

Executive Summary

Introduction

The Child Abuse Prevention and Treatment Act (CAPTA), as most recently amended by the CAPTA Reauthorization Act of 2010 requires the U.S. Department of Health and Human Services (HHS) to conduct a study to determine the effectiveness of citizen review panels in: (1) examining the policies, procedures, and practices of state and local child protection agencies; and (2) evaluating the extent to which such state and local child protection agencies are fulfilling their child protection responsibilities.

Methodology

Reviewers gathered information from citizen review panel annual reports and state responses to the citizen review panel annual reports (where available), as well as other federally mandated state reports for the 50 states, the District of Columbia, and the Commonwealth of Puerto Rico. The primary period under review for the report was January 1, 2010, through September 30, 2011. However, reviewers examined and cited reports and other sources from January 2008 through the date the report was written, April 30, 2012, in order to determine: (1) compliance with CAPTA requirements (e.g., annual panel report submission and annual panel review of child protective services policies and procedures); (2) the current status of citizen review panels in each state; and (3) whether panel recommendations were implemented.

Findings

Study questions were developed to assess whether citizen review panels are accomplishing their fundamental task. The questions and the key findings for each are as

follows:

1. What are the characteristics of citizen review panels, and how do they vary within and across states?
 - There were a total of 348 citizen review panels, and all but one state had fully established the number of citizen review panels required in statute. The exception was Mississippi, which had one statewide citizen review panel but was working to establish three regional level citizen review panels.
 - Based on the information available, reviewers were unable to determine whether or not panels:
 - Were composed of members who are broadly representative of the community
 - Included members who have expertise in the prevention and treatment of child abuse and neglect
 - Included adult former victims of child abuse or neglect, as required by CAPTA
 - Reviewers were able determine that 87 percent of the 137 panels that reported meeting frequency met at least quarterly, as required by CAPTA.
 - Information available from 48 states indicated that 30 states (62.5 percent) reported providing staff assistance to support citizen review panels, and 36 states (75 percent) reported providing financial assistance to support citizen review panels.¹
2. Do citizen review panels examine the policies, procedures, and practices of state and local child protection agencies, and is this done on an annual basis?
 - Information on this issue was available for 337 (97 percent) of the 348 identified panels. Based on the information available:
 - 221 (66 percent) of the 337 panels examined some of the policies, procedures, and practices of the state and/or local child protection agency and did this on an annual basis.
 - 106 (31 percent) of the 337 panels did not review CPS policies, procedures, and practices on an annual basis.
 - Five (1.5 percent) of the 337 panels were newly established in 2011.
 - Five panels (1.5 percent) did not examine the policies, procedures, and practices of the state and/or local child protection agencies during the period under review or the year prior to the period under review.
3. Do citizen review panels evaluate the extent to which state and local child protection agencies are fulfilling their responsibilities with regard to adherence to the state plan, adherence to child protection standards, and other criteria (including fatality reviews, if relevant)?
 - No panel reported assessing the child protection agency's adherence to the entire state CAPTA plan or to all of the child protection standards, but panels did indicate that they assessed adherence to the state CAPTA plan, focusing on only specific parts.

¹ Although providing staff to panels is a CAPTA requirement, states and citizen review panels are not required to report information concerning staff assistance provided to citizen review panels.

- There was no indication that panels reported to any person or office regarding whether their state was or was not adhering to the state CAPTA plan.
4. Are citizen review panels in compliance with federal reporting requirements?
 - Reviewers located the required annual report for 337 (97 percent) of 348 citizen review panels that served between January 1, 2010, and September 30, 2011.
 - Reviewers located the prior required annual report for 221 (66 percent) of the 337 citizen reviews panels, indicating these citizen review panels met the annual reporting requirement.
 - Five citizen review panels were newly established in this period and submitted their first annual report in 2011.
 - Recommendations made by panels generally addressed child protection system components concerning prevention, investigation, prosecution, and treatment.
 5. Are states in compliance with federal reporting requirements with regard to responding to citizen review panel reports?
 - Reviewers were able to identify 33 states that provided written responses to the annual reports submitted by 284 citizen review panels during the period of January 1, 2010, to September 30, 2011.
 - Reviewers determined that 32 states addressed all or some of the recommendations in their responses, and one state acknowledged that the panels had made recommendations but did not address any of the individual recommendations.
 6. What actions are taken by states in response to citizen review panel recommendations either immediately or in subsequent years?
 - Reviewers determined the following based on the 32 states that addressed at least some of the recommendations in their responses:
 - Six states (19 percent) indicated that they had implemented or were planning to implement in the future 75 to 100 percent of the recommendations.
 - 12 states (37.5 percent) noted that they had implemented or would implement in the future 50 to 74 percent of the panels' recommendations.
 - Six states (19 percent) wrote that they had implemented or were planning to implement 25 to 49 percent of the recommendations.
 - Eight states (25 percent) reported that they had implemented or were planning to implement 0 to 24 percent of the recommendations.
 - 13 of the 32 states (in response to 26 recommendations) indicated that they would need to evaluate recommendations before a decision could be made about implementation.

Conclusion

Citizen review panels are intended as entities that collaborate with the child protection system to improve how state and local child protection agencies and the community protect

children and support families by developing recommendations for change that can be incorporated at the state, regional, and/or local level. Although some states reported that the collaboration and information sharing that occurs between citizen review panels and state/local child protection agencies often results in changes to child protection policy and practice and/or spurs the implementation of new initiatives, it was difficult to determine through the review of the annual reports and the state responses the extent to which this is occurring and if states value the input of the panels. In order to provide a more thorough analysis in the future, future studies of panels will need to be funded so they can include not only document reviews but interviews with state and local child protection staff, panel members, and panel coordinators in order to determine whether the CAPTA mandates are being met, panel recommendations are being implemented, and states place value on the work and input of the citizen review panels.

