

GTFJAC Three Year Assessment Executive Summary – 2018-2020

This report is a compilation of findings in conjunction with the three-year assessment process required under the Children's Justice Act for the Governor's Task Force for Justice for Abused Children (GTFJAC). The report covers the period from 2018 - 2020.

Under the guidance of GTFJAC's Tri-Chairs, the Consultant conducted data gathering efforts to review the current system of investigative, administrative, and judicial handling of cases of child abuse and neglect and identify potential areas needing reform. Sixteen interviews were conducted over the phone or via Zoom, nine focus groups were held by discipline, and 105 people responded to an anonymous on-line survey with a completion rate of 58%.

A summary of findings is below, including supplements from the most recent Outcome Measurement System (OMS) Surveys of caregivers and Multidisciplinary Teams.

Data

- System-wide, a need for greater consistency in definitions and availability of data came up across disciplines involved in responding to cases of child abuse and neglect.

Impacts on families and supporting them during the process

- *Length of the entire process:* At least 25 respondents brought up the length of time it takes for the process to occur once a disclosure or finding of abuse has been made. While some respondents noted progress in the timeliness of investigations, many families are looking to move on with their lives and waiting months or years for case resolution often feels like a lack of accountability and that justice is not being served. Respondents also noted a need to improve how families are updated on case status with support to understand the process.
- *Racism and implicit bias:* Issues of systemic racism, racial inequity, and implicit bias were raised by some respondents. It was suggested that GTFJAC explore these issues across the entire system, including reviewing available data, determining what additional data is needed, and learning more about work being done internally by agencies to reduce disparities.
- *Language and cultural barriers:* At least 21 respondents indicated that language and cultural barriers were not an issue in their work. However, other respondents described a total of eleven different challenges in this area, including a lack of adequate culturally competent services in various languages, documents not being offered in the families' primary language, and misinterpretation during investigations. Respondents also mentioned that the presentation of cultural barriers may be subtle and still have an impact on families.

- *Trust in systems:* Whether or not parents and caregivers feel safe interacting with systems was discussed. Fear or distrust of law enforcement, state agencies such as DCF, and other governmental systems was reported to affect the willingness of family members to come forward. Families with undocumented members may also fear immigration consequences in addition to facing barriers to receiving services.

Responding to child abuse cases during the COVID-19 pandemic

- *Systemic disruption:* Negative impacts from the pandemic were described in multiple areas, from abuse going undetected when children are not physically in school to jury trials being put on hold. When families and caregivers were asked about experiences related to the pandemic, 101 responses described struggles with child care and food insecurity, and 91 responses focused on challenges with service engagement due to issues with technology. Pandemic effects on the workforce included diminished engagement levels during some virtual meetings and greater challenges with separating home and work life.
- *Beneficial adjustments:* Some professional meetings have more participation since there is no need to travel, and some families benefit from telehealth visits and virtual court hearings.
- *Looking ahead:* There are likely to be increased disclosures of abuse as children return to school in-person, along with significant mental health challenges that will need to be addressed.

The Multidisciplinary Team (MDT) /Child Advocacy Center (CAC) Response

- *Collaboration:* When asked about their experiences over the three-year assessment period, at least 22 respondents cited improved communication and collaboration between disciplines. However, concerns remain about communication problems, a lack of coordination between disciplines, or team members not consulting with others before taking actions. The need to ensure that *systems* encourage collaboration and shared responsibility was also mentioned.
- *Role clarity:* When invited to offer comments about a lack of clarity about roles, at least 27 people reported some form of problematic experience or wish for greater understanding or respect by other disciplines. The OMS–MDT Survey included 81 responses focused on disciplines not understanding the guidelines and restrictions that other disciplines are operating under.
- *Functioning of MDTs:* Respondents cited improvements in MDT functioning, including greater cohesion. Others had concerns about the variability of or functioning of some teams. A common concern was a lack of consistent involvement by all team members. In the OMS-MDT survey, 68 people focused on the need for additional ad hoc meetings outside of monthly cases reviews.
- *Obtaining needed information and support in the MDT process:* Survey respondents were asked to rate on a sliding scale whether they were getting the information and support they need from

other disciplines to move forward with cases most of the time. Responses ranged from 1% to 100%, with an average of 75% (meaning that they did receive information most of the time). There were some concerns expressed about receiving initial and follow up information in a timely manner.

- *Joint investigation process:* Some respondents felt that personnel are better trained and that investigations are more timely than in the past. However, significant concerns were raised about the timing, consistency, and equity of investigations across jurisdictions, along with the need to reduce victim trauma. Concerns included a lack of law enforcement follow up, language used by police with families, and a lack of personnel and/or focus on these cases in larger urban areas. Law enforcement officers also expressed challenges with how the public views their role.

The relationship between law enforcement and DCF came up throughout the evaluation. While some respondents said that joint investigations had improved, others wished for enhanced understanding between the disciplines. Issues were raised concerning DCF, including consistency about which cases are accepted, which cases are closed, and under what circumstances. The multiple mandates of DCF are often difficult to understand and navigate.

