

CALIFORNIA CHILD WELFARE COUNCIL

July 21, 2020

Meeting Discussion Highlights

(Note: Due to the Pandemic, the meeting was Virtual, through Zoom technology.)

Present: Vance Raye, Co-Chair; Nancy Bargmann; Sarah Belton; Ken Berrick; Dana Blackwell; Stacy Boulware Eurie; Sheila Boxley; Bobby Cagle; Leonard Edwards; Will Lightbourne; Patrick Gardner; Douglas Hatchimonji; Leslie Heimov; Kathryn Icenhower; Kimberley Johnson (served as co-chair in place of Mark Ghaly); Karen Larsen; Sharon Lawrence; Camille Maben; Frank Mecca; Michael Olenick; Amy Price; Cheryl Rave; Vaneisha Reed; Trent Rhorer; Terry Rooney; Cherie Schroeder; Shawna Schwarz; Chris Stoner-Mertz; Rochelle Trochtenberg; Daniel Webster; Leecia Welch; Jevon Wilkes; Dan Prince

Absent: Mark Ghaly (Co-Chair); Stephanie Clendenin; Rebekah Couch; Eloise Gomez Reyes; Vanessa Hernandez; Martin Hoshino; Aubrey Manuel; Susan Rubio; Sarah Tyson; Judge Claudette White; Heather Bowlds

I. Call to Order and Introductions (First Zoom Mtg for CWC)

The meeting was called to order at 9:35 a.m. by co-chair Justice Vance Raye, who in lieu of introductions, asked all attendees to introduce themselves by chat (anticipating that it may take longer in Zoom than in person). He did introduce three new members of the Council: Karen Larsen, Director of Yolo County Health & Human Service; Chief Dan Prince of Imperial County Probation Department; and “new old member” Will Lightbourne, CDSS Director of Health Care Services. Director Johnson (on behalf of co-chair Sect’y Ghaly) welcomed attendees and requested that Paula and Marymichael share the “rules of the road” for the first CWC Zoom meeting. Members of the Council were asked to “rename” themselves by adding “Member” to the end of their names and were asked to use the chat and/or hand raise function to participate with questions or comments.

II. Approval of the March 3, 2020 Discussion Highlights (Action Item)

Director Johnson directed Council Members to the Discussion Highlights document that had been sent to them prior to the meeting. She asked for comments, and/or suggested revisions from the Council and the public. There being none, she called for a consensus vote and in the absence of any revisions or comments the highlights were approved.

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III. *Facilitating Access to Justice in times of COVID: How California's Courts Serve Youth and Families by Maximizing Available Technology (Information Item)*

Justice Raye introduced the presentation, and then turned it over to councilmember Judges Stacy Boulware Eurie, Hatchimonji, and Schwarz who presented on the issues that the California courts are facing during the pandemic. The presenters gave an overview of the role of the Judicial Council with the courts, noting that the Judicial Council does not have the authority to impose orders on the courts, but has provided a set of emergency orders for guidance to the courts of the 58 California counties, and has provided significant technical assistance and funding for a range of things including assistance with remote access. They noted that the effects of the pandemic vary greatly among the various counties, particularly between the urban and rural counties. Where the rural counties may have challenges with access to Wi-Fi and other technology, they often have many fewer families and children in the system. By contrast, the larger urban counties have many more children and families in the system and to a great extent their high populations have made them more vulnerable to the virus and have put a greater strain on the courts juggling multiple priority case types, in some cases causing significant caseload backlogs. The presentation gave examples of how the courts have altered their hearings and the challenges that face families, attorneys, and the courts in terms of the length of time that virtual/remote hearings can take along with the need to assure that the hearings meet constitutional requirements.

