

Promoting Quality Foster Care in San Diego County Who Protects Our Most Vulnerable Children?

EXECUTIVE SUMMARY

As a city, county, state and nation, we have an obligation and precedent to protect and nurture our children. To those who are most vulnerable, our first priority is absolute safety. Anything less destroys our communities, our families and our futures.

The mission of the 2018/2019 San Diego County Grand Jury (Grand Jury) is to “investigate, evaluate and report on the actions of local governments” as well as “enhance our community.” With this dictum as guidance, the Grand Jury tried to determine if improvements in San Diego County Child Welfare Services (CWS) procedures and policies reduced abuse by parents, family members, non-relatives and foster parents. According to the California Child Welfare Indicators Project (CCWIP) at UC Berkeley, from April 2008 to May 2018, San Diego County had **985** instances of substantiated maltreatment of children in foster care. ¹

This investigative work included numerous interviews of San Diego County’s Health and Human Services, Behavioral Health and CWS staff. In addition, the Grand Jury commissioned a County Audit of CWS’s use of mandatory federal and state databases. The auditors examined the agency’s varied software programs including those used to determine the risk level of families and future maltreatment.

Finally, the Grand Jury researched how *The Continuum of Care Reform Act* (California Assembly Bill AB 403)² impacted the workload of social workers. The Grand Jury looked at the comparison of time spent on administrative tasks versus providing services to children. The Grand Jury investigated social workers’ workloads, training, supervisory support, turnover, communication procedures and foster family engagement.

The Grand Jury investigation found that despite many CWS workers’ dedication to excellence, serious institutional safety gaps remain. These fissures include:

- Increased administrative demands reducing individual time with a foster child/family
- Deficient coordination and communication between County staff and their regional counterparts
- Absence of training for particular staff and foster parents regarding trauma-informed-care and human trafficking

¹ http://cssr.berkeley.edu/ucb_childwelfare/

² Assembly Bill 403 “Continuum of Care Reform Act” October 11, 2015. AB 403 is a comprehensive reform effort to make sure that youth in foster care have their day-to-day physical, mental, and emotional needs met; that they have the greatest chance to grow up in permanent and supportive homes; and that they have the opportunity to grow into self-sufficient, successful adults. AB 403 Fact Sheet

- Limited County oversight of Foster Family Agency (FFA)³ social workers
- Lack of system support and training for “burned-out” and overwhelmed staff and social workers

In addition, the Grand Jury found the Child Abuse Hotline workers were not required to differentiate calls from a foster child versus those calls from a mandated reporter or community member.

The Grand Jury recommends that CWS revise training requirements so that *all* staff receive appropriate training for recognizing the maltreatment of children. The Grand Jury also recommends that CWS develop best practices for recruitment, retention and training of social work staff, coordinate information and procedures for FFAs and regional staff, and establish procedures to red flag foster youth who make calls to the Child Abuse Hotline.

BACKGROUND

The impetus for the Grand Jury study began with a *San Diego Union-Tribune* article of July 22, 2018 regarding the abuse of foster care children by their foster parent over a seven year period. The article by Morgan Cook, *“County failed repeatedly to Stop Sexual Abuse of Foster Children, Lawsuit Alleges”* reported that County social workers had largely ignored signs of sexual abuse by the foster parent over this extended period of time. Lapses included disregarding a dozen reports by an educator, a lawyer, a psychologist and, of course, the foster children regarding suspected abuse by the foster parent. The lawsuit alleged that *“Social workers were not vigilant about monitoring the foster home for signs of trouble, and red flags were not met with swift, aggressive intervention.”*⁴

According to the article, the plaintiff alleged numerous complaints from the children to CWS went unheeded. A civil case regarding this matter was settled in the summer of 2018. Two other news articles reported a case of, one, the sexual abuse of foster children by another foster child in the home⁵ and, two, the case of a social worker allegedly being “let go” by the County after her numerous complaints about the lack of CWS follow-up regarding child maltreatment in foster care.⁶ The aforementioned articles point to patterns of ignoring problematic behaviors of the perpetrators, social workers’ lack of follow-up, CWS staff’s refusal to take action regarding documented communications with victims and County staff’s diminished focus on child safety and minimization of system-induced trauma.