Report to Congress on the Effectiveness of Citizen Review Panels

Introduction

The Child Abuse Prevention and Treatment Act (CAPTA), as most recently amended by the CAPTA Reauthorization Act of 2010, requires the U.S. Department of Health and Human Services (HHS) to conduct a study to determine the effectiveness of citizen review panels. This report presents the findings of the HHS study with regard to citizen review panel functioning, including a description of the panels. It also covers state compliance with citizen review panel reporting requirements, and how states respond to and implement citizen review panel recommendations.

CAPTA Legislative Requirements for Citizen Review Panels

CAPTA authorizes the award of grants and contracts to states, Indian tribes and tribal organizations, and public or private agencies for the prevention, identification, assessment, and treatment of child abuse and neglect. Originally enacted in 1974 (P.L. 93-247) and amended and reauthorized several times since, CAPTA supports public and private efforts to improve programs for protecting children and strengthening families. CAPTA was most recently amended and reauthorized on December 20, 2010, by the CAPTA Reauthorization Act of 2010 (P.L. 111-320).

In the Child Abuse Prevention and Treatment Amendments of 1996 (P.L. 104-235), Congress added a provision requiring states to establish citizen review panels. These provisions were amended in the 2003 and 2010 CAPTA reauthorizations. CAPTA includes the following

requirements pertaining to citizen review panels:

- States shall establish a minimum of three citizen review panels except those states receiving the minimum CAPTA allotment, which shall establish one citizen review panel.
- States may use existing panels established under state or federal law, such as child fatality panels or foster care review panels, if the existing panels can meet CAPTA requirements and states ensure the existing panels meet the requirements.
- Panel members shall be volunteers broadly representative of the community in which the panel is established and include members who have expertise in the prevention and treatment of child abuse and neglect, and may include adult former victims of child abuse or neglect.
- Panels shall meet not less than once every three months.
- Panels shall examine the policies, procedures, and practices of state and local child protection agencies and evaluate the extent to which the agencies are effectively discharging their child protection responsibilities in accordance with CAPTA.
- Panels may examine specific cases, including child fatalities and near fatalities, and review the extent to which the child protective services system is coordinated with the state's foster care and adoption programs.
- Panels shall provide for public outreach and comment to assess the impact of current procedures and practices upon children and families in the community and to evaluate the extent to which agencies are effectively discharging their child protection responsibilities.
- Panels shall prepare an annual report containing a summary of the activities of the panel and make the report available to the public.
- Panels shall include recommendations to improve the child protective services system in the panel's annual report.
- States shall provide panel members access to case information if such information is necessary for the panel to carry out its functions.
- States shall provide staff assistance to a panel if the panel requests assistance with performing its duties.
- The appropriate state agency shall submit a written response, no later than six months after receiving the panel's recommendations, to the citizen review panel that describes whether or how the state will incorporate, where appropriate, panel recommendations.
- States shall submit citizen review panel reports to HHS annually (CAPTA).

Study Questions

Citizen review panels vary in design and functions. However, under CAPTA, their fundamental task is to examine the extent to which state and local child protection agencies carry out their responsibilities to protect children under the state CAPTA plan. The following study

questions were developed to assess whether the citizen review panels are accomplishing their fundamental task:

- What are the characteristics of citizen review panels and how do they vary within and across states?
- Do citizen review panels examine the policies, procedures, and practices of state and local child protection agencies, and is this done on an annual basis?
- Do citizen review panels evaluate the extent to which state and local child protection agencies are fulfilling their responsibilities with regard to adherence to the state plan, adherence to child protection standards, and other criteria (including fatality reviews, if relevant)?
- Are citizen review panels in compliance with federal reporting requirements?
- Are states in compliance with federal reporting requirements with regard to responding to citizen review panel reports?
- What actions are taken by states in response to citizen review panel recommendations either immediately or in subsequent years?

Methodology

Reviewers gathered information for this report from citizen review panel annual reports and state responses to the citizen review panel annual reports (where available) for the 50 states, the District of Columbia, and the Commonwealth of Puerto Rico. The latter two entities are included under the term “states” in the remainder of this report. Reviewers gathered additional information related to citizen review panels from the following documents:

- State CAPTA plans, which are required by the federal government as part of a state's participation in the CAPTA grant program.
- State Child and Family Services Plans (CFSPs), which are state plans required under title IV-E and IV-B of the Social Security Act that provide a state's five-year plan for improving outcomes for children and families served by the state's child welfare system.
- State Annual Progress and Services Reports, which are a state's annual updates of the CFSP.

In addition, reviewers gathered information about training and technical assistance (T/TA) requests and activities relevant to citizen review panels from the website of the National

Resource Center for Child Protective Services (NRCCPS)¹ and from the Training and Technical Assistance Coordination Center (TTACC) Information Portal.² Reviewers also gathered information concerning citizen review panel functioning from discussions with several citizen review panel experts, and during workshops and presentations at the April 2012 National Citizen Review Panel Conference.

To gather the necessary information, reviewers examined all information available for the period of January 2008 to April 2012³ and identified 348 citizen review panels that served in the 52 states between January 1, 2010, and September 30, 2011. An annual report was located for 337 (97 percent) of the 348 citizen review panels in 49 states for that period, and an annual report from the prior year was located for 221 (66 percent) of the 337 citizen review panels. In addition, reviewers were able to locate written responses from 33 states for the annual reports submitted by 284 citizen review panels during the January 1, 2010, to September 30, 2011, time period.

Many of the annual reports, state responses, and other documents were provided by the Children's Bureau of the Administration for Children and Families, HHS, or were retrieved from the HHS Administration for Children and Families website. Other citizen review panel annual

¹ The NRCCPS provides consultation, technical assistance, and training in all areas of CPS, including intake, safety assessment, case planning, ongoing safety management, removal and reunification decision making, ongoing services, and case closure (HHS, 2012).

