



Child Abuse Prevention and Treatment Act (CAPTA) State Plan

Introduction

This chapter is Florida's Child Abuse Prevention and Treatment Act (CAPTA) Annual Progress and Services Report. The reporting period covers state fiscal year July 1, 2002 through June 30, 2003. We have included this section as a separate chapter in the Child and Family Services Annual Progress Services Report, but not all of the requirements have been addressed in this chapter. Some of the required information has been incorporated in other chapters of this report as appropriate.

Florida will continue to address Section 106(a)(7) of the Child Abuse Prevention and Treatment Act for the purposes of improving the child protective services system. Section (7) is "developing, strengthening, and supporting child abuse and neglect prevention, treatment, and research programs in the public and private sectors".

Statewide Goal

The State of Florida will continue to develop, strengthen, and support child abuse and neglect prevention and intervention services in the public and private sectors to prevent the occurrence or reoccurrence of child abuse and neglect.

Statewide Child Abuse and Neglect Prevention Network Objectives

- ◆ Strengthen coordination of the community-based service delivery system for families in crisis and at risk of abuse and neglect. See Chapter 3, Goal 9 for a more detailed description on the progress made this year.
- ◆ Expand programs and activities that have demonstrated effectiveness in their ability to prevent and decrease the incidence and impact of child abuse and

neglect. See Chapter 3, Goals 2 and 9 and Chapter 13 for a more detailed description on the progress made this year.

- ◆ Promote and provide, through public and private partnerships, the opportunity for persons affected by child abuse and neglect to live, work and mature in communities that are safe for themselves and others. See Chapter 3, Goal 9 for a more detailed description on the progress made this year.
- ◆ Promote citizen awareness, involvement and responsibility in planning, developing and evaluating an effective and accountable continuum of prevention services. See Chapter 3, Goals 2 and 9 for a more detailed description on the progress made this year.

Florida's prevention planning strategy is based on the National Committee for the Prevention of Child Abuse's continuum of services to address various populations with multiple needs. Services are considered primary, secondary, and tertiary with programs located in medical, educational, social services, and neighborhood settings.

Primary prevention programs are offered to families who are at risk of child abuse or neglect who voluntarily seek information or services prior to the occurrence of child abuse or neglect. Examples of services designed to positively influence families before the occurrence of child abuse or neglect include in-home prenatal support programs, respite care services, a statewide parent HelpLine, services designed to enhance parenting skills, health, nutrition, family budgeting, coping with stress, and a statewide public awareness campaign.

Secondary prevention programs are offered to families who are vulnerable to and considered at risk for child abuse or neglect because of their life situation. These families have had no prior involvement with agencies that provide services to families identified as abusive or neglectful. These families may have been reported for alleged child maltreatment, no maltreatment was found, but the family is in need of services because of their life situation. Examples of these services include early intervention services offered voluntarily, respite care, early developmental screening, mentoring, tutoring, and health education, services designed to increase parenting skills, counseling, and home visitation services.

Tertiary prevention programs are court ordered or voluntary services offered to families who have been identified by an investigative authority as abusive or neglectful. These services are designed to prevent the recurrence of child abuse or neglect, are intensive, and considered family preservation/child protection services. Examples of these services include all services provided by the state's child protective services system, Family Builders, Intensive Crisis Counseling Program services, parent education, and home visiting services.

Progress on CAPTA Goals and Objectives are in Chapter 3, Goal 2 and Goal 9 Objective 9.5.

Update for State Fiscal Year 2002-2003

The lead agency designated to administer the Child Abuse and Prevention Treatment Act grant funds will continue to be the Florida Department of Children and Families, Office of Family Safety, central office. The Florida Department of Children and Families, Office of Family Safety is also the designated lead agency for the Community-Based Family Resource and Support (CBFRS) federal grant and the Children's Justice Act grant. The Office of Family Safety functions as a central program office to 14 geographical service areas that are responsible for local planning and service delivery. The central office responsibilities include monitoring, technical assistance, allocation of funds, policy and statute interpretation/clarification, data collection and analysis for the 14 geographical areas. The department's mission is to work in partnership with local communities to ensure safety, well-being, and self-sufficiency for the people we serve.

The central office allocates Child Abuse Prevention and Treatment Act grant funds directly to the department's 14 geographical areas for local community-based service delivery with private not-for-profit agencies. The central office also contracts using other funding with statewide private not-for-profit agencies for public awareness, education of professionals, and direct client services. Contracting from the central office with statewide providers for these services reduces the possibility of duplicating services at the local level, provides consistency for the services purchased, and reduces the overall cost of providing services.

