

Racial Disproportionality in Child Welfare Task Force

Meeting Minutes
November 9, 2022

Meeting called to order at 9:05AM by: LaTanya Jackson Wilson, Co-Chair, Vice President of Advocacy, Shriver Center on Poverty Law
Beverly Jones, Co-Chair, Vice President and Chief Operating Officer, Lutheran Child and Family Services of IL

Members in attendance: Mareema Ali, Office of the Inspector General, DCFS
Janet Barnes, Cook County Public Guardian
Sara Block, Ascend Justice
Tracey King, DCFS Proxy for Dagené Brown, Director, Office of Racial Equity Practice
Nora Collins-Mandeville, Director of Systems Reform Policy, ACLU of IL
Heather Dorsey, Assistant Director of Courts, Administrative Office of the Illinois Courts
Melissa Frydman, Director of Family Advocacy Clinic, U of I College of Law
State Representative Angelica Guerrero-Cuellar, IL Legislative Latino Caucus
Lettie Hicks, Parents United for Change, Community Organizing and Family Issues
Carla Rogers, Proxy for State Senator Mattie Hunter
Tina Lewis, Cook County Public Defender
Kim McCullough-Starks, Healthcare and Family Services
State Senator Christina Pacione-Zayas, IL Legislative Latino Caucus
Onie Riley, Former Youth Member
Robert Rodemeyer, Cook County State's Attorney's Office
Bryan Samuels, Chapin Hall
Renee Martin, Proxy for State Senator Sally Turner

Members not present: Paris Bateman, State's Attorney Office
State Representative Chris Bos
State Representative Lakesia Collins
Ronald Davis, Parent Member
David Esposito, Supportive Housing Providers Association of IL
Clarissa Fourman, Former Youth Member
State Representative Sonya Harper
Cherie Kesler, Attorney Village of Savoy-SBDC
LaTanya Law, Dept of Human Services
State Representative Camille Lilly

Public: Dr. Vanessa White, Consultant, Shriver Center on Poverty Law
Ashley Deckert, Illinois Collaboration on Youth
Kaitlyn Edicola
Kaitlyn Ries, Loyola University
Leah Yaris, Legal Aid Chicago
Michelle Nicolet
Edoardo, Proxy for State Senator Christina Pacione-Zayas

DCFS: Levonda Harris, Assistant to the DCFS Statewide Office of Racial Equity Practice
Kara Hamilton, Associate Deputy Director, External Communication & Advisory Groups
Darnita Jackson, Administrative Assistant, Office of Legislative Affairs

Welcome & Roll Call:

Co-Chair LaTanya Jackson Wilson welcomed Members and presented the “Opening Question”. Darnita Jackson took the roll. It was later determined that a quorum was present.

Approval of Minutes:

Heather Dorsey entered a motion to approve the minutes from the meeting on October 19, 2022. Janet Barnes seconded the motion. The minutes were approved by unanimous consent.

Agenda Overview:

Co-Chair LaTanya Jackson Wilson provided information regarding the approach for the work going forward. The Subcommittee designations and breakout sessions to occur during the meeting followed by report outs from each group, public comment, closing remarks and adjournment. The “Opening Question” will be presented as a part of the roll call for future meetings.

Discussion Item 1 – Subcommittee Overview:

Co-Chair Beverly Jones presented the proposed formation for the Subcommittees to include four groups based upon the decision points in the child welfare system, each to include a Facilitator and a Recorder.

Subcommittee breakdowns identified as:

- Investigated Screened-in Maltreatment Reports
- Protective Custodies – to include Court Screening Process with consideration for who comes into care by way of protective custody.
- Indicated Reports for Post Investigation Service Provision to include Intact Family Services and Substitute Care
- Timely Exits from Substitute Care – to include consideration of the amount of time spent in care, where children go when leaving care, the difference in outcomes between the races and things that can be done differently.

