it seems to me that we've talked about a multidisciplinary approach. This is the way of testing the model going forward with other systems actually taking the lead. I think this is a great proposal.

COMMISSIONER PETIT: David, are we commenting on other issues in the chapter.

CHAIRMAN SANDERS: Actually let me -- I have a couple of questions about the American Indian chapter and then I -- didn't want to switch to much on back and forth but I did want to go back to that for just a minute.

I had made the comment that it seems that these recommendations are more recommendations that we heard than recommendations that we can necessarily support. And

it is important I think to amplify the voice of those who testified for us. But there are some recommendations here I just don't think there is any way that we can support as related to reducing child fatalities directly. So the mandating home visiting I am not sure if that is for everybody or exactly for who. The mandating the educational criteria -- curriculum, the mandating of fatherhood initiatives. I think -- I think the tone and the specific recommendations are too broad.

I think that we want to make sure that we are promoting the tribal and federal government negotiation as the tribes being sovereign nations and we want to address jurisdictional issues and we want to address data issues. But this seems too broad. Can -- can the committee respond to that?

COMMISSIONER MARTIN: Sure. So I think -- I think in my words, these are my words and please anyone else from the committee jump in to help me explain this better. One of the things that we were very much interested in we talked about in our very first meeting was that we wanted to not to -- not put out a report that washed for lack of a better word washed native American needs through the lens of Americans or through the lens of state workers, state providers, state courts.

But we wanted to make certain that the recommendations and the things that native countries said they needed that we utilized our voice as a vehicle to get that through. And I think the reason the recommendations may sound too broad or broad is because they are looking at their country, native country trying to look at it as a whole.

Each and every one of us knows that each tribe and each local and each region is a very different nation. But what we are trying to do and what we asked for in recommendations were global recommendations that would make the best impact or the biggest impact, the biggest bang for the buck for native country.

And so for instance the issue about culture, educate -- cultural education that tied into so many other issues that we heard about. Suicides in particular for older adolescents. It had a lot to do with this you know I call it self-esteem and I know that is not the right term to use but losing the culture and the idea of losing one's culture with no central core identity provided so much of the depression that those kids -- those youth were feeling that provided so much of the foundation for a lot of the substance abuse, particularly the alcoholism that they felt was going on in native country. And so that is why the recommendations were made in broad strokes because we were trying -- we didn't want to go in and say that the Navajo needed X, Y, Z because we didn't feel that we would ever be able to adequately provide a vehicle for that kind of voice in this report.

But we needed to somehow figure out where we could get a recommendation that would do the best good or the most good to the majority of native countries. And whether or not we achieved that I hope you can understand that that was the strategy behind it.

COMMISSIONER DREYFUS: Commissioner Martin, this is Susan. Do you think there is any way that again I keep going back to how much this all -- I'm trying to figure out how this report all just starts weaving together; right. And it does seem to me that when we talk about this larger -- the different word they've come up with for surge but this larger national laboratory

that is going to be created. Is there a way that we could be as part of that recommendation that it not just be the state but it be tribal nations as well who wish to participate? A lot of these more general recommendations probably come through more thoughtfully more data driven around the elimination of fatalities from abuse and neglect if those kinds of recommendations came through that lens the reduction of children who are killed. So is there any way that some of that -- some of those recommendations could fit into us calling for not just states as today as that chapter does but states and tribal nations as they desire to participate.

COMMISSIONER MARTIN: Well, I think that would be a great idea. And that is one of the conversations we had in our two subcommittees as to how could we, if, in fact, we could, make a more common recommendation. So have like a voluntary court for native tribes.

One of our problems though is that the native countries are so vastly different and the infrastructures that they currently have are so vastly different and the strengths that they have are so vastly different that it is hard to make some global recommendation at least in our mind it was difficult to find global -- I'm sorry. It was hard to find global recommendations that pertained and would hit most of our jurisdictions that we even visited because of the infrastructure or the lack of infrastructure in so many of these areas.

So we really didn't have like a court system that provided the ability to have an over -- that had the authority to bring in all these different entities. It is more like a -- the tribal leaders that have the authority as opposed to the court in tribal -- in a lot of tribal territories for instance. So those were the structural things that were vastly different that did not immediately give us the foundation in which to do a similar type of recommendation.

COMMISSIONER PETIT: David, can I comment on that?

CHAIRMAN SANDERS: Go ahead Commissioner Petit.

COMMISSIONER PETIT: Yes, without getting to -- into your overarching point that you made about what could be supported and not supported by the commission in terms of a specific to what's being put forward I agree with that. But I want to just note and I've mentioned several times and it is not reflected in the report except there's an aside and that is in Maricopa County which we believe had a nice model, working with families, drawing on kinship peer and all the rest. I think that is you know all to the good. I would just note again that this wealthy tribe had something close to ten percent of all of its 5,000 children in care at a cost of about \$25,000 a year, much, much higher than other norms and it may have been right and it may have fit culturally with these kids were placed with kin if that is where they were placed at a cost of \$25,000 a year. But the small population served and the fact that two children died in a car seven or eight years later I don't think we can inferentially draw from this that this model is necessary affecting children being -- from being killed. So I just want to point out that if somebody looked at that and said how is it that they've got so you know many children in safer situations, they have relied very, very heavily on out-of-home care, more than any other community that we've seen.

COMMISSIONER MARTIN: Okay. First of all so I may have done and may have understood this entire three years wrong. But simply because one commissioner objected to it I didn't pull it

out okay. I thought that that made it rise to the level of the deliberation. So simply -- so for anyone else, all commissioners just let me say up front simply because you commented on it doesn't mean that we took it out. If we felt it was important enough to keep it in we kept it in because we wanted to discuss why we thought it was important. And after the deliberation if we as a group voted to take it out we would take it out. But simply because I comment on a part of measurements does -- I don't expect it to come out. I expect us to deliberate.

In Maricopa County one of the best things about that program was that they were able to actually do this interactive assessment together. Now they did it because they had money. And their -- and more importantly than the money in my mind their tribal leadership got together and demanded that they do it. I agree with you the outcomes are not great. But the -- part of their program is something that we all are recommending that we get assessments not just from CPS but we say we look at the experts within our areas and fields to help us in the assessment and that is what we are highlighting from that program.

COMMISSIONER PETIT: The work had resulted in a higher -- substantially higher number of children placed in out-of-home care than previously. That may be very desirable and I'm not saying that it is not and so -- but it is not a four letter word, the notion of being placed may be exactly the best thing for the child and for the family and I think we need to say that. It is a big part of what they want.

CHAIRMAN SANDERS: Commissioner Martin?

COMMISSIONER MARTIN: Yes.

CHAIRMAN SANDERS: I wanted to go back to the follow up question because I think that this is kind of a critical issue because of the things that you said I think that we heard the importance of jurisdiction and the importance of sovereignty. And that as a commission we want to respect that in our report. And I think that the subcommittee had done an excellent job of making sure that stays at the forefront.

I think that where I have the question is as much we've been asked as a commission to make recommendations to congress and it seems that what -- what we've done is take the recommendations from the testimony that we heard and make sure that it is not filtered in a way that -- that you described earlier. It seems that part of what we want to do though is to also recognize that this is ultimately a government to government negotiation in that we want to highlight the importance of the voices. But I am not sure we need to take the recommendations directly and simply send them through unfiltered because they are to be our recommendations. And I'm not sure -- I can fully support the idea of being and amplifying the voice, to take on all of the recommendations; I'm not sure that I have either the information or can see the connection well enough or should do that because it impedes on the nation to nation kind of negotiations that should occur.

So I'm a little concerned with taking these as fully as our recommendations, not I'm a little concerned, I am concerned versus saying that we want to make sure that the voice of tribes is heard directly in discussing this issue.

COMMISSIONER MARTIN: So I guess what I'd like to then recommend or what I would like to suggest are we saying for instance let's take recommendation -- I'm sorry, let's take

recommendation five, I'm trying to see what page it is on. My copy in front of me is not numbered. But 5.1 which states mandate the complete and accurate collection of fatality data in Indian country. Do we then vote not to take that recommendation and that is not going to be our recommendation to the government?

CHAIRMAN SANDERS: I think there are some things that have starting points based on what we've heard. So for example the -- much of what we've heard around data it seems to me has been consistent with the information that we heard from tribes consistent with information that we heard from government officials and so forth. And that maybe we have enough information about that one to say that's our recommendation. I think we want to make sure that all of the recommendations that came forward to us are heard and are captured. I think whether we take them on as our own I think actually is a separate issue. I don't know that we should take them all on because they represented to us.

COMMISSIONER MARTIN: Well, the way I look at it is our committee is putting these forward for our commission to take on as our recommendations. The ones that we vote not to, we vote not to. So if we vote not to take one 5.1, 5.2, 5.3 I think we should go through and decide as a committee do we vote these recommendations to be our recommendations.

CHAIRMAN SANDERS: I think and it may be a combination of two pieces because I think that - I think that is fine but I think we -- in my view and I am one commissioner, my view is that we want to capture what we heard in testimony and make sure that comes through whether or not we end up accepting these as our recommendations or not. So I'm not sure we want to lose some of these because we don't believe there are -- that we can support them as recommendations. I think we want to say this is what we heard throughout this process. And this is a community that in many ways hasn't been heard as part of this issue.

COMMISSIONER MARTIN: So just for example -- just for example if we as a commission say that 5.1 we believe based on the testimony we heard that there needs to be a mandate to complete -- to get complete and accurate collection of the fatality data in Indian country then that would go in as a recommendation just like recommendation 1.1; right?

CHAIRMAN SANDERS: Yes.

COMMISSIONER MARTIN: Okay. Okay. I'm sorry I interrupted someone else, I apologize.

COMMISSIONER DREYFUS: Yeah, so this is Susan. Chairman Sanders a question for you. So I was with you all the way along your -- I got a little bit (Inaudible). It does seem to me that some of what we heard that was really specific to the more global issue of our country's ability to reduce and eliminate the number of children being killed by abuse and neglect that things like data, the data measurement piece, whether it is in Indian country, tribal nations or in the states seems to be a paramount cross-cutting issue. And I would hate to have tribal countries be relegated to what we heard this year when we know it is some kind of issue now that is not only in tribal nations but in states as well.