There are 18 Community Facilitators based in the 14 geographical areas. The Community Facilitators serve as liaisons between the District/Region Support Team, State Support Team, the TEAM Florida Partnership, and community stakeholders. Community Facilitators promote well-defined family-centered philosophies, create new "bottom-up" communication and feedback loops, and articulate the changes that are needed to improve service delivery for children and families. The facilitators expedite state and local communication, provide technical assistance, and promote community-based planning and implementation of child abuse and neglect prevention and intervention. This process provides community representatives with the opportunity for direct involvement in asset-based planning and the development of their local Child and Family Services Plan. Within each district/region, Community Facilitators have lead responsibility for educating, training and implementing community

mapping projects that are designed to identify assets, strengths, and resources in local communities.

The core statewide private not-for-profit agencies that will continue to be contracted with by the central program office to develop, strengthen, and support child abuse and neglect prevention and intervention services in the public and private sectors to prevent the occurrence or reoccurrence of child abuse and neglect are:

- ◆ The University of South Florida's Lawton and Rhea Chiles Center for Healthy Mothers and Babies, Community Enhancement and Educational Development program (CEED) is a contracted service provider that assists the Florida Department of Children and Families. The program is located in the University of South Florida's Chiles Center in Tallahassee. This program supports and operates the TEAM Florida Partnership. The TEAM Florida Partnership is designed to enhance state and community collaboration efforts, share best practices to build stronger, healthier communities, and improve service delivery systems that will support and strengthen families. For a more detailed summary of this program and accomplishments see Chapter 3, Goals 2 and 9.
- ◆ 211 Big Bend (formerly known as Telephone Counseling and Referral Service, TCRS) operates the statewide Parent HelpLine. The Parent HelpLine - 1-800-FLA-LOVE number is projected to respond to over 12,000 callers this year. The HelpLine is a 24-hour, statewide, toll-free telephone crisis hotline that offers immediate assistance to parents and other primary caregivers in Florida who are feeling overwhelmed, stressed, or who have specific questions or needs about their children, or their behavior.
- ◆ The Commission on Responsible Fatherhood was created in 1996, by the Florida Legislature in order to raise public awareness of fatherhood issues, identify barriers to the involvement of responsible fathers and promote strategies to help dads be the best parents they can be. In partnership with the state, the Commission currently funds more than \$1 million in programs statewide. Each district/region provides some type of parent education program that supports and encourages parental relationships and the promotion of healthy marriages. During the 2003 Legislative session, the Florida Legislature replaced the Commission on Responsible Fatherhood with the Commission on Marriage and Family through the passage of Senate Bill 480.
- ◆ The Ounce of Prevention Fund of Florida is a statewide private, not-for-profit corporation. The corporation was established as a public-private partnership with the state of Florida and the private sector. The Ounce of Prevention Fund of Florida is governed by a board of directors comprised of leaders from

the business community, legal professionals, government agencies, and child advocacy groups. Through contracts with the Florida Department of Children and Families and other funding sources, The Ounce of Prevention Fund of Florida works in partnership with community-based organizations and coalitions. The purpose of their programs is to strengthen individual, family, and community capacities to prevent serious family dysfunction, long-term health problems, and academic and early developmental delays. Programs focus on child abuse and neglect prevention, family preservation and family support by offering service delivery systems driven by home visitation, education and support groups, promotion of access to health care, and the provision of services through schools and community-based centers. A strong evaluation component measures program effectiveness by monitoring short-term and long-term outcomes. For an update on the progress made during this year see Chapter 3, Goal 9.

- ◆ Healthy Families Florida is a program under The Ounce of Prevention Fund of Florida and it is the single largest funded child abuse and neglect secondary prevention program in the State of Florida. For a more detailed summary of this program and accomplishments for the year see Chapter 3, Goal 9 and Chapter 13.
- ◆ The Community-Based Family Resource and Support Programs will continue to be implemented and funded. This funding is targeted to develop, operate, expand and enhance the statewide network of prevention-focused family resource and support programs that foster the development of prevention services for children and families through community-based collaborations and partnerships, both public and private. The programs will remain community-based, family focused and culturally relevant to address the unmet needs in local communities. The services will continue to focus on child abuse and neglect prevention, with collaborative strategies involving families and their communities. Services purchased or provided will include: support of parent leadership; participation in the statewide network; outreach to special populations; support of a statewide respite coalition; attendance at national conferences; an annual statewide needs assessment; statewide training and technical assistance; information and referral; information management; financing statewide public information activities; and, the statewide promotion of child abuse and neglect prevention activities.
- ◆ The Neighborhood Partnership Program is a statewide initiative that began during state fiscal year 2000-2001, which has been successful in reducing the number of telephone calls to the abuse hotline. For a more detailed summary of this program and accomplishments see Chapter 3, Goal 9 and Chapter 13.
- ◆ The Redlands Christian Migrant Association (RCMA) is a statewide private not-for-profit network that operates the Moving Beyond Barriers Project that