³ www.cdss.ca.gov/inforesources/Foster-Care/Foster-Family-Agencies

⁴ *San Diego Union Tribune*: Morgan Cook, *“County Failed Repeatedly to Stop Sexual Abuse of Foster Children, Lawsuit Alleges”* July 22, 2018

⁵ *ABC News, San Diego*: Adam Racusin, Maureen Sheeran, *“Child maltreatment in foster care,”* September 26, 2018

⁶ *San Diego Union Tribune*: Morgan Cook, *“Lawsuit: Poor supervision of foster homes led to ‘super lice’ and dental abscesses.”* October 10, 2018

Numerous sources⁷ confirmed to the Grand Jury that childhood abuse has a long-term negative impact on a person's health and well-being. Exposure to violence, family alcohol and drug use, poverty and adversity affect a child's brain structure and function. These adverse childhood experiences (ACE) impact learning, behavior, emotional development and health.⁸ An average of 61% of children entering the foster care system test positive for developmental delay⁹ compared to a 4-10% incidence in the general population. *"Developmental delays occur at a rate four-to-five times greater than that of children in the general population."*¹⁰

In addition, CWS employees were required to implement significant operational changes mandated by California Assembly Bill AB 403, the Continuum of Care Reform Act. Enacted in October 2015 and effective in January 2017, AB 403 requires *"significant changes to the placement and care provided to children in foster care, including increasing capacity and support to resource families in California and improving outcomes for children and youth in child welfare systems."*¹¹ This includes more appropriate care and services for foster children in home-based settings and reduces the time spent in congregate care, or group homes. AB 403 requires investing in recruitment training and retention of foster care homes and changing how and where behavioral health services are provided.

AB 403 was the biggest change to the California foster care system in a generation.

There are currently 2,400 children in foster care in San Diego County. Approximately 43,000 calls, involving about 79,500 children, of suspected abuse come into San Diego's Child Abuse Hotline each year.¹² In fact, on average, 12 children need out-of-home placement each day in San Diego County due to abuse and neglect.¹³

Given the magnitude of the issues raised, including 985 instances of substantiated maltreatment of children in San Diego County foster care from April 2008 to March 2018, the possibility of further safety issues of current foster children in the CWS system, and the major changes created by AB 403 made this a relevant investigation for the Grand Jury.

⁷ Reports issued by the Grand Jury do not identify individuals interviewed. California Penal Code §929 requires that reports of the Civil Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

⁸ Centers for Disease Control and Prevention (2016). (*About adverse childhood experiences.*) Shonkoff, J.P. et al. (2012). (*The lifelong effects of early childhood adversity and toxic stress.* Pediatrics, 129(1)

⁹ Promises2Kids Facts and Figures, www.promises2kids.org

¹⁰ Fostering Success in Education, page 5, *National Factsheet on the Educational Outcomes of Children in Foster Care, April 2018; National Working Group on Foster Care and Education.*

¹¹ <https://www.cwda.org/budget-priority/2016-17-continuum-care-reform-ab-403-implementation-funding>.

¹² County of San Diego Health and Human Services Agency, Adopted Operational Plan Fiscal years 2017-18 and 2018-19.

¹³ See footnote 7.

METHODOLOGY

The Grand Jury reviewed academic research, writings by eminent professionals in the field of social services, and national foundations focused on safely reducing the need for foster care. Building on this foundation, the Grand Jury:

- Interviewed staff of the San Diego County Health and Human Services Agency
- Interviewed staff of the San Diego County Child Welfare Services
- Interviewed San Diego County Behavioral Health staff
- Attended, in partnership with the County of San Diego Child Welfare Services, the Foster Family Agency (FFA) Information Forum
- Visited and toured San Pasqual Academy
- Visited and toured A. B. and Jessie Polinsky Children’s Center
- Reviewed past Grand Jury reports from other California counties including Orange and Los Angeles
- Reviewed California Foster Care Legislation
- Reviewed relevant local and national news stories
- Reviewed documents provided by the San Diego County Child Welfare Services
- Attended San Diego County Board of Supervisors Meetings
- Examined CWS’s policies and procedures regarding eliminating maltreatment of children in foster care by looking for: Implementation of the mandates of AB 403 Continuum of Care, enacted on January 1, 2017
- Examined adherence to published policies and procedures
- Reviewed ongoing oversight by CWS personnel
- Examined hiring, training and supervision of all levels of CWS Social Workers

