

***CAPTA Plan Goals and Areas of Improvement for focus FY 2010 – 2014:***

***The Child Abuse Prevention and Treatment Act provides federal funding to states to support improvements to the child protection system in fourteen (14) specific areas. Georgia has identified six improvement areas for primary address during the FY2010-2014 plan cycle. The areas identified for CAPTA focus reflect current divisional priorities, are responsive to CRP recommendations and support state efforts to meet key legislative requirements.***

***(1) Improve the intake, assessment, screening and investigation of reports of abuse and neglect***

**Georgia’s Differential Response System – Family Support (formerly known as Diversion)**

County DFCS Departments have responsibility for responding to reports of physical and sexual abuse, neglect and exploitation and for screening every report received to assure that a timely and appropriate response is initiated (O.C.G.A. 19-7-5). Georgia has instituted the practice of Diversion to offer an alternative response to families when a CPS investigative or intervention response may not be appropriate or necessary to address family issues.

Analysis of Georgia’s child maltreatment statistics reveals a decline in child abuse reports from FY 2007 to FY2008 by 5%. Reports for investigations have steadily declined from a high in 2006 of 66% to a low of 38% in 2008 and a 34% decrease from 2007 to 2008. Of all reports investigated, the proportion that was substantiated and opened fell from 15% in 2006 to 11% in 2008 numbering fewer than 9,400 cases. The marked decline in unsubstantiated and closed cases appears to have a direct correlation to the increase in cases referred for “Diversion” which rose by 44% from 2007 to 2008.

Georgia’s Diversion/Family Support practices are ultimately determined at the local level, where county departments interpret broad state or regional guidelines. While the state guidelines are based in sound principles and allow for flexibility, a review of regional and local protocols reveals inconsistencies in practice and decision making related to the disposition of reports.

Georgia’s Child Protective Services Advisory Committee (CPSAC) was established as an advisory group to the state’s Child Protective Services Unit and was reconfigured in 2006 to serve as a CAPTA citizen review panel. In 2007, panel members raised concerns with respect to the handling of reports referred for “Diversion” and established a subcommittee in 2008 to examine Georgia’s differential response system to gain a better understanding of the practice and it’s potential for system improvement and improved outcomes for families. The subcommittee reviewed child abuse report statistics, several local differential response protocols and supplementary documentation provided by the Division including an *Analysis of Alternative/Differential Response (Diversion)* conducted by DFCS Policy Planning and Practice Development Unit, Feb 2008.

Consensus of the subcommittee was that the differences in local practices and disparities in resource availability could potentially impact the safety of children and reduce the overall effectiveness of differential response. A review of literature on best practices (Child Welfare

Information Gateway), practice models implemented in other states and lessons learned (National Study on Differential Response in Child Welfare, November 2006) indicated that effective differential response systems are supported by comprehensive child protective services policy.

The panel concluded that an effective differential response system should include the following core elements:

- Clear, concise policy,
- Consistent implementation of an effective practice model
- A standard assessment tool
- Clearly defined screening/exclusionary criteria
- Guidelines for minimum standards for community based responses to support referrals
- Systematic tracking and monitoring of family engagement, participation and outcomes
- Training for new caseworkers and appropriate staffing guidelines

As follow up, the following CRP recommendations were made to the State: (*see attached Georgia's Citizen Review Panel Program 2008 Annual Report*)

- Develop a statewide policy to support Georgia's differential response system
- Design and implement a best practice model based on national standards for differential response
- Assess and establish minimum standards/guidelines for community-based service array
- Evaluate outcomes including the impact of resource access, availability and utilization

In Response to the first recommendation and in support of the others, the Division will utilize CAPTA funds in FY 2009-2010 to support the assessment of current Diversion practice, how that practice compares to best practice models throughout the country and to engage and gain insight from the child advocacy and citizen community. Specifically, the state will consult with the University of Georgia, Carl Vinson Institute of Government (CVIOG) to accomplish three specific objectives:

- (1) The development of statewide policy and protocols for Diversion Response,
- (2) Define measurable, outcome-based goals for the practice and
- (3) Assess the relation of Diversion Response to proposed revisions to Georgia's Juvenile Code.

