

# State of Delaware

## Child Protection Accountability Commission (CPAC)



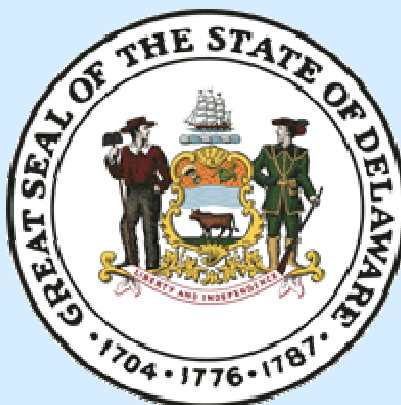
### MISSION

To monitor Delaware's child protection system to ensure the health, safety, and well-being of Delaware's abused, neglected, and dependent children.

## 2013 Annual Report

*July 1, 2012 - June 30, 2013*

# Our Mission



The Honorable Jack Markell, Governor  
State of Delaware



C. Malcolm Cochran, IV, Esquire, Chair  
Child Protection Accountability Commission

State of Delaware  
Child Protection Accountability Commission

*c/o* Office of the Child Advocate

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# Our Membership—FY13

## **Secretary of the Department of Services for Children, Youth and Their Families**

**16 Del. C. §912(a)(1)**

The Honorable Vivian Rapposelli, Cabinet Secretary  
The Honorable Jennifer Ranji, Cabinet Secretary

## **Director of the Division of Family Services**

**16 Del. C. §912(a)(2)**

Victoria Kelly, Psy.D., Director

## **Two Representatives from the Attorney General's Office**

**16 Del. C. §912(a)(3)**

Patricia Dailey Lewis, Esquire, Deputy Attorney General, Director, Family Division  
Kathleen Jennings, Esquire, Deputy Attorney General, Director, Criminal Division

## **Two Members of the Family Court**

**16 Del. C. §912(a)(4)**

The Honorable Chandlee Johnson Kuhn, Chief Judge  
The Honorable Joelle Hitch, Judge

## **One Member of the House of Representatives**

**16 Del. C. §912(a)(5)**

The Honorable Melanie George Smith, State Representative

## **One Member of the Senate**

**16 Del. C. §912(a)(6)**

The Honorable Patricia Blevins, State Senator

## **Chair of the Child Placement Review Board**

**16 Del. C. §912(a)(7)**

Carolyn Walker, Chair

## **Secretary of the Department of Education**

**16 Del. C. §912(a)(8)**

The Honorable Mark Murphy, Cabinet Secretary  
Linda C. Wolfe, R.N., Director, School Support Services

## **Director of the Division of Prevention and Behavioral Health Services**

**16 Del. C. §912(a)(9)**

Susan Cycyk, M.Ed., Director

## **Chair of the Domestic Violence Coordinating Council**

**16 Del. C. §912(a)(10)**

Bridget Poulle, Executive Director

## **At-large Member - Medical Community**

**16 Del. C. §912(a)(11)**

Allan DeJong, M.D., Medical Director, Children at Risk, CARE Program, Alfred I. duPont Hospital for Children

## **At-large Member - Interagency Committee on Adoption**

**16 Del. C. §912(a)(11)**

Mary Lou Edgar, Member of the Interagency Committee on Adoption

## **At-large members - Law Enforcement**

**16 Del. C. §912(a)(11)**

Colonel Robert M. Coupe, Superintendent, Delaware State Police  
Colonel Nathaniel McQueen, Jr., Superintendent, Delaware State Police  
Captain Robert McLucas, New Castle County Police Department

## **At-large Members - Child Protection Community**

**16 Del. C. §912(a)(11)**

C. Malcolm Cochran, IV, Esquire, CPAC Chair  
Randall Williams, Executive Director, Children's Advocacy Center  
Janice Mink, Citizen  
Ellen Levin, Citizen

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# Executive Summary

In Fiscal Year 2013, the Child Protection Accountability Commission (CPAC or the Commission) met quarterly to identify system problems and advocate for system reform, to evaluate and make changes in policy, and to make legislative recommendations. CPAC relied on the work of its long-standing and newly established Committees to effectuate its goals for the fiscal year. CPAC also fulfilled its obligations as the Citizen Review Panel (CRP) and Children's Justice Act (CJA) Task Force. Additionally, in May 2013, CPAC submitted its Annual Progress Report and CJA Grant Application to the Administration on Children, Youth and Families identifying the state's accomplishments for the year and establishing the state's funding priorities for the next year. Further, CPAC and the Child Death, Near Death, and Stillbirth Commission (CDNDSC) continued their collaborative affiliation through Fiscal Year 2013. In addition, to semi-annual Joint Commission Meetings, CPAC and CDNDSC hosted the Protecting Delaware's Children Conference and continued to engage in joint committees to address recommendations from the state's child death and near death reviews.

Through ongoing collaboration and support from its Commissioners, CPAC experienced substantial achievements in many of its endeavors. CPAC's accomplishments were influenced by both local and national trends. At the local level, CPAC has continued to take its direction from the recommendations made by CDNDSC's Child Abuse and Neglect (CAN) death and near death reviews. In fact, CPAC assisted CDNDSC in the creation and implementation of a Recommendation and Response Tracking Protocol for CDNDSC effective January 2013 to ensure that recommendations from its child death and near death reviews are received by our child welfare partners. Further, as the CRP, CPAC is statutorily required to ensure that the respective agencies submit timely responses to the recommendations, which will then be made available in the Annual Reports of CPAC and CDNDSC. This responsibility enables CPAC to promote system improvement in accordance with its mission. At the National level, CPAC Commissioners and staff, as well as representatives from individual agencies, have attended several conferences to enhance Delaware's current practices and to implement best practice protocols throughout the state. The conferences have included: Twelfth International Conference on Shaken Baby Syndrome/Abusive Head Trauma in September 2012; When Words Matter: Emerging Issues in Forensic Interviewing in October 2012; and the Third National Cribs for Kids® Conference in June 2013. Subsequently, many of the speakers were invited to present workshops at the Protecting Delaware's Children Conference, which also featured an advanced training opportunity for multidisciplinary team members involved in the investigation and prosecution of child sexual and serious physical abuse cases.

Lastly, CPAC championed for legislation to improve permanency outcomes for children. House Bill 125 with House Amendment 1 allows for the reinstatement of parental rights where a child remains in the custody of DSCYF, despite reasonable efforts to secure a permanent plan of adoption. The bill was sponsored by CPAC Commissioners, Representative Melanie Smith and Senator Patricia Blevins, and it was passed by the Delaware General Assembly in June.

CPAC's Fiscal Year 2013 achievements were realized due to the leadership of its chair, C. Malcolm Cochran, IV, Esquire, and the Committee chairs, as well as the commitment from the agency representatives and CPAC staff. CPAC wishes to acknowledge the collaborative efforts demonstrated by representatives from the Department of Services for Children, Youth and Their Families (DSCYF or the Delaware Children's Department), the Department of Education (DOE), the Department of Justice (DOJ), the Office of the Child Advocate (OCA), the Children's Advocacy Center of Delaware (CAC), the Family Court, domestic violence advocates, and the adoption, law enforcement, and medical communities.

# Background & Purpose

Delaware's Child Protection Accountability Commission was statutorily created in 1997 following the death of a four year old boy named Bryan Martin. Bryan's death demonstrated the need for multidisciplinary collaboration and accountability in Delaware's child protection system. As a result, Delaware enacted the Child Abuse Prevention Act of 1997 (16 Del. C., Ch. 9), which made significant changes in the way Delaware investigates child abuse and neglect. The Child Abuse Prevention Act also made changes requiring Delaware to foster a child protection community of cooperation, accountability and multidisciplinary collaboration. Part of the strategy in that regard was the establishment of a forum for interdisciplinary dialogue and reform. That forum is CPAC.



## The statutory duties of CPAC (16 Del. C. § 912(b)):

1. Examine and evaluate the policies, procedures, and effectiveness of the child protection system and make recommendations for changes therein, focusing specifically on the respective roles in the child protective system of the Division of Family Services, the Division of Prevention and Behavioral Health Services, the Department of Justice, the Family Court, the medical community, and law enforcement agencies;
2. Recommend changes in the policies and procedures for investigating and overseeing the welfare of abused, neglected, and dependent children;
3. Advocate for legislation and make legislative recommendations to the Governor and General Assembly;
4. Access, develop, and provide quality training to staff of the Division of Family Services, Deputy Attorneys General, Family Court, law enforcement officers, the medical community, educators, day care providers, and others on child protection issues; and
5. Review and make recommendations concerning the well-being of Delaware's abused, neglected, and dependent children including, but not limited to, issues relating to foster care, adoption, mental health services, victim services, education, rehabilitation, substance abuse, and independent living.

## Delaware's Citizen Review Panel

CPAC has been designated by DSCYF in its state plan under the federal Child Abuse Prevention and Treatment Act (CAPTA), to serve as Delaware's Citizen Review Panel (CRP). Amended in 1996, CAPTA requires that CPAC, in its role as CRP, examine the policies, procedures and practices of state and local agencies and, where appropriate, specific cases to evaluate the extent to which state and local child protection system agencies are effectively discharging their child protection responsibilities. CPAC partners with CDNDSC in its reviews of specific cases. For more detail, please see page 23.

## Children's Justice Act Task Force

The Children's Justice Act (CJA) provides grants to States to improve the investigation, prosecution and judicial handling of cases of child abuse and neglect, particularly child sexual abuse and exploitation, in a manner that limits additional trauma to the child victim. CPAC became the Children's Justice Act Task Force in FFY08. For more detail, please see page 24.

# Delaware's Child Protection System

Since CPAC was created, Delaware has continued to enhance its interdisciplinary approach to protecting children from abuse and neglect. The approach, which is often referred to as the multidisciplinary team (MDT), relies on the collaborative intervention of various system partners.

