

BOARD OF COUNTY COMMISSIONERS WASHOE COUNTY, NEVADA

SPECIAL MEETING

WEDNESDAY, NOVEMBER 6, 1996

9:00 a.m.

Present:

STEVE BRADHURST, COMMISSIONER, CHAIRMAN  
GRANT SIMS, COMMISSIONER, VICE CHAIRMAN  
JOANNE BOND, COMMISSIONER  
JIM SHAW, COMMISSIONER

JOHN MacINTYRE, WASHOE COUNTY MANAGER  
MADELYN SHIPMAN, ASSISTANT DISTRICT ATTORNEY  
PAULINE REESE, DEPUTY COUNTY CLERK

Absent:

MIKE MOULIOT, COMMISSIONER

The Board of County Commissioners convened in the Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada, with Chairman Bradhurst presiding. Following the pledge of allegiance to the Flag of our Country, the Clerk called the roll and the following business was conducted:

AGENDA

On motion by Commissioner Sims, seconded by Commissioner Bond, which motion duly carried, it was ordered that the agenda for the November 6, 1996, special meeting be approved.

96-1077 EVALUATION DRAFT REPORT - CHILD PROTECTION SERVICE - NCWLC

County Manager John MacIntyre advised that this is scheduled for the purpose of gathering public comment on the presentation and discussion of a draft report on the Evaluation of Washoe County's Child Protection Service System by Dr. Norma Harris and other members of the evaluation team from the National Child Welfare Leadership Center (NCWLC). He stated that early in the year, a chart was prepared to show the scope of responsibilities of each of three groups; the Citizen Task Force, the Technical Working Group, and the NCWLC pursuant to their selection from a published Request for Proposal calling for a consultant to review the Grand Jury Report.

Mr. MacIntyre stated that there are three questions of government which continued as a focal point during the evaluation. They are: 1) What can people do for themselves? 2) What can the Government facilitate, and 3) What must the government do? He said that it is hoped that the outcome will be recommended improvements on how to improve the Child Protection Service System. He added that a copy of the tasks to be performed will be handed out by John Sherman, Manager's Office, which is pursuant to the requests for proposal, and he then explained the outcome of the three-prong effort and delineated the impact and the effort expended by each group. He noted that one of the recommendations by the NCWLC recognizes the importance of continued involvement of the Technical Working Group in furthering the improvements to the System.

Mr. Sherman explained the criteria under which the consultant selection was made and further explained the roles of the Task Force and the Technical Working Group. He then previewed the report presentation by delineation of the procedure the NCWLC followed in their evaluation and how the recommendations were made and the criteria on which they were based. Chairman Bradhurst then stated that this is not an action item--it is a discussion of a draft report, and then noted the importance of receiving input from the

Task Force and the Technical Working Group at a future date or during a workshop session.

Norma Harris, Ph.D., NCWLC, advised that, in their evaluation, they reviewed, not only the child protective services, but also the role of the Courts and the law enforcement agencies, including the Attorney General's office. She advised that in Washoe County, methamphetamine use is high; that the need for child placement facilities exceeds availability; that there is a lack of 24-hour child-care facilities as well as a lack of affordable housing; and that in a lot of cases, the use of methamphetamine by the abuser is a significant factor. She added that in several cases where children were abused, drug use was present, and it was suspect in another case, but not confirmed.

She cited a need for skill-based training in the area of child protection and advised that no CPS system exists to eliminate child deaths. She said that intradepartmental communication has improved within Social Services since the Grand Jury Report with regular meetings; that the division head of Child Protection Services is widely known and very experienced; that the issues cited in the Grand Jury Report have been found to not be attributable to staff; and it is interesting to note that staff members have either a masters or a bachelor's degree and have done extensive work in their field.

She explained that the internal system tends to be incident driven and that these kinds of systems exist throughout the Country; that criminal evidence must be obtained and the allegation substantiated in order to provide care out of the home to children temporarily; that there is a need to conduct broader assessments to address legal restraints in protecting children; and that broader training to address this needs to be provided. She stated that confirmation from a medical psychologist that there is trouble and a disciplinary child protection team would impact CPS in a positive sense for obtaining authorization for intervention in the cases where there is a threat of harm and a child may be at risk.

She then discussed the confidentiality issue advising that this needs to be streamlined so that information can be shared. She noted that in instances where there is a possible at risk situation, services terminate before the situation is stabilized, and a child may be returned to the family before it can be determined that it is safe to do so; and in that event there should be added paraprofessionals to provide counseling to the families and that adding such a position is one of the recommendations they have made. She stated that the concern of the National CPS is for the safety of children prior to their placement back in the home, and that a multi-disciplinary training program would assist division staff in response to children and families to assure that safety and to assure that positive outcomes may be achieved.

