



## PRE-DETENTION ACTIVITIES THAT IMPACT PERMANENCY

Children's Advocacy Initiative 2022

HEATHER MEITNER, CHILD WELFARE PRACTICE & TDM MANAGER

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Evident Change partners with systems professionals and communities to get to the root of their biggest challenges, and gives them the tools and knowledge to achieve better outcomes for everyone involved. Because when we join forces with those who work in our systems and the people they serve, we make our systems—and our society—more equitable from the inside out.



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## LAND ACKNOWLEDGMENT



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## WHAT IS THE SDM® SYSTEM?

The Structured Decision Making® (SDM) system is a **decision-support system** informed by research, policy, and best practices.

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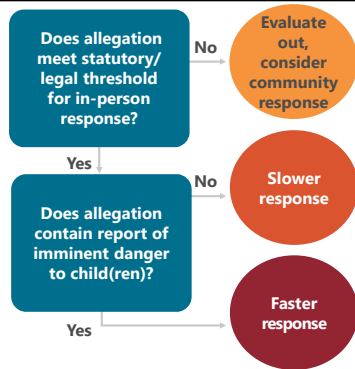
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## SDM Hotline Screening Assessment Logic



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## IS CHILD AMERICAN INDIAN/ALASKA NATIVE?

- At the hotline stage, the SDM screening and response priority tool asks about ICWA eligibility of all children in the reported household.
- Tribal notification and engagement is required.

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## INVESTIGATIONS

### FOUR KEY ASSESSMENTS/FOUR KEY METRICS

*Is the child safe?*

**Safety assessment**

*Has child abuse or neglect occurred?*

**Penal Codes 11165.1–.6**

*Should the referral be promoted to a case?*

**Risk assessment**

*Does the evidence support court involvement?*

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## TYPES OF EVIDENCE GATHERED

- Reporting party, child, parents
- Photos
- Collaterals
- Police, forensic reports, other documented evidence



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## DID CHILD ABUSE OR NEGLECT OCCUR?

### PENAL CODE § 11165.6, DEFINITION OF CHILD ABUSE OR NEGLECT

- Physical injury or death inflicted by other than accidental means upon a child by another person
- Sexual abuse
- The willful harming or injury of a child
- The endangerment of the person or health of a child
- Unlawful corporal punishment of a child
- Neglect

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## DID ABUSE OR NEGLECT OCCUR?

### PENAL CODES DEFINING ABUSE AND NEGLECT

- General/severe neglect (PC § 11165.2)
- Physical abuse
- Willful harming of a child (PC § 11165.3 and .4)
- Emotional abuse (PC § 11165.3 and 11166.05)
- Sexual abuse (PC § 11165.1)

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## WHAT DOES THE EVIDENCE TELL US?

### PENAL CODE 11165.12

#### Substantiated

Credible evidence that makes it more likely than not that child abuse, neglect, or exploitation occurred.

#### Inconclusive

Report is not unfounded, but findings are inconclusive and without enough information to determine if abuse, neglect, or exploitation occurred.

#### Unfounded

Determined to be false, an accidental injury, or not constituting child abuse.

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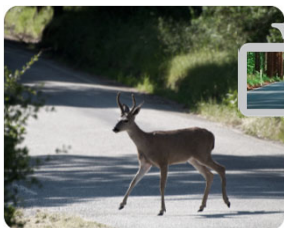
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## SAFETY THREAT