An essential component to ensuring the success of this approach has been the Delaware Children's Department, which is comprised of three service divisions—the Division of Prevention and Behavioral Health Services (DPBHS), the Division of Youth Rehabilitative Services (DYRS), and the Division of Family Services (DFS). Collectively these divisions are responsible for the provision of services to children exposed to abuse, neglect, abandonment, delinquency, mental illness, and/or substance abuse.

More specifically, as the child welfare agency, DFS is statutorily responsible for receiving and investigating reports alleging child abuse, neglect, and dependency. In FY13, DFS received 17,333 reports of child abuse, neglect and dependency, which was a 4% increase compared to last year and the largest number of reports in DSCYF history. DFS screened in 7,999 (46%) of those reports received and substantiated 1,503 (19%) cases. These cases are often initiated when a child victim of abuse or neglect is first identified by a professional who routinely interacts with children, such as the education, medical or law enforcement communities.

Oftentimes, multidisciplinary collaboration is necessary. In fact, for any report that may involve a criminal offense against a child, DFS and law enforcement will investigate jointly. Also, whenever appropriate, cases will be referred to the CAC, where the MDT often formally convenes to conduct a forensic interview, medical examination and/or mental health screening. Death and near death cases are also referred to CDNDSC.

As a vital member of the MDT, the Criminal Division of the Department of Justice (DOJ) determines whether there is sufficient evidence to prosecute those responsible for inflicting harm on children. In July 2013, the DOJ established the Child Victims Unit, a specialty unit within the DOJ, which will handle all felony level, criminal child abuse cases. Further, this Unit combines expertise from both the Criminal and Family Divisions. While the Family Division assumes several roles, criminal and civil, the Division also provides legal representation to DSCYF in Family Court. Additionally, DOJ has designated several attorneys across Divisions to pursue civil remedies against perpetrators of child abuse, including civil substantiations, licensure proceedings and fraud, increasing the chances of protecting children where criminal remedies are either insufficient or unavailable.

Through frequent hearings, Family Court Judges were responsible for monitoring approximately 1,120 children in the legal custody of DSCYF throughout Fiscal Year 2013. On average, 28% of these children are ages 0 to 4; 17% are 5 to 9 years of age; 15% are ages 10 to 13; and 25% are 14 to 17 years of age. By county, 60% of these children reside in New Castle County, 21% reside in Kent County, and 19% reside in Sussex County.

These same children are entitled to representation of their best interests throughout the proceedings, which OCA and the Court Appointed Special Advocate Program (CASA) are statutorily charged and publicly funded to provide. Of those children, 53% are represented by OCA, and 45% are represented by CASA. To accomplish this task, OCA and CASA draw on a sizeable pool of volunteers. Children in DSCYF custody also receive extensive care and support from the foster care, adoption and medical community. Thus, Delaware relies on the collective resources of the Family Court, DOJ, OCA and CASA, as well as the Children's Department, the service providers, and the community, to provide safety, well-being and permanency to its vulnerable children.

# Accomplishments

CPAC accomplished many of its FY13 goals, as a result of its long-standing and newly established Committees: Abuse Intervention; Data Utilization; Education; Legislative; Permanency for Adolescents; and Training. Additionally, the CPAC/CDNDSC Joint Committees have demonstrated their ongoing commitment to address specific recommendations from the state's child death and near death reviews, which include medical care for children in foster care, infant safe sleeping, investigation and prosecution of child abuse cases, and mandatory reporting outreach to the community. The work of the various Committees will be discussed in more detail over the next few pages.

## Abuse Intervention Committee

**Charge:** To provide measurable oversight of the Children's Justice Act (CJA) grant activities by planning and administering the Three-Year Assessment, monitoring the progress of recommendations identified in the Three-Year Assessment Report and recommending to CPAC future system priorities related to the investigative, administrative and judicial handling of cases of child abuse and neglect.

**Membership:** The Committee is led by Patricia Dailey Lewis, Esquire, Director of the Family Division at the DOJ, and the membership includes representatives from the following agencies: Alfred I. duPont Hospital for Children, Bayhealth Medical Center, CAC, CDNDSC, Delaware Coalition Against Domestic Violence, Delaware Disabilities Council, DOJ, DSCYF, DFS, Domestic Violence Coordinating Council, OCA, and Nanticoke Memorial Hospital.

While the Abuse Intervention Committee has been providing oversight of the CJA grant activities for years, CPAC formalized this designation and approved its charge on April 10, 2013. Throughout the fiscal year, the Committee met on a quarterly basis to receive progress updates on the three priorities identified for the 2012-2014 grant period: support of training and education initiatives related to the investigation and prosecution of child abuse and neglect cases using a multidisciplinary team approach; creation of a committee to improve the investigation and prosecution of child abuse and neglect cases as well as offender accountability within the criminal justice system; and implementation of a plan to eliminate infant unsafe sleep fatalities due to abuse or neglect in the state. After receiving these updates from the Committee, CPAC, as Delaware's State Task Force, submitted its Annual Progress Report and Grant Application to the Administration on Children, Youth and Families on May 31, 2013. To effectuate these priorities, specific funding activities were identified and included: the Training Coordinator, Child First™ Forensic Interviewing Training, Mandatory Reporting Training, the Protecting Delaware's Children Conference and the Child Abuse Multidisciplinary Team Advanced Training Course, Cross-Education Training, Online Training System and Surveys, Child Abuse and Neglect Report Line Publicity, and Other Training and Education. Since many of these activities are related to training initiatives, CPAC identified workgroups under the Training Committee to carry out the tasks of planning and facilitating. Therefore, the progress of these activities will be discussed in more detail later.

Additional oversight of the CJA grant funds is provided by the Criminal Justice Council (CJC). Since October 1, 2012, the CJC has been responsible for the fiscal management of the grant on behalf of CPAC. This requires that OCA, on behalf of CPAC, submit quarterly fiscal and progress reports to the CJC, as well as an annual grant application for the specific grant period. As expected, this realignment has provided a more practical approach to administering the funds.



# Accomplishments (cont.)

## Data Utilization Committee

**Charge:** 1. To assess the voluminous data presented to CPAC on a quarterly basis, and determine: (a) if it is the right data and if it is relevant; (b) if there is other data needed to monitor the child protection system; and (c) if the data or analysis of it is outcome driven; 2. To develop dashboards for measuring Delaware's child protection system which will be reported out to CPAC on a quarterly basis; and, 3. To use the dashboards to inform system improvement and CPAC initiatives.

**Membership:** The Committee is led by Corporal Adrienne Owen of the Delaware State Police (DSP), and the membership includes representatives from the following agencies: Child Placement Review Board (CPRB), Children and Families First (CFF), DFS, Family Court, and OCA.

Since its first meeting in January 2012, the Data Utilization Committee succeeded in creating user friendly dashboards integrating the following data points: child welfare caseloads; processing of child abuse cases; permanency outcomes; adolescent outcomes; and re-entry/reoccurrence of maltreatment. However, the Committee is still exploring data collection methods for dashboards on substantiation findings and placement stability/disruptions. This data is not as readily accessible. The Committee plans to provide quarterly reports of the data and trends at each CPAC meeting.

For the first dashboard, the Committee presents the average caseload per fully functioning worker in the DFS Investigation/Treatment Units, as well as caseloads for CASA attorneys and volunteers, Deputy Attorneys General in the DOJ Civil Division, Family Court Judges, and OCA Deputy Child Advocates and volunteer attorneys (Figure 1). The Committee plans to include caseloads from the DPBHS. Since each agency identifies their caseloads differently, the Committee also plans to explore whether the data can be presented by the number of children on each caseload.

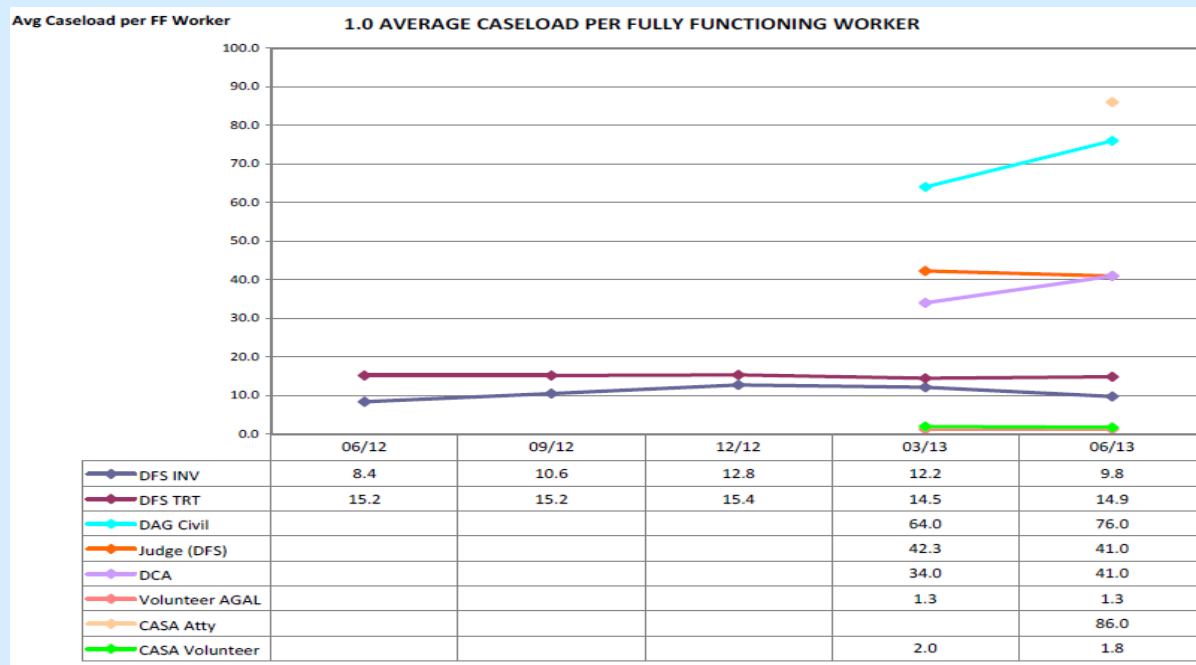


Figure 1. Child Welfare Caseloads for Various Agencies

# Accomplishments (cont.)

The second dashboard contains data on hotline reports received by the DFS Child Abuse and Neglect Report Line, which includes the number of reports received, the primary allegation type, and case outcomes for the reports (Figure 2). In the future, the Committee plans to include data collected from CAC interviews and CDNDSC death and near death reviews.