focuses on migrant farm workers. The vision is that all children will live in safe, loving and stimulating environments that prepare them to function optimally as adults. The mission is to work to increase opportunities for farm worker family involvement in their education and communities, and strengthen networks that support families to reach their goals. For more detailed summary of this program and accomplishments see Chapter 3, Goal 9.

- ◆ The Florida Respite Coalition, Inc. is a statewide not-for-profit agency, which continues to build an infrastructure to support local community-based respite services for families in need of respite care. For more detailed summary of this program and accomplishments for the year see Chapter 3, Goal 9.

All core groups are vital to the network to provide direction, continuity, structure, and technical assistance for the continued development and implementation of statewide planning activities. Core group involvement and collaboration enhances the planning and design process that enables and encourages flexibility and creativity in local communities to prevent child abuse and neglect.

Citizen Review Panels

For state fiscal year 2002-2003, the State of Florida used three separate existing entities to satisfy the Citizen Review Panel requirements of the Child Abuse Prevention Treatment Act. Section 402.164, Florida Statutes, concerns Florida's Statewide Advocacy Council and the Florida local advocacy councils. The Children's Justice Act grant requires a multidisciplinary task force. Chapter 383, Florida Statutes, establishes a State Child Abuse Death Review Committee in the Department of Health. For additional information and activities of these groups refer to their annual reports included in Appendix C.

The Statewide Advocacy Council is the first Citizen Review Panel. The Statewide and Local Advocacy Councils (hereinafter referred to as SAC and LAC) system is a consumer protection mechanism for people receiving services from state agencies in Florida. The idea of citizen councils for human rights protection was conceived at Miami Sunland in 1972, in reaction to abusive conditions at the facility. The councils were implemented at other facilities for individuals with mental retardation and eventually were codified into law in 1975 to serve as a third party mechanism to protect the rights of participants in all programs in what was then the Department of Health and Rehabilitative Services.

The 2000 Legislative Session made several changes to the SAC and the LACs organizationally and operationally. These changes were all to the benefit of the citizens of Florida whom the councils serve and to the overall organization. This past year the SAC and the LACs redesigned their service area borders to align with the judicial circuits. Additional LACs were established in new service areas, increasing the number of approved LACs from 29 to 39. Major changes have been incorporated into the training material for the LAC members on the new statute. SAC has also been working with state agencies to work out the access to information now allowed by law.

The 350 plus volunteer members appointed by the Governor, investigate complaints about abuses and deprivations of human and constitutional rights, monitor and investigate reports of abuse, monitor programs and facilities that are operated, funded, or contracted by state agencies, review research projects involving human subjects, and generally advocate for the welfare of individuals who are in the care and custody of state agencies in the social service area or private vendors under contract with the state.

The appellate body of the LACs is the Statewide Advocacy Council (SAC). This council of 15 volunteers appointed by the Governor receives appeals on complaints that the LACs have not been able to resolve at the local level. SAC may address complaints that are a threat to the life, safety or health of individuals, or that are multi-service area in scope without a district appeal. After investigation by SAC, these issues may be referred to the secretary or agency head, or the Governor for action. SAC members also oversee the LACs and supervise the operation of the LAC system.

The Children's Justice Act grant Task Force (CJA) is the second Citizen Review Panel. This multidisciplinary task force is made up of professionals with knowledge of and experience with the criminal justice system and the child protective services system. The task force reviews investigative, administrative, civil, and criminal handling of cases of child abuse and neglect and makes specific recommendations as to the allocation of CJA dollars to address areas needing support or improvement. Every three years, the CJA Task Force is required to completely review the state's laws, codes, policies and procedures relating to child abuse and neglect and make recommendations for change, if necessary.