² The TTACC coordinates T/TA and monitors the progress of the assistance provided to states and tribes. The TTACC Information Portal is a web-based environment that supports the collection and sharing of T/TA information and knowledge among the Children's Bureau T/TA Network members, within the Administration for Children and Families (ACF) (HHS, 2011b).

³ The primary period under review for this report was January 1, 2010, through September 30, 2011. However, reviewers examined and cited reports and other sources from January 2008 through the date the report was written, April 30, 2012, in order to determine: (1) compliance with CAPTA requirements (e.g., annual CRP report submission and annual CRP review of child protective services policies and procedures); (2) the current status of CRPs in each state; and (3) if CRP recommendations were implemented.

reports and state responses were located through an Internet search and retrieved from a state website, panel website, or the website of the National Citizens Review Panel Virtual Community maintained by the University of Kentucky College of Social Work Training Resource Center.

To address each study question, reviewers conducted a qualitative content analysis of the gathered information. This report presents the reviewers' findings concerning compliance with citizen review panel requirements and any variations observed across and within states based on information that was available from citizen review panel annual reports, state responses, other state documents, and interviews.

Study Question 1: What Are the Characteristics of Citizen Review Panels, and How Do They Vary Within and Across States?

The CAPTA requirements for citizen review panels specify how many citizen review panels a state must establish, the membership of the citizen review panels, and the frequency of panel meetings. The findings with regard to state compliance with these requirements and variations observed across and within states concerning citizen review panels are presented below.

Compliance with CAPTA requirements for the number of citizen review panels in each state

CAPTA includes the following requirement:

Except as provided in subparagraph (B), each state to which a grant is made under this section shall establish not less than three citizen review panels. * * * A state that receives the minimum allotment of \$175,000 under section 5116b (b)(1)(A) of this title for a fiscal year shall establish not less than one citizen review panel.

Information for the period from January 1, 2010, to April 30, 2012,⁴ regarding the number of panels was available for all states. The document review found that there were a total of 348 citizen review panels, and all states had fully established the number of citizen review panels required in statute with one variation. According to Mississippi’s 2011 CAPTA plan, the state had one statewide citizen review panel, the Mississippi State Level Citizens Review Board, and was working to establish three regional level citizen review panels. The number of citizen review panels in three states—Alabama, New Mexico, and North Carolina—accounted for 58 percent of the total number of citizen review panels. In Alabama, the state’s 67 local Quality Assurance (QA) Committees and the State QA Committee serve as citizen review panels (Alabama QA Committee, 2011). In New Mexico, the state’s citizen review boards (CRBs), which function as foster care review boards, serve as citizen review panels (New Mexico Child Abuse and Neglect CRB, 2012); and in North Carolina, the state’s Community Child Protection Teams (CCPTs) serve as citizen review panels (North Carolina Division of Social Services, 2011). Table 1 presents the number of citizen review panels required by CAPTA for each state and the number of citizen review panels established for each state. Reviewers did not find that states with state-administered child protection agencies had more or fewer citizen review panels than states with county-administered child protection agencies.

Table 1: Number of Citizen Review Panels Required and Established for the 52 States

⁴ In order to ensure the most current information was used in this report, this time period includes the primary period under review until the writing of the report.

State	Number of citizen review panels required*	Number of citizen review panels established
Alabama	3	68
Alaska	1	1
Arizona	3	3
Arkansas	3	3
California	3	4
Colorado	3	3
Connecticut	3	3
Delaware	1	1
District of Columbia	1	1
Florida	3	3
Georgia	3	3
Hawaii	1	2
Idaho	3	7
Illinois	3	3
Indiana	3	5
Iowa	3	3
Kansas	3	3
Kentucky	3	3
Louisiana	3	4
Maine	1	3
Maryland	3	3
Massachusetts	3	3
Michigan	3	3
Minnesota	3	5
Mississippi	3	1
Missouri	3	3
Montana	1	1
Nebraska	3	3
Nevada	3	3
New Hampshire	1	1
New Jersey	3	4
New Mexico	3	35
New York	3	3
North Carolina	3	100
North Dakota	1	1

State	Number of citizen review panels required*	Number of citizen review panels established
Ohio	3	3
Oklahoma	3	5
Oregon	3	3
Pennsylvania	3	3
Puerto Rico	3	3
Rhode Island	1	1
South Carolina	3	3
South Dakota	1	1
Tennessee	3	4
Texas	3	4
Utah	3	9
Vermont	1	1
Virginia	3	3
Washington	3	3
West Virginia	1	1
Wisconsin	3	5
Wyoming	1	1
Total panels		348

*The number required is based on CAPTA Title II Allotments for FY 2011(HHS, 2011a).

Reviewers found variation across states in the number of citizen review panels operating at a statewide, regional, or local level. Based on the information reviewed from the 52 states, there were 24 states (46 percent) with citizen review panels operating statewide; seven states (13 percent) with citizen review panels operating regionally, i.e., in an intrastate region; eight states (15 percent) with citizen review panels operating locally, i.e., in a county or parish; and 13 states (25 percent) with a combination of state, regional, and/or local level citizen review panels. Table 2 shows the number of citizen review panels operating statewide, regionally, and locally.

Table 2: Number and Percent of State, Regional, and Local Citizen Review Panels (N=348

Citizen Review Panels)

Citizen review panel locality	Number (percent) of citizen review panels
Local level	236 (68%)
State level	66 (19%)
Regional level	46 (13%)

Finally, information for all states was available with regard to the types of panels established in accordance with the provision of the CAPTA legislation that permits states to designate as panels one or more existing entities established under state or federal law, such as child fatality panels or foster care review panels instead of establishing new citizen review panels (CAPTA). Reviewers found that 25 states (48 percent) designated existing groups as shown in Table 3.