COMMISSIONER MARTIN: Well, I thought we as a commission decided that the tribal infrastructure and what is going on in tribal countries was so devastating that we thought it was important enough to highlight that to Congress. And that is why we were talking about for state courts this is what we need. In addition for state courts we also need this for tribal

courts. I mean I thought that is why we were talking specifically about having the section that was devoted to what's necessary in Indian country.

I mean David and all commissioners these recommendations that are provided just like recommendations for management, just like measurements, just like recommendation from public health. They are the recommendations of our subcommittee for this commission to adopt and to move forward. If we do see a problem or if we think that one of them is not relevant or important enough to highlight or we need to put it in another area then that is a decision we as the commission make. But once these recommendations are accepted they go into the report just like all the other recommendations. They are our recommendations.

COMMISSIONER PETIT: David one point on that. I think that Pat is right in terms of you know the subcommittee puts proposals and the full commission disposes. But what I would note at this point and I don't know the answer to this. There are scores of such recommendations in this report that deserve that kind of a ANA situation and as each one gets debated I mean it just extends the amount of time necessary for us to wrap this up. Maybe we say what are the ten, twenty, thirty, forty the people have a problem with and limit debate to you know one minute or two minutes on it and then just give an up or down on it. And that couldn't be done today. We'd probably add another meeting.

COMMISSIONER COVINGTON: Well, this is Commissioner Covington. That's been my concern for a long time is that I don't in the concern that we are running out of time I don't want to lose recommendations or not include them in the report because we don't have time or because there is some disagreement and we have to debate. We spent a whole lot of time on the recommendations we made at the surge and then there are all these other recommendations. And I have some concern about how we are going to get through this. And I don't want to all of a sudden just because we've run out of time not include them.

My other comment is I think in these two chapters I think there are some recommendations that could be consolidated with other recommendations in other chapters. And we are -- I don't know how that is done. I think that might be an editing piece. I don't think you want to lose that those are recommendations if they are specific to address disparity for American Indian nations and I think we keep them separate but there are recommendations that can be you know cut into other parts of the report. I think we should establish this so we don't have redundancy.

But I support Commissioner Martin's suggestion that you know we go through our, also Commissioner Petite and we decide which ones we don't agree with and that's what we focus the debate on.

CHAIRMAN SANDERS: So let me -- let me make sure -- I mean that if you want to go through these one by one that may be where we end up. I would suggest that if we believe that there is more of a policy story to tell I'm not sure we should go recommendation by recommendation. For example, if we believe that data is an issue then it seems to me that there are a set of recommendations, there is not just one or disconnected recommendations that will impact that that --that it takes a set of recommendations because there isn't one thing that is going to make or break a -- an issue like data. And I think that -- I think that this package of recommendations from the American Indian subcommittee is important to capture

as a communications in the report. I think for me it is different than you might have with some of the other chapters because we have recognized the difference with -- related to tribal sovereignty. And so I see this chapter as a little different than the others.

COMMISSIONER PETIT: Well, the question still remains as to is there one person that can torpedo a specific recommendation. One thing maybe what we could do is if two or more people object to a recommendation or three or more people then that recommendation would not remain. Or we --

COMMISSIONER MARTIN: Why can't -- why can't --

COMMISSIONER PETIT: -- saying the opposite in terms of what you vote on. In other words everything you said today if two or more people object to a particular recommendation we could debate it and then vote on it.

COMMISSIONER MARTIN: Well why can't -- the fact that Pat objects to recommendation one, all that does it say that I want a discussion of recommendation one. After I listen to Petit I might agree with Petit. But it is just on the face of it because I just -- even -- as much -- as highly as I think of myself simply because I object to it I'm not saying I want it out of the report. I'm saying I have questions about and I'm going to listen to the people I respect around me who made the recommendation and see if they can convince me otherwise. But that doesn't mean it is automatic in my humble opinion that doesn't mean it is automatically out. Either my --either my personal things that I want out of the report, I'm not arrogant enough to believe that simply because Pat objects to 1.1 it is automatically out. All I'm saying is I want a discussion about it. I want us to deliberate about it. I want us to talk no matter how heated the discussion gets or not. I think that is healthy for us to talk about it and put our -- put our reasons forward.

COMMISSIONER HORN: If I could just -- so I think I agree with Judge Martin. I think what Judge Martin is saying is I know these recommendations are not quite right yet for an up or down vote because we haven't had an opportunity to fully discuss, deliberate, and explore the specific recommendation. So Pat -- in fact what you are saying I agree with that just because if you just look at -- I know we are looking for a different -- just look at the surge I think there were moments when the surge probably had too much. I think as we discussed it it's got more than two votes. I'm not sure it's got 15 but it certainly seems to me we have more than two at this point. So I think -- the question in my mind is given the amount of time we have left how quickly and efficiently can you move the conversation forward.

See I would suggest that in terms of these two chapters that you continue to discuss them and then ask the committee -- the respective subcommittees to go back and based upon this conversation make a few adjustments that they think make sense based on what they heard and those recommendation would become more ready for an up or down vote.

CHAIRMAN SANDERS: Let me go back to the one thing and that -- I think that is the distinction that I'm trying to make that with the surge we talked about it as a full set of interventions. We didn't talk about it and go through recommendation by recommendation. We said what are we trying to accomplish what does it look like and that was the form of the debate. And that is what I am suggesting for this is that this should actually be something that

will move Indian country forward. And I'm not sure that it is as much an individual recommendations as it is collectively what we have here. And I think -- I think it is legitimate to say we need to spend more time on debating this issue and this chapter. I just -- I don't think we have to go up or down vote on 30 recommendations.

COMMISSIONER COVINGTON: David I -- this is Teri I disagree, I really do. I think when this report is finally done there's going to be recommendations that I really think -- I think when we are finally done with the set of recommendations we do need to go through and decide if we are serious in bringing them --

CHAIRMAN SANDERS: Oh, I don't dispute that. I agree entirely. If there are recommendations that disagree with that I fully agree on that. I'm just saying I don't think we start recommendation by recommendation. I think we start with what we are trying to accomplish and if we feel the recommendations actually are getting us there or not. But yeah I think we will -- if there are disagreements on recommendations that is the point of these calls and that is what we've tried to put on the agenda are those things that people have said there are disagreements on. In this chapter and in the disproportionality chapter there were actually a number of comments. So we didn't go comment by comment as much as full chapter because there were certain comments but we could also choose to go comment by comment.

COMMISSIONER STATUTO BEVAN: This is Cassie, can you hear me?

CHAIRMAN SANDERS: Yes.

COMMISSIONER STATUTO BEVAN: Oh, good. I just want to agree with David (inaudible).

UNIDENTIFIED SPEAKER: It is hard to hear her. Can't hardly hear her.

CHAIRMAN SANDERS: We are losing you Cassie.

So Commissioner Martin you would suggest that we go recommendation by recommendation in this chapter and in the chapter on disproportionality and have a discussion of each recommendation and vote up or down?

COMMISSIONER MARTIN: I actually -- that was my recommendation for every recommendation in this report. I really thought that we were going to go through and go up and down on each recommendation.

CHAIRMAN SANDERS: And I think the only difference is that -- that it seems that there are recommendations that there is no controversy about and I'm not sure and nobody raises an issue about them at least in writing. And that it seems that to go through every one of them when you have some that there is not disagreement about that is what seems --

COMMISSIONER MARTIN: So in your mind then if no one wrote a comment about recommendation 1.1 then that is automatically in the report and we don't need to vote on it. I mean I am just trying to understand. I am not being critical. But I don't want my intonation to converse otherwise. But so I'm just trying to make certain I understand the process. So isn't that the no comment --

CHAIRMAN SANDERS: --- about it at all, that at least for the current report it is in that report.

COMMISSIONER MARTIN: Okay. All right. So then my understanding from this conversation is that there is a comment about each recommendation in the Native American and the Disproportionality section.

CHAIRMAN SANDERS: Actually there is not and that is why it is trying to ask for clarification because I probably would not have chosen to go through recommendation by recommendation. If that is what you are suggesting we could then -- we could do that.

COMMISSIONER MARTIN: Just tell me the recommendations that people vote out and then we can -- look at we'll come back as a committee and see if they are worth arguing for or not worth arguing for.

COMMISSIONER PETIT: David, how much time do we have? David, how much time do we have in this process over the next six weeks? I thought we were decommissioned effective March 18 and at some point this has to come to an end. What do we -- what's the time table that we have to work with?

CHAIRMAN SANDERS: Let me -- let me make sure we finish this issue because I did -- that's on the agenda and I sent out an email, you may not because I think you are out of the country you may not have gotten it. But I'll walk through that in just a minute.

So you're -- so you are not suggesting a new process for this? You are suggesting that we use the same process, if there are comments and I think that is what I heard from Commissioner Horn that we go through the recommendations where there is concern and have a debate about it and then decide up or down on it.

COMMISSIONER MARTIN: Yes, that is what I would like.

COMMISSIONER PETIT: One modification.

CHAIRMAN SANDERS: Yes.

COMMISSIONER PETIT: One modification. Why not elevate it to the point that there has to be two objections to each recommendation in order for it to be put in an up or down kind of a vote?

COMMISSIONER COVINGTON: Well, I don't know Michael we've never decided at all whether we're going with consensus or majority. I mean one or two people completely --

COMMISSIONER PETIT: No that just prompts it. No, they can't kick it out. It just prompts it to be discussed that's all. Instead of going through every single one where there is unanimity it would just be the ones instead of saying one person objects it would rise to the level of two persons object that wouldn't be killing it; all that would do is create a discussion and a vote on it.

COMMISSIONER MARTIN: Well then we might as well have Cassie's conversation about what does it take to have a dissent and how do we give a dissent in the report. I mean the idea is for us to come to an agreement and if we can't come to agreement but we can't even know if

we come to agreement if we keep putting bold roadblocks into having deliberations. You know we either are going to really deliberate this or we're going to pretend. And if we're going to pretend that is fine. Then the best thing to do is spend some time talking about how do we do this to get in the report. And that is the first thing we should decide and then go ahead and do what else we're going to do.

CHAIRMAN SANDERS: I think for this we just use the same process that we have. If there is a concern expressed we will make sure that that is put on the agenda for purposes of discussion and we will do that for these two chapters individual -- for individual comments. And I think that -- I think that is legitimate.

