

JUNE 5, 2019



PERFORMANCE OF CORRECTIVE  
ACTIONS OF THE JUDGMENT IN

THE PEOPLE OF THE STATE OF CALIFORNIA v.  
HUMBOLDT COUNTY DEPARTMENT OF HEALTH  
AND HUMAN SERVICES AND HUMBOLDT  
COUNTY SHERIFF'S OFFICE

PROGRESS REPORT  
MONITORING PERIOD II  
(SEPTEMBER 1, 2018 - FEBRUARY 28, 2019)



**Center for the  
Study of  
Social Policy**  
Ideas into Action

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*People of the State of California*  
v.  
*Humboldt County Department of Health and Human Services  
and Humboldt County Sheriff's Office*

**Monitoring Period 2**  
**September 1, 2018 - February 28, 2019**

June 5, 2019

*People of the State of California*  
v.  
*Humboldt County Department of Health and Human Services*  
*and Humboldt County Sheriff's Office*

**Monitoring Period 2**  
**September 1, 2018 - February 28, 2019**

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*People of the State of California v.  
Humboldt County Department of Health and Human Services  
and Humboldt County's Sheriff's Office*

**Progress Report for the Period September 1, 2018 – February 28, 2019**

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## **I. Background and Introduction**

This is the second report on the progress of Humboldt County Department of Human Services (DHHS) and Sheriff's Office (HCSO) in completing agreed upon corrective actions based on a Judgment of the Superior Court of the State of California (Judgment) by the California Attorney General (CA AG) on behalf of the People.<sup>1,2</sup> The Judgment includes a Memorandum of Understanding (MOU, Exhibit A) between DHHS and HCSO.

The Judgment required that DHHS and HCSO contract with a third party compliance monitor.<sup>3</sup> The county contracted with the Center for the Study of Social Policy (CSSP) to serve as the third party compliance monitor.<sup>4</sup> Parties agreed that the monitor shall conduct a review of implementation of requirements of the Judgment and prepare a written report bi-annually.

In fulfilling its responsibilities as monitor of the agreements of this Judgment, CSSP seeks to comprehensively review, understand, and report on the policies and actions taken by DHHS, DHHS' Child Welfare Services (CWS), and HCSO, and the results of those actions. Further, the CA AG's Office asked CSSP to respond to individual case complaints about DHHS, CWS, and HCSO related to the agreements of the Judgment.

Section II of this report describes CSSP's activities during this second monitoring period. Findings are included in three sections - Section III is a summary of DHHS, CWS, and HCSO performance

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<sup>1</sup> In 2015, after receiving complaints that DHHS' Child Welfare Services (CWS) and HCSO were not always properly receiving, responding to, and investigating reports of child abuse and neglect, the CA AG conducted an investigation to determine whether CWS and HCSO were complying with CA's Child Abuse and Neglect Reporting Act (CANRA) and related provisions of CA Penal Code § 11164 and Welfare & Institutions Code 16504.

<sup>2</sup> A copy of the stipulation by Parties and the Judgment including Exhibit A, a Memorandum of Understanding between HCSO and CWS, may be found at: <https://oag.ca.gov/news/press-releases/attorney-general-becerra-humboldt-county-agrees-system-wide-reforms-protect>

<sup>3</sup> Judgment, Section 4.

<sup>4</sup> CSSP works nationally on federal, state, and county policy as well as on community, systems, and program levels to improve conditions for families and children with a focus on equity. CSSP brings decades of experience working with federal, state, and local partners, parents, and youth to improve experiences with and outcomes of multiple systems, including child welfare systems. CSSP has also served as monitor and technical assistance provider to several state and county child welfare systems involved in federal class action cases. CSSP's approach to monitoring child welfare systems engaged in reforms, such as those required by this Judgment, includes seeking input from system leadership and staff, community partners, consultants engaged in supporting the reform, tribal and community representatives, service providers, parents, and youth. More information can be found at [www.CSSP.org](http://www.CSSP.org)

in completing corrective actions of the Judgment; Section IV discusses progress made, organized by substantive areas; and Section V is a Summary Table of the corrective actions and performance during monitoring periods one (March through August 2018) and two (September 2018 through March 2019). Gayle Samuels, Judith Meltzer, and Arthur Argomaniz prepared this report, with support from Rachel Paletta, for presentation to Parties and the public.

## **II. Monitoring Activities**

Pursuant to the Judgment, CSSP is responsible for reviewing and reporting on the actions DHHS, CWS, and HCSO have taken to ensure compliance with the provisions of the Judgment. During this second monitoring period, CSSP took actions to verify whether DHHS, CWS, and HCSO have implemented steps required during the second six months after entry of the Judgment. During this monitoring period, CSSP has:

- Maintained communication with the CA AG’s Office on the status of the county’s progress and CSSP’s work.
- Met with leadership at DHHS, CWS, and HCSO; tribal representatives of the eight federally recognized tribes in Humboldt County, including tribal council members, social services leadership, and/or staff of the Big Lagoon Rancheria, Bear River Band, Blue Lake Rancheria, Hoopa Valley Tribe, Karuk Tribe, Trinidad Rancheria, Wiyot Tribe, and Yurok Tribe; and communicated with county counsel.
- Collaborated with staff of the National Council on Crime and Delinquency (NCCD) and Olin Jones, CWS’ tribal consultant, both retained by Humboldt County to carry out specific responsibilities pursuant to the Judgment.<sup>5,6</sup>
- Observed CWS’ leadership meetings, NCCD technical assistance sessions, and participated in meetings to prepare for and of the Community Task Force required by the Judgment.<sup>7</sup>
- Tracked the progress of the work of the Child Protection Reporting Guide and Policy & Procedure subcommittees of the Community Task Force.
- Interviewed HCSO staff hired or promoted during MP2 individually regarding their training and field experience related to the terms Judgment.

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<sup>5</sup> [www.nccdglobal.org](http://www.nccdglobal.org), Judgment, Sections BB. & CC.

<sup>6</sup> Judgment, Section O.

<sup>7</sup> Judgment, Sections BB., CC., & II.

- Released the first monitoring report to the public and presented aspects of the report at a CWS all-staff meeting and at a Humboldt County Community Task Force meeting.
- Prepared a sealed and confidential appendix to the first monitoring report, as requested by the CA AG.<sup>8</sup>
- Spoke with many interested individuals, representing various sectors, including adoptive and foster parents, advocates, and service providers.
- Reviewed individual case complaints, as requested by the CA AG’s Office.
- Analyzed data provided by DHHS, CWS, and HCSO.

CSSP also received a brief orientation to HCSO’s updated records management system, RMS, which will assist HCSO in tracking reports of child abuse and neglect or CANRA reports; reviewed case records in CWS/Case Management System (CMS); and accessed CWS data in SafeMeasures<sup>®</sup>.<sup>9,10,11,12</sup>

CSSP has had conversations with Parties regarding the importance of self-assessing, understanding, and communicating baseline or early results of the work that both HCSO and CWS have done, particularly over the past year, to build structures and implement new and updated policies. This includes reporting on results and the functioning of the HCSO and CWS complaint systems, and further reporting on how staff articulate, practice, and document new and updated policies and procedures.

### **III. Summary of Performance**

During this six-month monitoring period, the County (HCSO, DHHS, and CWS) moved forward to meet the requirements of the Judgment. There were significant accomplishments related to many areas of the Judgment and some setbacks due to changes in leadership and chronic staffing shortages at CWS. Of particular note and as discussed further below, DHHS, CWS, and county counsel

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<sup>8</sup> Judgment, Section 4.

<sup>9</sup> CA Penal Code § 11164.

<sup>10</sup> CWS/CMS is statewide electronic case management tool.

<sup>11</sup> SafeMeasures<sup>®</sup> is an NCCD business intelligence tool, adopted statewide, that uses case management data, uploaded nightly, to provide agency directors, managers, supervisors, or caseworkers with case-based outcomes on key performance indicators. Multiple levels of staff can monitor their own work, the work of multiple social workers who form a unit and are led by one supervisor, the work of the entire county’s, and statewide performance. Social workers can, prioritize work, identify problems, make sure data reflects work done and progress, and plan for improvement.

<sup>12</sup> HCSO gave CSSP a full demonstration of the previous process. CSSP plans to work with HCSO to better understand the referral recompilation process since implementation of RMS during this monitoring period.



finalized a government-to-government agreement with the Hoopa Valley Tribe and the County regarding collaborative child welfare practice and continued with the work to engage other tribes to create formal government-level agreements related to child welfare practices. CWS and HCSO also continued efforts to engage the community as partners in this work through the newly created DHHS-HCSO Community Task Force and the beginning work of committees of the Community Task Force.

CWS is continuing efforts to improve its working relationship with tribes and the community and developing staff capacities to meet the terms of the Judgment through ongoing consultation with NCCD. CWS acknowledges, and is in the early stages of assessing and addressing, long-standing challenges, including: timely closure of investigations; decision-making related to SDM<sup>®</sup>; robust use of the Humboldt County Practice Model, especially related to Child and Family Team Meetings; using data for management; and increasing accountability for expected practices to leadership, families, partners, and peers within and outside of CWSs.<sup>13</sup> The ability to stabilize effective leadership, management, and frontline staff remains a problem and continues to affect each of those goals.

Discussed briefly below and in more detail in the body of this report, are the CSSP's assessment of key accomplishments and current barriers.

➤ **Changes in Key Leadership Positions**

During this monitoring period, there were several staffing shifts relevant to the Judgment, including with county counsel assigned to DHHS/CWS, in CWS leadership, and CWS frontline staffing.

On January 25, 2019, the director of CWS, who had held the position since October 2017, resigned. The DHHS Director increased oversight of CWS, pending the employment of a new CWS director and two deputy directors have assumed increased leadership roles. DHHS posted the CWS director position from February 1 to March 1, 2019, and received nine applications. DHHS hired a CWS director who will begin working on June 3, 2019.