The investigation included:

- A County performance audit of CWS’s data systems and their particular uses (capturing trends and documenting demographics, educational records and foster children complaints), policies and procedures for the process of handling complaints of abuse of children in foster care, and the impact of AB 403 on social workers’ workload relating to administrative tasks versus direct services to children
- Interviewing Child Abuse Hotline workers about decision making procedures regarding the 43,000 yearly calls representing over 79,500 children including the adequacy of the Hotline’s Structured Decision Making Tool
- Examining the California Department of Social Services onsite review of the San Diego County Resource Family¹⁴ Approval (RFA) program

¹⁴ Resource Family: Individual or couple that the county determines to have successfully met the home approval, the application, and assessment criteria necessary for providing care for a child or non-minor dependent. The term Resource Family incorporates terms such as foster parent, relative caregiver, adoptive family, guardian family, and relative/non-relative extended family member. *Resource Family Approval, Live Well San Diego.*

- Studying the December 2018 County of San Diego’s Child Welfare Services Review Working Group Report
- Questioning both CWS administrative staff and line employees regarding specific policies, procedures, data systems and communication with community partners

DISCUSSION

Audit Information

The Grand Jury commissioned a performance audit of the County of San Diego Foster Care System conducted by the County of San Diego Auditor and Controller, Office of Audits & Advisory Services (OAAS).¹⁵ The final audit, dated March 15, 2019, listed numerous policies and procedures addressing foster care. As stated in the report:

The Welfare and Institutions (WIC) Code 827 establishes strict confidentiality of child abuse related records which prevented the Office of Audits & Advisory Services (OAAS) from timely access to records necessary to evaluate compliance with established policies and protocols.

The Technical Assistance Team from the State of California Department of Social Services, which is specifically authorized under Section 827(a)(1)(I) to access records, conducted¹⁶ a review of 26 CWS cases in its audit of Resource Family Approval (RFA). OAAS had to file a petition under Section 827 to access each individual record, even in redacted form. The petitions were filed but subsequently rescinded due to the time constraints for Grand Jury reports. Without that data, it was impossible for the OAAS to evaluate the rate of compliance or the effectiveness of internal CWS polies and procedures. The audit could not address the methods used by the County to assure compliance or to evaluate the effectiveness of the current policies.

The audit concluded that *“Since the implementation of AB 403, CWS has seen a decrease in social worker caseloads each fiscal year since FY2013-14.”* However, the audit could not state what factors contributed to the decreases. Reasons such as a significant decrease in the County birthrate since 2007, an increase in County adoptions and an increase in kinship guardianship might have contributed to lower caseloads.

Considering the limitations of the OAAS audit, the Grand Jury recommends an oversight board be established and granted the authority and responsibility to monitor and investigate any report of foster care misconduct or abuse. The county would have to lobby for changes to Section 827 of the Welfare and Institutions Code to allow such an investigatory body to access

¹⁵ *Grand Jury Audit of the County of San Diego Foster System*” Report No. A19-008, dated March 15, 2019.

¹⁶ State of California, Health & Human Services Agency, Department of Social Services, *“San Diego County Annual Review Written Report re Resource Family Approval”* dated December 6, 2018.

redacted records without a court order. This could become the responsibility of the newly formed (March 2019) Child and Family Strengthening Advisory Board.¹⁷

Maltreatment in Foster Care Policies, Procedures

The 985 instances of substantiated maltreatment in foster care in the County are unacceptable. The County of San Diego's Foster and Adoptive Resource Family Services serves 2,400 youth placed in out-of-home care. In 2016-17, CWS stated that 84% of the children in foster care had fewer than three placements in the first 12 months of care. The federal standard is 87%.

During its investigation, the Grand Jury heard a wide range of statements¹⁸ such as:

- One youth gained 20 pounds after removal from a home where the foster parents locked the refrigerator.
- One youth's head was shaved because the foster parent didn't have time to help style the hair.
- One youth was required to make the foster mom's breakfast, take care of all household children, do the family's daily laundry and pack all lunches without help from other family members.
- The majority of complaints from the foster children involved physical abuse and/or neglect.
- Foster children were not allowed to eat the same food as or vacation with the foster family.