Table 3: Number and Percent of Existing Groups Designated as Citizen Review Panels (N=250 Citizen Review Panels)

Existing group	Number (percent) of citizen review panels	*Number of states
Child protection team	103 (41%)	3
Quality assurance committee**	68 (27%)	1
Foster care review board	37 (15%)	3
Child fatality/near fatality/serious injury review	20 (8%)	15
Children’s Justice Act task force	12 (5%)	12
Advisory group***	8 (3%)	7
Children’s trust fund	1 (.4%)	1
Administrative review board****	1 (.4%)	1

* A state may have more than one existing group as a citizen review panel.
 ** A committee established to conduct case reviews to evaluate agency performance
 *** A group established to act in an advisory capacity to an elected or appointed official
 **** A board established to review child protective determinations at the request of the alleged perpetrator

Compliance with CAPTA requirements for panel membership

CAPTA includes the following requirement:

Each panel established pursuant to paragraph (1) shall be composed of volunteer members who are broadly representative of the community in which such panel is established, including members who have expertise in the prevention and treatment of child abuse and neglect, and may include adult former victims of child abuse or neglect.

Reviewers were able to locate citizen review panel member lists for 144 (41 percent) of the 348 identified citizen review panels.⁵ Reviewers located a member list for all of the citizen review panels in 32 states and a member list for some but not all of the citizen review panels in 11 states. No information could be located about the members of the citizen review panels for nine states. The member lists that could be found identified a total of 1,800 members, and the number of members ranged from two to 40, with an average of 13 members per citizen review panel. There were 31 citizen review panels in five states with five or fewer members, 34 citizen review panels in 18 states with six to 10 members, 42 citizen review panels in 25 states with 11 to 15 members, 16 citizen review panels in 14 states with 16 to 20 members, nine citizen review panels in eight states with 21 to 25 members, five citizen review panels in five states with 26 to 30 members, four citizen review panels in four states with 31 to 35 members, and three citizen review panels in three states with 36 to 40 members. The member lists of 84 citizen review panels (58 percent) noted an agency affiliation, profession, or role (i.e., community member) for 1,310 individual members. The types of professional or agency affiliations for these individuals are shown in the table below.

Table 4: Number and Percent of Citizen Review Panel Members with Specific Types of Professional or Agency Affiliations (N=1,310 Total Members)

⁵ States and citizen review panels are not required to report membership information.

Professional or agency affiliation	Number (percent) of members
Community services agency representative	237 (18%)
Child welfare services/social services representative	164 (13%)
Legal/judicial representative	162 (12%)
Education representative	104 (8%)
Law enforcement representative	93 (7%)
Medical care representative	92 (7%)
Health department representative	70 (5%)
Mental health services representative	67 (5%)
Court appointed special advocate/guardian <i>ad litem</i>	50 (4%)
Foster care agency representative	48 (4%)
Foster/adoptive parent	39 (3%)
Coalition/task force/board representative	29 (2%)
Medical examiner/coroner representative	24 (2%)
Elected official	19 (1%)
Juvenile justice services representative	17 (1%)
Child care provider	10 (1%)
Other profession/agency/role	83 (6%)
Foster care alumni/adult former victims of child abuse	2 (.01%)

Compliance with CAPTA requirements for meeting frequency

CAPTA requires citizen review panels to meet “not less than once every three months” (CAPTA). Reviewers were able to find meeting information for 137 (39 percent) of the 348 citizen review panels.⁶ This meeting information was located for all of the citizen review panels in 28 states and for some but not all of the citizen review panels in 16 states. Meeting information was not found for any citizen review panels in eight states. Of the 137 citizen review panels with meeting information, 119 (87 percent) reported that meetings occurred on a quarterly basis or more frequently during the year, with 22 states having all of their citizen

⁶ States and citizen review panels are not required to report the frequency of the meetings.

review panels meeting at least quarterly. Ten (7 percent) of the 137 citizen review panels that reported meeting information indicated that meetings occurred regularly during the year but did not report the frequency of the meetings; six (4 percent) of the citizen review panels reported that meetings occurred four or more times during the year but did not occur on a schedule of once every three months; and two (1 percent) of the 137 citizen review panels reported that meetings occurred less frequently than once every three months during the year.

Compliance with CAPTA requirements for state provision of assistance to citizen review panels

CAPTA specifies that states shall provide staff assistance to a panel if the panel requests assistance with performing its duties. Information on this issue was located for 48 states, and reviewers found that 30 states (62.5 percent) reported providing staff assistance to support citizen review panels, and 36 states (75 percent) reported providing financial assistance to support citizen review panels.⁷ The general types of support the states reported providing to citizen review panels are shown in Table 5.

Table 5: Supports to Citizen Review Panels Reported by States (N=48 states)

Supports to citizen review panels	*Number (percent) of states
Provide financial support for panel activities	30 (62.5%)
Provide staff liaisons or other staff support	30 (62.5%)
Host annual meeting for panel members	10 (21%)
Provide or arrange T/TA	10 (21%)
Provide financial support for staff	6 (12.5%)

⁷ States and citizen review panels are not required to report information concerning staff assistance provided to citizen review panels.

*A state may provide more than one type of support.

T/TA provided to citizen review panels

Assistance to states to improve their citizen review panels is available from the NRCCPS funded by the Children's Bureau within ACF. Information for the period from January 1, 2010, to April 30, 2012, indicated that 10 states received T/TA from the NRCCPS for their citizen review panels. The T/TA consisted of information on the roles and responsibilities of citizen review panels and, in most instances, on collaboration, effective recruitment practices, strategic planning, and identifying priorities for future activities. In addition, the CPS agency in one state received T/TA that focused on best practices and relationship building with the citizen review panels.

Study Question 2: Do Citizen Review Panels Examine the Policies, Procedures, and Practices of State and Local Child Protection Agencies, and Is This Done on an Annual Basis?