In September 2018, DHHS hired a CWS deputy director whose responsibilities include tracking and reporting on terms of the Judgment. The addition of this role, as well as an analyst, have been beneficial to CWS' work with NCCD and is intended to increase the use of multiple forms of data and improve understanding of practice and systems functioning. In October 2018, DHHS added another deputy director position, in an extra help role to assist staff with accurately completing SDM<sup>®</sup> tools, to support development of a training program, and to provide mentorship and support

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<sup>13</sup> SDM<sup>®</sup> or Structured Decision Making is a set of assessments the California's Department of Social Services uses to guide a social worker's decisions related to safety, permanency, and well-being and to increase consistency and accuracy in case assessment and case management among child abuse/neglect staff within a county and among counties.

to program managers and supervisors in managing programs and supervising staff. The CWS program manager responsible for Adoptions, Placement, and Resource Family Approval programs resigned as of mid-March 2019, just after the current monitoring period. That program manager will continue to support CWS with a range of tasks, in an extra help role, including training and transitioning tasks to the newly assigned program manager. DHHS announced that the program manager responsible for Ongoing Programs (Family Maintenance/in-home services, Family Reunification, and Permanency Planning) would assume the Adoptions, Placement, and Resource Family Approval role. DHHS promoted a CWS social worker supervisor to the program manager position responsible for Ongoing programs. As would be anticipated, the multiple transitions are causing additional communication problems internally and externally.

➤ **New HCSO Leadership**

The Sheriff appointed an Undersheriff in October 2018. Vacancies in HCSO’s records department were filled in April and May 2019. HCSO has open deputy positions, one of which is expected to be filled in June 2019, and is recruiting to fill remaining positions.

➤ **Communication and Cross Reporting Between HCSO and CWS**

As a result of the creation of HCSO’s CANRA Coordinator position and newly implemented and ongoing training of deputy sheriffs, collaboration between CWS and HCSO has reportedly improved.<sup>14</sup> CWS assigned the emergency response program manager to the role of CANRA Coordinator.<sup>15</sup> The HCSO and CWS CANRA Coordinators continue to track cross reports and troubleshoot, as needed. On September 26, 2018, HCSO implemented a new records management system that has helped automate aspects of tracking reports HCSO receives from CWS.

➤ **Tribal Collaboration**

Based on a long history of inconsistent collaboration, the need to build trust between CWS and tribes will not be quickly resolved. It will minimally require that CWS consistently follow through on agreed upon policies, procedures, and practices. As part of the Judgment, DHHS agreed to make good faith efforts to negotiate and develop protocols with the eight federally recognized tribes in Humboldt County governing processes to ensure shared decision-making related to cases involving tribal children.<sup>16</sup> The work to develop, and more importantly to follow those protocols has begun.

A significant accomplishment during this monitoring period is the result of the work of DHHS, CWS, Hoopa Valley Tribe, Hoopa Valley Tribal Social Services leadership, and Olin Jones, CWS

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<sup>14</sup> HCSO assigned a detective to the role of CANRA coordinator, Judgment, Exhibit A, 3.a.i.

<sup>15</sup> Judgment, Exhibit A, MOU, 4.a.i.

<sup>16</sup> Judgment, Section P.

tribal consultant, to develop an MOU/protocol between the Hoopa Valley Tribe, DHHS, and CWS. The Hoopa Valley Tribal Council and the Humboldt County Board of Supervisors approved an MOU, on December 7, 2018 and February 5, 2019, respectively (see Appendix II).<sup>17</sup> The MOU sets out expectations for timely and joint work, shared decision-making, and dispute resolution between DHHS, CWS, and the Hoopa Valley Tribe regarding children involved with CWS who are members of or are eligible for membership with the Hoopa Valley Tribe. While agreements across sovereign nations may likely be similar, each tribe's social services may have unique processes that influence an MOU with the county. CWS' leadership and tribal consultant, the DHHS Director, and county counsel began to work with the Karuk Tribe on an MOU after distributing a draft MOU to each tribe for review.

In efforts to be responsive to the needs of the community and CWS workforce, DHHS has committed to exploring the creation of a unit focused on serving tribal children, a request of multiple tribal social services leaders. This has been a unanimous request of the tribal social service leaders for many years. DHHS has also committed to creating a dedicated, functional workspace for CWS staff who primarily work in the eastern region of Humboldt County. Staff report this would decrease travel time, increase time spent working directly with families, increase documentation in CWS/CMS, and may contribute to reducing the backlog of investigations discussed below.<sup>18,19</sup>

### ➤ **Community Task Force**

DHHS and HCSO sponsored Community Task Force meetings in September 2018 and January 2019, which were well attended.<sup>20</sup> Co-chairs of the Task Force are a foster and adoptive parent and an educational professional. The Task Force has created several subcommittees charged with continuing work between Task Force meetings. For example, members of the policy subcommittee of the Task Force reviewed and provided feedback on CWS policies and procedures. Another subcommittee formed and met multiple times for orientation to the work required to create the Mandated Reporter Guide/Child Protection Reporting Guide in consultation with NCCD.<sup>21</sup> Work on the Guide will continue through May 2020.

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<sup>17</sup> A blog post describing the MOU, written by Arthur Argomaniz, CSSP Project and Research Associate and Olin Jones, Tribal Consultant to Humboldt County for the Judgment may be found at: <https://cssp.org/2019/04/hoopa-valley-tribe-humboldt-county-sign-historic-child-welfare-mou-protocol/>

<sup>18</sup> Humboldt County considers each investigations to be in backlog 40 days after receiving a report alleging abuse and/or neglect.

<sup>19</sup> CA DSS ACL 18-28 clarifies CA DSS Manual 31-101.3.33 and 31-101.5.51.511-513, effective 10/1/16 that no investigation is to exceed 40 days. The expectation is that investigations close within 30 calendar days of CWS contact with the child, therefore, the closure date is dependent on the date of first contact with the child, and can range from 30 to 40 days but cannot exceed 40 days. Neither ACL 18-28 or CA DSS Manual 31-101 define child for the purposes of this practice or state whether all or at least one of the (alleged victim) children for must be seen within the deemed response.

<sup>20</sup> Agendas, notes, and materials from Community Task Force Meetings may be found at: <https://humboldt.gov.org/2373/Community-Task-Force>

<sup>21</sup> Judgment, KK.(1)

The number of participants in Task Force meetings has reduced since the initial meeting. Remaining members have identified topics of interest and some have stated that they ceased attending since issues they thought would be covered, such as the CWS System Improvement Plan, are no longer on the agenda.<sup>22</sup> The Sheriff, DHHS Director, the Community Task Force Steering Committee, and Community Task Force members will need to work together to engage participants and ensure that the Task Force remains a relevant and trusted vehicle for obtaining community input and collaborative work.

➤ **Staff Training at HCSO**

New staff at HCSO received training on CANRA and confidentiality, handling investigations relating to child abuse and neglect, conducting investigations with a child present, revised policies and procedures, and trauma informed practices relating to interviews of children in a timely manner, as agreed. CSSP interviewed three deputies hired since February 2018 and found each of them to be well versed in expected practices related to new policies, CANRA, and working with CWS.

➤ **Key Improvement Efforts within CWS**

CWS dedicates several days each month for onsite training and coaching from NCCD. Check-in sessions by phone at other times during the month are also ongoing. CWS is developing an annual training plan for all staff, with sessions for cohorts of new staff to be hired in March, July, and tentatively October each year. In addition to Core Training for new social workers provided by the Northern California Training Academy, CWS reports training being developed for new staff will include the Child Abuse and Neglect Reporting Act, Welfare and Institutions Code, Confidentiality, Tribal Collaboration Documentation, Cross Reporting, the Humboldt Practice Model, Cultural Training, CWS Policy and Procedures, and Tribal Protocols.<sup>23</sup> Annual offerings for new and ongoing staff will include policies, procedures, and the Humboldt Practice Model.

CWS continues to maintain a 24-hour system, or hotline, to receive reports of suspected abuse and/or neglect of a child and has the capability to receive reports by email and fax. Anecdotal feedback from mandated reporters shows satisfaction with the responsiveness of social workers at the hotline when making a report.

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<sup>22</sup> The California Department of Social Services moved to a continuous quality improvement oversight approach for California counties following the passage of the Child Welfare System Improvement and Accountability Act (AB 636) in 2001. More info can be found at: <http://www.cdss.ca.gov/inforesources/Child-Welfare-Program-Improvement/Child-and-Family-Services-Review>

<sup>23</sup> The Northern California Training Academy provides training, research, evaluation, and consultation to 28 Northern California counties and two tribes; <https://humanservices.ucdavis.edu/programs/northern-california-training-academy>

## ➤ CWS Backlog of Investigations

The Judgment required CWS, as part of its contract with NCCD, to complete 30 percent of the 293 investigations in backlog as of February 14, 2018 each quarter, and close all of those investigations previously in backlog within a year of the Judgment, by February 13, 2019.<sup>24</sup> CWS reports that it eliminated the 293 investigations in backlog on February 12, 2019. See Figure 3 on page 20 for a depiction of the progress in reducing this backlog. To eliminate the backlog, CWS program managers worked with NCCD to develop and implement plans that included assisting social workers in entering data into CMS, coaching staff, and providing support to individual social workers in completing tasks. While the focus on the previously backlogged investigations was successful, a new backlog of investigations simultaneously began to grow.

Monthly data during the monitoring period show that a new backlog (the number of investigations in backlog since the filing of the Judgment) has steadily increased, with the exception of January and February 2019. On August 31, 2018, the end of the last monitoring period, there were 150 investigations in the backlog that had formed since February 14, 2018. Monthly point-in-time counts reveal that the new backlog of CMS/CWS investigations has ranged from 79 percent (161 of 203) to 92 percent (284 of 308) of all pending investigations during this monitoring period. As of February 28, 2019, 55 percent (195 of 351) of pending investigations were in backlog status.

To address this recurring and serious issue, CWS has continued to work with NCCD to develop Emergency Response program-wide and individual social worker plans to complete investigations in a timely manner. There may be valid reasons for some investigations to be open beyond 40 days, including those instances where CWS needs to wait for additional information from law enforcement or a medical provider, but CWS does not collect these data and cannot currently report on the number of investigations with a valid reason for delayed closure. The agency could also track closure of investigations in compliance to the State's expectations, which range from 30 to 40 days to completion. Regardless, the continued high number of investigations open beyond 40 days, the State's upper limit, and anecdotal evidence of the subsequent impacts on families and providers, are causes for concern. The county must do more and sustain any progress that has been made in this area to better understand and address this issue and increase accountability on multiple levels related to the work needed to conduct child protection investigations in a thorough and timely manner.<sup>25</sup>

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<sup>24</sup> Judgment Section CC.(8)c.

<sup>25</sup> On April 30, 2019, at the request of the CA AG, CWS developed a more aggressive plan to reduce the backlog of investigations that had been open for 40 or more days, and targeted May 1, 2019 for beginning implementation. On April 30, 2019, there were 245 investigations open more than 40 days.

