

Child-welfare task force hears CPS' past failures

by **Mary K. Reinhart** - Nov. 17, 2011 12:00 AM

The Arizona Republic

A gubernatorial task force began its work Wednesday to improve the state's child-welfare system by hearing about failed efforts of the past.

The Arizona Child Safety Task Force members appeared eager to embrace creation of a separate, specially trained investigative unit to prioritize Child Protective Services calls as well as other changes rejected during previous reforms in 2003 and 2008.

Maricopa County Attorney Bill Montgomery, who chairs the committee, set the stage with an opening statement that decried the return of children to abusive families.

"We are not getting it right. ... It is time for us to consider a different approach," Montgomery said. "It is time for us to stop asking CPS to remove children from harm and then march them right back into a dangerous situation to reunify a family."

This is the third effort in the past eight years at some kind of child-welfare overhaul, each spurred by a spate of high-profile child deaths, including several that have been the subject of prior CPS reports.

Those who testified before the task force, and several of the committee members themselves, had been part of those efforts and said new laws and policies, for the most part, had been watered down, ignored or reversed in the ensuing years.

"There is a great deal of resistance from people who are wedded to the status quo," said Mark Faull, Montgomery's chief deputy, who testified about the 2003 reform efforts.

Montgomery said that during his first 11 months in office, 16 children have died as a result of abuse, four of whom had been involved with CPS. He wants investigators with law-enforcement training to handle the most serious child-abuse cases.

Arizona Department of Economic Security Director Clarence Carter, who oversees CPS and is vice chairman of the task force, said six children with prior CPS reports have been killed by a parent or caregiver during his seven months on the job.

During his opening statement, Carter named each child: Janie Buelna, Anays Carimbocas, Justin Oaks, Danielle Martinez-Sepulveda, Kyleb Freeman and Jacob Gibson.

"We cannot make a system that will end all child tragedies, but we can honor (their) memories," he said, by being "deliberate, methodical, strategic, courageous and unflinching in our pursuit of the best system possible."

State law and CPS policy require that caseworkers and law enforcement work together on cases in which criminal conduct is suspected. But Carter acknowledged, under intense questioning from committee members, that "there are times when the application of that is not consistent."

Statewide, three-fourths of the 2,233 child-abuse cases that rose to the level of potential criminal conduct, according to CPS, were jointly investigated during the past fiscal year. Local law enforcement declined to investigate or was not available in most of those lacking joint investigations.

Former Sen. Jonathon Paton, R-Tucson, said 2008 reform efforts were "watered down" to satisfy then-Gov. Janet Napolitano. As a result, a parent accused of abuse can still attend meetings with the victim.

This team-decision making, as it's called, is part of the effort to find out whether the family can be reunited.

Carter said it makes no sense to have a policy that allows the parent and child to be together in abuse cases. And he said that's an example of how the child-welfare system has been packed with policies over the years that are sometimes unnecessary or nonsensical.

"(Putting the child and parent together) makes no sense at all," Carter said. "And if somebody requires me to do that, then they can have this job."

During the afternoon session, Arizona State University law professor Sarah Buel, who heads ASU's Diane Halle Center for Family Justice, described several programs across the country that help reunite families, prevent and reduce child abuse and save money.

"The vast majority of these cases involve domestic violence," Buel said. "If Mom addresses that issue, so many other things fall into place."

Montgomery said he intends to form small groups so task-force members can work on specific issues outside the public-meeting format and present their findings to the full committee.

The next meeting is set for 9 a.m. on Nov. 29. The task force will focus on law enforcement and CPS training and services available to families.

A third meeting has been tentatively scheduled for Dec. 7, primarily to provide more time for public comment. Montgomery limited public remarks to one minute for each speaker.