COMMISSIONER HORN: So for -- so for example the prior discussion we had. If I had to vote yes or no before the discussion I would have voted no on the recommendation about a voluntary court an issue that we talked about for the first half hour. But once Judge Martin clarified she was talking about a demonstration then I am perfectly fine with that. In fact, I am totally supportive of it. So I'm just -- and I feel it's a simple thing to make it clear; it wasn't clear in the initial reading that this was a demonstration project that was being recommended. It is a simple thing to change that to make it clear. And then I think we have very strong consensus the process would makes sense. So I just want to make sure we have ample time for discussion of the recommendation before we do an up or down vote.

CHAIRMAN SANDERS: That is the whole point; that triggers not that there needs to be discussion on something.

COMMISSIONER DREYFUS: Okay. This is Susan. I've got to bring up something else, Chairman. I -- you talked about what -- what had happened with some of these chapters where we had the larger conversations of scope, of intent, of what we were trying to accomplish. I don't think we had that conversation in the commission as related to native American and Alaskan and disproportionality. We never really had that conversation as a commission what is our intent on what it is we are trying to communicate because it does seem to me that before we start talking about the current recommendations in this chapter one by one by one the larger issue of intent I think is something we've got to wrestle with because from my prospective I look at some of that and I felt it is too granular from what we really know will reduce the number of kids who are killed in Indian country by abuse and neglect. But something like data I would say it rises -- it rises up high. Why don't we have that conversation before we just start making these chapters on Alaskan natives, American Indian and disproportionality and just going through them one by one without the larger context of what we are trying to achieve in this chapter.

CHAIRMAN SANDERS: Well, Commissioner Dreyfus I think you were far more articulate than I was in trying to make that point. I think that -- I think that is the start of our conversation versus we start with each individual recommendation. So I think that if the subcommittee feels that has been provided and they want to have a recommendation by recommendation conversation maybe that is -- if that is the will of the commission then that is the way we'll go. My view is that we might be better off being able to come up with what we are trying to accomplish and how our recommendations support that.

COMMISSIONER HORN: I am going to fully support what Commissioner Dreyfus said because there is a danger going recommendation by recommendation that any individual recommendation may be okay but in totality may not be okay. And you know -- and I agree we should first have that conversation in its totality is the chapter getting at the central question we are being asked to address. And if the answer is no then we need to write a different chapter. I think if the answer is yes we can start going through recommendation by recommendation.

By the way is anybody else hearing echoes on their calls? I --

COMMISSIONER DREYFUS: Yes a lot of echoes, a lot of echoes.

AMY TEMPLEMAN: Yes, we -- this is Amy. We placed a call to the conference call company to fix it.

COMMISSIONER HORN: Okay. So it is not just my phone. Okay. Thanks.

CHAIRMAN SANDERS: So Judge Martin and others on the subcommittee the -- we can set this up an agenda have the continued conversation. I think it should be what we are trying to accomplish first and then does the set of recommendations get us there. That is what I would propose but I am curious about hearing your feedback on it.

COMMISSIONER MARTIN: So maybe we have the conversation on the -- so are we treating these two chapters different than other chapters? Have we had the whole conversation on each one of the chapters of what we are trying to accomplish and whether or not the goals achieve that?

CHAIRMAN SANDERS: Exactly that was part of the point of structuring them the way that we did in that we had initially talked about -- the chapters really are structured around now the new process that we had formally referred to as the surge where I think we had a thorough discussion of what we were trying to accomplish, there is still work that we need to do. And then the other three chapters are the three components that we identified as critical for the 21st century child protection model which I thought we had a thorough conversation about what each of those concepts was to -- intending to accomplish.

COMMISSIONER MARTIN: Wow. Okay. I mean the first came up two calls ago I think and now that has changed our whole report. I mean so we've had a lot of conversation about the surge, Dave. And the most complete conversation I think we had was yesterday or Friday, whatever day, Thursday and even at the end of that conversation I've had questions about the surge. I don't think the surge is -- first of all I have some issues about the surge that I was going to reserve for our conversation today but even as it stands I don't think the surge is the most urgent thing that this commission should be putting forward. And so I'm concerned that the surge has now been the center point of our report when we had all these other issues that we were -- I mean what happened to measurement. I honestly thought when we were building this report that predictive analytics was going to be a great part of our report. And then when we found out that predictive in just generic terms predictive analytics required the best use of predictive analytics required good data I thought we were all in agreement to start figuring out how to really get good data to support our measurement chapter to really support getting great data for the next five, ten years, whatever that required to build ourselves up to get to

predictive analytics. I thought that was the direction we were taking and then we start jumping on the surge. So I'm confused and maybe it is just me. But I'm confused how it all turned on this surge thing now. Because I really thought predictive analytics and the public health approach was our big -- our big to do, our big wow.

CHAIRMAN SANDERS: And so we have --

COMMISSIONER PETIT: David --

CHAIRMAN SANDERS: --- based on the feedback that has been provided in writing to each of the drafts and I think that what's critical is to make sure that the issues, large or small, are raised in that way so that we can put them on the agenda. And I think that the -- the feedback has suggested there are certain issues, the written feedback has suggested that there are certain issues that need to be discussed. If there are additional issues that need to be discussed then they should be provided in -- in written form back in response to the drafts that have been sent out.

COMMISSIONER MARTIN: So in answer to your question then for these two subcommittees unless I hear something from another subcommittee member on the call yes, I am asking for a vote on each of the recommendations then if someone raises a question then I will respond, the committee will respond to it and then it goes up or down.

COMMISSIONER PETIT: David, this is Michael.

CHAIRMAN SANDERS: Yes.

COMMISSIONER PETIT: I'm not going to speak to the surge issue but just the other points that Commissioner Martin just made. One is the -- the I recall we had a teleconference around the American Indian, Alaskan native disproportionality Commissioner Martin made a presentation. There wasn't a lot of question -- there weren't a lot of questions, there wasn't a lot of discussion about it but I recall distinctly that being the major agenda item and that was months ago on this.

With respect to predictive analytics I think its day has yet to come and I've raised some questions about it. And I'm happy to comment further. I don't think predictive analytics was ever the centerfold for what we were supposed to do. I certainly don't think it has any immediate benefits for children.

And the larger question data is critically important but I don't think that it has immediate implications, immediate implications and we're tossing the word data around. It is an all encompassing kind of term so at some point what kind of data are we talking about. But I don't believe that that was ever a center -- the centerpiece of what is it we are supposed to be doing.

So and I am happy to --- the American Indian and Alaskan native disproportionality thing again. I guess we are going to be discussing it in a few minutes or at least I have some questions about -- about some of the language in the disproportionality chapter.

But we did devote a large chunk of a meeting or maybe an entire meeting to the topics that --

COMMISSIONER DREYFUS: Now how do I get back. Okay. So for this -- this is Commissioner Dreyfus and I just want to make a couple of comments. I want to separate out something Commissioner Martin you talked about your concerns about the former use of the word surge because we've got to stop using that. But my view about the proposal yes we have been talking about (inaudible). But we've been talking about this at the beginning of the commission about how to stop a child from being killed. I think what we ended up doing is a lot of things that we thought would be important at the time in stopping the killing of children from abuse and neglect started coming together through this concept of figuring out how we can (inaudible) day is process that so we really can start saving more kids lives. It seems like predictive analytics, taking the public health approach all start coming to light through this larger recommendation, another recommendation -- it started for me pulling a lot of it together. So that is comment one.

On the Alaska Native and the Disproportionality I do think what we are saying as a commission -- subcommittee is could you first before we have to start going back one by one by one could you first give us a greater sense of context and what it is you want to achieve as a country to stop the children in Alaska in tribal country and in the disproportionality from being killed, what is the larger context for what we are trying to achieve in these chapters because right now it is just -- those recommendations feel a bit disjointed for me from not having a sense of what are we really trying to achieve.

I don't think we are all in disagreement I think it is again back to what Commissioner Horn said right, it is understanding.

So can the subcommittee do that? Give us a greater sense before we look at each of these recommendations one by one. What is it that we really are trying to achieve? And so we can see how the recommendations all fit within that larger context.

CHAIRMAN SANDERS: Commissioner Martin or Commissioner Rodriguez?

COMMISSIONER MARTIN: Oh, I'm sorry I was on mute, I'm sorry. We are trying to reduce the fatalities for native American children reduce the fatalities for black kids. And we've identified these children because of the numbers and what is going on in these populations. And we are trying to reduce the fatalities and we've trying to take some of the recommendations that we've been talking about throughout the year pull them together to figure out ways in which we can also reduce specifically for black kids and native kids.

But I will -- I will as the chair go back to the subcommittees and see whether or not we can do it once again. But let's just put on the record as the chair I'm asking for an up and down vote on each one of our recommendations. I mean I wanted an up and down vote on every recommendation. And I -- I think -- I think when I Pat Martin and I think very highly of my opinions by the way but even when I object to any recommendation it is for us to raise it to the level of a deliberation. And so I think the way we did it on the disproportionality voluntary court, whatever we want to call that, that is what I expected. I expected to have it in writing and for us to work through the way we've done in the surge. Put something in writing and us working through it. I don't expect that one person puts it down and everyone agrees to every period and comma in it. I expect that someone puts something in writing, an

idea in writing and you go through it. And that is what I expect for the native American recommendations. That is what I expect for all recommendations.

COMMISSIONER HORN: Again --

COMMISSIONER MARTIN: I want an up and down on each. And if we don't have an up then I want an opportunity for the committee to talk with the commissioners just like we've done this morning, this afternoon and see if we can clarify, make it better, work together to make it better or decide as a group that it goes off.

COMMISSIONER HORN: May I ask you a question. Do you -- do you -- just based upon the conversation that you've heard about there was only little focus on the African -- the Alaskan native and American -- native American chapter in the last hour and a number of people have expressed a concern about perhaps the recommendations are a bit overly broad, some of them may be a little bit outside what it is our intended charge is, some might be more appropriately viewed as something that the federal government negotiate directly with the tribes. And so I'm just summarizing from memory but have you heard enough or is there enough in the conversation that you believe that you as a subcommittee could take those set of facts and revise the chapter using your own judgments as you've heard this conversation in a way that you think could help us as a commission come to a full -- be able to support the chapter as a whole prior to going recommendation by recommendation? Or do you feel like there is not anything or very little in the conversation that you could use absent an up or down vote on every single recommendation of the chapter?