Scope of Subcommittee Work:

- Each are tasked with discussing policy, practice and budget allocations as it relates to reducing racial disproportionality and disparity.
- Each to begin with data around the indicated decision point to identify questions, areas where more information is needed leading into doable recommendations for change in practice, policy and/or legislation.
- Each to refer to the articles, data and findings from Dr. Fuller’s FY2021 Disproportionality Report and the DCFS budget allocations via the PowerPoint sent on October 19th to include consideration as to how funding aligns with the responsibilities and what shifts will be recommended.
- Each should identify points of alignment across systems for collaboration in reducing racial inequities as well as system alternatives within communities to support and help families.
- Each should propose root causes for the disparities at the indicated decision point and provide solutions for changing the trajectory.

Questions/Comments/Concerns from Members Noted for Further Discussion:

- Q: Is the screening process for court involvement to take protective custody different based upon the county? Cook County require Investigators get approval from the State’s Attorney Office to file a petition to take protective custody, approximately over 40% of cases are screened out not to take protective custody but offer ongoing services instead. Other counties do not have this process. References were made to Lake and Winnebago Counties who work with Cook when investigations cross county lines. A: Heather Dorsey confirmed and reiterated the screening process for Cook County is different from all other counties in the State based upon the investigative packet of information that is received before filing a petition.
 - Noted for further discussion: The legal aspect of taking protective custody, the resources/varying processes and information received via the “packet” throughout each county in totality that may or may not differ from Cook County. Are there trends to be considered with regards to disproportionality?

- Robert Rodemeyer provided information on Cook County’s screening process that may differ from other counties.
 - Screening process and other departmental regulations with regards to consideration of viable noncustodial parents residing outside of Illinois.
 - Intact Family Services offered more than once for families when the circumstances are different, parents are willing to accept and services will mitigate the risk.
 - Other measures to explore alternative caregivers such as legal and short-term guardianship.
 - “Priority 1” or extreme sexual and/or physical abuse case notifications and follow ups which has been discontinued due to staffing issues.
 - Guarantee from the Multi-Disciplinary Pediatric Education and Evaluation Consortium to have nonmobile, non-ambulatory and non-verbal children with specific injuries be assessed by a Board-Certified Child Abuse Pediatrician.
- Q: Is there a variation in how involved the Prosecutor’s Office is in deciding whether there are grounds to file a TPR (termination of parental rights) petition and whether that has a negative impact on disproportionality?
- Q: Is there a way to differentiate between the types of allegations? A: Data is available and will be provided to all Members.
- There was decline in the disproportionality among African American children in recent years. Q: What is affecting that decline?
- African American children are placed in substitute care at a rate of 2.5 times their percentage within the population. Q: Are children of color more likely to be brought into foster care versus staying within the home with services?
- Q: What are the deciding factors to when children can remain in the home with services and what are the reasons for removing a child?
- Q: What happens after indicated findings and for what children? What is the impact of those decisions and disproportionality?

Discussion Item 2 – Investigated Screened-In Maltreatment Reports (1st Decision Point):

Co-Chair LaTanya Jackson Wilson provided review of information received during the meeting in October about the State Central Register and calls coming in from Reporters for determination if the circumstances meet the criteria for an investigation.

- Many of the calls received do not rise to level of an investigation.
- Families needing assistance call the Hotline for assistance. There should be another number families can call when having difficulties and need services.
- Subcommittees were designed broadly using Dr. Fuller’s report as a guide with the expectation that each group will determine and discuss all the many decision points within the larger decision point in each individual subcommittee.

Breakout Sessions Began at 1:14PM

Breakout Sessions Ended at 2:08PM

Subcommittee Report-Outs:

Co-Chair LaTanya Jackson Wilson provided guidance on breakout sessions to be used to promote discussions, ask questions and determine additional information needed to begin to formulate recommendations.

- Co-Chair LaTanya Jackson Wilson reported the Investigated Screened-In Maltreatment Reports Subcommittee discussed the factors leading up to this 1st decision point, i.e, the Mandated Reporter training including training that takes place in schools and the bias that is involved in making the decision to report – what’s included within the training; The issues concerning whether the cases meet criteria and how that is determined. The length of investigations and providing families with legal resources during the investigation. Legal Aid in Chicago represents families during investigations and how to make families aware of this service.

