



TEXAS
Department of Family
and Protective Services

2019-2020 Citizen Review Team Report

May 1, 2021

Table of Contents

Background.....	1
Structure	1
Reporting Process.....	1
Agency Response	2
Panel Activities.....	2
Analysis	2
Policy and Practice.....	3
Case Issue	3
Recommendations.....	3
DFPS Response.....	3
Training Needs	4
Case Information	4
Recommendations.....	5
DFPS Response.....	5
Coordination with External Entities.....	6
Case Information	6
Recommendations.....	6
DFPS Response.....	6

Background

The Texas Family Code (TFC §261.312) requires that each region have at least one Citizen Review Team. Five of these teams are designated as meeting the requirements of Child Abuse Prevention and Treatment Act (CAPTA), Appendix I. The CAPTA teams are in Region 1, Region 3 (3E and 3W), Region 6 (6A and 6B), Region 7 and Region 11. These sites represent a mixture of urban and rural communities and reflect a broad range of issues encountered by DFPS statewide. This report consists of information concerning the issues addressed by the Citizen Review Teams, including the five Child Abuse Prevention and Treatment Act teams.

Structure

As required, all Citizen Review Team members, including those of the CAPTA Citizen Review Teams, are volunteers who represent a broad spectrum of their communities. The members are nominated locally and approved by the DFPS Commissioner. Child Protective Investigations (CPI) and Child Protective Services (CPS) state office staff assist in the areas of coordination, team development, training and statewide distribution of team reviews and recommendations. Local CPI/CPS and Family Based and Community Engagement (FBCE) staff facilitate the exchange of case-specific information, ensure that confidentiality is maintained, perform the required background checks on nominated members, and arrange for meeting space and clerical support.

Reporting Process

To coincide with the federal fiscal year reporting period, this report covers the period from October 2019 through September 2020 (FFY 2020). Information presented consists of data gathered by all Citizen Review Teams, including the CAPTA Citizens Review Teams. In FFY 2020 the teams reviewed Alternative Response cases as well as child fatalities. Reports of the meetings were documented on the Alternative Response Reporting Form developed by the Child Protective Investigations Alternative Response Division and the Notification of Child Fatality – Part 4 Form.

Agency Response

CAPTA Citizen Review Team recommendations are placed on the DFPS public website after approval of each Annual Program and Services Report. In the next fiscal year, recommendations from all teams will be published. The Web page for recommendations contains a Citizen Review Team specific mailbox that the public can use to comment on the recommendations. That Web page is: <https://www.dfps.state.tx.us/Investigations/CRT/default.asp>.

State office program staff review Citizen Review Team recommendations and those recommendations are considered for policy development, training and procedures. The Citizen Review Teams often present recommendations for local CPI/CPS direct delivery staff about actions they would like to see taken on a particular case. These case-specific recommendations are communicated during the Citizen Review Team meetings to the CPI/CPS representatives who are present and recorded on the standardized reporting form. Actions on case-specific recommendations are handled at the regional level.

Panel Activities

In April 2019 the teams began their focus on reviewing Alternative Response cases where a need for case reviews was identified. The review of Alternative Response cases continued until June of 2020 when the focus of the Citizen Review Teams became the child fatality cases that met the criteria for Regional Child Death Review Committees.

The Citizen Review Team coordinators work to establish local and statewide strategic planning, frequent and regular meetings of active teams, and formation of new teams. The Citizen Review Team coordinators meet regularly with state office program staff to discuss better ways to engage the community in the review process. A Citizen Review Team coordinator's manual has been developed and is available as a resource for each team.

The CAPTA Citizens Review Team coordinators continue to work with their communities to engage and encourage volunteers to become involved in efforts to gain feedback from the public.

Analysis

During FFY 2020 the Citizen Review Teams reviewed a total of 20 cases from 6 regions. Thirteen of these cases were Alternative Response and seven cases were child fatalities meeting the criteria for a Regional Child Death Review

Committee. In thirteen of the cases, the teams indicated that all policies were followed or did not make any recommendations about policy or practice.

In the seven cases where recommendations were made, they fell into three major categories of concern. These areas were Policy and Practice, Training Needs, and Coordination with External Entities.

DFPS values collaboration with our partners in the child welfare system in Texas. Building community relationships and partnerships is an integral part of DFPS work and is critical to providing clients with needed support. Overall, teams felt the Department was doing well and acknowledged the Department's ongoing efforts in staff development and casework improvement.

Policy and Practice

Case Issue

Regarding four of the Alternative Response cases reviewed, there were several policy and practice related issues that the teams felt were needed to improve the Alternative Response (AR) program.

Recommendations

- In one of the cases reviewed, the team did not feel the referral should have been sent to the AR program. In this case, one of the principals involved had homicidal ideations. The team recommended that any referrals with this serious of a safety issues should be sent to traditional investigations.
- In one of the cases reviewed, the team recommended that criminal background checks be completed not only in the beginning of a case, but also prior to case closure.
- In one of the cases reviewed, the team felt there were insufficient collaterals contacted and lack of follow-up to the service providers involved with the family. This specific team recommended that the Department establish policy regarding the amount, type, and frequency of contact with collaterals and service providers as they believe current policy is too vague. A second team also recommended the Department contact service providers prior to closure of the case.

