

Minutes

Senate Interim Committee on Children and Youth

House Interim Committee on

Aging, Children and Youth, Legislative and Military Affairs

Meeting Jointly

Tuesday, June 5, 2018

The Senate Interim Committee on Children and Youth and the House Interim Committee on Aging, Children and Youth, Legislative and Military Affairs met jointly on Tuesday, June 5, 2018, at 1:30 p.m., at the State Capitol, Room 171, Little Rock, Arkansas.

Committee members present: **Senators** Stephanie Flowers, Chair; Missy Irvin. **Representatives** Charlene Fite, Chair; David Meeks, Vice Chair; LeAnne Burch, Bruce Coleman, Vivian Flowers, Mickey Gates, Michael John Gray and Danny Watson.

Non-committee members present: **Senator:** Gary Stubblefield. **Representatives** Scott Baltz, Jana Della Rosa, Charlotte V. Douglas, David Fielding, Jimmy Gazaway, Ken Henderson, Grant Hodges, Aaron Pilkington, Donald Ragland, Marcus E. Richmond, Laurie Rushing, Johnny Rye and Brandt Smith.

Senator Flowers called the meeting to order and recognized new legislator; Representative Donald Ragland, District 83.

Approval of Minutes: February 1, 2018, and May 8, 2018 [Exhibits C1. C2.]

Senator Irvin made a motion for approval of the February 1, 2018 and May 8, 2018 meeting minutes. Representative Meeks made a motion for approval of the meeting minutes and Representative Coleman seconded the motion. Without any objection the minutes were approved,

Review of Rule: Service Accountability [Exhibit D]

Senator Flowers recognized Christin Harper, Assistant Director, Department of Human Services (DHS), Division of Children and Family Services (DCFS). Ms. Harper reviewed the amended rule on "Policy IX-C: Child Near Fatalities and Fatalities". *Please see Exhibit D for a full review of the rule.*

Senator Flowers made a motion to recommend approval and without any objection the motion was passed.

Caseload Report for County Operation: Child Welfare Cases, 2nd Quarter Report, SFY 2017-2018 [Exhibit E]

Senator Flowers recognized Jerald Sharum, Senior General Counsel, DHS, Office of Chief Counsel. Mr. Sharum provided a brief review of the report. *Please see Exhibit E for a full review of the report.*

Arkansas State Police (ASP), Arkansas Crimes Against Children Division (CACD) Annual Report 2017 [Exhibit F]

Senator Flowers recognized Debbie Roark, Investigations Administrator, CACD, to provide a breakdown of the report. Ms. Roark noted that 64% of investigations were performed within 45 days of receipt of the allegation but, by law, can be carried out for 60 days due to other reasons. Included within the report was the 2017 Annual Hotline Statistics. *Please see Exhibit F for a full review of the report.*

Arkansas State Police, Crimes Against Children Division, Quarterly Reports, July – September 2017 and October – December 2017 [Exhibits G1. G2.]

Ms. Roark highlighted the investigations reported during July – September 2017. She pointed out that pages 13 through 29 provides a breakdown of each investigation by allegation type as requested by the committee. There were a total of 475 cases submitted to the prosecuting attorney's office statewide for this quarter broken down by judicial district. *Please see Exhibit G1 for a full review of the report.*

Ms. Roark presented the October – December 2017 quarterly report. Both reports provided compliance rates for each quarter as well as child abuse hotline activity received during those quarters. She noted that calls were up this quarter compared to the previous quarter. Pages 13 through 29 provides a breakdown of each investigation by allegation type. During this quarter there were a total of 450 cases submitted to the prosecuting attorney's office statewide. *Please see Exhibit G2 for a full review of the report.*

Representative Gates asked if there are any policies in place for the accused to be interviewed based upon true findings of a maltreatment case. Ms. Roark stated the Child Maltreatment Act provides three options: (1) immediately upon any child maltreatment case CACD is to notify law enforcement with the option to take the case, (2) law enforcement has to work the civil investigation as they work the criminal investigation with or without the assistance of CACD, or (3) law enforcement can work the case solely alone which is not always favorably suggested. All of these options allow the accused to be interviewed.

Department of Human Services, Division of Children and Family Services, Quarterly Performance Report for the 1st Quarter, SFY 2018, July 1, 2017 – September 30, 2017; 2nd Quarter, SFY 2018, October 2017 – December 31, 2017 and 3rd Quarter, SFY 2018, January 1, 2018 – March 31, 2018 [Exhibits H1. H2. H3.]

Senator Flowers recognized Mischa Martin, Director, DCFS. Ms. Martin highlighted the 3rd Quarter, SFY 2018, January 2018 – March 31, 2018 report. She noted that the 3rd quarter report would provide updated information from previous quarters. She stated that child neglect was the most commonly reported allegation among the 2,039 victims; which is historically consistent with children who are entering foster care. As reported this quarter, there were no cases that involved near child fatalities. New legislation on educational neglect allegations has increased the numbers of calls to the hotline by 40% with more cases being referred to Differential Response. Today, there are 4,580 kids in foster care

with a continuing decrease compared to previous quarters. Ms. Martin noted there has been a substantial decrease in the number of kids available for adoption. *Please see Exhibits H1-H3 for a full review of the report.*

Senator Flowers asked what does APPLA stand and it is “Another Planned Permanent Living Arrangement”; which is defined as any child within the foster care system who reaches the age of 16 whose plan is to remain in care and custody of the state and arranges a living situation in which the youth is expected to remain until adulthood. **Representative Meeks asked for a breakdown of the foster care kids who has been in the system for 36 months or longer. Senator Flowers requested that DCFS provide a breakdown of the 6,405 subsidized adoptions by federal and state funds. As requested by Senator Flowers, Ms. Martin will provide a copy of the Federal Appropriation Bill which highlights the funding for subsidies. Senator Flowers also requested that Ms. Martin make a future presentation on the Citizen Review Panel.**

Department of Human Services, Division of Children and Family Services, Bi-Annual Overturned Investigations Report [Exhibit I]

Ms. Martin provided a brief review of the Bi-Annual Overturned Investigation Report. *Please see Exhibit I for a full review of the report.*

Other Business

The next meeting is scheduled for July 16, 2018 at 1:30 p.m.

With no further business, the meeting adjourned at 3:19 p.m.