CAPTA includes the following requirement:

Each panel established pursuant to paragraph (1) shall, by examining the policies, procedures, and practices of state and local agencies and where appropriate, specific cases, evaluate the extent to which state and local child protection system agencies are effectively discharging their child protection responsibilities.

Reviewers examined the documents available for the time period of January 1, 2010, through September 30, 2011, to determine if citizen review panels examine the policies, procedures, and practices of their state and/or local child protection agencies. In addition, documents from a prior year were reviewed to determine if this examination occurred on an annual basis. Information on this issue was available for 337 (97 percent) of the 348 identified

panels. The review of documents indicated that 221 (66 percent) of the 337 panels examined some of the policies, procedures, and practices of the state and/or local child protection agency and did this on an annual basis. For 106 of the remaining 116 panels, there was no evidence that the reviews of CPS policies, procedures, and practices were done on an annual basis; five of the 116 panels were newly established in 2011; and for five panels, there was no indication in any of the documents reviewed of panel efforts to examine the policies, procedures, and practices of the state and/or local child protection agencies. Of these five panels, one was involved in community outreach activities, including activities for foster children, and another panel was involved in child abuse awareness campaigns. Another of the five panels submitted the same information and recommendations two years in a row based on a 2005 and 2008 safety and accountability audit examining the impact of domestic violence on children and on African Americans, respectively. Although the reports indicated different meeting dates, reviewers were unable to determine the panel's exact activities. The remaining two panels addressed issues involving children but did not indicate that they were reviewing the policies, procedures, and practices of the child protective system. One of the panels explored issues related to the type and availability of illicit drugs to youth in the community, and the other panel focused solely on planning prevention programs that they thought the agency should implement.

As part of the analysis for this study question, reviewers assessed how the 332 panels that reported reviewing the policies, procedures, and practices of their state and local child protection agencies in at least one annual report obtained this information. Table 6 provides the findings of this analysis with regard to the various information collection methods and the number of panels using each method.

Table 6: Methods of Information Collection for Citizen Review Panels (N=332 panels)

Method used to collect information	*Number (percent) of citizen review panels using the method
Review of child protection agency policy and practice and state child protection laws	294 (89%)
Case record reviews, including child fatality reviews	281 (85%)
Public outreach, including focus groups, surveys, and stakeholder feedback	269 (81%)
Meetings and interviews with child protection staff and administration	178 (54%)
Review of local, state, and/or national child welfare outcomes	155 (47%)
Program updates provided by child protection staff and program evaluations conducted by panels	126 (38%)
Presentations to the panels by child protection staff and other relevant stakeholders	104 (31%)
Review of state reports, including quarterly Program Improvement Plan (PIP)** updates, compliance reports, and child fatality reports	35 (11%)
Child protection related literature reviews	33 (10%)
Evaluation of existing child protection training	31 (9%)
Review of federal reports, including Child and Family Services Review (CFSR) final reports and federal monitoring reports	17 (5%)
Site visits to child protection related programs and courts	7 (2%)

*Most panels use multiple methods and may be included in more than one category.

**The PIP is the program improvement plan states must complete in order to address the findings of the federal CFSR.

The method of information collection varies to some degree across the states, and not all panels within a state gather information by the same method. Information on the method of collecting information by state was available for 49 of the 52 states for the time period of January 1, 2009, through September 30, 2011.

Table 7: Methods of Collection by State (N=49 states)

Method used to collect information	*Number (percent) of states using the method	Number of states in which all panels in the state used this method
Case record reviews, including child fatality reviews	41 (84%)	19
Review of child protection agency policy and practice and state child protection laws	40 (82%)	24
Meetings and interviews with child protection staff and administration	36 (73%)	16
Public outreach, including focus groups, surveys, and stakeholder feedback	34 (69%)	17
Review of local, state, and/or national child welfare outcomes	29 (59%)	9
Program updates provided by child protection staff and program evaluations conducted by panels	29 (59%)	13
Presentations to the panels by child protection staff and other relevant stakeholders	26 (53%)	8
Review of state reports, including quarterly PIP updates, compliance reports, and child fatality reports	21 (43%)	6
Evaluation of existing child protection training	21 (43%)	3
Child protection related literature reviews	20 (41%)	5
Review of federal reports, including CFSR final reports and federal monitoring reports	12 (24%)	4
Site visits to child protection related programs and courts	6 (12%)	1

*Most states use multiple methods and may be included in more than one category.

In addition to examining the methods for obtaining information, reviewers assessed how citizen review panels made decisions about what topics or issues to focus on for the time period of January 1, 2009, through September 30, 2011. This information was available for 332 of the 348 citizen review panels. The decision process was found to vary across panels. Table 8 provides information on the types of decision-making processes for the 332 citizen review panels for which this information was available.

Table 8: The Types of Decision Making Processes for Citizen Review Panels (N=332 Panels)

How topic or issue is determined	*Number (percent) of citizen review panels using the process
The panel selects issues from concerns identified through case review findings, including cases of child fatalities.	266 (80%)
The panel selects issues based on policy or program reviews, including reviews of state training programs.	172 (52%)
The panel selects issues based on concerns about the findings reported in state child welfare outcome data reports.	151 (45%)
The panel selects issues based on information obtained through outreach to the public using focus groups, surveys, and/or stakeholder contacts.	126 (38%)
The panel selects issues based on literature reviews, panel research, and/or presentations made to the panel.	81 (26%)
The panel selects issues based on information and/or identified concerns from child protection staff.	71 (21%)
The panel's designated purpose determines the issues selected (e.g., child fatality, foster care review board).	60 (18%)
The panel members discuss various possible issues and make a decision about which ones to focus on.	29 (9%)
The panel selects issues from the concerns identified in the CFSR final report or the PIP.	20 (6%)
The panel selects issues based on follow-ups of the previous years' recommendations.	14 (45%)
The panel reviews the CAPTA plan and selects issues from that plan.	4 (1%)

*Most panels use multiple processes and therefore may be included in more than one category.