The need to develop additional sources of data to better evaluate systems was discussed. The current paper-based system is incapable of collecting statewide data in many areas of concern related to the prosecution of cases. The new case management system in the Division of Criminal Justice is expected to increase the Task Force's ability to review data on prosecutorial decision points in child abuse and neglect cases.

- *Services provided through the MDT/CAC process:* Respondents cited the need to have sufficient services in at least 14 subject areas. Some respondents cited improved understanding of how trauma impacts victims and families, along with better efforts to provide access to mental health services, victim advocacy, and medical care. A significant number of respondents felt that there is a lack of sufficient culturally and linguistically appropriate services across the system. Services need to be available statewide, without regard to immigration status or the status of the case.
- *Forensic interviews:* There was some difference of opinion as to whether forensic interviews are conducted in a reasonable length of time, which may reflect differences across the state. There was a similar difference in opinion about the quality of forensic interviews, with some respondents feeling the interviews are well conducted, and others concerned about variations in quality as well as a lack of cultural competency in some cases.

Some respondents mentioned that members of the team may not always have a full understanding of child development, and interviewers may be requested to ask questions that aren't developmentally appropriate or in the child's best interest.

- *Medical examinations:* Concerns were raised about a lack of rapid access to medical examinations; using telehealth as a first step was mentioned as a valuable option.
- *Minimal Facts:* A number of respondents felt the use of Minimal Facts has improved. However, other respondents felt that the term “Minimal Facts” is well known, but not everyone has a clear understanding of how to appropriately use that practice. There was a suggestion that there should be consequences if Minimal Facts is not followed, and for better communication with schools to prevent excess investigation being conducted in that setting.
- *Physical abuse:* The possibility that physical abuse cases are going undetected was mentioned.
- *Response to trafficking:* Several respondents mentioned that the state’s response to human trafficking has improved, including advocacy, awareness, the HART Team, MDT response, and service providers. Other respondents raised concerns that human trafficking - or the red flags for those at risk for trafficking - has not received a sufficient response.

Court system

- *Testifying and navigating the court system:* The issue of children having to testify in court and trauma resulting from the presence of alleged offenders came up repeatedly, as did the need to be more aware of any barriers faced by families and their need for support in understanding and navigating legal proceedings. Respondents also talked about delays or problems caused by the interaction of criminal and family court. Court appearances are demanding on victims both emotionally and physically; advocates mentioned occasions when they weren’t able to arrange for a child to have a lunch meal, even if the child is in court for several hours or a day.

Training

- *Training:* Respondents mentioned improvements with the breadth of training offered, including virtual training during the pandemic. Suggestions were made for training on working together as a team, observation of investigations, and making certain trainings be mandatory, especially racial bias, trauma and trauma informed care, and Finding Words. Over 20 specific topics were suggested, along with criteria such as affordability and statewide accessibility. Community engagement and education for families was also requested.

Resources and care for the workforce

- *Resources:* Respondents called for additional resources in a wide range of areas, including basic needs for families, staffing to lower caseloads, service providers, and specialized units and law enforcement staff to serve larger urban areas).

- *Care for the workforce:* Respondents expressed the need to ensure that the workforce is well cared for, including steps to reduce turnover and address vicarious trauma.

Accountability, offenders, and re-offense

- *Accountability:* Respondents discussed issues of accountability, the difficulty of getting convictions, the problem of re-offense by some perpetrators, and the multiple times that the victim may be traumatized as issues with their case come up over the span of years.
- *Offenders and alleged offenders:* Procedural fairness to offenders and alleged offenders was discussed, including disruption to families when there are restrictions to stay away from other children. Limits placed on internet usage and where offenders may physically go can create issues with employment, economic disruption, and family instability. The lack of timeliness of the process also impacts the experience of offenders and alleged offenders in the system.

Juvenile justice

- *Juvenile justice:* Several respondents said that relationships among disciplines have improved after moving children from DCF to CCSD. Some respondents said that more services are now provided to juvenile offenders rather than focusing on punishment; however, others highlighted the need for more services for youth with problem sexual behavior. Raising the age of juvenile court jurisdiction was also suggested to prevent young children from being treated in a criminal fashion. Some respondents reported better representation for victims, although others had concerns about lack of victim access to information in these cases.

The Governor's Task Force as a body

There was some difference of opinion about the overall functioning of GTFJAC. Some felt the Task Force is a high functioning body, and others felt a sense of stagnation and that there's more that GTFJAC could be doing. There was praise for the Tri-Chair structure, collaboration, improved presentations, and open discussion and transparency of funds and decision-making.

The need for more clarity on GTFJAC's purpose was a theme throughout the assessment. For example, several members expressed the need for a more focused agenda and tangible results for the Task Force, including creating strategies and an action plan to measure progress. Others suggested being more data driven, streamlining meetings, and adding representation from additional constituencies.