The State Child Abuse Death Review Committee is the third Citizen Review Panel. This committee is established in state statute under the Department of Health. This committee consists of the heads of the Departments of Legal Affairs, Children and Families, Law Enforcement, and Education; the Prosecuting Attorney's Association; and the Medical Examiners Commission, specifically a

forensic pathologist. Eleven other members are appointed to ensure the committee represents the regional, gender, and ethnic diversity of the state. The committee is responsible for collecting data on deaths that are the result of child abuse and prepare an annual statistical report on the incidences and causes of these deaths. The committee is also responsible for studying the adequacy of laws, rules, training, and services to determine what changes are needed to decrease the incidence of child abuse deaths, develop strategies, and recruit partners to implement these changes.

The Department of Children and Families did not use utilize the Foster Care Citizen Review Panels to meet the requirements of CAPTA, but we continued to work with them as a review panel. Section 318.21(a), Florida Statutes, contains the requirement to implement the Foster Care Citizen Review Panels, but over the past few years the funding from the Legislature has been reduced. This reduction has affected the ability of the Foster Care Citizen Review Panels to be fully functional. The loss of funds has reduced the level of state support and ability to complete annual reports. During the past year we held meetings with the Citizen Review Panels of Florida and came up with a plan to try to assist them in drawing down Title IV-E funding for their work. It was determined that the work they do is Title IV-E allowable and we plan to amend statutory language to accurately reflect their role. By the end of this fiscal year or early next fiscal year, a letter will be sent to the DHHS regional office in Atlanta concerning this issue. Unless a negative response is received, we plan to submit a claim for the first quarter of SFY 2003-2004.

If we are able to successfully draw down federal funds to support the work of our Foster Care Citizen Review Panels we will begin using them to meet the CAPTA citizen review requirement.

Child Abuse Prevention and Treatment Act State Plan for State Fiscal Year 2003-2004

The Florida Department of Children and Families, Office of Family Safety, will continue the work of the prevention unit. This unit will work with the statewide core of not-for-profit agencies, the districts/region and the TEAM Florida Partnership to develop a comprehensive strategy for the prevention of child abuse and neglect. Florida has refined the scope and focus of the statewide goals and objectives to assist individuals, both in the public and private sector, with focusing resources and services on measurable outcomes that will positively impact the provision of prevention and intervention services in Florida. Outcomes will be scientifically based and analyzed to determine the effectiveness of the programs. Florida will continue to focus on Section 106(a)(7) of the Child

Abuse Prevention and Treatment Act, and will continue to envision the following:

- ◆ Assess district/region child abuse and neglect prevention programs to determine achievement of performance outcomes and objectives to ensure the quality of services being provided.
- ◆ Work with statewide organizations to help improve the statewide Child Abuse and Neglect Prevention Network.
- ◆ Provide technical assistance to statewide contracted service providers to monitor compliance and effectiveness of service delivery.
- ◆ Provide staff support to the TEAM Florida Partnership for prevention program planning and coordination.
- ◆ Conduct technical assistance meetings with Community Facilitators.
- ◆ Serve as liaison with other public agencies and private organizations concerned with child abuse and neglect prevention.
- ◆ The Child and Family Services Monthly Report Tool, which captures the numbers served by various community-based prevention programs will be redesigned and expanded. This will allow us to better track the types of programs that we are funding statewide.

Appeals Process

When a report of abuse or neglect is made to the hotline and the report has been substantiated and results in judicial action each family is appointed an attorney to represent them. The attorney may file an appeal on behalf of the client if they do not concur with recommendations. Section 39.01, Florida Statutes and Department Operating Procedure 175-19 contain the process for handling false reports to protect clients who have been wrongly accused of abuse and neglect.

Assurance Requirements

Florida submitted signed documentation by Governor Jeb Bush, stating that all of the assurance requirements were met and the state continues to comply with the required assurances.

Changes in State Law

- ◆ On May 28, 2002, Governor Jeb Bush released an executive order creating a Guardian Ad Litem Program Working Group. This group developed a recommended plan of action for realizing the full potential of the Guardian Ad Litem (GAL) Program. The Group consisted of 12 members appointed by the Governor, including four individuals recommended by the Chief Justice of the Florida Supreme Court. The working group continued to exist until its objectives were achieved, until September 15, 2002. The Office of Family Safety provided information to this Working Group to aid in their understanding of the requirements of Florida's CAPTA grant, the findings of the recent Child and Family Services Review, and most importantly, the number of children needing representation who currently are without GALs. This workgroup finished their report and it was submitted to the Governor on September 15, 2002. A copy of the final report can be found in Appendix D.
- ◆ House Bill 439, Guardian Ad Litem Office: This bill creates a statewide Guardian Ad Litem office within the Justice Administrative Commission, specifies procedures for hiring an executive director, and provides functions of the office.