COMMISSIONER MARTIN: I was on mute so it takes me a minute to respond. I -- I don't mind putting it in my own, Pat Martin's touch to it if you will. But you know honestly I don't understand why we are hesitant to go through them one by one. I don't understand why we as a commission don't want to go through them one by one. I don't understand why each commissioner doesn't want to have a word in them. I don't understand why my fellow commissioners don't want to talk about each one of them one on one. Can you tell me why you guys don't want to do that? Why is it that we are so hesitant to go through this chapter and talk about each recommendation one to one?

COMMISSIONER HORN: I'm not hesitant at all, I'm happy to talk about them one by one -- number of my comments that I have on various recommendations. But I'm just not sure I am ready yet to be able to vote. I am happy to go one by one and discuss them and get clarification as we did regarding the voluntary court.

COMMISSIONER PETIT: I'm happy to do it.

COMMISSIONER MARTIN: And that is all I am asking for. And that is what I keep asking for. Why aren't we going through them one by one and discussing them. Why don't we do them just like we did for surge? Why aren't we taking each recommendation that has been put forth to this body and doing it just like we did the surge and taking our time and everyone having an opportunity to comment on it. That is all I am asking.

And I don't understand why there is such -- I guess that is my problem, David. I don't understand why we object to taking each one of the native American issues and making it just as important as the surge that it warrants a deliberation by the commission. I don't

understand why the issues and the recommendations put in the disproportionality chapter don't warrant a deliberation just like the surge.

Now I can go back, you are the chairman and if you tell me to go back and Pat put on your you know, you read through them, you decide what you know you want to push for, I'll do that. But I always thought that we work in the body that we put forth ideas and we deliberate on the ideas. And I don't understand why we deliberate on some idea but we don't deliberate on other ideas.

CHAIRMAN SANDERS: And I would say that we have said a couple of things. We've spent now an hour and a half on this issue today and I think in part some of it has been deliberation; some of it has been about the process. The surge we did not go recommendation by recommendation. What we looked at what it was that we were trying to accomplish and had the conversation about the activity itself and would it accomplish it. And then looked at the recommendations within that.

I think that -- and we had decided and I think or at least we've had the discussion several times about whether we wanted to vote recommendation by recommendation or whether we wanted to vote on the full document. And the idea has been to put together the full document and make sure that that is what we are voting on because it should tell a story, a single story. It shouldn't be a compilation of 120 recommendations that may have passed six to five and so that's to me why we want to start with what is it that we're trying to accomplish and do -- and have the kind of conversation that we need to have to deliberate about does this set of 20 or 25 recommendations accomplish that. And are there individual ones that do it better or worse.

I think the last thing I would just say is to me that the reader is going to look at whether we're able to tell a compelling story. And we're not going to do that with just a -- a set of recommendations that don't hang together. And that is my major concern.

COMMISSIONER PETIT: David, are we going to be talking about any of this specifically today. I've got three that I want to bring up on disproportionality. But it doesn't sound like we're --

CHAIRMAN SANDERS: We'll --

COMMISSIONER PETIT: What's that?

CHAIRMAN SANDERS: We'll plan to have this as a one peer conversation with the discussion including the recommendations as we go forward in this entity.

Commissioner Petit?

COMMISSIONER PETIT: Well, I'm just -- you said you sent out an email concerning the amount of time but it would help me to understand how much pressure there is at this point, how much expectation there is, when is it that we need to say this is the end and it is off to the printer?

CHAIRMAN SANDERS: February 16. So --

COMMISSIONER COVINGTON: This is Teri. I'm going to be really -- this is Teri, Commissioner Covington. I just don't see that happening. I mean we've spent almost four meetings, four deliberations on the surge piece and haven't even gotten into any of the other pieces in this report. And I don't know how we are going to make that deadline.

CHAIRMAN SANDERS: Yeah, again I would say that if there are -- the only way I have to judge is what I get in writing back from commissioners about the areas that there are disagreement -- there are disagreements in. All of those have been on the agenda. And if there are other things that we need to talk about then they need to be provided back through the feedback about what's in the report right now. And then we'll -- we have -- we certainly have an ability to adjust our time but we do have a deadline to get this done so that we are finished by March 18.

COMMISSIONER COVINGTON: So just a little bit on process then. We -- there were a lot -- there was quite a bit of written feedback the last time but then the draft we had didn't have all the commissioner's comments in it. And then I know for example we share great consent to draft it in for comments on the surge. How are we going to continue that discussion? And how -- whose comments are going to get accepted? Whose aren't? How are we going -- how is all of that going to be resolved because I still don't have a sense of how that is happening?

CHAIRMAN SANDERS: Every comment will generate discussion. So if somebody has concern if it is worth putting it on the agenda for us to have a conversation about.

COMMISSIONER COVINGTON: Then how -- do you really see us having that done by February 16? How can that happen?

CHAIRMAN SANDERS: Well I think that given the number of comments thus far yes, it can. If there are a lot more than we'll have to relook at that. But right now based on what people have sent back in writing yes that we can complete it by February 16.

COMMISSIONER COVINGTON: Well for me this is the first time that sort of it almost sounds like an ultimatum that if we did submit something in writing then it is not up for consideration. I guess I just thought there was going to be more deliberations, you know, verbal deliberations because my understanding --

CHAIRMAN SANDERS: --- deliberations are based on what the feedback that we get on each of the chapters, on each of the documents that we send back. And --

COMMISSIONER COVINGTON: Everybody else am I the only one who didn't understand that.

CHAIRMAN SANDERS: Well, we've only gotten feedback from three commissioners on the last draft. And so we need -- if there --

COMMISSIONER COVINGTON: For me David part of it is time. I mean -- part of it for me is time. I mean I have a regular -- I have to work, I have a job that I have to do and to find the time to really devote to this is very difficult when we are only given three or four days in which to create these responses back.

COMMISSIONER MARTIN: I thought our comments on the phone were taken into consideration too. That is why Amy is on the phone and the staff is on the phone and periodically we would refer to Amy, did she have enough information from our conversations to continue on.

CHAIRMAN SANDERS: Yes, I'm saying to get on the agenda for the phone calls that we have to have something in writing, yes. The feedback on the phone is incorporated into the recommendations. But to get on the agenda it has been based on the concerns people have raised in writing.

COMMISSIONER COVINGTON: To be honest I mean I am not disagreeing with you but that is the first time I've heard that officially said to us. So that's important now. I know I need to go put things in writing. I am also wondering how things we put in writing are being able to be publicly disclosed so that this is also a transparent process.

COMMISSIONER MARTIN: I want to also know before we hang up on this call today that the question that Cassie started this morning -- or I saw this morning about how do we -- what is the process for official dissent and how does it get included or attached to the report. I would really like an answer to that before we finish our call.

CHAIRMAN SANDERS: Yeah and I think that is on the agenda as we talk about the letters.

COMMISSIONER MARTIN: Okay.

CHAIRMAN SANDERS: Commissioner Petit?

COMMISSIONER PETIT: David, I can tell you because the clock -- I think we are going to have to act on these as expeditiously as possible. And I appreciate what -- what Teri Covington is saying in terms of time. But I don't think we have a choice at this point. There are people waiting to receive this, we are entering a very highly charged political cycle. We are hoping that what we are going to say is going to attract attention. We've had two years of data gathering, we've had months, five, six, seven, eight months of deliberations in one form or another and I think we just need to bring this thing to a close if it is going to be presented credibly at some point.

And I do have some very much -- some specific pieces that I'd like to raise. I don't need to know if you want to do it at the next meeting but I mean there are -- there are still questions about some of these recommendations.

CHAIRMAN SANDERS: Why don't you raise them right now and then we will go into the next agenda. So go ahead and raise them.

COMMISSIONER PETIT: Well, these -- these -- what I am going to mention are three that are specifically within disproportionality chapter and that I think need to be reviewed. And I don't think they've been knocked out from earlier comments that have been made.

One is Congress and there are numerous things Congress should, Congress should, Congress should. And I think that it's a mistake to say that Congress should enact laws. And I'll set this a larger role for the executive branch. But for example Congress should regulate algorithmic compositions in strategic decision making. I have no idea what that means as a recommendation. And somebody could explain but I have no idea what it means.

There is a recommendation that talks about a systematic scheme -- may be due to a systematic scheme which routinely produces negative family unit results through medical care et cetera within the minority population. Systematic scheme that suggests that there is a willful intention to deceive or misrepresent.

And then the one that I really don't understand at all is there is a call for incarceration of social worker, felony offense if they override a structured decision making option. I mean what is that about? We didn't even discuss that. And we're really proposing that social workers go to prison for exercising whatever their judgment is on the job and the Congress is somehow supposed to regulate this.

The last thing I'll just note is that we have had 25 years of addressing issues of disproportionality and I would love to see what some of the research says on the training that has been done, which there has been a lot done this here. I'd like to see what that actually has produced. I say that openly. I mean what do we know has worked? Has anything worked with the attention we've given this topic?

So those are some of the questions. I have other questions. I'm sure other members have other questions and when we go through them one by one or some modified version of that but we've only got a couple weeks. So I'm ready to spend more time on this as needed.

CHAIRMAN SANDERS: Commissioner Martin do you want to make any response or do you want to take that back to the subcommittee?

COMMISSIONER MARTIN: Take it back to the subcommittee. Let me -- you know it is not just me so I'll give them back to the subcommittee and you know we've already said that we wanted a discussion on each and every one of our recommendations. But obviously that is not going to happen. So the comments that are made I'll take back to the subcommittee and we'll respond to them in writing.

COMMISSIONER HORN: So Chairman Sanders this is Wade. A couple of additional comments. First of all it is an extremely important chapter and I'm glad that we are going to have a chapter on this issue within the report.

In addition to that a couple of comments that I do have. First in several places and I've noted some of them in my written comments where a statement of fact is made without a citation. And I think that the chapter would be strengthened if there's a citation to support a statement of fact and -- because then people could go to the primary source and or attempt to know where that particular statement of fact came from.

I also share Michael's concern about or at least question about creating a new felony without more fully understanding what is meant by manipulation of SNDs and so forth.

And then another comment where there is recommendation that Congress should mandate that all faith based organizations receiving federal funding and benefits have at least one responsible party who (inaudible) within the jurisdiction blah, blah you know et cetera, et cetera. My questions are why just faith based organizations? Why wouldn't this apply to everybody? Second why have federal funding for benefits? I mean if somebody has a head start grants and they are faith based organization but you have to have(inaudible) but if you

are not a faith based organization head start grant you don't have to. And I am also unclear as to what problem that particular recommendation is attempting to address. It doesn't give me that insight as to why -- where this recommendation came from.