She stated that staff performance standards should be scrutinized for effectiveness and staff evaluated by process measures; that the number of investigations can determine if staff intervention is appropriate; that they recommend Management Information additions to provide critical data to track children longitudinally as placement activities determine success through the use of this information.

She stated that the working relationship with other agencies are good and uniform with the placement division and the local protocol with three law enforcement agencies is similar to national guidelines for this. She reiterated that the monthly meetings are good and serve as an effective vehicle. She stated that family court and drug court are positive services.

She reiterated that she believes that the bifurcation of services between the State and the County is not in the best interest of the children in foster care because the County offers more services and when the child is moved from short-term care (in Washoe County) to long-term care (State) many of the ongoing counseling, etc., is lost to the child, and therefore this bifurcation serves an ill purpose. She added that she believes that eventually the short term and long term foster care should be offered through one entity or the other as there presently is disparity between the two services, although she does realize that previous attempts have not been successful. She noted that also Washoe County pays higher rates to foster care homes, and that if a child is moved to the State, the State should pay the higher rate as effectiveness depends on quality of care and a child moving into a reduced level of existence may have a decrease in the outcome of the services provided. She said that she would ask the Legislature to undo the bifurcated system. She stated that they believe the outcomes should be developed and they would require integration and collaboration of services which cannot be achieved separately, and that a determination be made of what resources are available, and that a community based effort would be the most effective.

Raymond Kirk, Ph.D., NCWLC, praised the effort expended by multiple players on this review, advised that everyone involved felt a

critical improvement; and exclaimed that this was a gratifying environment in which to conduct this activity.

Dr. Kirk then advised that 24 recommendations were made and are included in the report, and that although this appears to be a lot, some can be done fairly quickly. He then delineated the ones which will take a short time, ones that will take longer, and ones that will be implemented over a longer period of time. He highlighted some of the components which he felt were vital, i.e., providing paraprofessional support where needed, coordinating between State and County to prevent unnecessary displacement; negotiating curricula with other departments of Social Services and schools to encourage more students in therapy practice; and have schools in social work be more responsible to the needs of the public.

As a point of departure, Dr. Kirk expressed his hope that the Report and recommendations will move forward expeditiously, noting that some have already been acted upon to bring the problems to focus.

A question and answer session followed. Chairman Bradhurst had questions concerning the bifurcation to which Dr. Harris responded that children in foster care are short-term in the County and when transferred to the State for long-term some of the services available in the County are no longer there, which results in a reluctance to make the change. She stated that a strong recommendation is made that infants (children under 2 years of age) not be placed in an institutional facility such as Kids Cottage.

She added that it is hoped that language can be added to refine the portion on child abuse and neglect where the behavior of parents is indicated as detrimental to allow the intervention of staff when threat or harm to the child could happen. She stated that at present abuse has to be substantiated and they want to be able to intervene before the abuse takes place.

Dr. Kirk advised that in four states, there is dual track response permitted and there is pending legislation for the achievement of the following provision: When a call is received by the intake unit, investigation would be allowed, and in cases where allegations may not be as serious, an assessment would be allowed rather than an investigation. He added that the intervention can be replaced by less intrusive methods rather than waiting for actual neglect and injury to the child to take place, which can result in very dire consequences, including the death of a child.

Legal Counsel Madelyn Shipman advised that in Nevada without voluntary services to the family, the CPS has to be able to prove abuse has taken place, which is one of the legal impediments to the system. Janet K. Motz, MSW, NCWLC, elaborated further on this.

Commissioner Bond asked Dr. Harris if she can envision where the County may be involved in permanent placement of children without the State having a part in this. Dr. Harris stated that with regard to disparity in foster care rates, the State does not pay the contracted rate of the County when the child has to be moved, and that a request must be made for the State to pay the prevailing rate to deter the removal of a child from one home to another and to do away with the bifurcated system and combine both functions at the local level, which has been proven more beneficial across the Country. She advised that this will provide the Courts to better act in the child's best interest as there will be more services, in both quality and quantity, available for a child in need.

Dr. Kirk responded to Commissioner Bond regarding information on referral where there were 65 cases where there were prior reports reported in the Review. He advised that it is difficult to say if this is unusual as there are families reported numerous times who cannot be helped because of lack of proof and therefore the case does not rise to a legal standard.

Ms. Motz advised that legal restraints prevent a referral from receiving continued services as the child in need cannot be held long enough to receive the needed help on a continual basis.