Witnesses also reported that¹⁹:

- Almost one-third of children, from some group homes, were abused (sexually abused, drugged, and/or trafficked out) in their foster homes
- 20% of all Hotline calls were from foster youth
- 15% of the Hotline calls were from foster parents stating that the foster child was being abused by someone else

According to the U.S. Department of Health and Human Services, over 20% of foster youth had allegations of maltreatment.²⁰ In a major study, one-third (32.8%) of the sample "*reported some form of maltreatment by a foster parent or other adult in the foster home during their foster care experience, as recorded in their case files.*"²¹ In fact, an international study of foster

¹⁷ *San Diego Union Tribune*, Tom Christensen, *County Strengthens Oversight of Child Welfare System*, March 12, 2019.

¹⁸ See footnote 7.

¹⁹ *Id.*

²⁰ According to the U.S. Department of Health and Human Services (2004a), p.xv; in the current National Survey of Child and Adolescent Well-Being (NSCAW): over 20% of foster youth had allegations of maltreatment [Kohl, Gibbons, and NSCAW Research Group (2005)].

²¹ *Improving family foster care: Findings from the Northwest Foster Care Alumni Study*, Pecora, P.J., Kessler, R.C., Williams, J., O'Brien, K., Downs, A. C., English, D., White, J., Hiripi, E., White, C.R., Wiggins, T., & Holmes, K. E.

care youth found that the risk of physical abuse in care was threefold compared to the general population. In an additional research study *“findings suggest that allegations of maltreatment in out-of-home care are NOT uncommon.”*²² The study also suggested that *“foster care workers may need to more carefully consider not only the compatibility of children and prospective foster parents but also the risk presented by others present in the home or facility.”*²³ The study stated that respite care (temporary institutional care of a sick, elderly, or disabled person, providing relief for their usual caregiver), parent training and other supportive services may reduce the risk of physical abuse, the most common maltreatment in out-of-home care. *“Sexual abuse, which is most common in nonrelative and congregate care, may be prevented through enhanced screening of employees at care facilities and prospective non-relative and kinship foster parents.”*²⁴

As of January 2017, there were 875 Resource Family homes (aka: foster family homes) in San Diego County. This is down from the 1570 resource homes in 2013. With the implementation of Resource Family Approval (RFA), licensed foster homes needed a child placement in the year 2017 to be eligible to convert to an RFA home. If not, their foster care license was forfeited.

Even though foster families have 12 hours of initial training including an orientation and eight hours of continuing education/year, the Grand Jury believes increased training in trauma and parent education will decrease maltreatment in RFA’s and kinship care.

The last two County of San Diego Health and Human Services Agency’s Adopted Operational Plan Fiscal Years 2017-18 and 2018-19 promoted healthy families. They highlighted Safety Organized Practice (SOP), a required statewide strategy designed to enhance social work skills in family engagement and critical thinking to create sustained safety for children. A key organizational objective is to increase the number of child abuse referrals and cases reviewed under SOP. That percentage increased from 53% in Fiscal Year (FY) 2017 to over 65% in FY2018. The goal is 80% for FY2019.²⁵ The Grand Jury believes that CWS must ensure consistent, documented, follow-up to all foster care maltreatment cases with SOP.

Child Abuse Hotline

The Child Abuse and Neglect Hotline is San Diego’s initial safeguard for abused children. These dedicated County employees work long hours making sure innocent children are physically and emotionally protected. The Hotline serves a critical need for our neighborhoods, schools,

Improving family foster care: Findings from the Northwest Foster Care Alumni Study, Seattle, WA; Casey Family Programs. Available at <http://www.casey.org>

²² *Child Protection Investigations in Out-of-Home Care: Perpetrators, Victims and Contexts* from the University of Texas at Austin Population Research Center, Sarah A. Font, University of Texas at Austin, Population Research Center, 1 university Station A2702, Austin, TX 78704, USA, July 2015

²³ Ibid

²³ Ibid

²⁴ Ibid

²⁵ County of San Diego Health and Human Services Agency; Adopted Operational Plan Fiscal Years 2017-18 and 2018-2019; and County of San Diego Health and Human Services Agency Fiscal Years 2018-2019 and 2019-2020.

communities and social fabric. The Grand Jury salutes the incredible dedication of the Hotline unit.