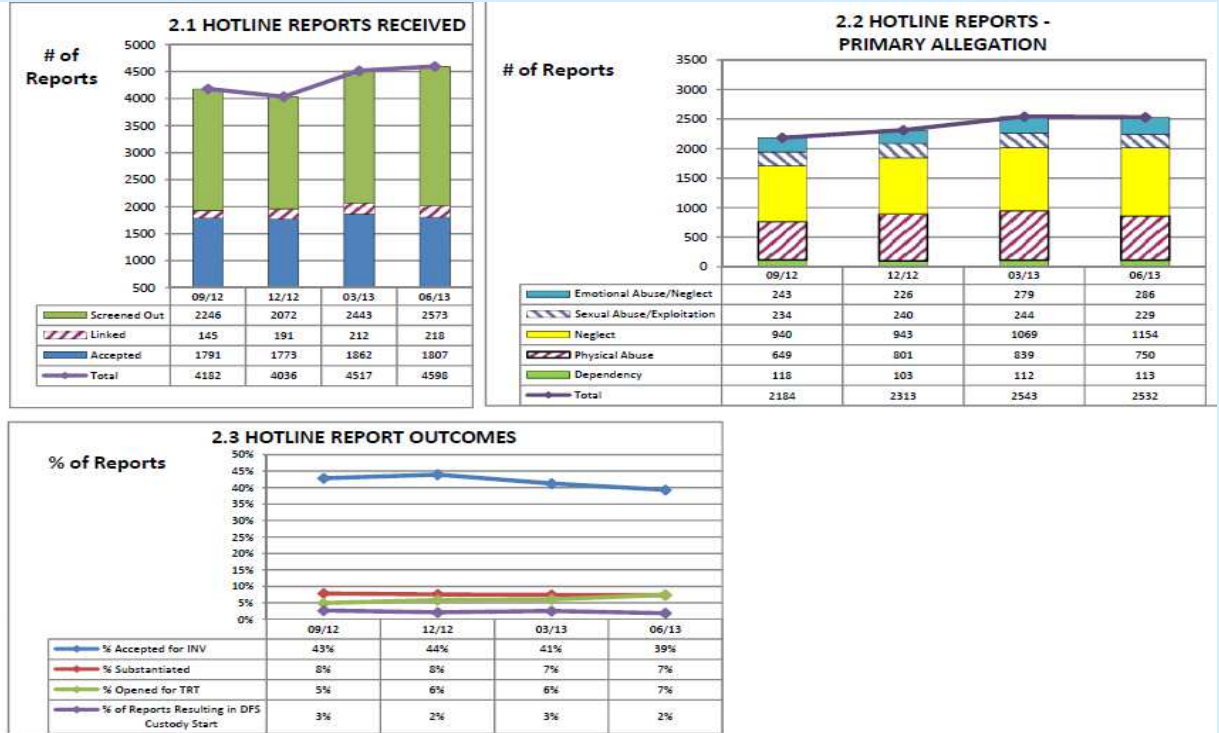


Figure 2: Processing of Child Abuse Cases by the DFS Child Abuse and Neglect Report Line

The third dashboard provides a snapshot of the median length of stay for children exiting to four categories: adoption; custody rescission; emancipation; and guardianship (Figure 3).

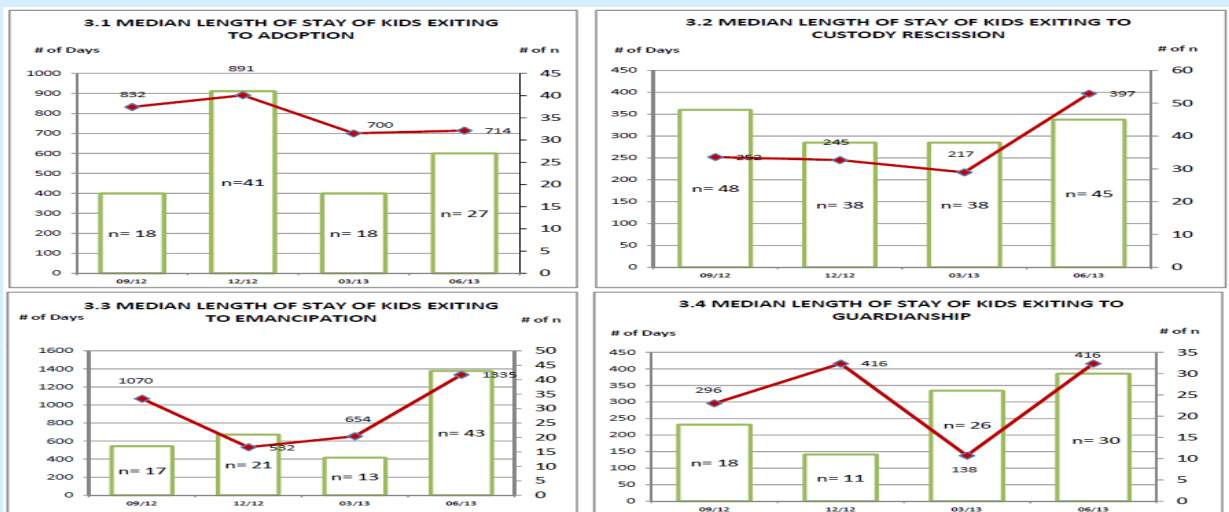


Figure 3: Permanency Outcomes for Children in DSCYF Custody

# Accomplishments (cont.)

Whereas, the fourth dashboard looks at permanency outcomes for youth ages 14-18. First, the dashboard presents a snapshot of the number of adolescents exiting to four categories: adoption; custody rescission; emancipation; and guardianship. Next, the median length of stay is considered for adolescents exiting to permanency versus the length of stay for all adolescents in care. Lastly, the dashboard presents the various settings for adolescents in care, as well as the number of times the adolescent has entered DFS care (Figure 4).

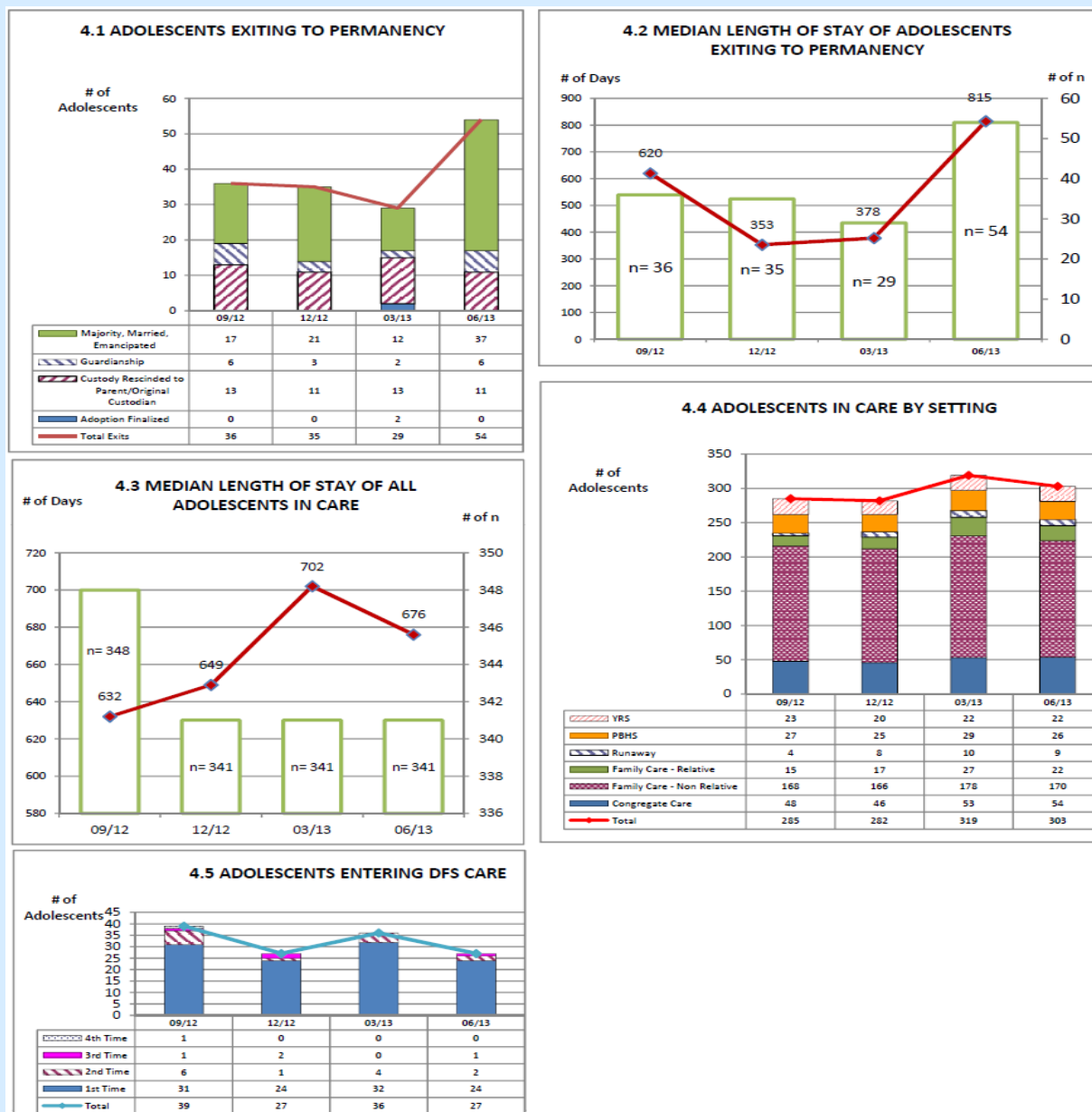


Figure 4: Permanency Outcomes for Adolescents in DSCYF Custody

The last dashboard reflects the percentage of children who experience repeat maltreatment within 6 months, the percentage of incidents of child abuse/neglect in foster care within 9 months, and the percentage of children who re-enter care in less than 12 months (Figure 5).