The presentation generated significant feedback among councilmembers, including the following:

- Frank Mecca requested time for a thorough discussion of this issue among councilmembers because it is such a critical issue for children.
- Bobby Cagle noted that LA County had 2156 cases more than 90 days old without disposition as of the date of the meeting; that he considered it unacceptable that the courts are focused on how to get back to “normal” operations, with no attention on how to clear the backlogs; he urged the council to take a position.
- Dana Blackwell asked whether the courts had begun to explore how other courts around the country are handling these issues; noting that Texas and other states were holding the majority of their dependency hearings virtually; and noted that Casey Family Programs had sent the Chief Justice a letter and urged they work in dialogue and partnership.
- Chris Stoner-Mertz noted that CA Alliance members were also seeing the significant impact on children and families due to the court limitations created by the pandemic; and also was happy to

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participate in problem solving on the issues.

- Patrick Gardner said that he was troubled by what seemed to be an abrupt shutdown of the conversation about child welfare court backlogs [which was due to the presentation time running out and the need to move to the next agenda item].
- Leslie Heimov noted that Frank Mecca had said what she was most concerned about and noted that if there is a genuine interest in problem solving and developing actionable solutions, she would be interested in joining the conversation.
- Jevon Wilkes noted that he would like to be a part of any conversation with the courts.

IV. Pandemic Effects on Children’s Experiences: Baseline & Emerging System Data Trends (Information Item)

Director Johnson introduced councilmember Dana Blackwell, who provided the background leading to the presentation, noting that the data shows that Black and Native American children and families are being hit the hardest by the pandemic. Councilmember Daniel Webster walked the council through the pre-COVID baseline data from 2007-2019 tracking rates of allegation, substantiation, entry into the system, in care rate, racial disparity indices, timely permanency, and reentry to care. He then introduced the emerging system data trends currently being tracked. CDSS Deputy Director Greg Rose described the CDSS Data Dashboard, which is tracking the data weekly. He noted that there had been a precipitous drop in reporting calls in the third week of March when sheltering in place orders were issued. Specifically, calls from school personnel had decreased. He noted that there had been some pick up by the date of the meeting. He indicated a significant increase in emotional abuse calls.

Director Johnson called for questions from the council and the public. A spirited discussion ensued that was primarily focused on the disproportionality data, specifically questioning what has been done to address this in the past, since it is not new; what has worked if anything, etc. For example:

- Kathy Icenhower noted that the problem requires sustained investment in prevention and early intervention to support families of color to keep them out of the system; after 30 year of working in So. L.A. I can definitely say that our children are more likely to enter the system.
- Emily Putnam-Hornstein agreed and added that we should be looking more closely at how the front-end of our system screens referrals for abuse and neglect. 50% of Black children in CA will be investigated for abuse and neglect before age 18. That is unacceptable. I think we

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have designed a system where all calls lead to the child protection hotline, with particularly harmful consequences for children and families of color.

- Bobby Cagle noted that we must focus on providing other options for the public when reposting (e.g., direct access for referral to prevention services) because disproportionality starts with the reports and is exacerbated as the child and family move deeper into the system. Tinkering around the edges of the system won't get us where we want to be. There needs to be a radical redesign. Some can be done at the local level, but much must also be done by state and federal agencies.
- Rochelle Trochtenberg suggested that each existing committee should center all their work on racial disparities.
- Karen Larsen suggested that there could be a benefit to doing a sequential intercept mapping process by county like what many counties have done in the criminal justice system. This analysis could break the system down into various touchpoints, highlighting where bias/disparities exist and hopefully illuminating potential solutions at each of these intercepts within the system.
- David Swanson-Hollinger agrees with the opportunity for the CWC and its committees to take an active role in promoting meaningful, structural and philosophical change to address disproportionality and disparities, to promote a child and family wellbeing continuum that includes that various systems that touch families. He stated that this starts with the meaningful, authentic engagement, beginning far prior to public child welfare involvement, with children, parents, families and communities, as so eloquently stated by Jevon.