The Child Abuse and Neglect Hotline receives and responds to nearly 43,000 calls per year representing 79,500 children.²⁶ Of the 79,500 represented children, over 40,000 of these children are interviewed per year. Forty-four (44) Child Abuse and Neglect Hotline Protective Service Workers as well as 12 Records Clerks and one Manager are on site for child abuse and neglect situations. All of the workers are trained in crisis counseling and have a list of community referrals.

From the time a telephone call is received at the Hotline Center to the time that a case is promoted to “ongoing” services, hours of work are recorded. Decisions include:

- Assigning response time of 24 hours, 5 days or 10 days
- Assignment to a regional office
- Assignment of social workers
- Worker’s use of the Structured Decision Making Tool (SDM)²⁷
- Worker’s consultation with their supervisor
- Opening of a case
- Family interviews, child interviews, “collateral” interviews (teachers, neighbors, school personnel)
- Protective Custody referrals
- Completing the initial investigation in 30 days
- Contacting police, medical and school to determine substantiated abuse
- Documenting all information in Federal, State and County databases
- Team decisions regarding a Court case or a voluntary services case
- Six month case reviews
- Recommendations to the court

The Hotline work is time sensitive and emotionally intense. The Hotline social worker listens to all the information from the complainant while using the SDM. After consultation with their Supervisor, the decision is made to respond to the complaint in 2-24 hours, 5 days, or 10 days. As one source stated: *“Information + Social Worker’s Judgment + Consultation with the Supervisor = Decision.”*

The referral is sent to the region (by zip code) and the regional social worker makes contact.

In addition, the Grand Jury found that:

²⁶ County of San Diego Health and Human Services Agency; Adopted Operational Plan Fiscal Years 2017-18 and 2018-2019

²⁷ The Structured Decision Making (SDM) Tool **SDM** is a comprehensive case management system for Child Protective Services (CPS). CPS workers employ objective assessment procedures at major case decision points from intake to reunification to improve child welfare decision-making. <https://www.cebc4cw.org/program/structured-decision-making/detailed>

- Gathering information is difficult and complex (tracking individuals, law enforcement confidentiality); *“It’s not a perfect system but that’s the nature of our agency”*
- Social worker discipline is confidential and handled by HR;
- Changes from AB 403 added more statutes and stress
- Foster Family Agency (FFA) complaints are NOT investigated by the County.

The Grand Jury interviewed multiple members of CWS line staff and the administrative staff. Two crucial Hotline issues need to be addressed. They are:

1. The Hotline transfers over to the A.B. and Jessie Polinsky Children’s Center at 10:30 pm and returns to the Hotline office at 6:00 am the following morning. The Grand Jury is alarmed that Polinsky staff training is not as extensive as those stationed at the Hotline.
2. The Grand Jury is concerned about the lack of specific documentation when a foster child calls the Hotline. Calls are not delineated or red-flagged as being from a foster youth. Data did not exist for the percent of calls from foster youth nor whether abuse happened before or after Foster Care. One source said *“We cannot identify the reported caller and we can’t tell. It’s investigated like any other case.”*

Social Workers

In the course of this investigation, the Grand Jury interviewed CWS line and staff employees. Statements such as navigating a flawed system, children asking to see social workers more often, dealing with burned-out employees waiting for retirement, and complications of liability due to lack of documentation, undermine quality foster care. Witnesses testified²⁸ that there are many issues which undermine their ability to provide quality foster care. Among the issues cited were:

- Having to spend 50% of their time on computer input and paperwork thereby reducing the amount of time devoted to providing services to children and parents
- Coping with procedural changes, including those resulting from AB 403 implementation
- Lack of communication between the social worker and the family
- Lack of coordination with outside agencies
- Tight timescales for completing work
- Stress levels inherent in the nature of the work
- Anxiety of new workers due to lack of experience
- Stress and secondary trauma due to dealing with abused children

Many social workers are new graduates and have little experience in detecting abuse or handling emotional volatility. Other social workers, with years of exposure to the perceived failures of the foster system, exhibit pessimistic behaviors. In addition, administrative paperwork and computer work often supersedes home visits in priority. Standard 14 of the

²⁸ See footnote 7.

