



COMMISSION TO ELIMINATE CHILD ABUSE AND NEGLECT FATALITIES

TELECONFERENCE MINUTES

January 28, 2016, 6:00-8:00 p.m. EST

Commissioners Attending via Telephone: Chairman David Sanders, Amy Ayoub, the Hon. Bud Cramer, Theresa Covington, Dr. Wade Horn, the Hon. Patricia Martin, Michael Petit, Jennifer Rodriguez, and Dr. Cassie Statuto Bevan

Commissioner Absent: Susan Dreyfus, Dr. David Rubin

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

Conduct of the Meeting: In accordance with the provisions of Public Law 92-463, the Commission to Eliminate Child Abuse and Neglect Fatalities held a teleconference meeting that was open to the public on January 28, 2016, from 6:00 p.m. to 8:00 p.m., EST. The purpose of the meeting was to deliberate on the content of the Commission's final report.

Opening Remarks

Chairman Sanders opened the meeting by reviewing the agenda (<https://eliminatechildabusefatalities.sites.usa.gov/files/2016/01/CECANF-Mtg-Agenda-for-1.28.16.pdf>). He thanked all of the Commissioners who had provided feedback on the draft report, noting that staff had incorporated all of the comments into the December 23 draft and that any comments left in the margin were provided for discussion purposes. Staff had sent out three documents: revised chapters of the report based on the feedback, a summary of recommendations that were omitted from the revised draft, and a document that combined the Commissioners' written comments on the December 23 draft.

Chairman Sanders noted that today's deliberations would address five items:

- The possibility of including Commissioner letters in the report
- The recommendation for funding the "surge"¹
- Recommendations proposed for deletion

¹ The "surge" refers to a recommendation that evolved to mean a requirement for states to review child maltreatment fatalities from past years, identify characteristics associated with those fatalities, and use that information to identify children currently at high risk so that assessments could be made of their situations and safety decisions could be reevaluated.

- Options for leadership recommendations
- The inclusion of stories in the final report

Surge and Funding

Chairman Sanders began the discussion by noting that there had been consensus at the last meeting that an increase in CAPTA funding would support the surge, including the review and implementation of new approaches identified as gaps during the retrospective review. But the report draft did not reflect that as strongly or accurately as necessary. Other Commissioners offered their thoughts on the topic:

- Future access to increased CAPTA funds could be dependent upon the state not only completing the surge but also coming up with a set of recommendations that would result in a significant reduction in children at risk of child abuse and neglect fatalities.
- By conducting a review of the past 10 years of child maltreatment fatalities, states could identify the characteristics associated with higher risk and then target their review of current children (either in open cases or screened out).
- It's not clear what is going to be learned from the surge. Also, states will need guidance from the federal government.
- The retrospective review should look at the characteristics both of the family and of the system involved when a child died.
- There will be issues with data quality and reliability when 52 different jurisdictions do different reviews. A better route might be the process described by MITRE, in which an independent organization gathers and analyzes the data.
- It is not clear how the proposal to add \$1 billion for funding relates to the surge recommendation.
- The Commission was advised by some members of Congress not to include funding recommendations in its report, so funding issues should be dropped.
- The idea of retired workers going from state to state and making decisions doesn't make sense. The report should have looked at what money is already in the system and what programs are and are not working.
- It is concerning to think that agencies would be tasked with the surge but not given more money to provide resources to families when they discover that a family needs help.
- Putting a huge up-front price tag on this recommendation might overshadow other recommendations.
- Putting a price tag on the recommendation is the responsible thing to do.
- There are agencies and services that could come up with numbers to show how much the recommendation would cost.

There was agreement that the surge recommendation should state that the purpose of the 10-year review is to identify all children who died from abuse and neglect and the circumstances

of those deaths. This includes all children, not just those in open cases living with their families.

Chairman Sanders discussed the importance of collecting data on which children are at highest risk. Then, there have to be changes in policy, and appropriate interventions need to be identified. States also will need to look at how resources are allocated and how worker time is spent.

Commissioners continued the discussion, making the following points:

- The goal of the surge should be to ensure the children’s safety, not remove them from their homes.
- Protective factors should be discussed in the report, not just risk factors.
- If agreement can be reached among Commissioners on the surge recommendation, then the funding discussion can be held separately.
- The \$1 billion increase would never be enough to cover all the services—such as mental health, substance abuse, and housing—that families need.
- The report needs to talk about evaluating the effectiveness of services and identifying those that do not work.
- The Commission heard states say that they need flexible funds, but the discussion is not addressing flexible funds.

Chairman Sanders clarified that the revised surge recommendation would capture the issues related to protective factors, the issues related to the agency, and the services that have been provided to families, as well as the fact that the surge would apply to all children, not just those in open cases.