V. From the Field: Can Our Silver Linings Become Gold? (Information Item)

Justice Raye called on councilmembers Kathryn Icenhower, Vaneshia Reed, and Chris Stoner-Mertz to present From the Field: Can Our Silver Linings Become Gold? They walked the council through the changes that the providers have experienced while caring for children and youth during the pandemic. The presentation focused on how providers needed to pivot to teleservices of all kinds, which created new opportunities and creative responses from the service/provider field. They noted how many donations were coming in from a variety of sources for distribution to vulnerable families. This presentation, too, elicited many responses from the council and public. For example,

- Michael Olenick noted that Child Care Resource and Referral Services was also involved in distributing supplies to families, child care providers, and distributing child care vouchers to emergency workers.

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- Wendy Wiegmann commented that while the use of telehealth has been great in many ways she as a UC Berkeley professor had noticed that access to technology is not equal and at least three of her African American undergraduate students did not have reliable internet or computers. For everyone to benefit equally from these silver linings, we must have programs that ensure access to technology. She also noted that education funds for technology do not necessarily stream to child welfare involved parents and thinks we need a statewide program that provides supports to parents, perhaps via the family resource centers.
- Leslie Heimov noted that remote learning is another area where foster children will be left behind unless there is immediate action taken to provide meaningful access to both technology and supportive adults who can facilitate their remote learning. One foster parent with one computer and mediocre WiFi cannot do this for four kids of all different ages. She also said that virtual family time is a valued augmentation, but not a substitute for in person family time as the most important component of reunification.
- Bobby Cagle reported that foster parents are telling him that they need training on how to help children with the technology and he is sure that is true for parents and relatives as well.
- Cherie Schroeder noted that she works directly with Transitional Age Youth and Non-Minor Dependents and much of her CA Foster Youth Americorps service mentor's time is spent working to secure needed technology, hot spots, and then training for its use. It is an incredible challenge; even more for youth placed in "hidden foster care," with relatives in informal placements.
- Greg Rose noted that some new title IV-B money (approximately \$5M) allocated by Congress should be out soon.

VI. Report on Covid-19 Effects on Commercially Sexually Exploited Children & Youth (Information Item)

Director Johnson introduced Kate Walker Brown (National Center for Youth Law) and Sawen Vaden (CSEC Action Team Advisory Board) reported on the impact of the COVID pandemic on the population of kids and young adults who have been and are at risk of commercial sexual exploitation. Kate noted that the Action Team had convened a call with providers from across the state to share promising practices and tips for meeting the needs of youth and navigating the challenges faced by providers. The call attracted 270 participants. She reported that providers have grave concerns about the impact of the public health crisis and shelter-in-place on the short and long-term health and economic well being of youth who have been and are currently commercially sexually exploited (CSE) and

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those at risk of exploitation. Sawan described the increased risks to CSE and how she and her colleagues are providing them with masks, hand sanitizer, and other harm reduction supplies. She emphasized the increased need for housing support and bill pay assistance are on the rise.

VII. Approve CSEC Action Team Cell Phone Policy (Action Item)

Justice Raye invited Kate Walker Brown to introduce the CSEC Action Team's Cell Phone Policy, after which Rochelle Trochtenberg moved to approve the policy. Justice Raye called for a vote of approval, which passed by consensus.

VIII. Committee and Task Force Updates

Director Johnson called for committee/task force updates, which primarily focused on what would be discussed at the afternoon meetings. Ken Berrick noted that Karen Larsen would now be serving as the co-chair of the Behavioral Health Committee. In general, there were requests for more staffing for the committees.

IX. Public Comment and Adjournment to Committee Meetings

Justice Raye asked for any final comments from the members of the public and noted that conference lines and/or Zoom line numbers and links for the afternoon meetings were in the agenda.

Laurie Kappe shared the American Bar Association's Center on Children and the Law Executive Summary on the Effects of Funding Changes on Legal Representation Quality in California Dependency Cases that evaluated options for investing in high-quality legal representation. It found, among other things, that funding changes for child and parent counsel had a direct impact on several factors that affect legal representation quality, such as attorney recruitment and retention, multidisciplinary legal practice, caseloads, workload per case, and case delays. She urged members and the public to view the recent ABA webinar [study](#) and [report](#).

Director Johnson thanked everyone for their participation and closed the meeting.