# Accomplishments (cont.)

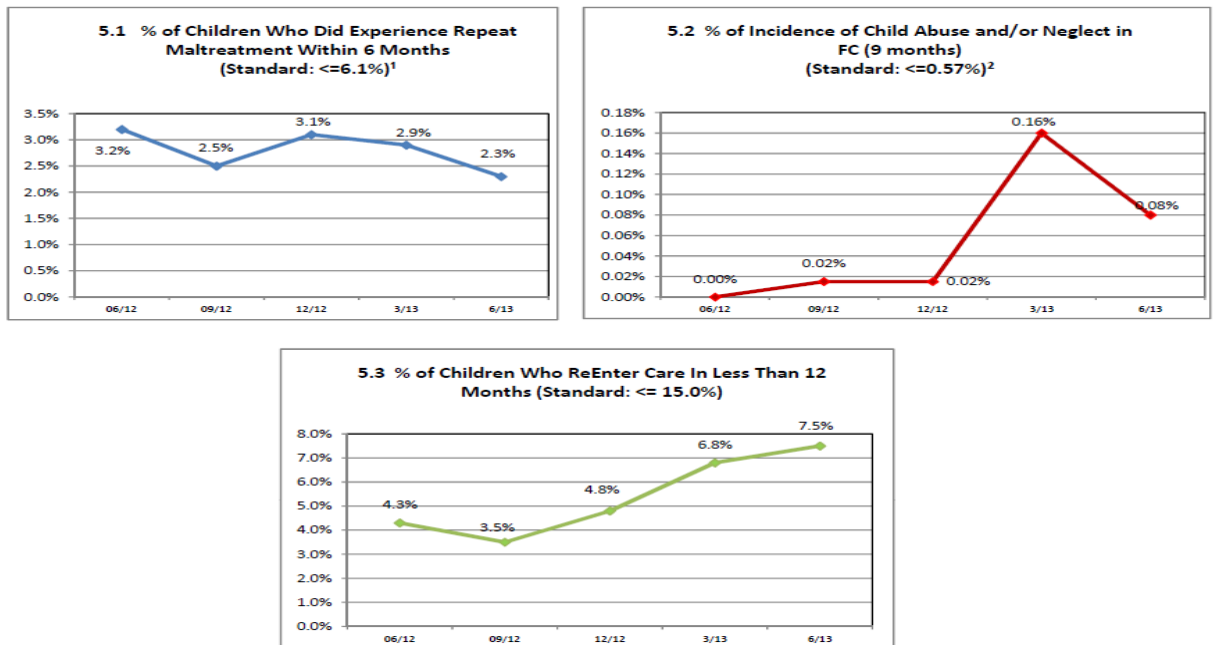


Figure 5. Re-entry/Reoccurrence of Maltreatment

## Education Committee

**Charge:** 1. Provide administrative oversight of the Memorandum of Understanding (MOU) between DSCYF and DOE by: a) identifying and monitoring data points related to educational success; (b) reviewing responsibilities, staff familiarity and effectiveness; (c) communicating; and (d) revising, implementing, and training on the MOU, as needed; 2. Improve system collaboration between child welfare and education through training, curriculum development, and enhanced communication. The curriculum and resource identification shall include training modules and resources on child welfare/education policies, collaboration, and programs; and 3. Study the educational success of children in foster care through the collection and analysis of data, and make recommendations for system improvement and performance measures as a result thereof.

**Membership:** The Committee is led by Linda C. Wolfe, M.Ed., R.N., Director of School Support Services for DOE, and the membership includes representatives from the following agencies: Brandywine School District, Charter School Network, CPRB, CFF, DOE, DFS, Division of Management Support Services, DPBHS, Family Court, Governor's Advisory Council for Exceptional Children, OCA, Parent Information Center of Delaware, and Red Clay School District.

Each year, the Education Committee revisits its charge to ensure that it is current and reflective of the group's priorities for the upcoming year. Additionally, the Committee established three long standing workgroups to accomplish its goals. In FY13, the MOU Implementation Workgroup was responsible for revising the MOU between DSCYF and DOE to address specific concerns with Child Abuse Reporting/Investigation, Best Interest Meetings, and Student Enrollment/Withdrawal for School Procedures. In fact, the workgroup completed its revisions, and the revised MOU was approved by DSCYF and DOE.

## Accomplishments (cont.)

The workgroup is awaiting approval from the Charter School Network before the MOU can be circulated for signatures. This workgroup was also tasked with reviewing and approving the MOU slides developed by the Training Committee for the 2012-2013 School Training.

Similarly, to improve system collaboration, the Collaboration Training Workgroup has been responsible for developing practical tools and training opportunities for child welfare and educational professionals. In particular, to support schools in making education decisions for children in foster care, the group developed a school summary sheet, which was circulated to the Committee. The document was designed to provide clarification on individuals involved with children in foster care, so that schools know who to contact for specific situations or activities involving the child. Additionally, the workgroup participated in the development of the Delaware Education Summit, which occurred on April, 9, 2013. The event, which was primarily funded by the Federal Court Improvement Program under Family Court, featured representatives from several local schools and districts, DOE, DSCYF, Family Court, and OCA. These representatives were tasked with creating action plans to support the educational success of children in foster care in each school district. The workgroup also participated in the follow up activities related to these plans. Finally, the workgroup has been looking to identify other committees or groups with the shared goal of educational success of children in foster care. Once identified, a representative from these groups will be invited to participate in the quarterly Committee meetings to share their activities and collaborate on future endeavors. In FY14, the workgroup plans to focus on trauma informed practices and information sharing to support youth in foster care.

While educational success is a priority for the Committee, the Data Workgroup is fundamentally tasked with studying the educational success of children in foster care and making recommendations for system improvement. Since Fiscal Year 2011, the workgroup has been collecting data to make a comparison between school aged children and children in foster care for the following school years: 2009-2010, 2010-2011, and 2011-2012. To conduct this data comparison, the workgroup identified several key areas related to student success: graduation rates, attendance, rate of special education identification, and proficiency testing. At the same time, the workgroup also began to collect data on the number of placements youth in care experienced both during their lifetime as well as during the school year in focus. Placements included DFS placements, DYRS placements and DPBHS placements.



## Accomplishments (cont.)

For the first year of data, the workgroup found few significant disparities between the two populations of youth for attendance (91% foster care vs. 94% all students) and graduation rates (89% foster care vs. 92% all students) (Table 1). With regard to the graduation rates, it was noted that a point in time snapshot was used rather than a cohort analysis, which would have compared the two populations from the time they entered high school. A significant disparity was identified when making a comparison using special education services (40% foster care vs. 15% all students). While a disparity was also found between the two populations with regard to the proficiency testing, the Delaware State Testing Program (DSTP) scores were used for the first year of data only. Since then, the Delaware Comprehensive Assessment System was used.

With the exception of the proficiency testing, the workgroup was able to use the baseline data to make a comparison with the data collected during the second and third school years (Table 1). Accordingly, the attendance rates were very similar for the two populations for the last three years. However, a greater disparity was discovered when making a comparison using graduation rates and special education services. For instance, in the 2011-2012 school year, 72% of students in foster care graduated as compared to 92% of the general student population. In other words, there were 29 seniors in foster care and 8 did not graduate. In comparison, 10 of the 31 seniors in foster care did not graduate in the 2010-2011 school year, and 3 of the 26 seniors in foster care did not graduate in the 2009-2010 school year.

Similarly, youth in foster care received special education services at a higher rate than the general student population for the last three years (Table 1). Specifically, for the 2011-2012 school year, 37% (257) of students in foster care received special education services as compared to 15% (19,761) of the general student population. However, in the 2010-2011 school year, there was an increase in special education services for both children in foster care and the general student population, and both populations saw a similar decline in services in the 2011-2012 school year.

**Table 1. DOE and DSCYF Data: Students in Foster Care**

	2009-2010 All Students	2009-2010 Foster Care	2010-2011 All Students	2010-2011 Foster Care	2011-2012 All Students	2011-2012 Foster Care
<b>Attendance Rates</b>	94.11%	91.08%	94.35%	92.15%	94.87%	91.47%
<b>Graduation Rates</b>	91.60%	88.46%	91.14%	67.74%	91.58%	72.41%
<b>Special Education Rates</b>	14.84%	39.93%	16.00%	41.85%	14.65%	36.82%

# Accomplishments (cont.)

Since the Delaware Comprehensive Assessment System (DCAS) replaced the DSTP, a comparison can only be made using the last two years of data. Proficiency was tested for math, reading, science and social studies for both populations of students enrolled in grades 3 through 10 as applicable. In total, a comparison was made between twenty one scores for each population (Table 2). For each of the core subjects, the general student population consistently scored higher than youth in foster care. For example, for the 2011-2012 school year, 50% of third grade students in foster care met or exceeded the DCAS Reading standard as compared to 75% of the general student population. For math, in the same school year, 35% of eighth grade students in foster care met or exceeded the DCAS Math standard as compared to 74% of the general student population. Additionally, for the 2011-2012 school year, the general student population saw consistent improvements for all core subjects, but more significantly for math and reading. Similarly, youth in foster care saw greater gains in the two-year span for 13 of the 21 scores. For instance, in the 2011-2012 school year, 66% of third grade students in foster care met or exceeded the DCAS Math standard as compared to 29% in the prior year. For science, 36% of fifth grade students in foster care met or exceeded the DCAS Science standard as compared to 14% in the prior year. For more information, please refer to Table 2.