## RISK



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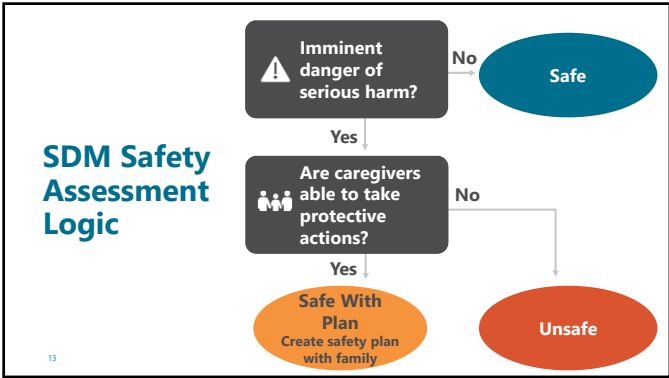
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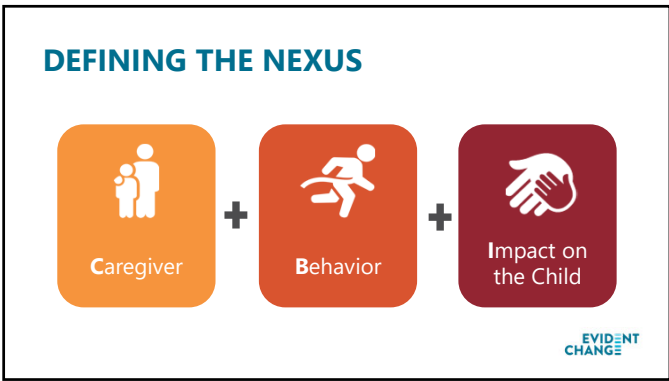
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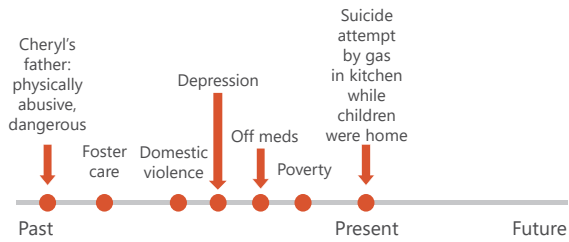
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## UNDERSTANDING THE WORRIES




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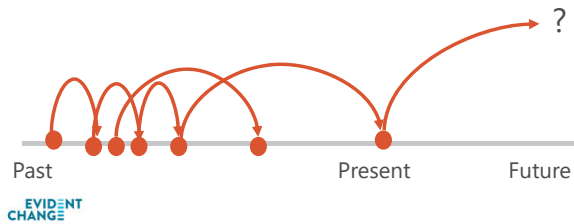
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## A NARRATIVE OF CONCERNS




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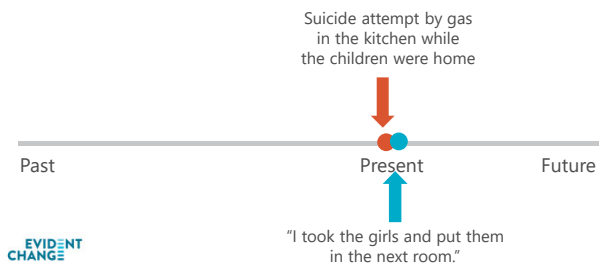
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## LOOKING FOR EXCEPTIONS




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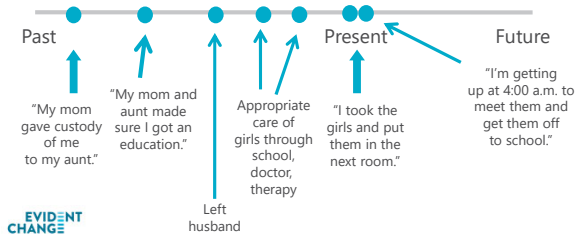
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## WHAT IS WORKING WELL?




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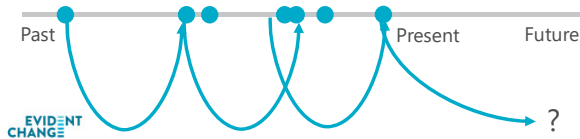
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## A NARRATIVE OF WHAT IS WORKING WELL

- What will the family's future probably look like?
- What do we know about the danger in this family?
- What do we know about the safety in this family?




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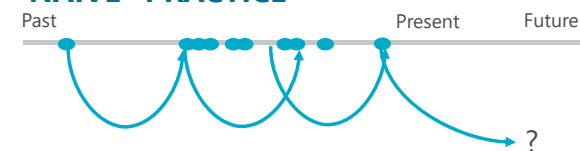
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## "NAÏVE" PRACTICE




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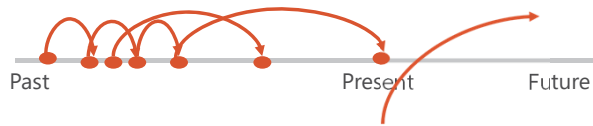
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### "PROBLEM-SATURATED" PRACTICE