To accomplish these objectives, the Division in consultation with CVIOG faculty, staff and consultant resources will examine and analyze current county and regional protocols, examine and analyze the trend data, research best practices in practices, policy and goals/objectives from other states and academic literature, and examine the proposed revisions to the Model Code. The Division will engage a variety of stakeholders through interviews with managers, supervisors and staff in county departments around the state and regular meetings with members of the citizen review panels and child advocacy community to hear and address concerns. [CAPTA]

Based on the findings and recommendations of this study, the Social Service Safety and Policy and Practice units will develop state policy, standards and protocols to support improved practice in this area. Georgia's CRP Child Protective Service Advisory Committee is committed to working with the Division to help assess state and local resources necessary to support the practice and to make recommendations on resource allocation.

### **Disproportionality and Disparity Study of the Child Welfare System in Georgia**

National child welfare data suggests that disadvantaged African -American families in particular have been more subject to child abuse and neglect investigations, substantiations, foster care placements and other case-related treatments when compared to the percentage of this demographic group in the general population. Internal assessments and interviews conducted by Georgia DFCS suggest that disparate treatment of African-American families may be due in part to the failure of some county child welfare departments and staff to adopt practices that are designed to increase child safety and support families by screening out and diverting (or providing a differential response to) case report that do not rise to the level of abuse or neglect.

Georgia will utilize CAPTA funds in FY 2009 – 2010 to measure the existence and location of disproportionality within Georgia's child welfare system and to identify the agency practices that may be related to the presence or absence of disproportionality in the various components of the child welfare system.

Specifically, the Division will engage the University of Georgia, Carl Vinson Institute of Government (CVIQG) to conduct a Phase I of a two-part study, the purpose of which would be to:

- (1) Identify the degree to which disproportionality exists in the State of Georgia and the degree to which the disproportionality that does exist results in disparity or unequal treatment that is due to racial characteristics rather than non-racial characteristics.
- (2) , Identify where and how disproportionality/disparity may vary in the county systems of family and children services.
- (3) Identify the variations in disproportionality/disparity that may exist at different stages of child welfare involvement (e.g., reporting, diversion, investigation, substantiation, case opening, placement, length of stay, and exit)
- (4) Identify practices, procedures, staffing, staff perceptions, and behaviors that may be at the root of disproportionality/disparity that may exist at different locations and stages of child welfare involvement. [CAPTA]

#### ***(2A) Create and improve the use of multi-disciplinary teams and inter-agency protocols to enhance investigations***

The Division is committed to supporting the use of multidisciplinary teams to improve the investigation, intervention and prosecution of child maltreatment. The following activities highlighted under improvement areas 2(a) and 2(b) will remain ongoing training priorities responsive to both CAPTA and Children's Justice Act (CJA) objectives.

OCA also sponsors "Finding Words" training for multidisciplinary investigative teams of child protective services, law enforcement and prosecutors. This nationally recognized

training model was designed to improve interview techniques when child sexual abuse is suspected to reduce the trauma to the victim, improve prosecution rates, and ensure fairness to the accused. "Finding Words" was designed by the National Center for the Prosecution of Child Abuse and Corner House Children's Advocacy Center specifically for the investigation of child sexual abuse by minimizing the number of interviews the victim is subjected to by collaborating as an investigative team with a single interviewer and by interviewing victims in a child friendly, non-threatening environment. [CJA]

Multidisciplinary Team Training: The Division in collaboration with the Georgia Bureau of Investigation, Georgia Child Fatality Review Panel, Office of the Child Advocate and Georgia Council on Prosecuting Attorneys has in the past plan cycles, co-sponsored nine (9) annual *Building Successful Teams Conferences*. The conference, which was supported in part by CAPTA funding was attended by over 700 professionals from the fields of child welfare, law enforcement, education, public health and the judiciary. This annual conference was suspended in 2008 due to state budget and travel constraints. Attendees saw this multi-disciplinary training and team approach to investigations as critical to the accurate identification of child abuse and or neglect and to the successful prosecution of perpetrators. If non-essential travel restrictions are lifted within the CAPTA plan cycle then the statewide conference will be hosted again. Regional and one day training opportunities will also be explored and developed to ensure that this valuable multi-disciplinary training opportunity continues with minimal travel costs. [CAPTA]