Commissioners made the following remarks:

- Some states or agencies are already doing this kind of look-back, and they are learning from it. The states or jurisdictions that are doing it really well are looking not just at child welfare agency involvement but at all the systems involved with the family.
- The people involved in the multidisciplinary teams should be experienced workers who know the policies.
- Ten years may be too long a timeframe to review.
- The federal government should provide some guidance on the review.

Commissioner Letters for the Report

Chairman Sanders asked Commissioner Horn, who had served on the National Commission on Children in 1989-1991, to talk about that commission’s final report and the fact that it included letters from individual commissioners. Commissioner Horn noted that, in order to achieve unanimity on their report (sometimes called the *Rockefeller Commission Report*), the commission decided to do two things:

- Use language within the report text that indicated differences of opinion when they occurred, such as, “some Commissioners believed . . . , while others believed”

- Give each commissioner the option to write a letter to be appended at the end of the final report.

In the end, the Commission on Children also included two very different chapters on health care reform because there was such a difference of opinion on that issue. When the report came out, it was well received, and the great majority of recommendations were eventually enacted.

In discussing the report of the Commission on Children, several CECANF Commissioners expressed the opinion that they were not in favor of including individual letters in the report. However, it was decided to delay a vote until staff could circulate a link to the Commission on Children's report so that everyone could see what the inclusion of letters looked like.

Including Stories in the Report

Chairman Sanders asked the Commissioners to express their opinions about including stories about children and families in the report. Commissioners responded with the following:

- Rather than include several different stories, the report should include one story and use different aspects of it to illustrate different points throughout the report.
- Another option would be to select just a few stories and put them in the margins to illustrate very specific points in the report.
- From the beginning of the planning for the report, Commissioners asked staff to use stories.
- Another option would be to keep the stories in the report as is but change the names of the children to protect identities.
- Sometimes the stories sound exploitative.
- The stories are needed to draw attention to the report and make a point with Congress.
- Tying stories to recommendations would be the best use of them.
- The report should be dedicated to all of the children who died during the time the Commission was meeting.
- Wherever stories are used in the report, they should be illustrating a point or helping the reader to learn something.

Chairman Sanders summarized the changes that the Commissioners agreed upon for the stories: make them anonymous, connect the stories to solutions, rely on research and testimony for the facts of a story, and make sure that the stories have a broad representation of the ways children die from maltreatment, especially neglect.

Leadership Recommendation

Chairman Sanders noted that Commissioner Rubin had suggested that the Commission recommend that a position be added to the White House Domestic Policy Council. This new position would oversee national safety standards for children. There was no objection to this recommendation.

Recommendations Proposed for Deletion

Chairman Sanders noted that some Commissioners at previous meetings had suggested that the report was becoming too long and was too much like a laundry list of recommendations. This was rendering the report less compelling. To rectify, some recommendations were removed that did not meet the standard of emanating from the Commission's research, testimony at public meetings, experts' presentations, etc. This list of removed recommendations was sent out to Commissioners. Commissioners requested more time before discussing the deleted recommendations, and that was granted.

Funding

Chairman Sanders asked Commissioners to consider the idea that differing viewpoints could be expressed on funding in the report. There appeared to be at least three different views among Commissioners on the topic. Commissioners responded with the following comments:

- Having differing opinions in the text of the report could make the whole report seem less compelling.
- There may be a greater chance that Congress will fund the recommendations if they know the cost.
- If the Commission is going to recommend a specific dollar amount, then the report must justify that amount by describing what it will finance.
- The increased funds for CAPTA could be distributed under the current CAPTA formula, with states receiving funds after they conducted their retrospective case review. They would have the opportunity to draw down more funds after they developed a plan for reducing fatalities and submitted it to the U.S. Department of Health and Human Services (HHS) and received approval.
- Perhaps states also should ask agencies such as those that provide mental health services or substance use services to provide estimates of what funds they would need to provide adequate services.
- There are agencies or congressional staff that could get the answer to the question of how much it would cost for these recommendations.
- There is a lot of planning that states and the federal government would need to do in order to spend extra funds appropriately.
- The way in which states and the federal government partner to pay for foster care could serve as a model for the way in which they could partner to fund the recommendations.

Other Topics

Chairman Sanders asked for comments about other topics, and Commissioners responded with the following:

- There are Commissioner comments or areas of disagreement on the report draft that will be discussed at the January 30 teleconference.

- The 21st century child welfare system should be called an “approach” not a “response.”
- There should be discussion of the Eckerd model and predictive analytics.

Commissioners were asked to submit comments before Saturday, January 30, on the new draft.

The teleconference adjourned at 8:09 p.m.

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



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