**Table 2. DOE and DSCYF Data: Proficiency Testing**

	2010-2011 Foster Care	2010-2011 All Students	2011-2012 Foster Care	2011-2012 All Students
	% Meets/Exceeds	% Meets/Exceeds	% Meets/Exceeds	% Meets/Exceeds
<b>Math</b>				
Grade 3	28.57%	67.00%	65.79%	76.00%
Grade 4	50.00%	65.00%	41.03%	77.00%
Grade 5	32.14%	65.00%	45.45%	74.00%
Grade 6	41.67%	57.00%	31.25%	67.00%
Grade 7	39.02%	60.00%	40.74%	70.00%
Grade 8	28.89%	62.00%	35.19%	74.00%
Grade 9	32.53%	62.00%	27.66%	71.00%
Grade 10	31.75%	59.00%	28.13%	71.00%
<b>Reading</b>				
Grade 3	45.71%	62.00%	50.00%	75.00%
Grade 4	44.44%	60.00%	46.15%	74.00%
Grade 5	28.57%	64.00%	48.48%	78.00%
Grade 6	41.67%	62.00%	37.50%	74.00%
Grade 7	24.39%	59.00%	39.29%	71.00%
Grade 8	34.78%	61.00%	37.04%	73.00%
Grade 9	40.00%	58.00%	36.17%	66.00%
Grade 10	25.40%	63.00%	29.23%	71.00%
<b>Science</b>				
Grade 5	14.29%	49.00%	36.36%	52.00%
Grade 8	23.26%	48.00%	19.30%	50.00%
Grade 10	13.56%	40.00%	19.64%	41.00%
<b>Social Studies</b>				
Grade 4	48.57%	64.00%	43.59%	68.00%
Grade 7	26.32%	48.00%	37.50%	57.00%

## Accomplishments (cont.)

In addition to the data points identified related to student success, the workgroup collected placement data for school-aged children (Table 3). Again, it is important to note that placement data is comprised of placements in DFS, DYRS, and/or DPBHS facilities. During the 2011-2012 school year, 781 school-aged children were in care, which is a 3% increase since the 2009-2010 school year. Of these 781 children, 234 (30%) entered care for the first time during the school year. While 57% (449) of all school-aged children in care had only one placement during the 2011-2012 school year, the remaining children had two or more placements in facilities funded by DFS, DYRS and/or DPBHS. Throughout their lifetime, 37% (288) of these children had two to four placements and 28% (221) had five to ten placements. However, for the 2011-2012 school year, 32% (255) of these children had two to four placements and 9% (73) had five to ten placements. Additionally, 57% (448) of the school-aged children had been in care for a year, while the remaining children had been in care for two or more years. Since approximately four months of academic achievement is lost each time a child moves to a new placement, the Committee plans to analyze the data and present a report to CPAC in FY14 citing specific recommendations to address these identified areas. For more information, please refer to Table 3.

**Table 3. DOE and DSCYF Data: Placement Data for School-Aged Children**

	2009-2010 School Year	2010-2011 School Year	2011-2012 School Year
School-Aged Children in Foster Care during School Year	759	770	781
Children Entering Foster Care for 1st Time during School Year	195	228	234
Children Active with DYRS & DFS	197	199	205
Children Active with DPBHS & DFS	260	260	246
Children Active with DYRS, DPBHS & DFS	93	101	99
Children in Foster Care with 1 Placement during Lifetime	90	112	115
Children in Foster Care with 2-4 Placements during Lifetime	268	277	288
Children in Foster Care with 5-10 Placements during Lifetime	227	228	221
Children in Foster Care with 11+ Placements during Lifetime	174	153	157
Children in Foster Care with 1 Placement during School Year	440	442	449
Children in Foster Care with 2-4 Placements during School Year	240	258	255
Children in Foster Care with 5-10 Placements during School Year	75	68	73
Children in Foster Care with 11+ Placements during School Year	4	2	4
Children in Foster Care for 1 Year	413	405	448
Children in Foster Care for 2 Years	143	101	106
Children in Foster Care for 3 Years	78	72	50
Children in Foster Care for 4+ Years	125	192	177



# Accomplishments (cont.)

## Legislative Committee

**Charge:** To review proposed legislation related to child protection and make recommendations to the full Commission for action.

**Membership:** The Committee is led by Molly Shaw, OCA Office Manager, and the membership includes representatives from the following agencies: DOJ, DFS, Family Court, House of Representatives, OCA and PCAD.

In the previous fiscal year, CPAC championed House Substitute 1 for House Bill 371, which was signed by Governor Jack Markell on August 16, 2012. The law makes significant changes to Subchapter I of Chapter 9 of Title 16 of the Delaware Code, emphasizing a culture of multidisciplinary collaboration on child abuse investigations. The law requires a tracking system for all child death, near death, and sexual abuse cases and creates the position of Investigation Coordinator within DSCYF. This position was filled in May of 2013 by Jennifer Donahue, Esquire, who was previously employed at the Office of the Child Advocate. In this position, Ms. Donahue will be responsible for monitoring, coordinating, and tracking child death, near death, and sexual abuse cases to ensure a multidisciplinary civil and criminal response system. Ms. Donahue will be providing regular reports to CPAC that will highlight not only the volume of serious child abuse cases, but the challenges in multidisciplinary investigations and the opportunities for improvement.



**Figure 6: Bill Signing for HS 1 for HB 371**

CPAC had two legislative initiatives, both generated by the CPAC Permanency for Adolescents Committee and introduced in the General Assembly by CPAC Commissioners Senator Patricia Blevins and Representative Melanie Smith. The first bill, House Bill 125, passed and allows for the reinstatement of parental rights under certain limited conditions where a child remains in the custody of DSCYF, despite reasonable efforts to secure a permanent plan of adoption. The

second bill, Senate Bill 99, which remains pending, involves DSCYF assessments of dependent children placed with non-relatives. Under the current statute (31 Del. C. § 351), the Children's Department must give consent before a child is placed with a non-relative. The bill clarifies that the Family Court will make the final determination after receiving an assessment from DSCYF. CPAC hopes for its passage this coming year.

During Fiscal Year 2013, the Legislative Committee met three times and vetted legislation proposed by CPAC Committees as well as reviewed all introduced bills within CPAC's purview. The Committee then made recommendations to CPAC as to which bills it would support and which it would oppose. On May 20, 2013, CPAC convened its Annual Legislative Meeting and reviewed 7 bills. It voted to support 3 bills and oppose 4 others. The most significant bill it supported, which was championed by the Youth Advisory Council and the Delaware Youth Opportunities Initiative was House Bill 163. This bill codified DSCYF's responsibility to provide comprehensive, developmentally appropriate independent living services to youth ages 14 to 21, and to assist youth in their transition to adulthood. The bill also provided one-half million dollars to provide stipends to youth to help with their successful transition. CPAC also supported House Bill 182, which allows the Family Court discretion in placing certain youth on the sex offender registry and also provides a mechanism for possible future removal. Both

## Accomplishments (cont.)

bills passed and were expected to be signed.

At the Annual Legislative meeting, CPAC also convened two new workgroups under the Legislative Committee. The first workgroup will address necessary changes to the guardianship and permanent guardianship statute. The second workgroup will address clarifications to the Child Protection Registry statute, as well as handle several outstanding recommendations from Dean Ammons report on the Bradley case. This includes consolidated, comprehensive background checks for those who work with children, and consideration of expansion of the Child Protection Registry to extrafamilial circumstances. Expansion of the Commission membership will also be considered in the coming fiscal year.

### *Permanency for Adolescents Committee*

**Charge:** To improve outcomes for adolescents in foster care by developing best practices, policies, procedures and statutes that create lasting connections for adolescents, that exit them in a timely fashion from foster care with appropriate caregivers, that reduces the number of children with a goal of Alternative Planned Permanent Living Arrangement (APPLA), that pursues legal strategies for keeping connections, and that has appropriate placements for youth that create stability and success while in foster care. Since this Committee was not created to duplicate the work of any other groups or initiatives assisting adolescents in foster care, it will instead identify ways to complement or fill the gaps which still exist in Delaware's child protection system.

**Membership:** The Committee is led by co-chairs, Dr. Victoria Kelly, Director of DFS, and Judge Peter B. Jones from Family Court, and the membership includes representatives from the following agencies: Annie E. Casey Foundation, CPRB, CASA, Delaware Girls Initiative (DGI), Delaware Youth Opportunities Initiative (DYOI), DOJ, DFS, DPBHS, Family Court, OCA, Peoples Place Group Home, and the Youth Advisory Council (YAC).



**Figure 7: Bill Signing for Ready by 21**

Expungement discussions for juveniles with criminal records at Stairways to Encourage Personal Success (STEPS) meetings; Waiver of court fees/costs for children in DFS custody; Support of Juvenile Sex Offender bill; Subsidized guardianships; and Non-relative placements.