***(2B) Improving legal preparation and representation***

- The Division will continue to provide Legal Services Training to Child Protective Services and Foster Care staff to increase their knowledge of the justice system and enhance collaboration with the legal system to protect children. The primary objective of the Basic Legal training is to provide staff with an understanding of Georgia law related to the protection and movement toward permanency of abused and neglected children through deprivation actions in the juvenile court. Staff is taught how to prepare cases for court, including staffing cases with an attorney, identifying appropriate witnesses, gathering records and understanding the information that is in their records. [CJA and CAPTA]
- Georgia Department of Law and DHR/DFCS Legal Services Office co-sponsor an annual conference for Special Assistants to the Attorney General (SAAG) to provide specialized training to attorneys representing DFCS in deprivation and termination proceedings. SAAG training topics that will be covered FY2009 and throughout the CAPTA plan period will include information on the federal representation requirements for children involved in deprivation proceedings. CAPTA law requires that provision and procedures be put in place that require that in every case involving an abused or neglected child which results in a judicial proceeding, a guardian ad litem, CASA or attorney who has received appropriate training be appointed to represent children in court. Stakeholder recommendations from OCA, Georgia CASA and the Georgia Association of Counsel for Children include SAAG advocacy s for kids the timely judicial appointment GAL/CASA representation.
- The Office of the Child Advocate (OCA) sponsors a three-day conference for attorneys and lay Guardians ad Litem (GAL) who represent children in deprivation proceedings in juvenile court. The training was developed in response to CAPTA requires that stipulate

that all persons serving as GALs in juvenile proceedings will have pre-appointment training on their roles and responsibilities. The objective of this training is to increase the knowledge and competency of individuals who represent children in juvenile court and subsequently, to improve representation of children in court and positively impact the substance and success of juvenile court proceedings. [CJA]

***(5) Developing and updating systems of technology that support the program and track reports of child abuse and neglect from intake through final disposition, and allow interstate and intrastate information exchange (5)***

CAPTA funds will be utilized to make the following SACWIS SHINES enhancements to support program requirements and improve the states ability to track and report child abuse and neglect information:

- SHINES enhancements to the Legal Fields page to capture and track GAL/CASA appointments and alerts if no appointment is made.
- SHINES enhancement to the Case Disposition page to designate cases which meet the criterion of “near fatality” with other type(s) of maltreatment.
- SHINES enhancements to the Case Determination page to flag substantiations on children under the age of 3; further enhancements might include referral letter generation and report tracking.

***(8) Developing and facilitating training protocols for individuals mandated to report child abuse or neglect***

The Children’s Justice Act three year statewide assessment conducted in FY 2009 included a stakeholder survey to solicit feedback from a full spectrum of child welfare professionals involved in cases of child abuse including CASA, community based providers, child welfare agency staff, attorneys, law enforcement and judges. The survey included several questions on the screening of reports of suspected maltreatment, and three or more questions which specifically addressed mandated reporting. Over 500 stakeholders responded to the web-based task force survey, with an 85% completion rate. Twenty-seven percent of responders indicated that they felt that reporting compliance by mandated reporters was inadequate. Forty-five percent felt that mandated reporter training availability was inadequate and fifty-eight percent responded that there was a need in their communities for additional mandated reporter training.

CAPTA citizen review panel (CRP) annual reports FY 2007 and 2008 included recommendations that the enhancement, evaluation and expansion of mandated reporter training be a priority the CAPTA plan for FY 2010-2014. Specifically, the Child Protective Services Advisory Committee, one of Georgia’s three Citizen Review Panels, made the recommendation in 2007 that the scope and distribution of this mandated reporter training be expanded to include a web-based version of this training for wider distribution to all school personal and child-care personnel. In response to these recommendations, DFCS Policy and Education and Training units are currently updating online mandated reporter training that will be posted to the DFCS website.