And then finally the one about mandating that no person having been convicted or incarcerated for violent crimes or sexual assault crimes would be on probation or parole to cohabit in a dwelling where any resident has been accepting CPS. I mean that is a violence case substantial (inaudible). I think that needs a lot of clarification because just reading it, it would suggest that if someone has been convicted they can't cohabit and support someone even if they are not the person who had caused a -- had the violence count or whatever. I also don't know what underlies the job means. And so I could see somebody -- if someone could commit or has committed a violent crime under a federal or state statute, they serve their time, they are released. And I just don't know how much a restriction on that person we are now saying should occur. I'm not saying that this is a bad recommendation. I just don't know what it means. And I think it needs some additional explanation and detail before I could support it or not.

COMMISSIONER MARTIN: This is Pat. Again based on these comments which are very helpful and this is all the committee is asking for, for a discussion on each and every one of the things within these two chapters that other commissioners have questions and comments about. These are helpful comments and it is helpful to have the discussion.

But I will take all these back to the committee and we will try to address these the best way we can in writing so that we don't have to have further discussion. But just so the record is very, very clear as chair of these subcommittees Pat Martin is requesting that we have deliberations on each one of the recommendations that are made.

And just because it is the last one and it is the one that is most immediate on my mind Commissioner Horn. One of the issues that came up is that sometimes kids are killed in their homes when their paramour comes back from jail. And so one of the recommendations we were trying to find or some way of looking at curing addressing that issue.

And in our research we determined that parole officers are not mandated reporters. And so parole officers are one of the first people within the global system that has some understanding of where parolees go. So parolees with violent backgrounds, one of the ways we thought may protect -- may help in protecting our children, particularly the children who are killed in their home or killed by paramours who are violent is to make certain that parole officers are mandated reporters and work with CPS in determining whether their parolee although served his time, served his or her time to society and gave their time to society, whether or not we can make certain and assure that they are out of the presence of small kids or do not have sole responsibility for small kids in an effort to help protect those kids.

But we will take the comments back and I'll have to rely on Amy to help me with the notes on all the comments that were made and then respond back to the committee, the commission in full.

CHAIRMAN SANDERS: Commissioner Martin can perhaps I was not --- it seems to me that these are two major chapters for the report that conversation needs to be devoted to making

sure that we reach consensus on these two chapters. And to the extent that means talking to each of the recommendations, that's -- that's fine. I think that the idea is to make sure that they all fit together or at least that would be my idea that they fit with the full report and that they are -- that that we are understanding the purpose and understanding how each relates to that. But the conversation can be structured however you chose.

If -- these are two chapters -- if it makes sense to say what are our findings, how are we addressing the findings and this is the way we've chosen these 20 recommendations, that is fine. I think that is a fine discussion. It is just that doing it -- having the conversation absent the how it all fits together I think is -- I think we will miss the boat. But I'm certainly not saying we can't have a conversation about each of the recommendations.

COMMISSIONER MARTIN: So the last statement on parole officers; does that fit -- does that answer the question of how it fits into the grand work of this commission?

CHAIRMAN SANDERS: Yeah.

COMMISSIONER DREYFUS: Right, right, right. But this is Commissioner Dreyfus. I just want to say now I think when we talk about multi-disciplinary approaches of this work that we talk about in Chapter 2. My concern is this and I'll have to put this in writing but then I have (inaudible).

My concern is that there is somebody went on parole that I would think would fit the multidisciplinary review process that we are calling for and if it is needed, that is what we are going to learn from that. But what I'm concerned about and how this chapter hangs in Chapter 2 that it isn't either redundant or doesn't -- isn't -- whether or not mutually reinforcing. And so this chapter starts to call off this 21st century child protection system that I think goes well beyond the issue of disproportionality. And it starts to become redundant to Chapter 2 as I see it. I'll -- I'll spend more time with it later and put some stuff in writing Commissioner Martin and to Amy but that was just my read of it when I read it the other day.

COMMISSIONER HORN: And Commissioner Martin this is Wade. So that is very helpful context. The only thing I would suggest for your consideration as a subcommittee is that rather than saying that anybody who's ever been convicted or incarcerated for a violent crime can never in the rest of their lives cohabitate with someone whose been the subject of a CPS violent case that we say -- that -- that there be an assessment made to determine the degree to which that person is a danger, an ongoing danger to children, women, whatever in their lives but that -- that the assessment made as opposed to just an absolute prohibition which is what this recommendation seems to be saying and I think we hear your explanation suggesting that you really were saying that for the rest of the person's live they can't cohabitate with anybody who's been the subject of a CPS domestic violence case even if that person had nothing whatsoever to do with that.

COMMISSIONER MARTIN: Actually the recommendation just went to working with CPS at the beginning of the release to make certain the guy isn't being -- he's not -- he or she is not listing his address with a woman who has four kids under the age of four and he's been convicted of sexually molesting kids under four. But again I appreciate the comments and I

appreciate the opportunity to try to explain it and getting feedback from the rest of the commissioners so we can narrow that down better.

COMMISSIONER HORN: Okay. So that's -- that's helpful. I don't see it in that recommendation but it will be good -- clarification will be very helpful.

CHAIRMAN SANDERS: So we will have a thorough conversation on these two chapters should we go to their subcommittee might want to consider do we separate them or do we talk about them together. I tend to think we should separate them. But I leave that for the subcommittee and we'll structure the conversation in a way that is most effective to get us to the report that has the information that flows together and that is effective in reducing fatalities. So if that means recommendation by recommendation that is what we will do.

Any -- Commissioner Martin anything else on that? Any other questions?

COMMISSIONER MARTIN: No, thank you.

COMMISSIONER PETIT: Well, David since you asked the question and since Pat just gave an explanation to Wade about the incarceration. Pat I'd be curious as to just what is it that is prompting a felony crime in child protection around structured decision making and whether there is a case there or not? Is this more related to disproportionality than it is to the chapter that we have on child welfare practices?

COMMISSIONER MARTIN: My understanding is that these decisions can be overridden by case workers. And one of the concerns that I -- that the commission -- that the commission, that the committee spoke about was when we have a system of process to make certain that there is no disparities or that minimal disparities are made in the decision making system; when there is an override we should be very definite about the override and why the override is in place. And so the thought was to make certain that there is some outcome, some accountability for an override that we would minimize just arbitrary overrides. And that would -- oops, that was to get to that issue.

And so your comments are helpful as well Mike and we will take those back to the commission -- the committee, sorry, and review it and think about how we could make that point with something that you know works better for the full commission.

COMMISSIONER PETIT: Right. Okay. Okay, David. Thanks.

CHAIRMAN SANDERS: I want to make sure we at least touch on issues related to funding because it seems like that is an issue that we are not yet at a point of consensus and may not be able to reach consensus. But I would like to lay out maybe an alternate path that we haven't talked about that seems consistent with some of the comments that I heard at the last meeting. And have some discussion about this.

The current draft includes a significant investment in CAPTA and essentially a revisioning of CAPTA that would support more multidisciplinary interventions and assessments et cetera. The questions about do we mention an amount in the report? Do we actually talk about an investment absent the specific details about where the dollars -- where that amount came from. Or is it important to highlight the lack of resources in the system and identify that as one of our leads for it because I think we have chosen for the current report to do the later

but it seemed like there was some concerns about that. So just take a couple of minutes; I wanted to take a couple of minutes to go over at least some of my thinking on this.

I think for me we've heard Congress had at least two messages. One is fund what works. And the second is you always look at the current resources and the funding using the current resources.

And I think that we spent two years on this and we uncovered one evidence based practice Nurse-Family Partnership and several promising practices things like Nativity Boxes, the work in Hillsboro County, the CAP model, the work in Wichita, which all seemed promising and I think -- I'm guessing most if not all of us would hypothesize that having eyes on children is really critical and is that -- as long as there is a caring adult that somebody needs to see children, especially young children who are vulnerable there.

Protective factors for families are important. And there are a number of things I think that we heard about housing, relationships with others in the community, strong communities, marriage, things like that that are important protective factors that services that change behavior, mental health, substance abuse, domestic violence we think make a difference and removal from threatening circumstances when everything else has proven to be impossible is - is a -- is something that adds to the ability to reduce fatalities.

But you know two years I think we noted those are important but nobody has applied them in a way that we heard that definitively reduces fatalities. And we also know that there are things that we need like teaming and I think though we don't have a model that we know works.

And so I think my question is the huge investment up front will go towards more of the same even if we direct it, we don't have sufficient evidence that the investment itself would save lives. It seems that the fact that we heard limited reference to some of the current funding streams IV-B and IV-E in particular programs that work.

We did hear people talk about we are doing this in time limited family unification under IV-B and it has made a difference. What we heard was the flexibility in waivers that seemed to be a consistent message as how important that was. But we didn't hear other programs that were effective. And our own review didn't demonstrate a correlation between spending more money and fewer children -- fewer fatalities. And that those things should inform us.

So it seems that our focus should be on building knowledge on assuring flexibility with current dollars and assuring sufficient capacity to see and follow-up children at risk. And so you know it seems one of the things is that right now we know that there are 2.1 million investigations or at least in the report before the last treatment report just came out out of 3.4 million referrals. That is a gap of 1.3 million that nobody has seen. And we know from Emily's research that that proved -- that 1.3 million is -- is in many cases at very high risk depending on their age. And so we know that will require more resources do to do something with that.

But it seems like maybe we should at least consider using something like IV-B to fund. I mean or at least saying that may be an alternative versus the only thing that we can do is add new money. It is a question.

I think we have to -- we don't have evidence that the approach that we are going to use for the case review will actually reduce fatalities. We think it will. And I actually believe that it will. But we don't have evidence of that yet. And so it seems that we need to at least give the option to not make a huge investment before building some of the evidence.

I think the last couple of things I would say is that for this kind of case that maybe we also consider pooling the CAPTA grants that are already out there to insure a fund for the case review and that we do it sequentially with different cohorts versus doing it with ever state right away. Because again I think we are going to have to build knowledge about what works and maybe we have as I think was suggested in the questions that Cassie raised federally funded research and development center actually accompany us to help develop that knowledge and to make sure that there is feedback to Congress about what it is that works with these processes and then look at the investment that it will take to pull it off nationwide.