National Association of Social Workers (NASW) Standards for Social Work Practice in Child Welfare states,

Social Workers who act as administrators shall promote an organizational culture that supports reasonable caseloads and workloads, adequate supervision, appropriate use of emerging technologies and legal protection for employees' actions in the course of carrying out their professional responsibilities.

Social workers and support staff need additional help to serve the foster child population. The Grand Jury discovered that the experience and training of the person doing a home investigation impacted further investigations, that friction existed between regional staff and the county staff and that some families stated there was lack of communication with their social worker. In addition, an investigation may pass through multiple social workers, thus creating confusion and anxiety among the children.

According to the California Child Welfare Indicators Project (CCWIP) at UC Berkeley, San Diego's monthly caseworker resident visits, ending in September 2018, for out of home foster youth were 58%. Visits for FFAs were 62%. The California state average of caseworker visits was 74.8% for counties and 75.4% for FFAs, a nearly 17% difference with the County of San Diego and 13% difference with San Diego's FFAs. A common plea was the need for more staff.

Average Caseworker Monthly Visits		
	County	FFA
State of California	75%	75%
San Diego	58%	62%
Difference	-17%	-13%

Among the problems identified by the Child Welfare Services Review Working Group and their December 4, 2018 report ²⁹ were:

1. Insufficient coordination between the regions and central management
2. High workloads, insufficient training, and pervasive secondary traumatic stress which lead to inadequate investigations and outcomes
3. Lack of transparency about policies and practices that result in a lack of trust in the system
4. Lack of focus on child safety and the minimization of further system-induced trauma as the central considerations in all decision-making
5. Inadequate focus on the unified delivery of social work practice across all HHS regions,

²⁹ *Recommendations for Improving County of San Diego Child Welfare Services*, A Report to the County of San Diego Chief Administrative Officer, Child Welfare Services Review Working Group, December 4, 2018

6. Deficient personnel morale and retention

For CWS to achieve its mission, it is critical for the agency to attract, train, develop and retain a capable and prepared workforce. CWS loses a number of social workers per month to different county departments, other outside agencies or retirement. Although CWS recruits from San Diego State and Cal State San Marcos' Title 4E programs (this course of study pays for the students Master's degree provided the student works for a County agency for two years), consistent employee turnover impacts outcomes.

Social workers (whether Bachelor, Master or Doctor degreed) are the backbone of the Foster Care system. Witnesses testified that Social workers spend 50% of their time on documentation and 50% of their time with the children and parents. "They are responsible for everything. Caseloads for the social workers (investigators) average nine new investigations per month and 18 cases at any given time (case workers). Although this is in alignment with best practices, numbers fluctuate throughout the year."³⁰

Social workers are required to visit families every month, report findings and provide updates to the Juvenile Courts at least every six months and often more frequently, depending on the stage of the court proceedings. They are the eyes and ears watching, advocating and training foster parents. The social worker must document complaints, update health and safety measures and make sure changes in the home as well as continuing education are completed. The health and protection of each child is enhanced by dedicated social workers. Again, the Grand Jury applauds their extraordinary effort.

The Grand Jury looked for ways to support and improve the environment of the social worker, the families and the individual child. The Grand Jury found the need for:

1. A centralized CWS system to coordinate policies and procedures with the individual regions' staffs, making sure that *"everybody's on the same page, doing the same thing, living by the same standards and accountability in the system."*³¹
2. Increased interaction between social workers and the foster child.
3. Unscheduled visits by social workers to the Resource Family home "to see what's really going on."
4. Better trained social workers as stated in NASW's Standards for Social Work Practice in Child Welfare.
5. All CWS workers, as well as Resource Parents, to be trained in trauma informed care as well as Adverse Childhood Experiences (ACEs).