Study Question 3: Do Citizen Review Panels Evaluate the Extent to Which State and Local Child Protection Agencies Are Fulfilling Their Responsibilities With Regard to Adherence to the State Plan, Adherence to Child Protection Standards, and Other Criteria (Including Fatality Reviews, if Relevant)?

The CAPTA legislation states the following:

Each panel established pursuant to paragraph (1) shall, by examining the policies, procedures, and practices of state and local agencies and where appropriate, specific cases, evaluate the extent to which state and local child protection system agencies are effectively discharging their child protection responsibilities in accordance with—

- i. the state plan under subsection (b) of this section;

ii. the child protection standards set forth in subsection (b) of this section (CAPTA).

Reviewers examined the documents available for the time period of January 1, 2009, through September 30, 2011, to determine if the citizen review panels evaluated the extent to which state and local child protection agencies are fulfilling their responsibilities with regard to adherence to the state CAPTA plan and adherence to child protection standards.

Information on this issue was available for 337 (97 percent) of the 348 identified citizen review panels. A key finding was that no panel reported assessing the child protection agency's adherence to the entire state CAPTA plan or to all of the child protection standards. Instead, the panels that did assess adherence to the state CAPTA plan focused on only specific parts of the plan. In addition, the documents reviewed gave no indication that panels reported to any person or office regarding whether their state was or was not adhering to the state CAPTA plan. Table 9 provides the findings with regard to the statutory requirement pertaining to adherence to CAPTA plans and child protection standards.

Table 9: Number and Percent of Panels Evaluating State Adherence to CAPTA Plans and Child Protection Standards (N=337)

Evaluation of child protection responsibilities	Number (percent) of citizen review panels
Evaluation of adherence to parts of the state CAPTA plan only	227 (67%)
Evaluation of adherence to both parts of the state CAPTA plan and some of the child protection standards	95 (28%)
No evidence of evaluation of state fulfillment of responsibilities for either the state CAPTA plan or child protection standards	13 (4%)
Evaluation of adherence to some of the child protection standards only	2 (1%)

The 324 panels for which there was evidence of evaluation of state or local child protection responsibilities used various methods to assess agency adherence to the state CAPTA

plan and child protection standards. These are presented in Table 10.

Table 10: Number and Percent of Panels Using Specific Methods to Assess Adherence (N=324 Panels)

Method used to assess adherence	*Number (percent) of citizen review panels using the method
Case record review findings, including child fatality reviews	261 (81%)
Reviewing state policies, practices, and procedures	202 (62%)
Assessing the implementation and success of programs outlined in the CAPTA plan	41 (13%)
Meeting with child protection personnel to discuss the CAPTA program areas or child protection standards	36 (11%)
Interviews with stakeholders to assess the program areas or compliance with child protection standards	21 (6%)

*A panel may be included in more than one category.

Study Question 4: Are Citizen Review Panels in Compliance With Federal Reporting Requirements?

The CAPTA legislation includes the following requirement:

Each panel established under paragraph (1) shall prepare and make available to the state and the public, on an annual basis, a report containing a summary of the activities of the panel and recommendations to improve the child protection services system at the state and local levels (CAPTA).

There were 348 citizen review panels that served between January 1, 2010, and September 30, 2011, and reviewers located the required annual report for 337 (97 percent) of these panels. The annual reports were prepared either by an individual panel or by a combination of a state’s citizen review panels; 111 citizen review panels submitted 111 individual annual reports on the citizen review panel’s activities, and 226 citizen review panels

submitted eight annual reports concerning the activities of more than one panel in the state.⁸ Reviewers located the prior required annual report for 221 (66 percent) of the 337 citizen reviews panels, indicating these citizen review panels met the annual reporting requirement. An additional five citizen review panels were newly established in this period and submitted their first annual report. Reviewers analyzed the information in the 119 annual reports prepared by the 337 citizen review panels and found that 117 annual reports (98 percent) contained the required summary of activities, and 97 annual reports (82 percent) contained recommendations regarding improvements to the child protection service system. Reviewers analyzed the information in the 22 annual reports that did not contain recommendations and found that six citizen review panels reported they required additional time to review and/or learn about a topic or issue before making recommendations, and 16 citizen review panels did not indicate why they made no recommendations in their annual report.

Study Question 5: Are States in Compliance With Federal Reporting Requirements With Regard to Responses to Citizen Review Panel Reports?

CAPTA includes the following requirement:

Not later than six months after the date on which a report is submitted by the panel to the state, the appropriate state agency shall submit a written response to state and local child protection systems and the citizen review panel that describes whether or how the state will incorporate the recommendations of such panel (where appropriate) to make measurable progress in improving the state and local child protective system.

⁸ Of the eight reports, one report summarized the activities of the 68 citizen review panels in Alabama, one report summarized the activities of the 35 citizen review panels in New Mexico, and one report summarized the activities of the 100 citizen review panels in North Carolina.

Based on the available documents, reviewers were able to identify 33 states that provided written responses to the annual reports submitted by the citizen review panels during the January 1, 2010, to September 30, 2011, time period. These states included 284 panels. However, information on the timeliness of the state response (i.e., within six months of the panel's submission of the report) was available for only eight of the 33 states, with a total of 14 panels. For these eight states, the state response occurred within six months for 13 panels, but the response was outside the six-month timeframe for one panel. Timeliness of the responses from the other 25 states could not be determined because the citizen review panels' annual reports and/or the states' responses were not dated.

In the state responses located by reviewers, 29 (88 percent) of the 33 states addressed each panel recommendation in their responses, and three (9 percent) of the 33 states addressed some recommendations but not all. One state (3 percent) acknowledged that the panels within the state had made recommendations but did not address any of the individual recommendations made by the panels.