### ➤ **Policies and Procedures**

During the previous monitoring period, CWS did not meet the initially agreed upon nor an extended deadline to update policies with tribal input. However, during this monitoring period, CWS completed this obligation, re-circulated final policies to staff, and reports that social worker supervisors have reviewed new and updated policies individually with social workers and during unit meetings. DHHS plans to post policies online once work is completed to make the documents accessible and compliant with the Americans with Disabilities Act. Community member reports suggest that fully and consistently implementing the policies will take time and will require training, supervisory coaching, and robust accountability and quality assurance and quality improvement measures.

HCSO provided group training on CANRA and new policies related to the Judgment. HCSO is preparing to deliver annual refresher training to deputies and other staff. Deputies hired in the interim have received and benefitted from required training.

### ➤ **Complaint Systems**

Both HCSO and CWS have implemented a system to field complaints from the public related to child abuse and neglect cases. CWS developed policy and presented initial data about the work of its Office of the Ombudsperson to the Community Task Force in March 2019. During this next monitoring period, CSSP will work closely with DHHS to assess the functioning of the Ombudsperson Office, identify areas working well and areas for improvement.

## **IV. Recommendations**

1. The county must more deliberately assess the problem of investigations that are not closed in a timely manner (creating an investigation backlog) and implement procedures and protocols to address the problem, and sustain progress made in this area. Accountability on multiple levels related to the work needed to conduct thorough and timely child protection investigations timely manner must be increased.
2. Communication problems persist and partnership with Humboldt County tribes remains inconsistent. For example, there are gaps in information sharing about whether CWS accepts a report for investigation, whether an investigation is in backlog, closed with no further action, or closed and transferred to a family maintenance unit. Structures must be in place to facilitate consistent and ongoing sharing of information and shared decision-making in accordance with CWS policy and MOUs with the Tribes.

3. CWS must implement quality assurance systems, including case and other systemic reviews, to assess adherence to policy in documented and actual practice. These systemic reviews must involve youth, parents, other family members, partner agencies, tribes, and community members participating in review design, data collection, and data analysis. CWS data and results of QA reviews need to be shared with and accessible to the Community Task Force and the public.
4. The Sheriff, DHHS Director, the Community Task Force Steering Committee, and Community Task Force members will need to work together to engage participants and ensure that the Task Force remains a relevant and trusted vehicle for obtaining community input and collaborative work. The Task Force should move forward with initial plans to form a functioning CQI subcommittee.

## V. Discussion of Progress

The following is a discussion of progress by CWS and HCSO in key substantive areas of the reform work and Judgment.

### A. Tribal Collaboration

Tribal children are overrepresented in the county's child protection system, compared to their total population in the county. Data on children involved with CWS over a 12 month period, and at a point in time, that reflect the disproportionality, are shown below.

CWS/CMS data for the period from February 28, 2018 to February 28, 2019 show that children whose primary *race/ethnicity* is identified as *American Indian* represented:

- 24 percent (337/1,307) of CWS investigations initiated;
- 31 percent (105/338) of CWS family maintenance cases open, and
- 27 percent (178/660) of children who were in foster care at any time during the period.<sup>26</sup>

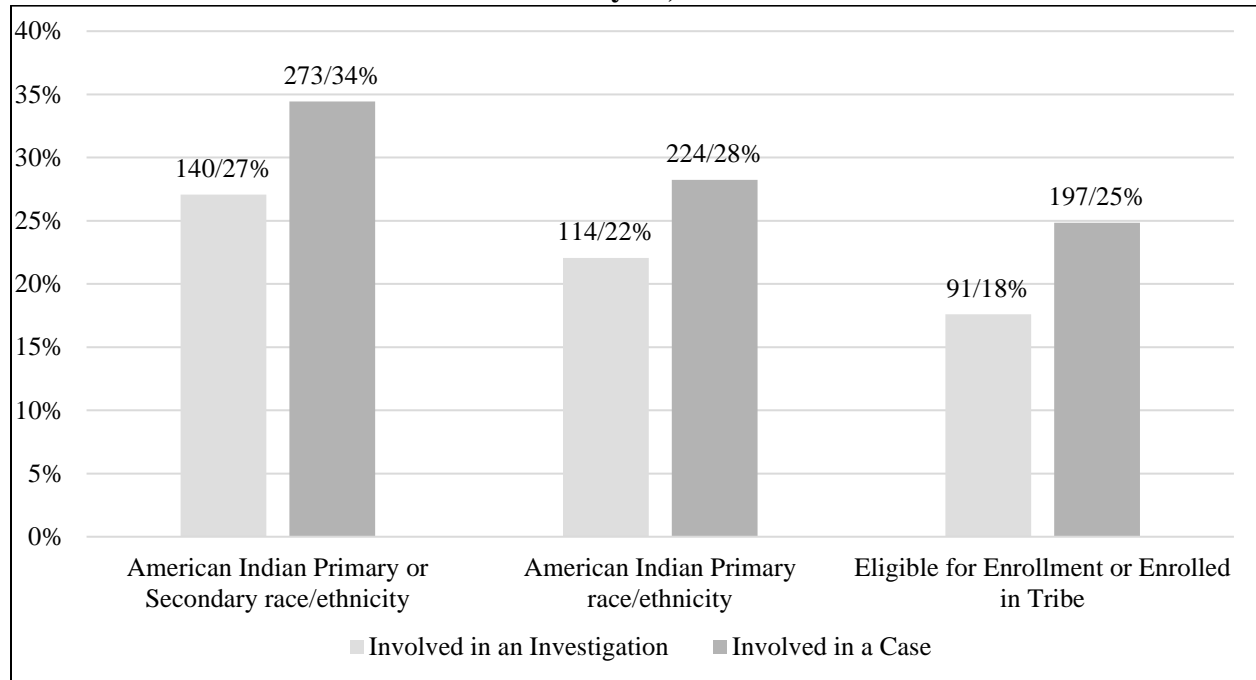
CWS/CMS point in time data for February 28, 2019, as reflected in Figure 1, show that children whose *primary race/ethnicity* is identified as *American Indian* represented 22 percent (114 of 517) of children identified in a CWS investigation. On the same day, children whose *primary*

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<sup>26</sup> For investigations, the count is based on a unique count of children involved in an investigation assigned at any time during the reporting period. If that child was involved in more than one investigation assigned during the reporting period, they are only counted once. Three hundred and seventeen children with no primary ethnicity identified were removed from the universe of children involved in investigations; 20 children with no primary ethnicity identified were removed from the universe of children involved in a family maintenance case; and 16 children with no primary ethnicity identified were removed from the universe of children involved in a foster care case.

race/ethnicity is identified as *American Indian* represented 28 percent of children (224 of 793) involved in a family maintenance services or foster care case. Children involved in an investigation or a family maintenance or foster care case on February 28, 2019 whose *secondary race/ethnicity* is identified as *American Indian* and children who are eligible for enrollment or enrolled in a tribe are also depicted in Figure 1.

**Figure 1**  
**American Indian Children Involved with Humboldt County CWS**  
**February 28, 2019\***



Source: Humboldt County CWS

\*Total number of all children on 2/28/19 involved in an investigation was 517 and involved in a case was 793.

The Judgment requires corrective actions specific to CWS’ work with tribal children and families. While there are some reports of increased collaboration between CWS and stakeholders, such as with education and medical professionals, it reportedly remains difficult for tribal social services to consistently partner with CWS. Tribal representatives report that they have sought to work with CWS to track reports of alleged abuse or neglect, the status of investigations, and case progress on a regular basis. For some tribes, that has resulted in monthly meetings to discuss cases and improve partnership with CWS to achieve the goals of safety, well-being, and permanency for children. For other tribes, communication problems persist and partnership must be improved. There are gaps in information sharing about whether investigations are in backlog, closed with no further action, or closed and transferred to a family maintenance unit. This has resulted in reports from tribal social services representatives to the newly established Ombudsperson’s Office after attempts at case level problem solving with CWS social workers, supervisors and managers, as applicable, have failed. Complaints reflect the need to increase clear and timely communication with families and partner agencies. Issues have been reported to the Ombudsperson Office from tribal representatives



concerning the status of an investigation and the status of transferring an investigation from an Emergency response to a non-Court family maintenance, or Ongoing services. The timeframe for the Office of the Ombudsperson to respond to a complaint has not always been clear.

Some longstanding concerns will require dedicated attention to resolve. Tribal representatives have asked for several years that CWS consider establishing a unit of social workers focused on managing cases involving tribal children. The DHHS Director has committed to exploring that possibility. Progress on this topic, as well as other efforts to improve collaboration, will be included in future monitoring reports.

***1. CWS gained input from tribes on policies and procedures that were updated and created in response to the Judgment.***

In late June 2018, CWS began working with tribes to garner input on policies and procedures, as required by the Judgment. CWS missed both the initial, June 14, and extended, August 24, 2018, deadlines for updating policies with tribal input. By November 30, 2018, CWS had gained input from tribes in order to complete policy revisions.

As presented in the first monitoring report, the DHHS and CWS process for obtaining tribal input on policies and procedures was flawed and further strained relationships with tribes. Tribal representatives feel strongly that the new policies and procedures and the MOUs discussed below are critically important to provide both guidance and accountability for decision-making and actions with families. CWS must implement quality assurance systems, including case and other systemic reviews, to assess the adherence to policy commitments in practice.

***2. CWS re-issued final policies and procedures on screening reports to identify and conducting investigations involving tribal children.***

After receiving input from tribal representatives and making further updates, CWS re-circulated Intake, Investigation, Tribal Collaboration, Mandated Reporters, Reports on Open Cases and Referrals, and Cross Reporting policies and procedures to staff. Collectively, these documents clarify requirements for screening for a child's membership or eligibility for membership in a tribe and working in partnership with tribal social services or a tribal representative if a child is enrolled or may be eligible for enrollment in a tribe to assess reports and conduct investigations.

***3. CWS' contracted tribal consultant facilitated execution of the first of eight planned MOUs between DHHS, CWS, and tribes in Humboldt County.***

On December 7, 2018, the Hoopa Valley Tribal Council approved an MOU between the Hoopa Valley Tribe and Humboldt County's DHHS and CWS. On February 5, 2019, the Humboldt County Board of Supervisors approved the MOU. The MOU addresses issues pertaining to the Indian Child

Welfare Act (ICWA), fundamental principles of tribal sovereignty, and establishes a framework for cross-reporting, collaborative intervention with families, and transfer of jurisdiction to accomplish the purposes of ICWA.<sup>27</sup> This government-to-government agreement is one of the first child welfare-specific MOUs to be passed by a local government and a tribe.