In 2016-2017, 100% of the CWS staff at the A. B. and Jessie Polinsky Children's Center received trauma informed training. 86% of direct care staff completed Trauma informed training.³²

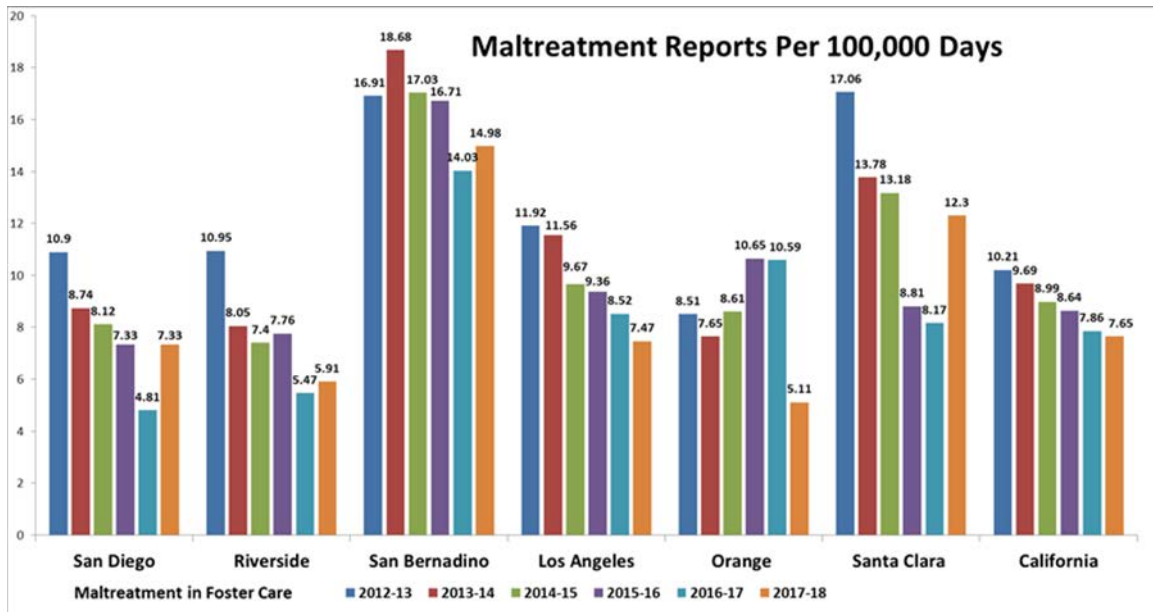
³⁰ See footnote 7.

³¹ www.sandiegouniontribune.com/opinion/commentary/sd-utbg-san-diego-board-of-supervisors-jacob-20190221-story.html.

³² County of San Diego Health and Human Services Adopted Operational Plan Fiscal Years 2017-2018.

6. Better communication procedures among CWS social workers and their FFA and County regional counterparts.
7. Reduced CWS staff turnover and increased social worker-foster child ratio.
8. A team approach (social worker, supervisor, mandated reporter, medical professional) when investigating the maltreatment in foster care. This should include a team of 2 social workers covering the initial child and parent interviews.
9. Creation of an oversight committee with the authorization to review and track cases without redactions.

FINDINGS



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Finding 01: Social workers spend approximately half of their time on documentation and half of their time with the children and parents.

Finding 02: On average, 12 children need out-of-home placement each day in San Diego County due to abuse and neglect.

Finding 03: Of the approximately 2,100 children in foster care, 20% of group home children were reported to be abused in their foster home. Most complaints involved physical abuse and/or neglect.

Finding 04: The County of San Diego’s 985 instances of substantiated maltreatment in foster care were similar to the State of California averages for the same time periods.

³³ www.cssr.berkeley.edu/ucb_childwelfare/

Finding 05: San Diego County social workers often feel overwhelmed with the number of monitored children. With AB 403, the increased need for administrative documentation reduces the time a social worker can spend with a foster child/family.

Finding 06: CWS management and staff, in all units, need reduced workload sizes.”³⁴

Finding 07: Some foster families do not feel they have enough contact with their social worker. There are families that feel a lack of communication with CWS workers.

Finding 8: All foster children caregivers need parent training, respite care or other supportive services.

Finding 9: Abuse and neglect may be reduced through enhanced screening/training of prospective non-relative and kinship foster parents.

Finding 10: Safety Organized Practice (SOP) is a required statewide strategy designed to enhance social work skills in family engagement and critical thinking. For the County the percentage increased from 53% in Fiscal Year (FY) 2017 to over 65% in FY2018. The goal is 80% for FY2019.