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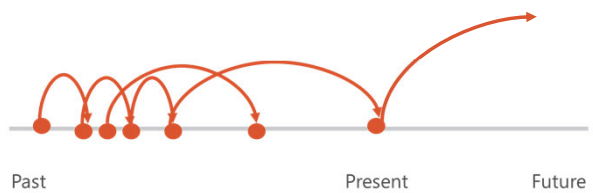
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### "NAÏVE" PRACTICE



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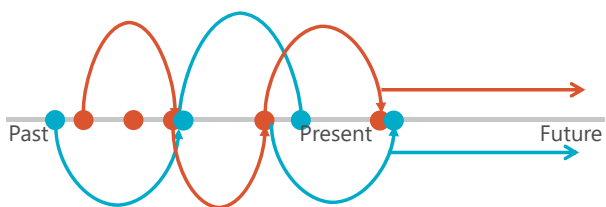
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### A RIGOROUS AND BALANCED ASSESSMENT



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## WHAT IS A SAFETY PLAN?

- 1 Detailed action plan to control the danger
- 2 Responds to clearly identified safety threats
- 3 Lasts in the short term
- 4 Must include family, friends, and others
- 5 Contains clear backup and monitoring plans
- 6 Specifies a clear time for review

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### NO PROMISSORY PLANS!

If parents could keep their children safe on their own, they would have. For now, they need at least one other person to help, or we cannot agree to an immediate safety plan.

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## SERVICES NEVER GO ON AN IMMEDIATE SAFETY PLAN

- Safety and services are not the same thing.
- Services can be a bridge to new safe behaviors over time. They go on the case plan.



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## THE SDM SYSTEM USES AN ACTUARIAL MODEL OF RISK



### Professional Judgment

- Relies on individual subjective judgment
- "I believe that . . ."



### Consensus Model

- Group of experts decides
- "We believe that . . ."



### Actuarial Model

- Experts' hypotheses and statistical tests show relationship
- "We believe and the data show that . . ."

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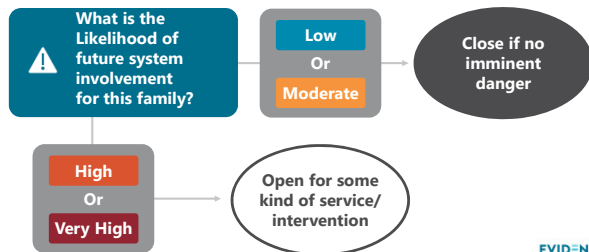
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## SDM RISK ASSESSMENT LOGIC



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## KNOWING YOUR RISK LEVEL . . .

Is the first step in doing something about it.



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## SDM ASSESSMENT POST- INVESTIGATION GUIDANCE

	Safe	Safe With Plan	Unsafe
Low/ Moderate Risk	 <i>Do we need to be involved at all?</i>	 <i>Is the plan working?</i>	 <i>Is a quick return home possible?</i>
High/ Very High Risk	 <i>What preventive actions can we take?</i>	 <i>We need to see the plan working longer.</i>	 <i>Create sustainable safety before return home.</i>

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## SDM SYSTEM AND THE COURTS



SDM documents are part of the case record, and they are discoverable. However, SDM documents do not go to court; what gets learned from them does.

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## PRE-DETENTION ADVOCACY

Every year, an average of nearly 17,000 children are removed from their families' custody and placed in foster care, only to be reunited within 10 days.

Source: Marshall Project analysis of 10 years of federal Department of Health and Human Services records data



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## PRE-DETENTION ADVOCACY

- Demystify the process and be collaborative.
- Encourage clients to share all the details so child welfare services (CWS) can get a rigorous and balanced assessment, including the voice of the child.
- Destigmatize CWS involvement and the use of safety and support networks to enhance future safety.
- Endorse the least restrictive interventions.
- Ask for more information when needed.



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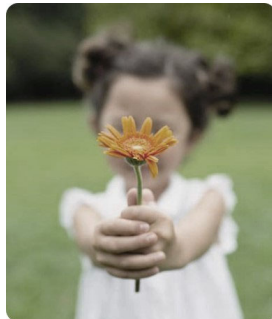
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## THANK YOU & QUESTIONS

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