Work is underway, supported by the CWS tribal consultant, to discuss and develop protocols of MOUs between DHHS, CWS, and the remaining tribes.

## **B. Community Task Force and Inter-Agency Coordination**

The Judgment required the formation of a Community Task Force of public agency and community representatives to include, among others, those from school districts, Humboldt County's Office of Education, Department of Probation, DHHS' Mental Health Division, local law enforcement, tribes, and medical providers, specifically pediatricians and/or representatives of local children's hospital.<sup>28</sup> These professionals represent many mandated reporters of suspected child abuse or neglect. The group has discussed early progress on the range of reforms required by the Judgment and requested targeted focus related to some items, such as the Office of the Ombudsperson. The group also wants focus on community issues related to child abuse and neglect but not specifically related to requirements of the Judgment.

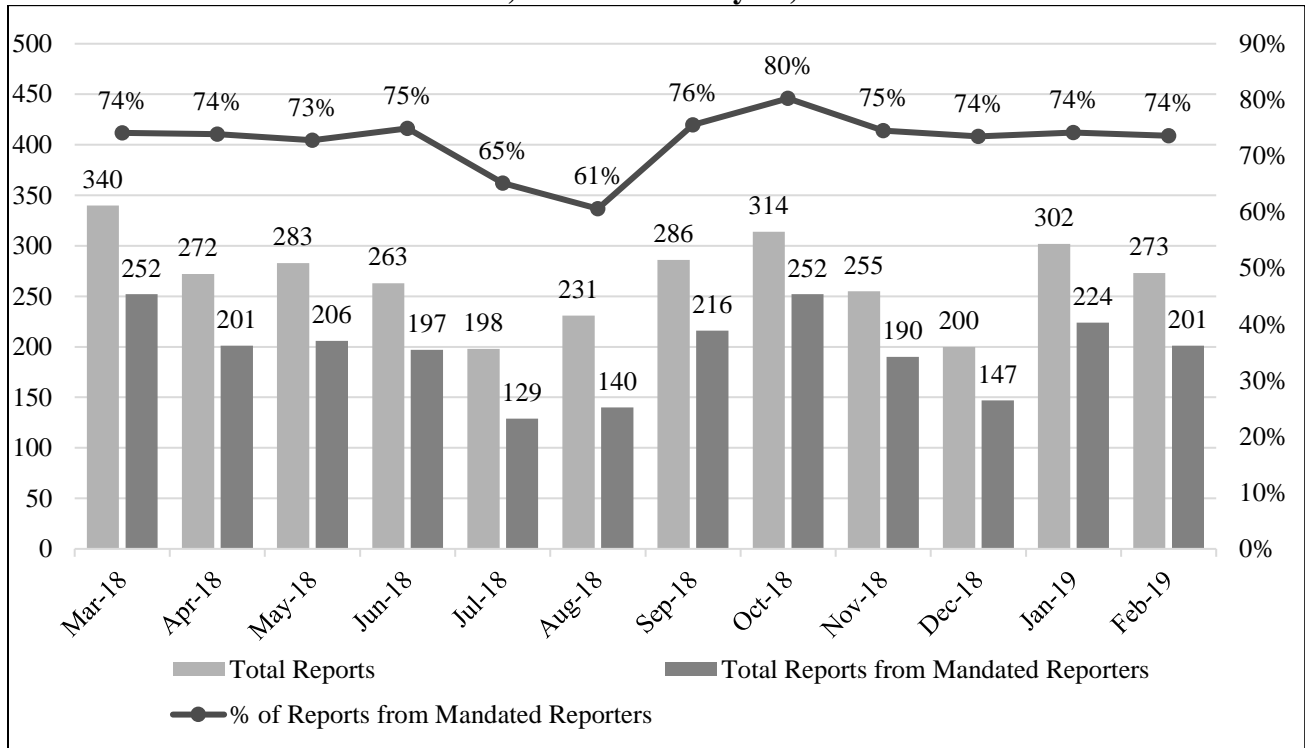
As stated above, Community Task Force members include mandated reporters, who are responsible for two-thirds to over three-quarters of the reports of suspected child abuse and/or neglect to CWS over the past year, depending on the time of year. Figure 2 presents data from March 2018 to February 2019 on the total number of child abuse and neglect reports CWS received and the portion of those reports made by mandated reporters.

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<sup>27</sup> The Indian Child Welfare Act (ICWA) of 1978 is Federal law that governs the removal and out-of-home placement of American Indian children. The law was enacted after recognition by the Federal Government that American Indian children were being removed from their homes and communities at a much higher rate than non-Native children. ICWA established standards for the placement of Indian children in foster and adoptive homes and enabled Tribes and families to be involved in child welfare cases.

<sup>28</sup> These representatives are expected to make policy recommendations to their respective departments (Judgment, Section II).

**Figure 2**  
**Total and Percentage of Suspected Child Abuse and/or Neglect Reports**  
**Received by Humboldt County CWS from Mandated Reporters**  
**March 1, 2018 – February 28, 2019\***



Source: Humboldt County CWS

\*CWS previously reported there were 271 reports, 200 (74%) from mandated reporters in April 2018.

***1. DHHS and the HCSO held quarterly Community Task Force meetings during this monitoring period.***

Per the MOU of the Judgment, the Community Task Force discussed above sponsored quarterly meetings with internal and external stakeholders to discuss child abuse and neglect and child welfare issues in Humboldt County. Bulleted below are the duties of a Community Task Force as outlined in the Judgment, and current status updates:<sup>29</sup>

- *Creating a web-based Mandated Reporter Guide, which provides an overview of CANRA and the Welfare and Institutions Code.*<sup>30</sup>  
 Update: This work is underway with assistance from NCCD.
- *Providing input on changes or revisions to policies relating to CANRA.*  
 Update: A subcommittee of Task Force members representing probation, education, foster parents, domestic violence, and mental health service providers formed to address this task.

<sup>29</sup> Judgment Section KK.(1) - (3).

<sup>30</sup> NCCD is working with Humboldt County to create a Child Protection Reporting Guide.

- *Discussing barriers encountered by the community and agencies with respect to CANRA and recommendations to address such barriers; and*
- *Identifying available community-based resources within Humboldt County and processes to coordinate referrals to such resources as appropriate.*

The DHHS Director and Humboldt County Sheriff kicked off the first Community Task Force meeting in May 2018 and the group met again in June and July 2018. The group continued to meet during this monitoring period, in September 2018 and January 2019, and met in March and May 2019. Subcommittees also met as scheduled. The Community Task Force recently released a schedule of meetings beyond May 2019.

At Task Force meetings, there has been regular representation and participation from the sectors named in the Judgment. In addition to the required participants discussed earlier, attendance at these meetings has also included youth advocates, Family Court representatives, CWS staff representative/supervisor, foster and adoptive parents, family resource center staff, Humboldt Grand Jury members, and Court Appointed Special Advocates. Participants have stated their interest in expanding the focus of the Community Task Force beyond requirements of the Judgment. HCSO and CWS have committed to addressing other issues of concern to this group while prioritizing meeting requirements of the Judgment.

Initially, tribal representatives concerned about long-standing child welfare issues wanted to meet separately with CWS to address system-specific issues. Tribal representatives stated they had participated in the past in multiple meetings and conversations with no significant practice and systems improvements. They also reported that, in some instances, CWS did not follow-up when needed after such meetings. Tribal representatives continue to question whether the Community Task Force will be beneficial and, overall, they have been minimally involved although invited.

Task Force meetings during this monitoring period focused on providing updates on the work of DHHS and HCSO to achieve the Judgment requirements, development of the Child Protection Reporting Guide, and sharing other child welfare related work in Humboldt County. Minutes of the Task Force meetings are provided to CSSP and the CA AG's and posted on the county's website.<sup>31</sup>

CSSP also presented highlights of the first monitoring report at the January 24, 2019 Community Task Force Meeting and received an invitation to present highlights of this report at the Task Force meeting planned for May 23, 2019.

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<sup>31</sup> <https://humboldt.gov/2373/Community-Task-Force>

Leadership of the meeting has continued to focus on the mandates of the Judgment, especially given their own ability to manage multiple tasks. Maintaining the interest and retention of Task Force members and promoting diverse community involvement will be a goal moving forward.

**2. *HCSO and CWS continue to participate in Humboldt County District Attorney's Child Abuse Services Team.***

The Humboldt County Child Abuse Services Team (CAST) is a group of professionals representing multiple disciplines, sponsored and hosted by the District Attorney's (DA) Office. The group consists of representatives from the DA's Office, local Law Enforcement, CWS, County Mental Health, tribal representatives, community service providers (including North Coast Rape Crisis), and Victim Witness' Advocates who collaborate to respond to the needs of children and youth requiring forensic interviews. CWS and HCSO agreed to continue to participate in Humboldt County CAST meetings as long as they were invited. The CAST Protocol Development Subcommittee has not met this monitoring period. On February 14, 2019, the Humboldt County DA's Office informed CWS and HCSO that a draft protocol would be distributed after formatting and that Addendums by tribes would be shared. As reported for the first monitoring period, in the interim, CWS developed processes to notify tribes of CAST meetings and anecdotal evidence suggests that this notification is happening. CSSP is not clear about the reasons for the extended delays in finalizing and distributing the protocol.

**C. HCSO Training and CWS-NCCD Training and Technical Assistance Contract**

The Judgment includes several training requirements for both CWS and HCSO staff, related to the MOU between HCSO and CWS and updated policies. There are also agreements related to CWS' technical assistance from NCCD. CWS has received technical assistance from NCCD since 2015 and agreed to an extended contract through 2020. HCSO and CWS have provided documentation of training and coaching delivered during this monitoring period. CSSP also interviewed several new HCSO deputies about knowledge gained through training and field experiences.

**1. *HCSO trained all new staff required to be trained this monitoring period and is preparing for its second annual CANRA training.***

The HCSO CANRA Coordinator provided CANRA training to all staff in March 2018 and began to deliver this refresher training to all staff in March 2019. These sessions address the following:

- HCSO corrective actions which are included in this Judgment;
- CANRA and mandated reporter requirements;
- Confidentiality of mandated reporters;
- Procedures for reporting to and contacting CWS; and
- The impact of trauma on children.

Staff hired after March 2018 received CANRA training in October and November 2018, which focused on the work of Humboldt County’s core child protection agencies – specifically, CWS, HCSO, and CAST – to respond to allegations of child abuse and/or neglect.