So I think we need to structure this so more dollars will -- that if we recommend more dollars that it will clearly result in fewer fatalities. And I think we should call for resources when we have confidence it will work. But shouldn't call for national policy change unless we achieve some level of confidence on what works. And I think we should focus first on building knowledge in the states, the case reviews, the sharing of information, the state plan, all of the things that we have throughout the report, the projects that we just talked about; figure out how to fund those and look more over time as we build the knowledge to add the funding. And I think that that may help to at least provide an alternative.

So I wanted to lay that out since it seemed like we were at a point where we weren't going to achieve consensus and thought that maybe this was a way to at least begin the conversation about funding.

COMMISSIONER DREYFUS: So Commissioner Sanders this is Susan. You said we need new knowledge multiple times. And I remember one of the things we learned in one of our meetings what and please correct me if I'm wrong here, folks who remember this. I believe we learned as a nation we spend \$3,000 per fibromyalgia case in this county and we spend \$300 on child welfare research, this is on the area of research building new knowledge.

I'm with you when you talk about these other funding streams and the use of those and the different use of those by states and affectability of states for how they use those dollars to get -- to get services in place and families. What I am concerned about though is thinking we are going to reuse those dollars now to build knowledge when it seems to me that that is where we do need -- we do need more money. And you always go into research not knowing definitively -- definitively what your answer is going to be. That is why we need the research.

So is there any way to pull together what you're saying along with a call not for this huge amount of new money and CAPTA as we were talking about it before. But at least calling for new money as it relates to what we are calling for in Chapter 2 which is as we save lives today we're going to be able to save lives into the future because of the knowledge we are going to build through those processes. And use it more from this whole idea of R&D of research of knowledge building.

So I just wanted to differentiate between what we learned from services, supports in the home and family to what I think Chapter 2 is all about, let's save lives today and in that process build new knowledge for the 21st century system that we're going to. And looking at that through the lens of research investment.

CHAIRMAN SANDERS: I think that makes sense. I don't want -- I mean I think we have to do more than build knowledge. But I think -- because I do agree that there are nothing that we know that we could apply them right now and save lives. And I think that -- much of that is encompassed in the work that we've talked about with the broad case review and intervention. But at the same time I -- I agree entirely with you that to move forward it seems that everything that we have to build -- we have to build into everything this continued development of knowledge because to be at this point in the life of child welfare and to have one evidence based program that produces child fatalities it seems is -- is just completely inadequate.

COMMISSIONER HORN: So this is Wade. I think I can understand now but let me state it in a different way. You may recall back many, many months ago over a year ago in Phoenix my getting into a conversation with Michael Petit about funding. And one of the things I said then which I continue to believe is just tell me how much you are talking about. Is it ten dollars, is it ten million, is it ten billion. Now tell me how much it is and then I can react to it. And so the reason I'm drawn to giving a specific number is because it causes them to think. And it has done exactly that in this commission. But putting out a marker and saying hey, you know I see a billion dollars or more money in capital, it forces people to ask is that too much, is it too little, is it just right. And for us to just say there should be more funding I don't know what that means until -- you know I respect everything that Commissioner Dreyfus has said. I absolutely agree with it. The stuff that you said Chairman Sanders I agree with it. The only caveat is -- when it comes to funding I'm a broken record and I apologize you've got -- I think you have to be specific about what it is that you need. If you need five hundred million, say five hundred million. If you need a billion, say a billion. If they need ten dollars, say ten dollars. Just be specific. And that is my position, my position in the past, it is my position today, and it could be my position two months from now when this report is released.

COMMISSIONER DREYFUS: And just to follow up I would -- I completely agree with that but if we are talking about something different than what we were talking about before in terms of billing CAPTA in this area of saving lives today and building a body of research of what does work; right. I think we should be very specific on the amount of money that will be needed to do that.

COMMISSIONER HORN: Completely agree, it is on point. An incredibly important piece of whatever we do is to build the knowledge from the transition to a 21st century model of child welfare that has a much more public health prospective. And I also agree that we should be specific about what we mean, what it is going to take to build that file of knowledge. I'm just say we should fund it. I just -- I think it is a powerful and we need the resources to get there.

COMMISSIONER MARTIN: I don't -- this is Pat. I don't disagree with Commissioner Horn or Dreyfus. As a matter of fact I agree with both. All I'm saying is in addition to what both of you said it is hard for me to say we need a billion dollars added to CAPTA without telling our

leader how we would -- or where that money should go. I mean it seems to me you know I could call you up say I need a million dollars but you want to know where I'm going to spend it and how I am going to spend it and whether I'm going to spend it in a way that they -- you agree is effective. I mean it doesn't make sense to me in my opinion to put in a billion dollars and not tell our leader where we are going to put that money, how it is going to be used and how it is going to effectuate reducing fatalities.

COMMISSIONER HORN: I am -- agreement with everything you just said, absolutely.

COMMISSIONER DREYFUS: And I am too. I would say back away from the notion of this billion. But be specific about what we need to do this immediate work of looking at kids today and looking at kids who died who were not going in the system. The knowledge that we are going to build from that Judge Martin and Commissioner Horn will I think build what is that very specific budget going forward. And I think we should clearly state that.

COMMISSIONER PETIT: Yeah, you know I agree generally with this but for over a year I've tried to put forward this issue of knowing what the budget is and asking the feds to help us -- ask our staff to help us with it. We haven't shown what the gap is. I think the important point with everything that we are doing is in addition to whatever we are doing with the surge, whatever we are doing with research, whatever we are doing with anything else there is a need for direct cash infusion into the current CPS system in which workers are finding themselves overwhelmed by the size of their caseloads, the lack of the resources needed to serve families and to do these cases thoroughly. So I don't -- I mean we could burn through a billion in a minute on this thing. But the states, state after state after state is struggling with this issue of financially supporting what it takes to run a first rate child welfare system.

Time to go, David?

COMMISSIONER MARTIN: I ask that before we finish this call we talk about what is the official process for a dissent to how to get it included or attached to the report. And I was told we would do that before this call ended.

CHAIRMAN SANDERS: Well yeah I was on mute, sorry. So related to the issue of funding it doesn't sound like -- I mean it sounds like we are getting to a point where there's -- there is some agreement and is that -- are there other commissioners --

COMMISSIONER DREYFUS: Can you repeat what you think that agreement is Commissioner Sanders?

COMMISSIONER MARTIN: We also have commissioners who have said they don't think any dollar amount should be added in the report at all. So I don't think there is any further agreement. I think the people who want money in there have agreed how it should be structured. But we have a whole cadre of people who say they don't think money should be in the report at all. So I don't know how that is closer together --

CHAIRMAN SANDERS: That is what I am -- that is what I am trying to discern.

COMMISSIONER MARTIN: Cassie-- I don't know if Cassie is still on the phone. So I mean you know --

COMMISSIONER COVINGTON: I think -- this is Commissioner Covington. I'm not in support of this putting in there a billion dollars. I think we -- I think when I was listening to Commissioner Petit a minute ago talking about how the system is grossly underfunded et cetera et cetera and Commissioner Dreyfus talking about there has to be funds to do this work. I think we state that but I'm really -- I'm just not in support of putting in a dollar amount in this report. If you say a billion dollars and it really takes ten so we've built ourselves quickly into a hole. I just -- I'm -- I think we need to make case that funding is really critical. So that is my position if you want to know where I am standing on that.

COMMISSIONER MARTIN: And I believe that someone said -- well, let me just ask the question this way. When we were in D.C. the last time after the case in Dulles and onto the hill before flying out there was conversation about money there. Does someone want to reiterate what the conversation was about how money there.

COMMISSIONER PETIT: I was there. What I heard then as I've heard my whole life in dealing with legislative bodies is oh, my God funding is so tight, please do what you can with the resources available and don't put us in the awkward position of having to ask for more money.

And I've spent my whole life as many of you have or as many others as I've worked with pushing back on that and saying this is a wealthy country, we have a national basketball association, we have Walt Disney, we can easily financially support this. It is a small trickle in the bucket and that is what -- and so the melee here if you remember Congress say it is going to be tough sledding. No kidding. It is always tough sledding. And right now what they are doing is reducing spending in some of these areas. And unless they hear from citizenry that they want these kids protected - three bucks a year, 330 million Americans, three bucks a year is one billion dollars. I bet we could get a majority of Americans to agree to it.

COMMISSIONER DREYFUS: Can I ask Commissioner Covington a question. Commissioner Covington when you -- when you were talking I was thinking if we -- if we drop this billion dollars because like you said we do not have a clear sense of context of exactly why that much is needed and for what exactly it is needed; right. From your prospective we are way to general. Could we though talk about a specific dollar amount because I don't think we'd have a hard time figuring an amount of money -- for doing what we're talking about (inaudible).

COMMISSIONER COVINGTON: Two weeks, you think we'll have a dollar amount figured out for all the recommendations we're putting in the report?

COMMISSIONER STATUTO BEVAN: Yeah I do because I do think are -- we have done similar things where Congress has been "demonstration" where we've gone out to build knowledge CDC, the stuff they are doing around you know building up child well-being in communities. I do think we've got examples we could draw upon in terms of what those costs are. And we could at least say why we think this has to be reviewed for accuracy. Here is based upon other examples the amount of money we believe it would take.

COMMISSIONER COVINGTON: I think -- I think if we do that across the report not just for example in the Chapter 2, I would support that you know if we said here is what we estimate our recommendation for cost. And maybe that has to be part of a chapter. I would be for that. My concern is just putting out a billion dollars. I know it is a nice amount. I frankly don't

think it is enough for all the recommendations as well. So if something could get costed out that is great, that is a lot of work to do.

COMMISSIONER HORN: I think that if Commissioner Petit and I sat down for a day we could come up with a very detailed explanation for what we need, not for anybody else on the commission will agree with it, but we think a billion dollars is a reasonable down-payment on what needs to happen in order to truly be effective and impactful in this area. I don't think that is an issue.

COMMISSIONER COVINGTON: When you say Commissioner Horn the second you call it a down-payment to me it is already a step forward. My concern was that we were saying we want a billion dollars and never (inaudible). Whereas if we are talking about an immediate down-payment to begin this work I almost could support that to be honest. That makes more sense to me. I'm not sure everybody will agree with that. I don't think Cassie will but I could support that.