Study Question 6: What Actions Are Taken by States in Response to Citizen Review Panel Recommendations, Either Immediately or in Subsequent Years?

Of the 32 states that addressed at least some of the recommendations in their responses, six (19 percent) indicated that they had implemented or were planning to implement in the future 75 to 100 percent of the recommendations; 12 states (37.5 percent) noted that they had implemented or would implement in the future 50 to 74 percent of the panels' recommendations; six states (19 percent) wrote that they had implemented or were planning to implement 25 to 49

percent of the recommendations; and eight states (25 percent) reported that they had implemented or were planning to implement 0 to 24 percent of the recommendations. In addition, 13 of the 32 states indicated that they would need to evaluate recommendations before a decision could be made about implementation. This response was noted for 26 recommendations.

Reviewers also examined the responses to determine the reasons that the states provided for deciding not to implement the recommendations. Table 11 presents the reasons/justifications provided by the 32 states for not implementing a particular recommendation and the number of recommendations applied to this reason.

Table 11: Reasons Why States Would Not Implement a Particular Recommendation (N=315 Total Recommendations Made to 32 States)

Reasons why the states would not implement citizen review panel recommendations	Number (percent) of recommendations
Recommendation is not warranted because state or federal legislation already exists, and/or child protection policies, procedures, programs, and resources are in place to address the panels' particular recommendations/concerns.	107 (34%)
The funds to implement the recommendation are not available.	10 (3%)
The recommendation does not fall under the purview of the child protection agency.	3 (.09%)
The current processes, policies, and/or procedures are required by law.	1 (.03%)
Staff necessary to implement the recommendation is not available.	1 (.03%)
The state cannot implement the recommendation without legislative approval or a change in state statute.	1 (.03%)

It is the state’s opinion that the change is not needed at this time.	1 (.03%)
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Implementation examples

As documented above, states reported that they had or would consider implementing citizen review panel recommendations; however, information about implementation was not always included in the citizen review panel reports or state documents. A number of reports did include examples of promising practices that were implemented by states. The following are a few examples from the documents reviewed of recommendations that were made by citizen review panels (with various state-specific names) and implemented by states.

Arizona—The recommendations of the Arizona Citizen Review Panels following their case record reviews resulted in the following actions by the Arizona Division of Children, Youth, and Families:

- Dissemination of a pamphlet on safe sleeping for children age 1 year and under
- Development of a process to notify hospitals of a child’s death due to maltreatment for cases in which the hospital had previously provided care for the child and staff had not recognized and/or reported a suspicion of maltreatment of that child
- Implementation of an interface with the Arizona Department of Public Safety to allow the timely exchange of criminal history information
- Development of a process for staff to obtain forensic evaluations and consult with a physician with expertise in the identification, assessment, and treatment of child abuse and neglect (Arizona Division of Children, Youth, and Families, 2009)

Delaware—The Delaware Child Protection Accountability Commission recommendation supporting implementation of the Structured Decision Making[®] model⁹ for safety assessment and risk assessment resulted in the Delaware Division of Family Services agreeing to implement the

⁹Structured decision-making is an approach to child protective services that uses clearly defined and consistently applied decision-making criteria for screening for investigation, determining response priority, identifying immediate threatened harm, and estimating the risk of future abuse and neglect, as well as identifying the needs and strengths of the child and family for consideration in developing and monitoring progress toward a case plan (Child Welfare Information Gateway: <https://www.childwelfare.gov/systemwide/assessment/approaches/decision.cfm>).

model (Delaware Child Protection Accountability Commission, 2011).

Florida—In 2009, the Florida Department of Children and Families’ Secretary, George H. Sheldon, established a workgroup to determine the facts and circumstances surrounding the death of 7-year-old Gabriel Myers. Gabriel died on April 16, 2009, when police indicated he hanged himself in the shower of his foster parents’ home. The workgroup conducted a full inquiry into the facts of the case, reviewing the case management and judicial decisions, as well as determining if the effects of psychotropic drugs and sexual abuse contributed to his death. The recommendations of the Gabriel Myers Workgroup, a subcommittee of Florida’s citizen review panel named the Task Force for Fostering Success, resulted in a new chapter of the Florida Administrative Code titled “Psychotropic Medication for Children in Out of Home Care,” as well as new operational procedures titled “Services for Children with Mental Health and Any Co-Occurring Substance Abuse Treatment Needs in Out of Home Care Placements.” Additionally, the following efforts occurred as a direct result of this workgroup:

- Implementation of a variety of training initiatives, such as direct line training by Children’s Legal Services to frontline child welfare staff and supervisors regarding the use of psychotropic medications, with particular focus on appropriate informed consent
- Implementation of additional trainings regarding documentation requirements and navigational instruction in the Florida Safe Families Network system (Florida Department of Children and Families, 2010)

Georgia—In 2008, one of Georgia’s citizen review panels recommended that the state Division of Family and Children Services (DFCS) should develop a statewide policy on differential response. This recommendation resulted in DFCS contracting with the University of Georgia, Carl Vinson Institute of Government, in federal fiscal year 2009–2010 to assess practices and develop recommendations (Georgia DFCS, 2010). The following year, DFCS worked with the NRCCPS to develop a differential response model (Georgia DFCS, 2011). The differential

response model was implemented statewide in April 2012.

Illinois—One recommendation of the Illinois Children’s Justice Task Force in 2010 was for the Abused and Neglected Child Reporting Act to be modified so that a mandated reporter could not cite confidentiality when he/she had information concerning the abuse of a child but was not the reporter of the abuse. This recommendation helped the Illinois Department of Children and Family Services (DCFS) find a Senate sponsor to introduce legislation addressing the issue. The state General Assembly passed the bill amending the law to require a mandated reporter to provide otherwise confidential information to DCFS concerning the abuse of a child (Illinois Citizen Review Panel, 2011).