CSSP interviewed each of the three HCSO deputies who were hired or promoted to their positions during MP1 and observed that those deputies have a thorough grasp of policies and expectations. Situations they have encountered in the community provide them with an opportunity to continue learning and apply their training. They each also expressed appreciation for the open communication with the HCSO CANRA Coordinator.

## ***2. CWS continues to host Child and Family Team Meetings***

Although CWS does not currently have a standardized process for recording data on completion of Child and Family Team (CFT) meetings, CWS provided data on meetings held from September 1, 2018 and February 28, 2019. CWS held 56 CFT meetings related to investigations and 403 meetings for family preservation or foster care cases.<sup>32</sup> CWS does not collect qualitative data on CFT meetings.

## ***3. NCCD continued to deliver leadership coaching and technical assistance to CWS.***

During this monitoring period, NCCD did not deliver training but focused on coaching staff and providing technical assistance in multiple areas, including working with a subcommittee of the Community Task Force to develop the Child Protection Reporting Guide. NCCD delivered a multicultural executive leadership development session for CWS leadership to support and deepen their skills in working across cultural differences. CWS has stated that there is a larger organizational plan to continue coaching as an agency, incorporating the agency’s cultural coaches. CWS leadership plans to develop their own facilitation skills to be able to support supervisors and eventually social workers and other staff. A goal of this work is transparency with one another and effective conversations across differences with supervisors in supervision sessions and standing meetings to support their ability to use the same approach with staff and families.

NCCD consulted with CWS and the subcommittee of the Community Task Force on policy and procedures revision. NCCD also helped to review and discuss CWS’ case promotion policy and implementation plan, using the SDM<sup>®</sup> Family Risk Assessment for decision-making on opening a case following an investigation. NCCD recommended that CWS leadership determine how staff will be held accountable for implementation of the case promotion policy and determine CQI benchmarks to measure success.

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<sup>32</sup> As there is no standardized process for collecting these data, these figures are likely an underrepresentation of how many CFTs actually occurred.

The CWS team has been designing a child welfare training program and the team consulted with NCCD to review the existing training structure, currently led primarily by one supervisor. CWS envisions developing a comprehensive program that would onboard new staff and provide ongoing professional development opportunities for existing staff. The group discussed linking training with practice coaching and integrating training activities with CQI.

NCCD consultation to CWS on building a comprehensive CQI plan and supporting data-driven decision-making began in early 2018 but stalled. This work, including SafeMeasures<sup>®</sup> training for analysts, began again in January 2019. The initial focus is on the work of CWS analysts but NCCD and CWS' goal is to broaden the staff involved to include social workers, supervisors, and program managers. CSSP considers the work needed to create a comprehensive CQI system essential to CWS' ability to monitor and sustain progress.

As part of the Judgment, CWS agreed to perform a workload study to estimate the number of staff and other resources needed to perform required tasks in compliance with laws, rules, and policies applicable to Humboldt County agencies.<sup>33</sup> NCCD expected to begin preparing for a workload study in January 2019 but revised the date to March 2019 at CWS' request due to competing demands of another study in which CWS staff were expected to participate. NCCD has proposed that the workload study planning begin in May 2019, with data collection occurring in September to November 2019, a preliminary report completed in March 2020, and a final report provided in May 2020.

In November 2018, CWS staff participated in a survey on secondary trauma and work is underway to follow-up on the results. In addition to ongoing concerns about multiple demands on frontline staff, there is also concern about management being overwhelmed with the pace of required reform efforts.

NCCD supported CWS leadership in the continued efforts toward timely completion of new investigations through coaching individual social workers and supervisors and identification of systems-level barriers affecting the backlog. NCCD recommended updating the backlog work plan drafted in 2018 to address the current backlog.

On February 14, 2018, there were 293 investigations in backlog status, defined as investigations not completed within 40 days of receipt of the report. CWS agreed to complete at least 30 percent of these outstanding investigations each quarter, and close or finalize all of the outstanding investigations within one year. CWS worked with NCCD to create and implement plans to eliminate this backlog. CWS exceeded the goal of completing 30 percent of the backlogged investigations each quarter and by February 12, 2019, all of those 293 investigations had been closed.

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<sup>33</sup> Judgment, Section CC. (3).

For new investigations, CWS agreed to improve its investigation completion rate every quarter and achieve compliance with the statutory investigation completion requirement within one year of the entry of Judgment. While CWS closed all investigations that were in backlog status on the date of the Judgment, by the end of the 2018, there were 195 investigations in backlog status.

NCCD's work with CWS included creating a time management plan aimed at ensuring completion of new investigations in a timely manner. CWS discussed strategies with staff to remain current with investigation completion and documentation and to maximize productivity when entering documentation. CWS provides support to social workers to assist with entering documentation into CWS/CMS.

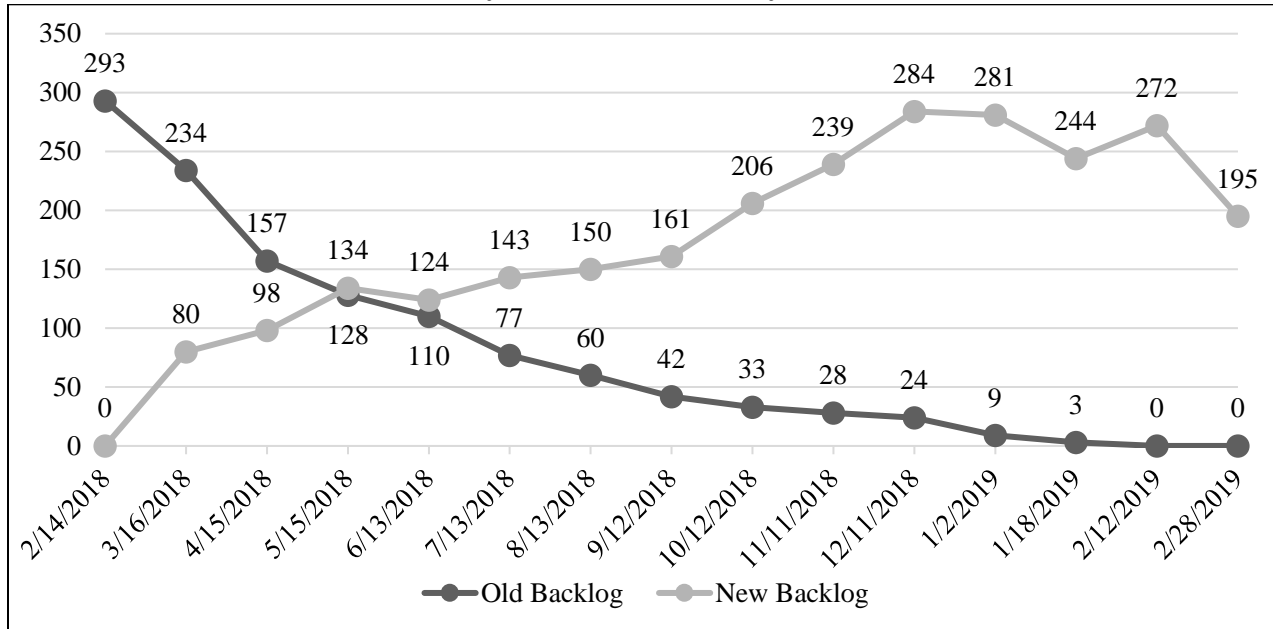
The original backlog reduction plan included assigning CWS social workers and supervisors from other programs to perform emergency response tasks. In planning to eliminate the current backlog, CWS has been reluctant to repeat this step or to offer staff overtime to assist with investigations, since other CWS programs are also stressed and need attention. Community advocates have expressed concern that the demands of the work to create an improved Emergency Response and eliminate the investigations backlog have resulted in reduced performance related to out-of-home care and permanency practice.

There was discussion about how to support investigation work in remote parts of the county, given barriers created by distance. Management, supervisors, and social workers developed individual plans and discussed systemic issues. The investigator to supervisor ratio is also likely affecting the rate of closure of investigations. DHHS increased the number of social worker positions for investigations from 15 to 18. As of February 28, 2019, there were 15 social workers assigned to investigations and three vacancies. There were three investigations supervisors, including one serving in a part-time, extra help role. CWS reports recruiting an additional supervisor for investigations.

Figure 3 below shows both the reduction of the 293 backlogged investigations, as of the date of the Judgment, and the formation of a backlog since then, termed "new backlog".



**Figure 3  
Investigations Backlog  
February 14, 2018 – February 28, 2019**



Source: Humboldt County CWS

**D. Implementing a New Emergency Response System**

Data reflect that HCSO assigns a case number to all CANRA reports received, as required by the Judgment. During the monitoring period, HCSO made 14 referrals to CWS and forwarded 24 reports to other law enforcement agencies. HCSO reports that its dispatch system contains a feature allowing dispatchers to forward calls immediately to the Arcata, Eureka, and Fortuna Police Departments.<sup>34</sup>

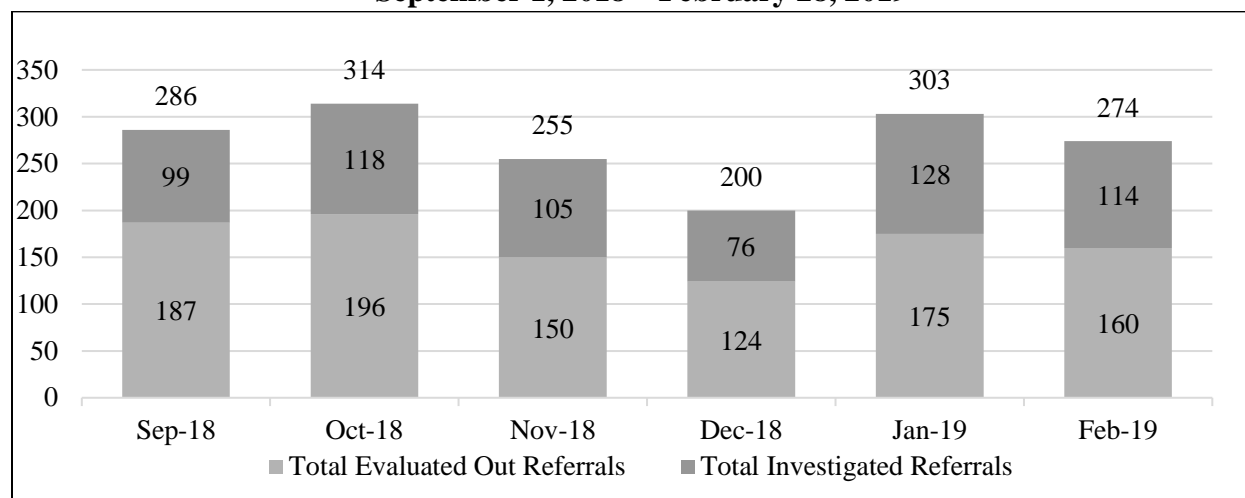
On March 16, 2018, CWS implemented a 24-hour system for directly receiving and responding to reports alleging child abuse and/or neglect. The response from community members who have contacted CWS since the system has been in place continues to be positive. As of February 28, 2019, there are six social workers and one supervisor assigned to screen and respond immediately to reports of alleged abuse and neglect of a child in Humboldt County. Two part-time, extra-help social worker screeners continue to assist the team. CWS assigns two social workers and one supervisor to the after-hours shift.