To help remove barriers to permanency, the Committee began to consider a variety of legislative initiatives. In fact, the Committee was responsible for the draft legislation on reinstatement of parental rights and DSCYF assessments of dependent children in non-relative placements, and supported the Ready by 21 legislation. In addition to

The Permanency for Adolescents Committee began meeting in January 2012 and focused on identifying gaps in service to achieving permanency and providing oversight and/or coordination for existing groups assisting adolescents in foster care, including the APPLA workgroup, Annie E. Casey Initiatives, DGI, DFS Placement Resources and Stability, and DYOI. The Committee also began developing plans for the following gaps in service: Children entering DFS through the Juvenile Justice System; Reinstatement of parental rights; Criminal background checks of individuals in foster homes;

# Accomplishments (cont.)

legislation, the Committee is also considering alternative pathways for children who become involved with the child welfare system through the juvenile justice system; ensuring that youth who are eligible for juvenile expungement are identified and helped with this process to eliminate future barriers with employment and housing; and considering new protocols with regard to the imposition of court fees for children in foster care who have criminal charges. Since many of these barriers involve crossover youth, the Committee is partnering with the Public Defender's Office and the Juvenile Justice Collaborative in providing support to these youth.

## Training Committee

**Charge:** To ensure the training needs of the child protection system are being met through ongoing, comprehensive, multi-disciplinary training opportunities on child abuse and/or neglect.

**Membership:** The Committee is led by co-chairs, Rosalie Morales, OCA Program Administrator and Anne Pedrick, Executive Director of CDNDSC, and the membership includes representatives from the following agencies: CAC, CDNDSC, DSP, DSCYF, Family Court, OCA and PCAD.

In January 2012, CPAC approved a structure in which the progress of the training initiatives throughout the state would be monitored and evaluated through four workgroups under the Training Committee: the Mandatory Reporting Workgroup, the Child First/MDT Workgroup, the Joint Conference Workgroup, and the Cross-Education Workgroup.

The Mandatory Reporting Workgroup under CPAC was tasked with providing oversight of the existing mandatory reporting training programs for educators, medical professionals, general community and professional audiences, law enforcement and the DOJ. The training for law enforcement and the DOJ was the exception since the statutory obligations to complete the training are unique for the two disciplines. For instance, police officers are mandated to complete the training as a requirement of initial employment per 11 Del. C. § 8404(a), and every Deputy Attorney General in the Criminal and Family Divisions is required to complete the training every three years per 29 Del. C. § 2511(a)(3). Therefore, there is no recent data to report. Generally, these trainings do not require the use of CJA grant funds unless onsite training is requested by medical professionals. In such cases, a medical expert is paid a nominal fee to co-present the training with DSCYF or OCA staff.

Through the assistance of the Training Coordinator, the work group maintains the number of professionals trained, evaluates and/or revises the programs, and develops curricula for other disciplines as needed. In terms of coordination, the DSCYF Center for Professional Development has been responsible for coordinating the mandatory reporting trainings for general/professional audiences and school personnel. Since August 2012, DSCYF and OCA staff provided onsite training to 731 professionals using the mandatory reporting training for general audiences, *How to Identify and Report Child Abuse and Neglect in Delaware*. The evaluations were completed by 660 participants and the results revealed the following: 1. Improved understanding of the child abuse and neglect indicators was rated excellent by 67% and very good by 20%; 2. Knowledge of how and where to report child abuse and neglect was rated excellent by 70% and very good by 19%; and, 3. Improved understanding of their duty to report child abuse and neglect was rated excellent by 68% and very good by 20%. Although the general training has been available on OCA's website since December 2011, fewer than 100 professionals have participated and only seven have completed the voluntary training evaluation. This training was recently moved to OCA's online training system in April 2013 and can be located at: <http://ocade.server.tracorp.com>.

## Accomplishments (cont.)



For the 2012– 2013 school year, DSCYF and OCA staff provided 19 onsite trainings and 1,038 professionals were trained using *How to Identify and Report Child Abuse and Neglect in Delaware: With an Overview of the MOU*, which combines the general mandatory reporting training with an overview of the MOU between DSCYF and DOE. Per the requirement in 14 Del. C. § 4123, fulltime teachers are to receive one hour of training every year in the detection and reporting of child abuse. In total, 856 professionals, many of whom were teachers, completed the evaluation, and 537 were from public schools and 320 were from charter schools. The evaluation results revealed the following: 1. Improved understanding of the child abuse and neglect indicators was rated excellent by 69% and very good by 25%; 2. Knowledge of how and where to report child abuse and neglect was rated excellent by 76% and very good by 20%; 3. Improved understanding of their duty to report child abuse and neglect was rated excellent by 74% and very good by 22%; and, 4. Understanding the Memorandum of Understanding was rated excellent by 65% and very good by 26%. Additionally, it is estimated that over 8,000 teachers and other school staff participated in the online training, and only 1,853 of those participants completed the voluntary training evaluation. The online evaluation results revealed the following: 1. Improved understanding of the child abuse and neglect indicators was rated excellent by 36% and very good by 35%; 2. Knowledge of how and where to report child abuse and neglect was rated excellent by 43% and very good by 33%; 3. Improved understanding of their duty to report child abuse and neglect was rated excellent by 42% and very good by 33%; and, 4. Understanding the Memorandum of Understanding was rated excellent by 34% and very good by 37%. It was clear by the evaluation results that participants prefer the onsite training. Technical difficulties with the state server and various web browsers may have impacted the evaluation results.

As a result of the evaluations, the Mandatory Reporting Work Group determined that the training curriculum needed revisions. In February 2013, a smaller working group was created to partner with DFS in the development and implementation of the one hour training in the detection and reporting of child abuse for school year 2013-2014. For the first time, representatives from DOE and individual school districts were involved in the development of the yearly school training. The group was charged with creating a concise, interactive training and considering different formats for new teachers and veteran teachers. The training will be available onsite and online to those employed in the Delaware school system by August 2013. The online training will be located on DOE's Blackboard course management system, and DOE has agreed to provide the number of professionals trained to the Mandatory Reporting Work Group.

## Accomplishments (cont.)

Similarly, for initial employment and as part of the license renewal process, professionals covered under the Medical Practice Act were required to complete training on the recognition of child sexual abuse, physical abuse, exploitation, and domestic violence, as well as the reporting obligations under the Medical Practice Act and section 903 of Title 16. Since the training needed to be available by January 1, 2013 in time for license renewal, CPAC partnered with the Department of Professional Education at the Medical Society of Delaware (MSD) and the Delaware Division of Professional Regulation (DPR) to revise the training and obtain approval for CME credit. Although the training was previously available on the OCA website, on January 1 the revised training was moved to OCA's online training system to allow participants to access the training materials in modules and to collect data more efficiently. In the past four months, over 4,400 medical professionals completed the training online and 3,274 completed an evaluation. The online evaluation results revealed the following: 1. Improved understanding of the child abuse and neglect indicators was rated excellent by 44% and very good by 34%; 2. Knowledge of how and where to report child abuse and neglect was rated excellent by 52% and very good by 31%; 3. Improved understanding of their duty to report child abuse and neglect was rated excellent by 51% and very good by 31%; and, 4. Improved understanding of their duty to report under the Medical Practice Act was rated excellent by 50% and very good by 32%. The online training is available at: <http://ocade.server.tracorp.com>.

In addition to training professionals about identification and reporting of child abuse, CPAC has continued to focus on multi-disciplinary training. The Child First/MDT Workgroup was tasked with planning and implementing two curriculums to assist front line professionals investigating and prosecuting child abuse: 1) Child First™ and/or a modified 3 day curriculum for First Responders; and 2) a county specific Multidisciplinary Team Training. The last Child First™ Forensic Interview Training was held in



**Figure 8: Child First™ Forensic Interviewing Training April 2012**

April 2012, and since then the workgroup developed a modified three-day curriculum for first responders. While the group succeeded in developing the curriculum, Delaware's Child First™ training scheduled for October 2013 was tenuous since the National Child Protection Training Center's (NCPTC) licensing agreement with CornerHouse, authorizing use of the RATAAC® protocol, was set to expire on July 31, 2013. NCPTC also conveyed to the group that CornerHouse would have to approve the three-day curriculum as well. While Delaware was making changes to its curriculum, CornerHouse revised the forensic interview protocol and renamed it, which may impact the longevity of the RATAAC® protocol for the Child First™ States. Since NCPTC was uncertain that the licensing agreement would be renewed and that the three-day curriculum would be approved, it was recommended that Delaware cancel its 2013 training. However, as of May 16, 2013, NCPTC signed an extension of the licensing agreement with CornerHouse through December 31, 2014.

## Accomplishments (cont.)

As a result of this extension, Delaware plans to host its training on October 14-18, 2013, while also incorporating a few new components from the proposed three-day curriculum. Three additional lectures will include a discussion of the multidisciplinary team approach and MOU between the DSYCF, law enforcement, CAC, and DOJ, the relevance of the first responder minimal facts interview, and the importance of the medical examination. Information about Delaware's Child First Program can be found at: <http://courts.delaware.gov/childadvocate/childfirstdelaware.stm>.

To fulfill its charge of multidisciplinary team training, the Child First – MDT Work Group elected to send the Sussex County multi-disciplinary team, which is comprised of representatives from DFS, CAC, DOJ, and DSP, to the national When Words Matter Conference in Saint Paul, Minnesota on October 9-12, 2012. CJA funds were utilized to support this opportunity for seven team members. Specifically, the conference gave the team members an opportunity to learn advanced forensic interviewing skills, such as interviewing children with autism and disabilities and understanding medical evidence in cases of child sexual abuse. The OCA Program Administrator and Training Coordinator were also present to explore opportunities to bring speakers from this advanced training to Delaware.