Maine—One recommendation of the Maine Citizen Review Panel was that the Office of Child and Family Services should “develop a checklist of questions that caseworkers and parents can use to talk with physicians about the use of psychotropic medication for children in their care.” This recommendation resulted in the development of a checklist for caseworkers to use when a prescription for an anti-psychotic medication for a child is considered (Maine Citizen Review Panel, 2011).

Massachusetts—A local Massachusetts Child Fatality Review Team suggested that the Massachusetts Highway Department should close an area where youth gathered to drink and/or use drugs. This resulted in the Highway Department placing “jersey barriers¹⁰” and “eliminating a place for teens to congregate and consume alcohol beverages and substances” (Massachusetts

¹⁰ A jersey barrier is a concrete slab 32 inches high with slanted sides that is used in tandem with others to block or reroute traffic or to divide highways (m-w.com, n.d.).

Child Fatality Review Program, 2011).

New Jersey—The New Jersey Child Welfare Citizen Review Panel (CWCRP) visited the state Central Registry (SCR) office to assess “progress achieved” since it was established a few years earlier. Subsequently, the CWCRP made several recommendations including training, intensive monitoring, and onsite coaching for new SCR staff. As a result of these recommendations, the New Jersey Department of Children and Families implemented training and a coaching process for SCR staff (New Jersey Child Welfare Citizen Review Panel, 2009).

North Carolina—North Carolina’s local Community Child Protection Teams (CCPT) recommended that the State Division of Social Services (DSS) “support a standardized system of data collection across domestic violence agencies in order to ensure good data upon which to base advocacy, funding, and services” (CCPT, 2008). This recommendation resulted in a collaborative effort to develop a standardized system for data collection including the North Carolina Coalition Against Domestic Violence, DSS, the Council for Women, and the Governor’s Crime Commission” (North Carolina DSS, 2009).

Ohio—The Ohio Youth Advisory Board (OYAB) recommended that the Ohio Department of Jobs and Family Services (DJFS) address the OYAB’s concern that youth ages 18 to 21 years were having difficulty accessing Medicaid coverage. This recommendation resulted in the DJFS providing training to staff to ensure they were aware of the availability of categorical coverage for youth formerly in foster care and also revising printed and web-based materials regarding Medicaid coverage to increase awareness of the availability of this service (Ohio DJFS, 2011).

Vermont—The Vermont Child Protection Advisory Board recommended expanding the

definition of “malicious punishment,” which was being used to determine the assignment of a report to either the investigation track or the assessment track. Based on this recommendation, the Vermont Department for Children and Family Services modified its policy regarding differential response to add “striking a child with an object” to the definition of physical abuse for the purpose of determining the assignment of such a report to the investigation track (Vermont Department for Children and Family Services, 2011).

Washington—The Washington Children, Youth, and Family Services Advisory Committee recommended that mandated reporter training include information about disproportionality and that the Children’s Administration (CA) update a mandated reporter video. This recommendation resulted in the CA and panel collaborating to develop new mandated training materials to be used in training statewide (Children, Youth, and Family Services Advisory Committee, 2011).

In addition, the Washington State CA Indian Policy Advisory Subcommittee recommended that the CA support tribal access to the CA FamLink data system (CA Indian Policy Advisory Subcommittee, 2008). This recommendation resulted in the CA providing tribes “view only” access in FamLink, following the signing of data agreements by users and training for tribal staff (Washington State CA, 2011).

Conclusion

This is an exploratory, descriptive report based on the analysis of annual reports submitted by citizen review panels and the state child protection system responses to those reports. Based on the information available in those reports, citizen review panels generally seem to be meeting the requirements of CAPTA. The recommendations made by citizen review

panels address child protection system components concerning prevention, investigation, prosecution, and treatment, and most states appear to be open to considering and possibly implementing the recommendations of the panels. However, evidence suggests that some panels may not be reviewing and assessing compliance with the state CAPTA plans or the child protection standards in their entirety. In addition, it appears that a few states may not be responding to the annual reports of the citizen review panels, and a few other states, when they do respond, are not addressing all of the recommendations made by the panels. Furthermore, some citizen review panels' annual reports and the corresponding state responses were not able to be located by reviewers in time to be included in this report, which raises concern about the ability of the public to easily access the reports as required by CAPTA.

In conclusion, the primary mandate of the citizen review panels is to evaluate the child protection system. More complete data from states would be helpful in order to fully understand the effectiveness of citizen review panels. For instance, as discussed earlier in the report, panel membership lists are available for 48 percent of the 348 identified citizen review panels, which makes it difficult to determine if panel members are “broadly representative of the community in which such panel is established, including members who have expertise in the prevention and treatment of child abuse and neglect, and may include adult former victims of child abuse or neglect” (CAPTA). Furthermore, data on meeting frequency was located for 39 percent of the 348 identified citizen review panels, which makes it difficult to determine if the panels are meeting every three months as required by CAPTA.

Future analysis of the citizen review panels needs to continue to focus on whether panels are meeting the federal mandates as described in CAPTA, including whether panels have the

required members and meet every three months. Furthermore, citizen review panels are intended as entities that collaborate with the child protection system to improve how state and local child protection agencies and the community protect children and support families by developing recommendations for change that can be incorporated at the state, regional, and/or local level. Although some states reported that the collaboration and information sharing that occurs between citizen review panels and state/local child protection agencies often results in changes to child protection policy and practice and/or spurs the implementation of new initiatives, it was difficult to determine through the review of the annual reports and the state responses the extent to which this is occurring and if states value the input of the panels. In order to provide a more thorough analysis in the future, future studies of panels will need to be funded so they can include not only document reviews but interviews with state and local child protection staff, panel members, and panel coordinators in order to determine whether the mandates of CAPTA are being met; panel recommendations are being implemented, and states place value on the work and input of the citizen review panels.

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