<sup>34</sup> Fortuna Police Department dispatches for the Ferndale and Rio Dell Police Departments.

CWS data show from September 1, 2018 to February 28, 2019, the agency received 1,632 calls regarding suspected abuse and/or neglect.<sup>35</sup> CWS determined that nearly two-thirds of those calls (992 of 1,632/61%) would be “evaluated out”, deemed as not reaching the threshold for a child protection response.

Figure 4 shows the number of child abuse and neglect reports received during this monitoring period and the number assigned for investigation each month, representing a range of 113 to 207 children each month. Regular reviews by NCCD show monthly agreement rate with at least 95 percent of decisions CWS made on whether a report requires a response from child protection.<sup>36</sup>

**Figure 4**  
**CWS Reports Received, Evaluated Out, and Assigned For Investigation**  
**September 1, 2018 – February 28, 2019**



Source: Humboldt County CWS

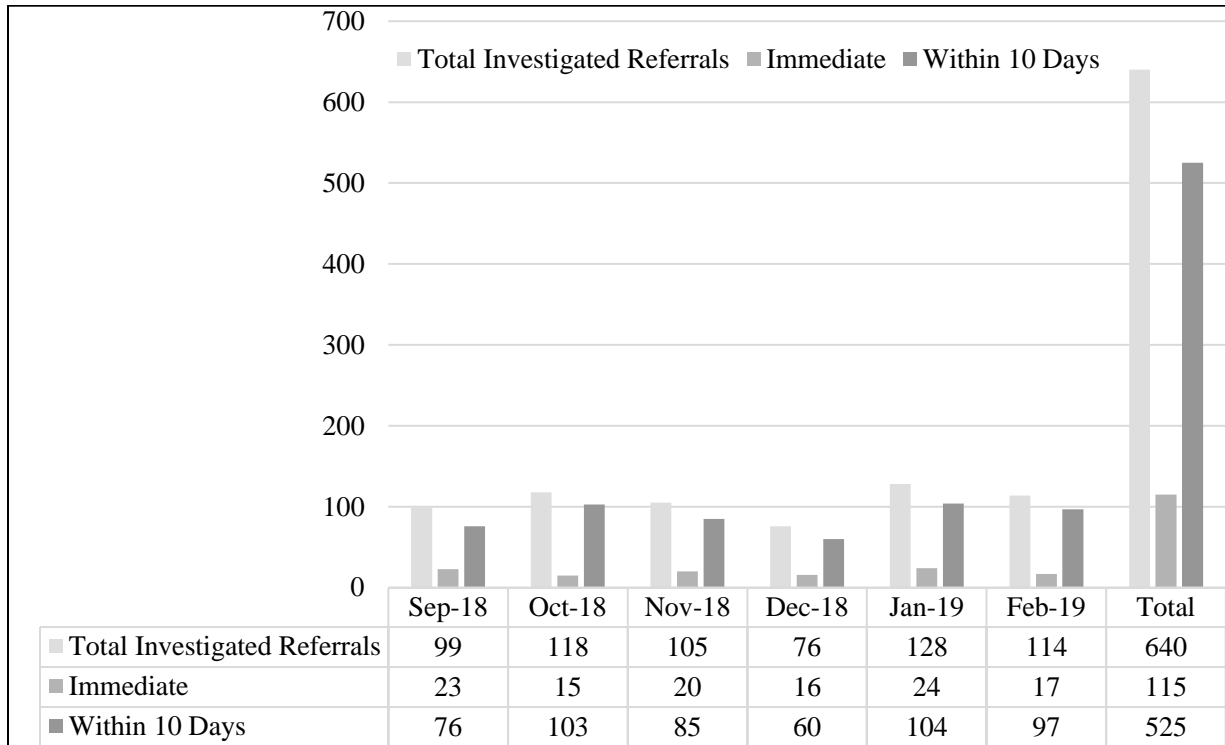
CWS intake determined that the overwhelming majority, 82 percent (525) of the 640 reports assigned for investigation from September 2018 to February 2019, required a social worker to respond within 10 days; the remaining 18 percent (115) of the reports were deemed to warrant an immediate response from CWS (see Figure 5.). Data from reviews by NCCD show over 90 percent agreement each month with completion of the tool used to decide the timeframe within which a social worker should respond.<sup>37</sup> SafeMeasures® data also indicate that the first assigned social worker is very often in agreement with the decisions made at the hotline to accept a referral for investigation and the assigned response time.

<sup>35</sup> This is a count of discrete reports which could reflect multiple reports about the same family, child, or even the same allegations. The expectation is that information from a new report meeting criteria for investigation and having already been assigned for investigation, would be added to the open investigation, as opposed to creating a new investigation.

<sup>36</sup> SafeMeasures® CWS and SDM Hotline agreement, extract date 04/28/19.

<sup>37</sup> Ibid.

**Figure 5**  
**Response Times for CWS Investigations**  
**September 1, 2018 – February 28, 2019**  
**N=640**



Source: Humboldt County CWS

CWS/CMS data also indicate that a CWS social worker responded in a timely manner in 87 to 90 percent of the 640 investigations assigned from September 1, 2018 to February 28, 2019. Each social worker handled an average of 33 investigations per month, with a range of 29 to 37 investigations per social worker. These numbers are well above the Child Welfare League of America’s recommendation of a monthly caseload of 12 for child protection investigators.<sup>38</sup>

**1. CWS maintains an electronic data entry and cross-reporting systems for intake.**

Beginning June 4, 2018, all social workers screening child abuse and neglect reports to CWS enter information collected into CWS/CMS. Additionally, screeners make real-time, electronic reports to law enforcement agencies with automatic notification to the Humboldt County District Attorney’s Office.

CWS reports sending 1,099 cross reports to law enforcement from September 1, 2018 to February 28, 2019. The majority (1,023/93%) of the reports were to local law enforcement. Just over half

<sup>38</sup> <https://www.cwla.org/wp-content/uploads/2014/05/DirectServiceWEB.pdf>

(526/51%) of the local reports were to HCSO, followed by Eureka (228/22%), Fortuna (109/11%), Arcata (103/10%), Rio Dell (42/4%), Hoopa Valley Tribal (9/<1%), and Ferndale Police Departments (6/<1%).<sup>39</sup>, CWS also sent reports to other counties in California, other states, and in one instance, to a consulate.

**Table 1**  
**CWS Cross Reports to Local Law Enforcement**  
**September 1, 2018 – February 28, 2019**  
**N=1,023**

<b>Receiving Agency</b>	<b>Number (Percent)</b>
Humboldt County Sheriff’s Office	526 (51%)
Eureka Police Department	228 (22%)
Fortuna Police Department	109 (11%)
Arcata Police Department	103 (10%)
Rio Dell Police Department	42 (4%)
Hoopa Valley Tribal Police Department	9 (<1%)
Ferndale Police Department	6 (<1%)
Total	1,023 (100%)

Source: Humboldt County CWS

HCSO reports prioritizing reports received from CWS and responding immediately.

**2. *HCSO transitioned to an electronic cross-reporting system and continues a manual reconciliation process to ensure responses.***

HCSO implemented a new records management system that allows for better electronic tracking of reports from CWS. While the new records system assists in the tracking process, it still requires a significant amount of staff time for reconciliation each week and as expected, is not always the priority when there are competing tasks. Due to cost considerations, DHHS and HCSO determined not to implement a single electronic tool to receive and track cross reports jointly by CWS and HCSO, as stated in the MOU (MOU, 5, a.). The County continues to work on improving the process in place within HCSO and CWS. HCSO reports directly responding to 363 unduplicated reports received from CWS between September 1, 2018 and February 28, 2019.

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<sup>39</sup> CWS and HCSO have agreed that CWS will forward all reports of child abuse to HCSO.

**3. *HCSO attended to reports that fell outside the jurisdiction.***

HCSO reported handling 24 reports of child abuse that fell outside of their jurisdiction. Actions taken include, taking an initial report, ensuring the child(ren)'s safety, and forwarding the report to the proper jurisdiction for further investigation.

**4. *Leadership from HCSO and DHHS have not met to review data related the HCSO-DHHS MOU.***

In entering into the MOU as part of this Judgment, DHHS and HCSO committed to reviewing performance data related to the MOU on a quarterly basis and meeting twice a year to discuss barriers to any of the processes set forth in the MOU and any recommendations of the third-party monitor. The HCSO and CWS CANRA Coordinators communicate regarding cross-reporting performance data. They troubleshoot complaints from staff, particularly related to joint responses and report that communication between HCSO deputies and CWS social workers has improved. Deputies and sergeants assigned to particular areas of the county have shared compliments and appreciation for the social workers who frequently work in their areas. Complaints from deputies and sergeants about not being able to reach a specific social worker have dramatically reduced. In those instances when a deputy or sergeant cannot reach a specific social worker, they have successfully reached a CWS supervisor, as recommended by the HCSO CANRA Coordinator.

**E. Revision of Policies and Procedures**

Part of the improvement and development of an intake or emergency response system includes updating policy and procedures. There was a need for both CWS and HCSO to update policies to reflect state law and to develop policies on how to handle reports of abuse and neglect (CWS) and how to respond to situations involving children (HCSO). CWS has circulated drafts of all policies required by the Judgment and sought and included input from tribes. HCSO also updated and circulated all relevant policies to staff.

**1. *CWS drafted and updated eleven policies following entry of the Judgment.***

CWS drafted or updated 11 policies to address corrective actions required by the Judgment. Policies are now aligned with state law and policy directives. Table 2 lists and briefly describes each policy and provides the date it was distributed to CWS staff. Several policies were redistributed after being updated with input from tribes. CWS reports that individualized and unit-based reviews of the policies and procedures have occurred. Community advocates report inconsistent understanding and implementation of new policies by CSW staff. Ensuring adherence to policies and procedures will need to be a focus of work going forward.