Dr. Kirk reviewed some of the statistics contained in the Review Report advising that the information system recommends following these statistics and view trends described to determine effectiveness. He noted that it appears that Washoe County has a higher abuse and neglect rate than standard for the nation, and that in the Child Protective Services Division, there is a tremendous length of data to address the costs of this, and there is some sense that this data can be extremely informative. He noted that within the scope of this Report, this information was not obtainable.

Commissioner Shaw asked direction for helping those parents who are drug users and abusers, and if parenting classes are offered,

types of incentive measures that should be employed in order to assure that they are in attendance. With regard to substance abuse, Dr. Harris advised that cases that go to Court are more serious, and they were told that this problem is very prevalent in this community; and that she thinks Drug Court is very useful and is very effective in deterring child abusive parents, as well as in other areas where drugs are a factor.

Dr. Harris indicated that one of the tasks the Technical Study group should undertake is to study the Cincinnati model along with any other models they may be interested in as it includes some very effective methods. Ms. Motz stated that the concern about intrusive intervention in Virginia and Colorado was that it could have litigious ramifications and could impair the confidentiality issue; that the CPS is constrained by this; that the confidentiality issue is recommended for broadening nationwide so that experiences may be shared; that the Division has on-the-job training currently but broader skill-based training needs to be provided to staff on a continuous basis to provide them with up-to-date methodology in that field; and that she believes this is being explored by the Washoe County Social Services Department as a method of improvement. Dr. Harris stated that families need long-term services and the option of receiving these services voluntarily or through staff intervention should be available.

Commissioner Sims asked if substance abuse was a factor in the eleven child care cases that the NCWLC reviewed. Dr. Harris stated that she hesitates making general statements on this and she cannot give specific information without going back to her notes. Commissioner Sims said that it would seem important to know to what extent this affected the eleven abuse cases studied by the NCWLC.

Dr. Harris stated that they did not find anything to show that Social Services were negligent in the deaths and their findings were with the Child Protective Services System; that there were five children who died, and in three of those cases, the abuse was not substantiated; that in the specific case cited by the Grand Jury, the information presented to staff did not indicate the child was at risk; and that this Division, therefore, did not have any control over that.

Commissioner Sims stated that he would like to compliment the Child Protective Services staff in dealing with the Grand Jury Report and that they have his total respect as they are doing a miraculous job on this, and that he feels it is important to say this.

May Shelton, Director of the Department of Social Services, stated that it was a good idea to contract with an outside group, and that she would like to recommend more in-depth workshops and discussion on who to assign these children for care. She advised that this is a complex system; that the demands of the public sometimes are not in concert with what the Department is designed to do; and that this is really a good study. She then reviewed the recommendations and gave her comments on them.

Krista Johns, Cochairman of the Technical Working Group, stated that they hope to make a presentation to the Board sometime next month. She advised that they do not have the intention of adopting the Cincinnati model per se, but would rather prefer to make Washoe County its own best model.

Ken Patterson, Director of Child and Divisional Services, State of Nevada, advised that the goals for the State will benefit from the Study; that the disparity in payment is a concern; that there is a shrinking pool of licensed care; and that this has been presented to Governor Miller for the budget as the top priority of this Division. He then addressed the bifurcation stating that it is of concern as it delays the decision regarding all children concerning being united with family; that he does not have an idea of how to accomplish the solution to this dilemma; and that a plan that will migrate away from the programmatic and be more service oriented must be formulated.

Ms. Shelton expressed her gratitude and appreciation to Dr. Harris and the other consultants at the National Child Welfare Leadership Center, Inc.

Chairman Bradhurst called for public comment.

Penny Brock, resident of Washoe County, expressed her concern that the recommendations, if executed, may contribute to making tearing families apart easier, and she cited some of the areas in the report that were the focus of her concern. She also stressed

the importance of religion to the upbringing of a child and commented that this is not mentioned anywhere in the report. She added that these recommendations will need additional funding and asked where this money would come from.

Chairman Bradhurst stressed the need to involve people in discussions concerning this and the possibility of an in-depth workshop; that at that workshop, it would be helpful for staff to provide information concerning costs associated with the recommendations.

Dr. Harris gave her final comments noting that there does not now exist any way to prevent child deaths and the goal is to do that and to exercise all methods that may take children out of harms way by instilling a commitment to do just that on the part of everyone.

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11:55 a.m.

The meeting was adjourned.

STEPHEN T. BRADHURST, Chairman  
Board of County Commissioners

ATTEST: JUDI BAILEY, County Clerk