Questions/Data Requests noted for further discussion:

- Data needed on the types of reporters that report to the Hotline and whether there is a difference between what is substantiated and unsubstantiated.
- Data needed on the priorities for each classification and how DCFS conducts those investigations.
- Q: What is the difference between families who have legal representation during the investigation versus those who do not? Is there a difference?
- Q: Are individual schools receiving different Mandated Reporter training on what and how to report?
- Dr. Vanessa White reported the Protective Custodies Subcommittee discussed the Blind Removal Process, newly passed legislation, which requires a Steering Committee that is currently being formed. The Blind Removal Process does not prevent immediate removals if there is the presence of imminent danger. The Child

Death Review Committee was also discussed and the impact of other cases which cause workers to be more prone to take protective custody as well as the Implicit Bias training and its effectiveness.

Questions/Comments/Data Requests noted for further discussion:

- Data on case studies across regions is needed to determine the differences and nuances between Cook County and other counties for purposes of formulating different types of recommendations. What can be learned about the variations? There was a jump in the numbers from 2016 to 2020. Janet Barnes volunteered to help with review of case studies.
- Data needed on the entry rates across time relative to race, ethnicity, region and geography.
- Survey families on their experiences from the front end of the child welfare system.
- Co-Chair Beverly Jones reported the Indicated Reports Subcommittee discussed Intact Family Services and the decisions around whom this service is offered and what is court-ordered versus what is voluntary.

Questions/Data Requests noted for further discussion:

- Data needed to determine when and where Intact services are voluntary.
- Data needed on indicated findings when cases are not opened; how often does this occur?
- Data needed on the geographical differences within the State and how the processes vary from county to county.
- Q: What are other states doing for Intact Family Services?
- Q: What is the difference between Intact and Substitute Care? Is it more one-sided with regards to decisions being made to offer the family services versus bringing a child into care?
- Sara Block reported the Timely Exit from Substitute Care Subcommittee discussed reasons DCFS would bring a case to the State's Attorney and their screening process; the basis of how decisions are made; the interpretations of different legal standards; supervisory reviews of the decisions to file a petition and what is included in filing a petition in terms of the facts and allegations; the allocation of parental responsibility; the varying models of child/parent representation during court proceedings; what information parents receive during court proceedings and where they can go with questions; the Temporary Custody hearing, its 48-hour requirement and the Judges' determination of the elements of temporary custody; the interpretations of safety and risk embedded in the urgent and necessity determination; the parameters around visitation and when non-person contact is available; placement, nonrelative foster placements including the location, transportation and connection with siblings including older siblings whom have exited care; Kinship placements, i.e., disqualifications and eligibility; prioritization of certain services; and the dynamics between worker and distrustful families.

Questions/Data Requests noted for further discussion:

- Q: With regards to parental responsibility, is there a view of the different role parents have played?
- Q: How is poverty addressed in petitions?
- Q: What is the prayer for relief in the petitions? Are reasonable efforts alleged?
- Q: How are cases assigned and how are judges, attorneys, GAL's, and public defenders rotating through the Juvenile Court?
- Q: How involved is the family in the decision-making in terms of developing the Service Plan and the Integrated Assessment? Are families comfortable expressing what they need?

Public Comment:

- Ashley Deckert of Illinois Collaboration on Youth asked the Task Force to consider entry rate data from the office level for purposes of comparison.

Action Items/Next Steps:

- Email Co-Chairs with data requests, alternative subcommittee designations, suggestions, questions, comments, or recommendations.
- Co-Chairs to provide additional information from Casey Family Foundation for Subcommittees.
- Review Dr. Fuller's Disproportionality Report resent on November 9th prior to the next meeting scheduled for December 14, 2022.
- Will break out into small groups to discuss the data, decision points and recommendations.

Meeting Adjournment:

Sara Block moved to adjourn the meeting. Heather Dorsey seconded the motion. The meeting was adjourned at 11:29AM.