New legislation which becomes effective July 1, 2009 will require the establishment of state protocols and additional training to individuals mandated to report child abuse or neglect. SB 69 amends the state's Mandated Reporter laws and changes the definition of sexual exploitation to mean conduct by any person who allows, permits, encourages or requires that child to engage in Prostitution or sexually explicit conduct for the purpose of producing any visual or print medium depicting such conduct. The law now requires mandated reports to report sexual exploitation by caretakers and non-caretakers to DHS/DFCS and permits reports made by non-mandated reporters as well. It also authorizes DHS/DFCS to investigate "complaints of deprivation, abuse or abandonment of children and youths by parents, guardians, custodians or persons standing in loco parentis

CAPTA CRPs have expressed interest in conducting periodic evaluations and stakeholder surveys to review and assess the effectiveness of mandated reporter training. [CAPTA]

***(11) Developing and delivering information to improve public education relating to the role and responsibilities of the child protection system and the nature and basis for reporting suspected incidents of child abuse and neglect***

- During the past CAPTA plan cycle, discussions between CAPTA, CPS, PSSF and CBCAP, born out of Region IV Child Welfare Collaboration Initiative (CWCI) support the development of statewide child abuse prevention plan. Consensus from this collaborative body and input from the CAPTA CRP are reflected in 2007 and 2008 recommendations to the state that this strategic plan include:
  - Collaborative input from a broad range of child welfare stakeholders
  - Clear definitions of "prevention" to ensure common language usage
  - Effective prevention strategies which include evidence-based models, promising and proven practice models as well as initiatives already making a difference throughout the state.
  - A public information and awareness component; and
  - A thorough assessment of existing and needed state and community based assets and resources necessary to successfully implement the plan;

During the 2010-2014 plan cycle, the Division will undertake a prevention system assessment and analysis to document the current array of internal and external prevention and early intervention resources, review current policy and practice, and make recommendations for system improvement in the areas of prevention. [CAPTA]

- The on-line Mandated Reporter training referenced in improvement areas (8) will be used as part of a broader child abuse prevention public awareness campaign. The public awareness campaign will be developed during the 2010-2014 CAPTA plan cycle and will be designed to increase public awareness of the roles and responsibilities of mandated reporters and promote the community's role in the identification and prevention of child abuse and neglect. The public awareness campaign will be released in the month of April – Child Abuse Awareness Month [CAPTA]

**CAPTA Basic State Grant**

The CAPTA Basic State Grant has contributed to training initiatives that supported the selected improvement areas and provided scholarships for county staff to participate in various training opportunities.

Funds cover expenses of state prevention activities. In collaboration with Prevent Child Abuse Georgia, the grant supported “Pinwheels for Prevention” a statewide public awareness campaign in recognition of National Child Abuse Prevention Month. The grant funded scholarships for over 500 CPS staff throughout Georgia to attend the Annual Prevent Child Abuse Georgia Conference, Building Successful Teams, Multi-Disciplinary Training Conferences and the Children’s Bureau 17<sup>th</sup> National Conference on Child Abuse and Neglect held in Atlanta, Georgia.

### **State Law Impacting CAPTA Eligibility**

Legislation from the Georgia 2008 General Assembly produced one new law which has direct impact on CAPTA eligibility. Senate Bill 79 amends O.C.G.A. Section 49-5-41 and defines “near fatality” as “an act that places a child in serious or critical condition as certified by a physician.”. This legislative amendment was necessary to bring the state in compliance with the near fatality disclosure provisions as set forth in Section 106(b)(2)(A)(x). Prior to the introduction and passage of this legislation, Georgia law provided for the public disclosure of child abuse records only in those cases that resulted in a child’s death.

Senate Bill 69 amended O.C.G.A., Sections 10-7-5(b)(4) and 49-5-40(a)(4) and changed the definition of Sexual Exploitation in the Mandated Reporter Law to mean “conduct by any person who allows, permits, encourages, or requires the child to engage in Prostitution or sexually explicit contact for the purpose of producing visual or print medium to depict it. The new definition no longer limits sexual exploitation to caretakers and permits reports to be made to the agency by non-mandatory reporters.

### **Child Abuse and Neglect Plan Assurances**

The signed State Chief Executive Officer’s Assurance Statement for the Child Abuse and Neglect State Plan and Assurance Documentation, is attached hereto as **Appendix \_\_\_** of the CSFP FY 2010 – 2014. The state is in the process of developing a program improvement plan for review and approval by the Children’s Bureau to bring the state into full compliance with all CAPTA requirements.