**Table 2**  
**CWS Revised Policies and Procedures**  
**February – December 2018**

Circulated to CWS Staff 3/16/18		
<b>Mental Health Screening Tool and Request for Access to Services</b> - Addresses coordination of mental health and child welfare services, sharing confidential information between child welfare and children’s mental health divisions, and includes revised processes to ensure timely assessments of children in protective custody.	<b>Communication with Children’s Mental Health</b> - Addresses sharing confidential information between the child welfare and children’s mental health divisions.	
Circulated to CWS Staff 4/13/18		
CWS 10-75 <b>Complaint Resolution and Grievance Review</b> – Describes the scope and limitations of the CWS Office of the Ombudsperson; process for addressing complaints about CWS policy, procedure, and practice; and the grievance review process.		
Circulated to CWS Staff 6/26/18		
<b>CWS 18-02 Cross Reporting</b> - Addresses requirements to notify law enforcement and tribes of reports to CWS as well as the role of the CANRA Coordinator.	<b>CWS 18-03 Intake</b> - Relates to screening reports of suspected abuse or neglect, including taking all reports, cross reporting to law enforcement, inquiring about a child’s enrollment or eligibility for enrollment in a tribe, and contacting tribal representatives as legally required.	
<b>CWS 18-04 Mandated Reporter Collaboration</b> - Defines expectations of how screening and investigating social workers must interact with mandated reporters.	<b>CWS 18-05 Social Worker Training</b> - Outlines training requirements and content, to include CANRA, WIC, and tribal collaboration.	
<b>CWS 09-09 Reports on Open Investigations or Cases</b> - Clarifies that CWS intake will respond to allegations of abuse and/or neglect of a child already involved in a CWS case or investigation.	<b>CWS Child &amp; Family Team Meetings</b> - Describes CWS’ commitment to using a strength-based, family focused process for reaching shared understanding and consensus on decisions related to custody, placement, reunification, and permanency and identifies decision-making points for Child and Family Team Meetings. Participants, representing the family’s formal and informal supports, are to form a network, sharing responsibility with CWS for ensuring safety for children and youth and helping to promote well-being and permanency for families as they transition from involvement with CWS.	
Circulated to CWS Staff 10/12/18	Circulated to CWS Staff 11/9/18	Circulated to CWS Staff 12/14/18
<b>CWS 18-03 Intake</b> See above.	<b>CWS 18-11 Tribal Collaboration</b> - Follows the Indian Child Welfare Act (25 U.S.C. Sec 1901 et seq.), CA Welfare & Institutions Code, Div. 31 regulations, and any applicable government-to-government protocols.	<b>CWS 09-09 Responding to New Reports of Child Abuse and Neglect Involving Children in Open Investigations or Cases*</b>
<b>CWS 18-04 Mandated Reporter Collaboration</b> See above.*		<b>CWS 18-12 Investigations</b> – Includes steps for conducting investigations of reported child abuse and/or neglect.

Source: Humboldt County CWS

\*Updated and finalized with input from tribes.

**F. Complaint System**

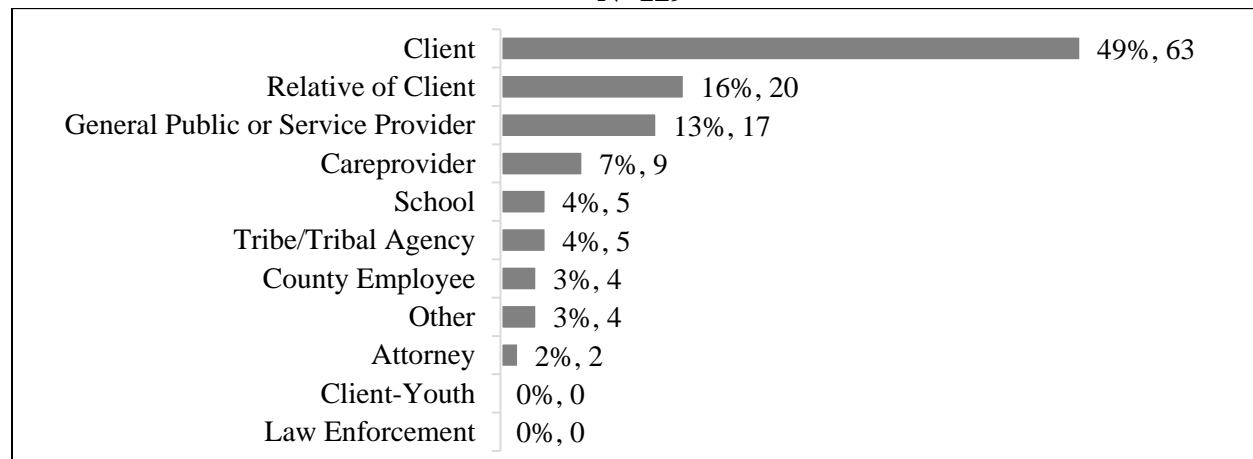
The Judgment required that both CWS and HCSO create complaint procedures with timeframes for handling complaints submitted both formally and informally, in writing and orally. CWS was also required to create a policy and designate a supervisor who is responsible for ensuring that all complaints are investigated.

**1. *CWS’ Ombudsperson’s Office continues to take action on complaints.***

CWS opened an Office of the Ombudsperson to receive complaints in-person, by phone, fax, mail, or electronic mail on April 13, 2018.<sup>40,41</sup> A CWS Program Manager oversees the Office of the Ombudsperson and a supervisor handles complaints. CWS procedures are to respond to each complainant within two business days and send an acknowledgement letter by mail or email within five business days of speaking with or corresponding with the complainant.<sup>42</sup> CWS also tracks each complaint with the goal of resolution within 55 days business days. The Ombudsperson sends an outcome letter via mail or email in each case, as applicable, and prepares quarterly reports to staff, management, and DHHS.

Data provided to CSSP by CWS indicate that the Ombudsperson’s Office began 63 investigations in response to complaints received from September 1, 2018 to February 28, 2019. From April 13, 2018 through February 28, 2019, nearly half of the complaints were made by a parent involved with CWS client.

**Figure 6  
CWS Ombudsperson Complainant Affiliation  
April 13, 2018 – February 28, 2019  
N=129**



Source: Humboldt County CWS

<sup>40</sup> <https://humboldt.gov/2360/CWS-Office-of-the-Ombudsperson>

<sup>41</sup> CWS reports receiving 100 (78%) reports by phone; 21 (16%) by electronic email; 6(5%) in writing; and 2(2%) in person.

<sup>42</sup> The Office of the Ombudsperson also accepts anonymous reports.

The Ombudsperson reports an average of nine pending inquiries on complaints at the end of each month between September 2018 to February 2019, and that because of the Ombudsperson's intervention, workers communication on cases reported to the Ombudsperson's Office has improved and additional CFT meetings have been held. During the next monitoring period, CSSP will work with DHHS staff to more closely review the functioning of the Ombudsperson's process.

**2. *HCSO continues to track complaints related to CANRA.***

In response to the judgment, HCSO updated policy on Personnel Complaints (now Policy 920) to reflect that formal and informal complaints that relate to child abuse and/or neglect will be categorized as CANRA and a log of complaints will be maintained. The CANRA Coordinator handles and tracks policy or procedural complaints related to CANRA. The CANRA Coordinator also reviews the log of personnel complaints, to see whether any are related to CANRA and require tracking.

HCSO reports receiving 72 callers or persons visiting their office between September 1, 2018 and February 28, 2019 with a complaint. Reportedly, six calls related to CANRA, including two calls regarding how HCSO was handling sex abuses cases and one call concerning the suspected release of a mandated reporter's identity by HCSO. In each of these instances, a supervising deputy spoke with the reporter, researched the issue, and handled the concern to the reporter's satisfaction. None of the reporters filed a formal complaint subsequent to speaking with the supervisor. Complaint forms are available to the public online and at the Sheriff's Office.



**VI. Summary of Performance of Corrective Actions:**

**THE PEOPLE OF THE STATE OF CALIFORNIA v HUMBOLDT COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND HUMBOLDT COUNTY SHERIFF’S OFFICE**

**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
<b>Memorandum of Understanding ("MOU") and Inter-Agency Coordination</b>			
A. (1) Child Welfare Services (CWS) shall revise its policies and procedures to reflect the procedures set forth in the MOU and circulate the MOU and revised policies and procedures to all personnel.	<b>May 14, 2018, extended to June 25, 2018 by the Office of the Attorney General per formal written request made by CWS</b>	<b>A. (1) Partially Completed</b> CWS circulated policy and procedures on cross reporting on 5/9/18  CWS expects to finalize Intake policy by 10/12/18  CWS circulated the MOU to staff 2/15/18	<b>A. (1) Completed</b> CWS circulated Intake policy to staff on 10/12/18.
A. (2) The Sheriff’s Office (HCSO) shall revise its policies and procedures to reflect the procedures set forth in the MOU and circulate the MOU and revised policies and procedures to all personnel.	<b>March 16, 2018</b>	<b>A. (2) HCSO Completed 3/14/18</b> Policies and procedures and MOU circulated to staff 3/14/2018	
<b>Child Abuse Services Team (CAST) Protocol and Collaborative Processes</b>			
B. Defendants shall continue to participate in the Humboldt County CAST Advisory Board and Protocol Subcommittee as long as they are invited by the Humboldt County District Attorney. (Defendants had indicated that a revised CAST protocol would be finalized by the Protocol Subcommittee by December 31, 2017.) Defendants shall provide the Attorney General’s Office with a copy of the final CAST protocol within seven days of entry of this Judgment.	<b>Ongoing</b>	<b>B. Completed</b> CWS and HCSO continue to be invited to and participate in the Humboldt County CAST Advisory Board and Protocol Subcommittee. The Humboldt County DA’s Office did not	<b>B. N/A</b> The Humboldt County District Attorney’s Office has not scheduled Protocol Subcommittee meetings during this monitoring period.