COMMISSIONER HORN: Yeah, and I always tell people who don't want to spend a billion dollars because they believe and sincerely that their -- they haven't looked potentially at the funds are available, I get that argument. So I'm not discounting any of that. So but for me and this only my -- one poor man's opinion I do believe that we have to provide additional resources. We should be specific about it. And I am very happy to say its a down-payment because I believe that. It is a down-payment. It is not going to pay for everything that this report is going to recommend. And at least to happen. That is my opinion and that is --

COMMISSIONER MARTIN: Commissioner Horn would that down-payment include paying for what we're talking about in Chapter 2?

COMMISSIONER HORN: Absolutely. And the way that I would tie it would be to say if you were putting the CAPTA in and then you get (inaudible) if you say a sum of money whatever that amount is in CAPTA the first uses of those funds is to do this study, what every state has to go through a case review process. And then and that is the funding. And then to be eligible for continuing drawing down the funds in the future you will have had to have ample -- have gone through that process, done the case reviews, determine -- done all the data analysis that you are going to do, come up with your -- a set of recommendations that get put into a formula of a state plan that goes to the federal government for its approval that says how this plan is going to significantly reduce child death due to abuse and neglect in this state. And then -- and until you go through that process and get that plan together and submit that you don't get another dime.

COMMISSIONER MARTIN: How about the other recommendations in the report? Would -- I mean is that a down-payment on those too?

COMMISSIONER HORN: Well, it doesn't have to be. The commission every other recommendation that says funding, we should fund this, we should fund that, whatever, and I put this in my comments that I submitted is I think we should say what are we talking about, how much money? Is it you know a million dollars, is it five hundred million more dollars, whatever --

COMMISSIONER MARTIN: Well, a billion dollar down-payment is just in Chapter 2 for the CAPTA; right?

COMMISSIONER HORN: That is one way to think about and structure it. Another way you could say it is you could combine with Commissioner Petit's recommendation to allow direct contracting concern for CPS. I have some concerns about that that I will put in writing. But let's assume that you do that and then you could say this is a down-payment in the future and also the other kinds of services that are necessary to expand them once you know once we know about them in order to insure that kids are safe, protected and so forth. You could tie it that way. There are lots of ways to do that.

CHAIRMAN SANDERS: Commissioner Horn, one question would be about the current resources, eight billion dollars in IV-E and B, other investments the federal government has made. Would -- how -- how do you view those dollars? Do you -- do you see this as automatically being on top of them or do you think that there is any room for analysis and redistribution of some of those dollars?

COMMISSIONER HORN: I think it is perfectly fine to also talk about what money we need. But here's the position that this is what -- what I believe. We didn't hear anybody come to this commission and say you know what we are so woefully underfunded in foster care homes that all these kids are dying in foster care homes because we don't have enough money to support them in foster care. What we heard repeatedly is from CPS workers is we do not have enough resources to do our job. And I believe that. When you look at the basic state grant on the CAPTA it is \$27 million a year. So spending seven billion dollars a year on foster care. There is something wrong with that picture. And \$27 million if the state runs out that HHF threatened to pull out their -- the work that discloses information about child deaths. And so APF came to them and said hey, they can disallow you for the basic state grant under CAPTA and you don't think the state grant under CAPTA is \$100,000. Now they were saying that they owe seven billion dollars. So -- so I -- you know if I look at those different funding stream, the biggest issue I've got there's \$27 billion for CPS, there's seven billion dollars for foster care and a couple billion I believe under Title IV-B that has been (inaudible) to me it's CAPTA. You don't have to agree with me. I'm just telling you the data points that lead me to feel so passionately. I apologize for my passion. CAPTA needs to be increased substantially.

COMMISSIONER DREYFUS: Commissioner Horn -- is there way that that could be written, so we can see it. I mean I think if -- really say that in a written way because it is a pretty -- what you just -- and I don't see that in my report. And I think if we -- I think as a commission we need to very vocally and aggressively talk about this dismal state of funding for child protective service.

COMMISSIONER HORN: I completely agree.

COMMISSIONER COVINGTON: And I would go so far as to say there has been an absence of real federal attention other than telling states what more they ought to be doing but there has been a real absence of federal attention for child protection.

COMMISSIONER DREYFUS: Well, isn't that something we need -- something we categorically need a very vociferously way to report (inaudible). Do we need a chapter on this? Do we need something that talks about this somewhere?

CHAIRMAN SANDERS: Well, this is the -- the central recommendation for Chapter 5 I believe it is now with the multidisciplinary teams. So I think that if the consensus is that we are beginning to get at something with the notion of a billion dollars being a down-payment and all of the things that have been said we can continue to try and capture that more accurately. I think -- I think this is an area we are not going to achieve consensus on and I think that we will need to look at what we do as an alternative and that gets to the agenda item that you touched on Commissioner Martin.

So I think we have additional information on this. We will continue to try and capture it more sharply and particularly in Chapter 5 and then early in the report because this is -- we've had the conversation, not necessarily agreement that this is one of the central recommendations. At least I think Commissioner Horn when you raised it initially the idea was that this would be perhaps the headline recommendation. So we'll continue to try to capture it more accurately.

Anything else then that we want to cover today on funding because I do want to switch into the timeline and to the -- the issue of letters and other issues related to dissent.

So let's -- let's actually talk about an issue of dissent in letters and then we will close with the timeline. And then I have some suggestions for some of the other agenda items.

The -- so Commissioner Horn thanks for sharing the full report and the letters that were sent in on the commission for children. When we had the conversation a couple of days ago the feedback was that we didn't have enough information to be able to decide whether we wanted to do letters as part of the dissent. In the written feedback to Commissioner Horn's email I believe it was Commissioner Bevan said that she wanted to reserve the right for minority opinions and so let's talk first about letters and then the broader issue of dissent.

Have people had a chance to look at the letters that were sent and is there an opinion about whether we want to incorporate that into the report where each commissioner has the opportunity to send a letter. Commissioner Cramer did send written support of that. But others, any thoughts?

COMMISSIONER MARTIN: I don't know if I would send a letter yet but I -- I don't really know yet until we get more finalized on what our recommendations are going to be, whether I would send a letter or whether I want to write a dissent or whether I'm not going to or -- I don't know yet. So if you are asking me whether I intend to write a letter I guess --

CHAIRMAN SANDERS: No.

COMMISSIONER MARTIN: I'm sorry. I misunderstood.

CHAIRMAN SANDERS: Should we have that as part of the report that everybody has the option to do that?

COMMISSIONER COVINGTON: Well, this is Teri. If people want to have dissent I think the question is rather than saying now do we want letters or not to think about what's the process

we want to use for dissent? And is it a letter? Is there another way to do it? So I think we are kind of putting the cart before the horse by talking about the letters before we actually talk about how we want to address dissent and dissent generally if there is dissent on an issue. I mean you know it's --

CHAIRMAN SANDERS: I think and I could be wrong so Commissioner Horn you'll have to help that the idea with the commission was to have almost as a release valve the letter so that it gave people a greater ability to support the report knowing that they could write their opinions separately. That was my understanding and so the two are related in that way. But I could -- I could have misunderstood.

COMMISSIONER PETIT: David, this is Michael. I think that -- David being able to say here is what we do agree on, here -- there are 30 recommendations, there are concurrence on these and then we have difference of opinion. You can see what the difference of opinion were on the others. But there was a majority support for it. There was unanimous support for it. So we can accentuate the positive but reserve the right to express dissent as well.

COMMISSIONER HORN: So I don't believe there is anything in the process that would say that if a single commissioner or subgroup of commissioners want to issue a minority report that is an acceptable -- they want to do because they are not -- they did not vote for the report, that is their right. I believe that is their right to do that. But the letters are not -- but the letter -- in total -- for this report as, you know, because I am disagreeing with the report. I voted for it to because I agree with the 12 and most of what's in the report. So give them an opportunity to say there are a few things I wanted so that accepts okay. Let's say for example we decide not to put a billion dollar number in. It would allow someone to say I think that is unfortunate. It should say how much it is going to cost. I think it should be a billion dollars. Or and again you read the flavor of their letter and so it allows -- it is not dissent so much as clarification and further explanation for why you support the report and there are some things you wish to explain further (Inaudible.), write a minority report. Then you shouldn't vote for the report.

COMMISSIONER COVINGTON: The way I read what you sent us was that in the Chairman's previous practice there was unanimous vote for the report. And then I take it just as you said there might be some specific thing and that is when people could submit a letter. But if it is that they are in disagreement with the whole report then that is a minority report; is that right?

COMMISSIONER MARTIN: I think there are a couple of issues that are different but related. I think a letter similar to the letters that were sent out with the full report Commissioner Horn sent out, these are vehicle that can be used and adopted by us if, in fact, there's basic support of the entire report. And someone has a difference of opinion or either a stronger opinion or a weaker opinion about a particular point. That doesn't -- that vehicle does not seem conducive if one commissioner or a couple commissioners have -- cannot vote in favor of the report. If someone does not or a few commissioners do not vote in favor of the whole report I think there are other vehicles available. One is a minority report. Or one is a dissent depending on their position. And so I think it is imperative that we go through not necessarily whether you opt to do one, two, or three of those choices but what is the process for doing

one, two, and three of those choices. And I think those are the questions that are posed. Because Cathy's email was directly about what is the process for dissent. And I added specifically what is the official process for dissent to get included in the report. And I think we've talked about the letters. So there is also the minority opinion to talk about. So those are three -- at least three different vehicles that I think we are asking for some direction on what the processes are for those.

CHAIRMAN SANDERS: Do you have a recommendation or do you think that is something staff should take a look at and bring back alternatives that have been --

COMMISSIONER MARTIN: I think so for Pat Martin the reason I raise the question is I don't know if there is an official process. I looked at the enacting legislation and I didn't see anything. And so I don't know where to go to look for the process. So maybe if staff would help me in that I would greatly appreciate it.

CHAIRMAN SANDERS: It's my understanding that it will be up to the commission and that -- but that you can certainly look at what -- relation.

COMMISSIONER MARTIN: Well, then I guess what I'm asking for that is to reserve some time to actually make certain that we have a process where at least those three vehicles and so that everyone has some understanding of whether or not they choose to use one or any of those vehicles but at least so that it is clear what the process would be for those vehicles.