As a result of the When Words Matter conference, the Joint Conference workgroup invited Suzanna Tiapula, JD and Barbara Knox, MD to present workshops on Child Torture and Abusive Burns in Childhood at the CPAC/CDNDSC Protecting Delaware's Children Conference on May 22-23, 2013. The conference was geared towards law enforcement, prosecutors, Judges, attorneys, case workers from DFS, therapists, educators, community providers, and medical professionals who regularly respond to allegations of child abuse and neglect in Delaware. It focused on how Delaware professionals can work together better to respond civilly and criminally to child abuse and neglect cases, themes that are shaped by the CDNDSC reviews of child abuse deaths and near deaths as well as by the Dean Ammons Report on the Bradley case.

In addition to opening remarks from Attorney General Beau Biden, Chief Judge Chandlee Johnson Kuhn, Colonel Nathaniel McQueen and C. Malcolm Cochran, IV, Esquire, the Chair of CPAC, the Joint Conference featured national and local experts who addressed multi-disciplinary collaboration and various aspects of child abuse through plenary sessions and 30 workshops on topics, such as child torture, child death investigations, abusive head trauma, technology facilitated crimes against children, drug endangered children, first responder minimal facts interviews, accomplice liability in child abuse cases, and youth involvement in court.

Additionally, the Joint Conference offered an advanced training course to over 100 first responders, which was planned and coordinated by the CAC. The Child Abuse MDT Advanced Training Course was shown to be necessary from reviews of child sexual and serious physical abuse cases in Delaware. It was offered on day one and taught by a group from the National

**PROTECTING DELAWARE'S CHILDREN**  
Presented by  
Child Death, Near Death and Stillbirth Commission and  
Child Protection Accountability Commission

May 22-23, 2013  
Dover Downs Hotel & Casino

This year, Protecting Delaware's Children will feature both the General Conference for Child Welfare Professionals and an Advanced Training for Professionals involved in the Investigation & Prosecution of Child Abuse in the State of Delaware.

*Agency Sponsors:*  
CDNDSC  
CAC  
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PCAD  
SRCAC

Funding for this event has been made available through:  
The Federal Court Improvement Project &  
The U.S. Department of Health and Human Services

Figure 9: Joint Conference Brochure

## Accomplishments (cont.)

Children's Alliance. The course was designed to train Delaware professionals on how to increase teamwork and collaboration as well as how to develop county specific action plans to strengthen system response to child abuse. The advanced training course ran at the same time as the larger conference. Attendees of the advanced training were able to attend the conference's main plenary session and lunch on day one. On day two, the attendees were able to participate in the main conference for the entire day. The advanced training course was by invitation only to professionals from law enforcement, DFS workers, civil and criminal Deputy Attorneys General, victim advocates, and CAC staff.

The Training Committee's fourth workgroup, Cross-Education, was created after CPAC was assigned two training recommendations from the CPAC Mental and Behavioral Health Services to Children in Foster Care Committee and the Independent Review of the Earl Bradley case. The first recommendation, forwarded from the CPAC Committee, pertained to the creation of Child Mental Health 101 (now referred to as Division of Prevention and Behavioral Health Services). In addition, the following recommendation was forwarded from the Dean Ammons Report: Agencies, Boards, Commissions charged with the child protection should be cross-educated on what each respective entity does as a matter of course. As such, the Cross-Education Workgroup was tasked with ensuring that fundamental cross-education training, on the roles and responsibilities of individual agencies, is available in different venues.

The workgroup began meeting in February 2012, and the following agencies have submitted trainings: CAC, CDNDSC, CPRB, Delaware Coalition Against Domestic Violence, DPBHS, DYRS, OCA, and PCAD. The group plans to feature at least five of the trainings on OCA's online training system in the next fiscal year. Additionally, the work group is planning the two-day Child Abuse and Neglect 101 training for October 29-30, 2013, which was previously offered in 2009 by PCAD. The training will discuss child maltreatment definitions, indicators and risk factors, statistics, impact of abuse on victims, and response to trauma. It will also feature a panel discussion by professionals representing agencies typically involved in the investigation, treatment and prosecution of child abuse and neglect cases. The panelists will discuss the roles and responsibilities of their individual agencies. The workgroup plans to record the training and make it available on OCA's online training system.



## Accomplishments (cont.)

CPAC and the CDNDSC continued their collaborative affiliation through Fiscal Year 2013. In addition to semi-annual Joint Commission Meetings, CPAC and CDNDSC hosted the Protecting Delaware's Children Conference and continued to engage in joint committees to address recommendations from the state's child death and near death reviews. The Joint Committees include the following: Foster Care Medical Committee, The Infant Safe Sleeping Program Community Action Team, Investigation and Prosecution of Child Abuse and Mandatory Reporting Outreach Campaign. The next few pages will provide an overview of their accomplishments.

### Foster Care Medical Committee

**Charge:** To evaluate the health care management of children and teens living in foster care and make recommendations on how the current medical care structure can improve health care delivery within the foster care system to more effectively and efficiently meet the needs of this at-risk population.

**Membership:** The Committee is led by Dr. Amanda Kay, Pediatric Hospitalist at Christiana Care, and the membership includes representatives from the following agencies: Alfred I. duPont Hospital, CDNDSC, DFS, and OCA.

The Joint Foster Care Medical Committee had its first meeting on January 14, 2011. Shortly thereafter, the Committee prioritized the review of 40 case records representing individual children or teens in foster care statewide to evaluate the health care management as well as opportunities for improved, collaborative care. The Committee completed its review with the assistance from DFS staff. Dr. Amanda Kay is preparing to submit a final report to the Joint Commissions detailing the recommendations that reflect best practices consistent with the American Academy of Pediatrics' guidelines for children and teens in foster care.

### The Infant Safe Sleeping Program Community Action Team

**Charge:** To reduce the number of SIDS (Sudden Infant Death Syndrome) and SUID (Sudden Unexplained Infant Death) deaths in the State of Delaware through educational awareness campaigns around safe sleeping practice.

**Membership:** The Committee is led by Marjorie Hershberger, and the membership includes representatives from the following agencies: Alfred I. duPont Hospital, Beebe Medical Center, CDNDSC, Christiana Care Health System, Delaware Chapter of AAP, Delaware Healthy Mother and Infant Consortium, DFS, Division of Public Health, March of Dimes, and Office of Child Care Licensing.

In addition to its charge, the CPAC/CDNDSC Infant Safe Sleeping Program Community Action Team set the following goals in 2012: to expand the message from "Back to Sleep" to "Safe Sleep Environment" that will include all of the American Academy of Pediatrics taskforce recommendations on safe sleep practices; to reinforce the message whenever and wherever possible; to provide a consistent message that makes sense to the lay public; to address parental desires to keep the baby safe and comfortable; and to emphasize parent self efficacy and the preventability of infant unsafe sleeping deaths. In concert with its goals, the group provides oversight of Delaware's Cribs for Kids® program and provides safe sleep education in a variety of settings, including hospitals, daycare providers, foster parents, community organizations, and the Protecting Delaware's Children Conference. A Delaware Team also attended the National Cribs for Kids® Conference in June 2013 in Pittsburgh, Pennsylvania and presented a poster abstract on Delaware's program titled "In-home Education as a tool for success in State-wide Cribs for Program."



# Accomplishments (cont.)

## Investigation and Prosecution of Child Abuse Committee

**Charge:** To research and develop statutes, policies, procedures and/or trainings that reflect best practices for better protecting children from abuse by optimizing the opportunities to appropriately punish perpetrators of abuse crimes against children.

**Membership:** The Committee is led by co-chairs, C. Malcolm Cochran, IV, Esquire and Senator Patricia Blevins, and the membership includes representatives from the following agencies: Alfred I. duPont Hospital, Child Development Watch, CDNDSC, CPAC, DSP, DOJ, Family Court, New Castle County Police Department (NCCPD), OCA, and Wilmington Police Department (WPD).

In December 2011, CPAC and CDNDSC held their semiannual joint meeting and approved the creation of the Joint Committee on the Investigation and Prosecution of Child Abuse. The Committee began meeting in February of 2012 and considered the following information: child death and near death reviews, specific charging patterns of prosecutors and police, criminal law, conviction rates, and recurring problems encountered in the investigation and prosecution phases. The Committee met on seven occasions before forwarding its recommendations to the Joint Commission for approval. On May 17, 2013, the Final Report of the Joint Committee on the Investigation and Prosecution of Child Abuse was approved by CPAC and CDNDSC, and the Committee formally disbanded. In total, nine recommendations were made and they are summarized as follows: creation of a Special Victims Unit within the DOJ to handle all felony level, criminal child abuse cases; establishment of a team of criminal investigators within the DOJ to work with the Special Victims Unit; enactment of a criminal statute that allows for prosecution of caregivers who, with criminal negligence, enable the sexual abuse, serious physical injury or death of a child; review of Delaware's sentencing guidelines as they pertain to criminal child abuse cases; develop best practice guidelines for the investigation of child abuse cases involving sexual abuse, serious physical injury or death; provide regular training opportunities and demonstrative tools for professionals involved in the investigation and prosecution of serious physical abuse cases; assign a Deputy Attorney General specializing in the prosecution of felony level child abuse to the CDNDSC Child Abuse and Neglect Panel; create a comprehensive case management system within the DOJ; and provide CPAC support to the DOJ for budgetary requests for appropriate resources.

Since the approval of this report, the DOJ has created a Child Victims Unit, and the DOJ's budgetary requests for two positions, a Child Abuse Deputy Attorney General and Investigator, have been funded. CPAC Commissioner Representative Melanie Smith is to be thanked for her commitment. Prior to this report, the DOJ had issued a request for proposal for a case management system and implementation is anticipated within 18 months. For the remainder of the recommendations, CPAC and CDNDSC will continue to provide oversight, and the Training Committee will be responsible for implementing the recommendations related to best practice guidelines and training opportunities. CJA funds may be required in the next grant period to implement these recommendations.