Finding 11: For CWS to achieve its mission it is critical for the agency to attract, train, develop and retain a capable and prepared workforce.

Finding 12: CWS loses a number of social workers per month to different county departments, other outside agencies or retirement.

Finding 13: High employee turnover negatively impacts clinical outcomes.

Finding 14: Communication between the Region and the Hotline workers could be more extensive.

Finding 15: On average, 15% of Hotline calls were from foster parents stating that the foster child was being abused by someone other than the foster parents.

Finding 16: The current Hotline system does not notate whether abuse happened before or after entry into foster care.

Finding 17: Foster child telephone calls to the Child Abuse Hotline are not red flagged as being from a foster child therefore the percentage of calls from foster youth are not tracked.

³⁴ San Diego County Annual Review Written Report, December 6, 2018; The California Department of Social Services (CDSS) Resource Family Approval (RFA) Technical assistance team, Page 3.

Finding 18: The Child Abuse Hotline transfers over to A.B. and Jessie Children’s Polinsky Center from 10:30 pm to 6:00 am every day; however, Polinsky staff training is not as extensive as those stationed at the Hotline.

Finding 19: Regional case carrying staff do not have a complete understanding of the Resource Family Agency (RFA) process and its requirements, resulting in a lack of communication with RFA workers when children are in placement.³⁵

RECOMMENDATIONS

The 2018/2019 San Diego County Grand Jury recommends that the County of San Diego Chief Administrative Officer consider as deemed appropriate:

- 19-40: Request CWS, to study annual substantiated maltreatment numbers in San Diego County (cause and effect) and to determine best practices for minimizing maltreatment occurrences in the future.**
- 19-41: Request CWS to investigate the addition of a system to coordinate policies and procedures with regional staff and FFAs.**
- 19-42: Request CWS to require any new or modified database system to delineate calls from foster youth.**
- 19-43: Request CWS to establish a training program on maltreatment of children (including human trafficking) that is required for *all* CWS staff, including congregate care employees and out-of-home families.**
- 19-44: Request CWS to study turnover rates for staff and to develop best practices for recruitment, training and retention that would include salary and benefit comparisons across San Diego County.**
- 19-45: Request CWS to study current workloads for County social workers and to develop a system that allows for increased interaction between social workers and the foster child and family.**
- 19-46: Request CWS to determine whether a team approach, including a minimum of two social workers per scheduled and unscheduled visits, would be viable when investigating alleged maltreatment.**

³⁵ San Diego County Annual Review Written Report, December 6, 2018; The California Department of Social Services (CDSS) Resource Family Approval (RFA) Technical assistance team, Page 3.

- 19-47: Recommend that an oversight board be established with the authority to access and investigate all reports of foster care maltreatment as well as foster care records.**
- 19-48: Recommend that Hotline workers specifically document foster child calls and gather data accordingly.**
- 19-49: Request CWS that all Polinsky workers answering Hotline calls between 10:30pm and 6:00am receive the same training as regular hour Hotline staff.**

REQUIREMENTS AND INSTRUCTIONS

The California Penal Code §933(c) requires any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency. Such comment shall be made no later than 90 days after the Grand Jury publishes its report (filed with the Clerk of the Court); except that in the case of a report containing findings and recommendations pertaining to a department or agency headed by an elected County official (e.g. District Attorney, Sheriff, etc.), such comment shall be made within 60 days to the Presiding Judge with an information copy sent to the Board of Supervisors.

Furthermore, California Penal Code §933.05(a), (b), (c), details, as follows, the manner in which such comment(s) are to be made:

(a) As to each grand jury finding, the responding person or entity shall indicate one of the following:

- (1) The respondent agrees with the finding
- (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) As to each grand jury recommendation, the responding person or entity shall report one of the following actions:

- (1) The recommendation has been implemented, with a summary regarding the implemented action.
- (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
- (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the grand jury report.
- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

(c) If a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the Board of Supervisors shall respond if requested by the grand jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

Comments to the Presiding Judge of the Superior Court in compliance with the Penal Code §933.05 are required from the:

<u>Responding Agency</u>	<u>Recommendations</u>	<u>Response Date</u>
County of San Diego Chief Administrative Officer	19-40 through 19-49	09/03/19