CHAIRMAN SANDERS: And Commissioner Horn based on your --

COMMISSIONER HORN: Well Commissioner Martin what is the difference between a dissent and a minority report.

COMMISSIONER MARTIN: I'm not sure if I know off the top of my head. I was talking about a dissent and someone on this phone call mentioned a minority report and so that is the only reason I included it. Off the top of my head a dissent would be someone that completely disagrees with the report in totality. A minority report is probably in my opinion at least that they concur with the entire overall report but maybe there are two or three issues rather than just a finance issue but there are two or three core issues that they are less impressed with or less enthusiastic with. So for instance a minority -- I would think that it would be more appropriate to have a minority report if, in fact, I concur with the overall report but I don't think that a billion dollars is necessary, I don't think we should ask for any money, and I also don't think that we should do voluntary court for minority kids. So there are more than one issue for instance. I don't think a paper -- I think a paper should be reserved primarily for one issue and I would say a minority report is for more than one issue. And I would say a dissent would be someone who doesn't have concur -- can't concur in the overall report itself. But this is just off the top of my head.

COMMISSIONER HORN: I know that you just got it today but you might want to take a look if you haven't already at the letters because the letters do not say you only object to one thing in the report. In fact most of the letters highlighted some things they liked and things they didn't like and there were multiple items. Most commissions I've been on, I know a lot of people have been on commissions, too. The reason usually two choices, vote for the report or don't. And if you don't you issue a minority report and say I don't agree with this report, I

voted is no and here is why I didn't like the report. The idea of the letter is simply that the lot -- it is more somebody who wrote the report but has -- wants some additional viewpoints to be known. It could be severe reservations, it could be mild disagreements, it could be like violent agreement, challenge, implement everything that is in it. Just a vehicle for those who wrote the report to say something more than one individual.

COMMISSIONER MARTIN: Okay. Well, that is helpful. I mean like I said I looked at the enacting legislation and I didn't see any language about any of this. And so I thought it was important to bring it up so we can get some clarification about what has to be done.

So if we are saying for instance that the last day for any written comment to go to the report adding to the written draft of the report, the drop dead date is February 16. I think that is the date David said. So then are we saying that any letters or any minority report would also have to be submitted by that drop dead date?

CHAIRMAN SANDERS: No, I think that there -- I think that would have to be -- that there would be a few extra days for that.

COMMISSIONER MARTIN: Okay.

CHAIRMAN SANDERS: Because it is primarily for issues of formatting and so forth but and the letters will be letters. So --

COMMISSIONER DREYFUS: I -- this is Susan. I think if you go back and you read the process and you read how the chairman of that commission framed this and you take what Commissioner Horn just gave us, I think from my prospective there is an emerging framework there that I think we could get written up and then present it to us as are we in concurrence with this because I would be as it is both described in the process and in the report and how Commissioner Horn articulated that would be very acceptable to me.

CHAIRMAN SANDERS: All right. So we'll have Amy and staff work on the process and get that out to everybody.

Commissioner Covington does that -- and Commissioner Martin does that address in part what you are asking or Commissioner Covington you may have a different issue, I'm not sure?

COMMISSIONER COVINGTON: I don't have an issue about the --

COMMISSIONER MARTIN: This is Patricia, this is Pat Martin. Yes, I just want to know what the process is. And you know and if -- if you know the letters is a vehicle and more traditional other vehicles is a minority report I would just want to know what the processes are.

CHAIRMAN SANDERS: Okay. So the timeline. We have March 18 as the date that the commission report is required to be submitted. There are copying, distribution, and design and layout challenges that have to be addressed and part of it is the actual copying and delivering and part of it is the design and layout. And so trying to back up from the 18th probably need about a month to do those things. And that gets us around February 16 which is the date that I had laid out as kind of a backup date. It -- if we have to draft reports, the same one we've been operating from which is January 23. And so it would be ideal to get written comments on what's in place in the January 23 document and concerns that have

been raised so that we can make sure we are addressing each of the concerns. At this point there are very few that have been raised in writing. So that could change in the next few days. And then we will look at the number of meetings necessary and the length of meetings necessary to address the issues that have been raised with the goal of having a vote by February 16.

COMMISSIONER MARTIN: And David this is Pat and I don't mean to belabor the point but I want to make certain I am abundantly clear. The January 23 draft does not include the disproportionality or the native American chapters; is that correct?

CHAIRMAN SANDERS: The chapters that we operated out of today, those are the -- those are the chapters that are the disproportionality and American Indian chapters.

COMMISSIONER MARTIN: Okay. Thank you.

CHAIRMAN SANDERS: Yeah. So that -- that is what everybody should be responding to. Just wanted to make sure there wasn't a moving target. So that's -- and I believe they were part of January 23 document.

COMMISSIONER COVINGTON: David, my -- this is Commissioner Covington, my concern is how our goal -- how -- who is going to have the decision making on differences of opinion from different commissioners on the edits.

CHAIRMAN SANDERS: You faded out a little on the --

COMMISSIONER COVINGTON: How are decision going to be made when for example you get -- you get two edits that are different to the report, maybe not about a recommendation but about the edits if it would be deleted or removed or added, whose going to make the decision about whether those get incorporated or not?

CHAIRMAN SANDERS: So just for definition sake can you give me an example when you say edits meaning like what might that be?

COMMISSIONER COVINGTON: Let me give you an example. I don't for example like the term lead recommendations for the "(Inaudible) kids". I don't like it being called that because I think it makes everything else seem not as important. One of my edits --

CHAIRMAN SANDERS: That to me is a commission decision.

COMMISSIONER COVINGTON: Pardon?

CHAIRMAN SANDERS: If you raise that as a concern that should be something that we put on the agenda.

COMMISSIONER COVINGTON: Okay. Okay.

CHAIRMAN SANDERS: Because that to me is not just a wording change that because the whole idea of a lead recommendation is that it takes at least -- it is more visible than others and I think that is a commission decision.

COMMISSIONER COVINGTON: Okay.

CHAIRMAN SANDERS: So I will try and be vigilant about where those issues are raised and that is the kind of thing that we are trying to make sure is put on the agenda. If -- if I have missed some things then just need to be alerted to having missed it.

COMMISSIONER COVINGTON: Okay. I think part of the problem is the short timeframe. I mean let's say that everybody submits written comments and this draft that we had does not incorporate all of the commissioners' comments of the ones you know track changes, but requires us to read if everybody submits something. For example eleven different versions of comments. Is there a way for staff to compile an integrated file so that we can see all of the changes and all of the recommendations that went --

CHAIRMAN SANDERS: I thought they had but Amy Templeman?

AMY TEMPLEMAN: That would be -- oh, I'm sorry.

COMMISSIONER MARTIN: No, no, no. I was going to say that was sent out January 22 so we didn't use it as a basis of the deliberation.

CHAIRMAN SANDERS: Those are the recommendations that are deleted; that is what you are referring to, Commissioner Martin?

COMMISSIONER COVINGTON: That is an example, yes.

COMMISSIONER MARTIN: Yeah.

CHAIRMAN SANDERS: Yeah and so that actually has been on the agenda a couple of times. We said if you recall on the last agenda the concern was that people had not had the time to review them and so we are -- the intent is that any of those that -- and this is where it goes back to what we talked about earlier to me if any commissioner feels they should be added back then that is a conversation that we should have and that becomes a deliberation item and an agenda item for the full commission.

COMMISSIONER COVINGTON: So what you are saying then, I'm just trying to get my handle on the process. When you say something needs to be added back we need to put that in writing; correct?

CHAIRMAN SANDERS: Yes.

COMMISSIONER COVINGTON: Are all our things that we are submitting in writing being made public?

CHAIRMAN SANDERS: I'm sorry, Amy Templeman?

AMY TEMPLEMAN: The question was is all the commissioners' comments to the draft report are being made public?

COMMISSIONER COVINGTON: Right.

AMY TEMPLEMAN: No, no they are not.

COMMISSIONER COVINGTON: They should be because I mean this is deliberation. I've heard it from people who have been on the call saying -- I almost feel that by not making it public it seems like we are trying to sneak our way along you know the public hearing process.

CHAIRMAN SANDERS: I know that we've consistently been consulting with the GSA on this. We will continue to do that to make sure that that is not a question.

COMMISSIONER COVINGTON: Okay. Well, that's good to know. I didn't know that that had been going on. I just feel it is important to make sure we're doing this right, keep it transparent.

CHAIRMAN SANDERS: So we had a couple of other agenda items but I think we are over our time. I would suggest that written feedback about the recommendations that that is really important to get something back in. There are things that should be included and should be discussed and it would be helpful to have those.

At this point I don't believe I have any. So --

COMMISSIONER COVINGTON: I've been working on a track changes document based off of the version we got on the 23rd.

CHAIRMAN SANDERS: Okay.

COMMISSIONER COVINGTON: So I'll -- as soon as possible.

COMMISSIONER MARTIN: When is our next meeting?

CHAIRMAN SANDERS: We'll send something out a little later today. On the timeline I just left it general but we'll get a specific date hopefully by the end of today or by Monday at the latest.

COMMISSIONER MARTIN: Thank you.

CHAIRMAN SANDERS: All right. Thank you for --

COMMISSIONER COVINGTON: Good call.

CHAIRMAN SANDERS: -- discussion. We know we have extensive discussion and I hope that Commissioner Martin that structuring of the conversation for Disproportionality and American Indian youth if it is recommendation by recommendation that is fine. I was not intending to suggest that we couldn't do that.

COMMISSIONER MARTIN: Great. I mean personally for me these last three calls have been very helpful. I know that the conversations got heated at times. I actually don't have a problem with conversations getting heated so long as we have the privilege and the opportunity to discuss. I mean when for instance when Commissioner Horn and Commissioner Petit asked questions I was able to respond to them. That doesn't mean they have to agree just so long as we understand and then we can discuss whether or not we agree. And I think that is time well spent. And I think it is actually imperative that we spend that time. So for me these kind of -- these last three or four conversations have been extremely helpful.

And I thank my fellow commissioners for them.

CHAIRMAN SANDERS: Okay. Thanks everybody. We're going to be adjourned.

COMMISSIONER COVINGTON: Thank you. Have a good evening.

COMMISSIONER MARTIN: Bye-bye.

(Proceedings adjourned at 5:42 p.m.)