DFPS Response

- AR policy is clear that anyone using objects to make threats against anyone in the home is excluded from AR. If someone in the home was making

threats to harm a child, this would be received by the DFPS Abuse/Neglect Hotline (Statewide Intake) as a high risk with concerns of danger to the child and would be sent down the traditional investigation pathway. AR staff have the ability to transition the case to a traditional investigation based on information obtained from the family during our involvement.

- CPS policy 2274 “Assessment of Ongoing Child Safety” provides guidance to staff on when to run criminal and child welfare checks on individuals after the initial checks are completed. Staff are not prohibited from running multiple background checks on principals in a case when there is information to support that perhaps another arrest occurred during the involvement with the department or new identifying information is received on the individual that may provide a stronger match in the database. There is also additional time involved for a caseworker to run all of the background checks again (and review them) and a cost associated with background checks we receive from the Department of Public Safety that would need to be considered.
- CPS Policy 2623.2 “Contact with Collaterals” provides guidance to AR caseworkers about how to work with a family to obtain collateral information and clarify what type of information we will be requesting from the collateral. Due to the variety of cases we receive within the agency it would be a challenge to create a policy that addresses all the different situations encountered when working cases without requiring blanket mandates that may not fit for all families. Collaterals are determined by the needs of each case and we want staff to be intentional in identifying what information is needed to assess safety and risk, and who is the best source of that information. AR managers have been provided education and support around this topic through technical coaching. The information provided asks managers to think about what the dangers and risk are, what we are worried about, what information do we want to know, and who is the best person to give us that information. Taking this approach, will help develop critical thinking in our staff to make these determinations.

Training Needs

Case Information

Regarding three of the Alternative Response (AR) cases reviewed, training issues were identified.

Recommendations

- For the first case, the team discussed that case decisions appeared to reflect gender bias in the Department's response to a domestic violence incident. The team discussed the importance of staff understanding this type of bias when determining services or interventions provided to the family. It was recommended that gender bias as well as other biases be a part of the Domestic Violence trainings provided by the Department.
- For the second case, the team recommended that the agency continue to improve staff's knowledge of the dynamics of domestic violence to improve case planning and identification of services needed. The team also recommended that the Department provide training specifically designed to educate staff on the purpose of psychological evaluations and how to utilize these results in case planning and service delivery.
- For the third case, the team recommended that AR caseworkers be specifically trained in Motivational Interviewing.

DFPS Response

- DFPS currently requires all staff to complete courses on domestic violence awareness. Caseworkers must complete Family Violence Intervention to reach a Worker II certification level. This course builds upon the family violence knowledge received during Caseworker Professional Development (CPD) and is an advanced domestic violence awareness course. Additionally, CPS program collaborated with Center for Learning and Organizational Effectiveness (CLOE) to develop a series of nine (9) computer-based trainings as part of the Domestic Violence Initiative. These trainings build on knowledge and awareness of domestic violence, including engaging with the children, adult victim, and person using violence. The trainings were released monthly during FY20 in Meeting in a Box for staff to complete with the last one being released in September 2020.
- DFPS staff can enroll in a Motivational Interviewing course that is offered through CLOE as part of on-going development and training.
- The AR program relies heavily on the use of strengths based, solution focused practice to bring about change with clients. Although motivational interviewing and solution focused practice are similar in that both operate with a persistent focus on the strength and abilities clients have to evoke positive change in their lives, they are slightly different. DFPS works with AR staff through coaching and model this approach to continue to embed the work. Also, AR staff are taught in training and supported in ongoing development to use solution focused questions and theory that focuses on

the individual being able to create their own change with identification of their strengths and support built around them to be accountable.

Coordination with External Entities

Case Information

Regarding two of the child fatality cases reviewed, issues relating to coordination with external stakeholders were identified.

Recommendations

- During one of the fatality reviews, the team recommended that the investigation supervisors and/or the Special Investigation Program Director reach out to local law enforcement to identify who monitors call outs to reinforce what kinds of situations involving children need to be reported to Statewide Intake (regardless of immediate impressions that the situation is "just an accident"). It was also recommended that local Child Protective Investigations staff explore requesting the ability to present training on identifying child abuse and neglect and reporting requirements.
- On the other fatality, the team voiced concerns that legal representatives for the agency will not court-order drug testing of a parent (or sometimes of a child) as part of an Order to Aid in Investigation. The team recommended that the Court's be allowed to mandate drug testing to aid the Department in assessing for child safety.

DFPS Response

- DFPS currently engages in trainings with external stakeholders on a variety of different subjects and are able to provide trainings to local agencies, including law enforcement, on when and how to report concerns of abuse or neglect. The Special Investigator (SI) Program has developed relationships with Law Enforcement across the state. There may be some areas, predominately when working with smaller agencies, where there may be a need to improve the collaboration. If this is identified, the SI program is able to navigate the issue and improve the partnership.
- Generally, relief for Orders in Aid of Investigation includes the right to access the child for purposes of an interview and examination of the child as well as the right to access certain records and reports. If as a result of examination of the child there are concerns as a result of drug exposure, the court may further order drug testing.