## Mandatory Reporting Outreach Committee

**Charge:** To develop a comprehensive awareness media campaign to alert the general public on the magnitude of the problem of child abuse, the duty to report child abuse, and who the real dangers are to children.

**Membership:** The Committee is led by Randy Williams, Executive Director of the CAC, and the membership includes representatives from the following agencies: CAC, CDNDSC, CFF, DFS, DOJ, OCA, and PCAD.

# Accomplishments (cont.)



**Figure 10: Stop Child Abuse Web Banner**

CPAC and CDNDSC's Mandatory Reporting Outreach Committee developed a campaign for the second year during the month of April for Child Abuse Prevention and Awareness Month. Funding received from DSCYF, CJA and the Protecting Delaware's Children fund enabled the group to unveil its media activities and broadly disseminate its message, See the Signs, Make the Call, through a Proclamation Signing on April 25 at Legislative Hall, public service announcements and statewide billboards in English and Spanish. The PSAs were recorded by Governor Jack Markell, Attorney General Beau Biden, and Leslie Newman, Executive Director of Children and Families First and are featured on the website Iseethesigns.org. The month's activities culminated on April 25 with the Blue Bow awareness event and Proclamation Signing at Legislative Hall. The event, coordinated by CFF, featured Mayor Carey from the City of Dover, who presented the Proclamation Signing in Governor Markell's absence. Guest speakers included: Secretary Jennifer Ranji (DSCYF); Karen DeRasmo (PCAD); Leslie Newman (CFF); Patricia Dailey Lewis (DOJ); Rev. John Moore (United Way of Delaware); Gwen Stubbolo (CASA); State Representative Debra Heffernan; and State Senator Ernie Lopez. One hundred twenty people were in attendance, including students from Central Middle School. During the month of the campaign, DFS received 138 more hotline reports in April 2013 than April 2012 (1,559 vs. 1,421), and April was the largest single report total since May 2012. Despite the success of the campaign, the Committee voted to disband and forward its responsibilities to the Training Committee since its activities are more closely aligned. The Joint Commissions approved this proposal at its semi-annual meeting on May 17, 2013.



# Federally Mandated Panels & Task Forces

## Citizen Review Panel

### **Background and Purpose**

In 1996, Congress amended CAPTA and required states to establish Citizen Review Panels by July of 1999 in order to receive funding for the Child Abuse and Neglect State Grants Program. It was amended to direct the focus of the state grant program to support and improve child protective services (“CPS”) agencies, and it authorized the annual award of funds to states that submit a CAPTA State Plan every five years.

From 1995 through 2004, the Child Death Review Commission served as Delaware’s CRP. Then, in 2004, CPAC was designated as the CRP.

### **Statutory Requirements**

Although CAPTA defines the functions of the CRP broadly and generally, it requires panels to meet at least quarterly and maintain confidentiality. It further mandates the panels to examine the policies and procedures of CPS agencies. Where appropriate, it gives panels the authority to examine specific cases handled by the CPS agencies. Specifically, the purpose of the CRP is to provide oversight to CPS. As a result, panels must monitor for agency performance in four key areas: the state CAPTA Plan; coordination with Title IV-E foster care and adoption programs; review of child fatalities and near fatalities and require responses to the recommendations from those reviews; and other criteria the panel considers important.

### **Accomplishments in FY13**

CPAC fulfilled its duties as the CRP by meeting quarterly to examine the policies and procedures of the child welfare agencies, as well as meeting twice a year with the CDNDSC to discuss recommendations from child death and near death reviews. To strengthen the work of DFS and the MDT, CPAC invited national experts to the Protecting Delaware’s Children Conference and offered an advanced training course to over 100 first responders. CPAC also sent MDT members from Sussex County to the national When Words Matter Conference to learn

advanced interviewing skills. CPAC also engaged in training activities and a mandatory reporting campaign to create awareness of the obligation to report child abuse and advocated for legislation to improve the multidisciplinary response to cases of child death, near death, and sexual abuse. CPAC monitored educational outcomes for children in foster care and identified gaps in service to achieving permanency for adolescents. For more detail, please refer back to the following Committees: Education, Legislative, Permanency for Adolescents, Training, and Mandatory Reporting Outreach.

### **Child Fatalities and Near Fatalities**

In FY13, CPAC staff created a Recommendation and Response Tracking Protocol for CDNDSC effective January 2013 to ensure that recommendations from its child death and near death reviews are implemented. As a result of this new protocol, recommendations from the Child Abuse and Neglect Panel will be tracked and identified through the following categories: Administrative, Best Practices, Child Well Being, Compliance, Legal, and Training. In addition, these recommendations will be disseminated within 30 days of approval by CDNDSC to child welfare partners. These agencies will be asked to submit a confidential and public response within 90 days. The public responses will be published in the Annual Reports of CPAC and CDNDSC. Quarterly Reports will also be provided at the semi-annual Joint Commission meetings, and the reports will include: number of initial and final reviews; number of primary and ancillary recommendations; number of agency responses submitted; discussion of public responses; analysis of trends; and the path forward. As such, in next year’s Annual Report, CPAC hopes to include the responses submitted by our child welfare partners in response to the recommendations, as well as a summation of the quarterly reports.

## Federally Mandated Panels & Task Forces (cont.)

### Children's Justice Act Task Force

#### **Background and Purpose**

The Children's Justice and Assistance Act of 1986 was a set of amendments to CAPTA, which were created to encourage states to enact reforms to improve the legal and administrative handling of child abuse cases, particularly cases of child sexual abuse. CJA amended the Victims of Crimes Act of 1984 to increase the maximum amount which may be deposited into the Crime Victim's Fund and required that specified portions of such funds be used for CJA Grants to states. To be eligible for CJA funds, states are required to establish and maintain a multidisciplinary Task Force. CPAC became the CJA Task Force in FFY08.

#### **Statutory Requirements**

CJA provides grants to states to improve the investigation, prosecution and judicial handling of cases of child abuse and neglect, particularly child sexual abuse and exploitation, in a manner that limits additional trauma to the child victim. This also includes the handling of child fatality cases in which child abuse or neglect is suspected and some cases of children with disabilities and serious health problems who also are victims of abuse and neglect. The Task Force is responsible for making policy and training recommendations to carry out the objectives of the grant, and conducting a comprehensive evaluation every three years of the State's child welfare systems, and making recommendations for improvements to those systems.

#### **Task Force Priorities for 2012-2014 Grant Period**

1. Support of training and education initiatives related to the investigation and prosecution of child abuse and neglect cases using a multidisciplinary team approach;
2. Creation of a committee to improve the investigation and prosecution of child abuse and neglect cases as well as offender accountability within the criminal justice system; and
3. implementation of a plan to eliminate infant unsafe sleep fatalities due to abuse or neglect in the state.

#### **Accomplishments in FY13**

As the CJA Task Force, the CJA Grant funds were used to support the following activities: the Training Coordinator, Child First™ Forensic Interviewing Training, Mandatory Reporting Training, the Protecting Delaware's Children Conference and the Child Abuse Multidisciplinary Team Advanced Training Course, Cross-Education Training, Online Training System and Surveys, Child Abuse and Neglect Report Line Publicity, and Other Training and Education, which includes the When Words Matter Conference and Twelfth International Conference on Shaken Baby Syndrome/Abusive Head Trauma. For more detail, please refer back to the following Committees: Training, Investigation and Prosecution, and Mandatory Reporting Outreach.

#### **Reports**

The CJA 2012-2014 Three Year Assessment Report is available at <http://courts.delaware.gov/childadvocate/docs/2012CJAApplication3YearPlan.pdf>.

# Opportunities for the Future

In Fiscal Year 2013, CPAC recognized several accomplishments as both a federally mandated CRP and CJA State Task Force. As the CRP, CPAC assisted CDNDSC in the creation and implementation of a Recommendation and Response Tracking Protocol to ensure that recommendations from its child death and near death reviews are received by our child welfare partners. As such, in next year's Annual Report, CPAC hopes to include the responses submitted by our child welfare partners in response to the recommendations, as well as a summation of the quarterly reports.

Through its role as the State Task Force, CPAC submitted its Annual Progress Report and CJA Grant Application to the Administration on Children, Youth and Families. As a result, CPAC was able to establish its funding priorities for the next year, which include the Training Coordinator and Multidisciplinary Training and Education. With these goals established, the Abuse Intervention Committee will continue to meet quarterly to provide oversight of the these activities. At the same time, the Training Committee, with the support of its workgroups and the Training Coordinator, will carry out these training initiatives throughout the year, including unveiling the 2013-2014 School Training.

The remaining CPAC Committees have identified future goals of their own. In Fiscal Year 2013, the Data Utilization Committee will likely finalize its work on the dashboards and identify an agency to submit the quarterly reports to CPAC on an ongoing basis. Meanwhile, the Education Committee plans to submit a report to CPAC on the educational success of children in foster care, to disseminate a signed MOU, and to provide additional resources to child welfare and educational professionals.

The Permanency for Adolescents Committee will continue to address the barriers for achieving permanency and working with the Legislative Committee to support related legislation. At the same time, the Legislative Committee hopes to make substantial gains with its Guardianship and Child Protection Registry workgroups.

Over the next year, CPAC, through its various committees, will prioritize these goals while maintaining its commitment to current initiatives. CPAC will also continue its collaborative affiliation with CDNDSC by providing oversight of its remaining Joint Committees and implementing the recommendations identified in the Final Report of the Joint Committee on the Investigation and Prosecution of Child Abuse. CPAC will also continue to partner with CDNDSC to monitor and/or implement recommendations from the state's child death and near death reviews. Finally, CPAC will also strive to foster the collaborative relationships between its child welfare partners to ensure safety, well-being and permanency for children in Delaware's child protection system.



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