**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
		finalize the CAST protocol within seven days of the judgment.	
B. If the CAST protocol was not finalized by December 31, 2017, Defendants shall provide a good-faith estimate for completion within seven days of entry of this Judgment and provide a copy of the final CAST protocol within seven days of completion for review.	<b>February 20, 2018</b>	<b>B. Not completed</b> The CAST protocol has not yet been finalized by the Humboldt County District Attorney’s CAST Advisory Board. <sup>43</sup>	<b>B. Not completed</b> The Humboldt County District Attorney’s Office has not finalized the CAST protocol.
B. If the CAST protocol is not finalized within six months of the entry of Judgment, Defendants shall meet and confer with the Attorney General’s Office to discuss the status of the protocol, timeframe for completion, and additional steps Defendants can take to address coordination of CAST interviews to the extent any are needed.	<b>August 13, 2018</b>	<b>B. Completed</b> CWS has developed a protocol for accessing CAST while awaiting a final protocol. Defendants have conferred with the AG. <sup>44</sup>	<b>B. Ongoing</b> CWS and HCSO have been in communication with the AG regarding the status of the protocol, timeframe for completion, and the steps CWS is taking to coordinate CAST interviews while without a finalized CAST protocol.
C. Defendant CWS and the Mental Health division of DHHS are currently developing an inter-agency collaboration protocol to ensure that staff from the divisions coordinate the provision of mental health and child welfare services. The protocol shall address the sharing of confidential information between the divisions and include revised processes to ensure timely assessments of children in protective custody. CWS has also created procedures to address the sharing of information among other agencies and entities that are a part of a multidisciplinary team, including, but not limited to, medical personnel, law enforcement officers, school district employees, and tribal representatives, pursuant to Welfare & Institutions Code sections	<b>March 16, 2018</b>	<b>C. Completed 3/16/18</b> CWS and Communication with Children’s Mental Health/CMH Policy and Procedure and Mental Health Screening Tool (MHST) and Request for Access to Services Policy and Procedure.	

<sup>43</sup> Text updated from MP1 report to reflect that Humboldt County’s District Attorney’s Office is responsible for finalization of the protocol.

<sup>44</sup> MP1 report read “Not Completed”.

**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
5328 and 5328.04. Within 30 days of the entry of Judgment,) CWS shall provide the Attorney General's Office with documents relating to this section for review and input.		CWS and CMH developed an agreement for an MDT.	
<b>Implementation of New Emergency Response System and Revision of Policies and Procedures by Defendant CWS</b>			
D. Within 120 days of the entry of this Judgment, CWS shall incorporate the requirements set forth below into its policies and procedures and circulate to all personnel.	<b>June 14, 2018, extended to June 25, 2018 by the Office of the Attorney General per formal written request made by CWS</b>	<b>D. Completed</b> CWS updated and circulated polices on 6/26/18	
E. CWS shall ensure compliance with CANRA, including the confidentiality requirements set forth under Penal Code section 11167, and CANRA's implementing regulations set forth in California Code of Regulations, Title 11, division 1, chapter 9 (11 C.C.R. § 900 et seq.), including regulations relating to investigations of suspected child abuse in out-of-home care facilities, and the Welfare & Institutions Code and Division 31 regulations.	<b>June 14, 2018, extended to June 25, 2018</b>	<b>E. Completed</b> CWS developed Policy and Procedure on Mandated Reporter and circulated to staff on 6/26/18  CWS developed Policy and Procedure on Reports on Open Investigations or Cases and circulated to staff on 6/26/18	
F. CWS shall implement an emergency response system available 24 hours a day, seven days a week, under which social worker screeners will handle incoming calls as they come in to ensure prompt response. CWS shall, within 30 days of the entry of this Judgment, complete its implementation of an automated call tree system that connects callers who report suspected child abuse or neglect directly to screeners.	<b>March 15, 2018</b>	<b>F. Completed 3/16/18</b>	<b>F. Ongoing</b>
G. CWS shall transition from a paper-based intake system to an electronic intake system that is not reliant on data entry staff, under which social worker screeners directly input information into Child Welfare Services/Case Management System (CMS) (or any future successor system) and the WebSDM assessment tool.	<b>June 14, 2018</b>	<b>G. Completed 6/4/18</b> CWS has fully transitioned to an electronic data entry system for intake. Social Worker screeners enter information, including on	<b>G. Ongoing</b>

**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
		the Web SDM assessment tool in CMS.	
H. CWS shall ensure timely cross-reporting to law enforcement agencies and the District Attorney's ("DA") office.	<b>June 14, 2018</b>	<b>H. Completed 6/4/18</b> Cross reporting during business hours as of 3/29/18: 1,046 reports sent to law enforcement agencies through 8/31/18.	<b>H. Ongoing</b> CWS sent 981 cross-reports sent to law enforcement agencies.  Ongoing quality improvement is needed to avoid duplication of cross-reports.
H. (1) Upon receipt of a report that is required to be cross-reported under Penal Code section 11166, subdivision (j), a social worker shall immediately or as soon as practicably possible cross-report by telephone to the Sheriff's Office or other appropriate law enforcement agency and make a follow up written report as required by CANRA.	<b>June 14, 2018</b>	<b>H. (1) Completed 6/4/18</b> CWS implemented a system for immediate electronic cross reporting of reports of abuse and/or severe neglect to the DA's Office, Sheriff's Office and other law enforcement agencies.	<b>H. (1) Ongoing</b>
H. (2) CWS shall make cross-reports to the DA's office in accordance with Penal Code section 11166, subdivision (j).	<b>June 14, 2018</b>	<b>H. (2) Completed 6/4/18</b> CWS' electronic cross reporting system automatically sends a copy of cross reports to law enforcement to the Humboldt County DA's Office.	<b>H. (2) Ongoing</b>
H. (3) The social worker shall document in (CWS)/CMS (or any future successor system) the date, time, and manner of the cross-report, as well as any follow up information relating to the receiving agency's response.	<b>June 14, 2018</b>	<b>H. (3) Completed 6/4/18</b> CWS' electronic cross reporting system automatically sends a copy of cross reports to law enforcement to the	<b>H. (3) Ongoing</b>

**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
		Humboldt County DA's Office.	
H. (4) On a weekly basis, a supervisor shall review all reports to ensure that timely cross-reporting has been completed.	<b>June 14, 2018</b>	<b>H. (4) Completed 4/23/18</b> A CWS Program Manager reviews all cross reports for timeliness.	<b>H. (4) Ongoing</b>
H. (5) For reports that are assigned for investigation and a joint response with the Sheriff's Office is necessary, the assigned social worker shall contact the Sheriff's Office immediately if it involves an emergency or 24-hour response, and within 36 hours if it involves a 10-day response.	<b>June 14, 2018</b>	<b>H. (5) Completed 6/4/18</b> CWS' CWS/CMS system captures data on the investigator's contact with the Sheriff's Office.	<b>H. (5) Ongoing</b>
I. CWS may not refuse to accept reports from any person, whether or not that person is a mandated or non-mandated reporter, including reports that fall outside its geographical jurisdiction.	<b>June 14, 2018</b>	<b>I. Completed 3/29/18</b> CWS reports not refusing to handle reports, including those which fall outside its geographical jurisdiction.	<b>I. Ongoing</b>
I. (1) For reports that fall outside CWS's geographical jurisdiction, CWS shall: I. (1) a. Immediately electronically transfer the call to the appropriate agency; or I. (1) b. If CWS takes the report and cannot immediately transfer the call, it shall immediately send the report via telephone, fax, or electronic transmission to the appropriate agency, with an immediate follow up call to the agency to ensure that the report is received.	<b>June 14, 2018</b>	<b>I. (1) a.-b. Completed 3/29/18</b> CWS transfers calls to appropriate agencies or sent reports by phone, fax, or electronic transmission to the appropriate agency.	<b>I. (1) a.-b. Ongoing</b>
I. (2) For cross-reports that come from the Sheriff's Office or any agency that falls outside CWS's geographical jurisdiction, CWS shall: I. (2) a. Immediately transfer the report via telephone, fax, or electronic transmission to the appropriate agency, with an immediate follow up call to the agency to ensure that the report is received; and I. (2) b. Immediately call the reporting agency to inform it that the report is outside the jurisdiction of CWS and to which agency it has transferred the report.	<b>June 14, 2018</b>	<b>I. (2) a.-b. Completed 3/29/18</b> CWS reports immediate transfer of out of jurisdiction reports and calling reporting agency to inform of actions.	<b>I. (2) a.-b. Ongoing</b>

**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
J. CWS shall revise its policies and procedures to incorporate the following and circulate copies of the following DSS All-County Letters to all employees.			
J. (1) All-County Letter No. 05-09, dated April 26, 2005, regarding Reporting and Investigation Requirements for Child Abuse Allegations Regarding Children in Out-Of-Home Placements, available at <a href="http://www.cclss.ca.gov/lettersnotices/entres/getinfo/acl05/pclf/05-09.pdf">http://www.cclss.ca.gov/lettersnotices/entres/getinfo/acl05/pclf/05-09.pdf</a> ;	<b>June 14, 2018, extended to June 25, 2018 by the Office of the Attorney General per written request made by CWS</b>	<b>J. (1) Completed 6/26/18</b> CWS 09-09 Emergency Response. Title: Reports on Open Investigations or Cases circulated to staff.	<b>J. (1) Ongoing</b>
J. (2) All-County Letter No. 17-27, dated May 10, 2017, regarding Investigating, Assessing, and Documenting a New Referral of Child Abuse or Neglect in an Open Investigation or Case, available at <a href="http://www.cdss.ca.gov/Portals/9/ACL/2017/17-27.pdf">http://www.cdss.ca.gov/Portals/9/ACL/2017/17-27.pdf</a> ; and	<b>June 14, 2018, extended to June 25, 2018 by the Office of the Attorney General per written request made by CWS</b>	<b>J. (2) Completed 6/26/18</b> CWS 09-09 Emergency Response. Title: Reports on Open Investigations or Cases was circulated to staff on 6/26/18.	<b>J. (2) Ongoing</b>
J. (3) CANRA's implementing regulations relating to investigations of suspected child abuse in out-of-home care facilities set forth under California Code of Regulations, Title II, division 1, chapter 9, article 3 (11 C.C.R. § 930 et seq.).	<b>June 14, 2018, extended to June 25, 2018 by the Office of the Attorney General per written request made by CWS</b>	<b>J. (3) Completed 6/26/18</b> CWS 09-09 Emergency Response. Title: Reports on Open Investigations or Cases was circulated to staff on 6/26/18.	<b>J. (3) Ongoing</b>
K. As set forth in Welfare & Institutions Code section 16504, CWS shall conduct a thorough evaluation of the risk to any child who is the subject of a referral. The evaluation of risk shall include information gathered from all collateral contacts who may have relevant information related to the referral. Collateral contacts may include (but are not limited to) school personnel, law enforcement, tribal representatives, medical personnel, and other community members. When necessary to complete the evaluation of risk to the child, the investigating social worker will contact the reporting party (whether mandated or not) for further information. Consistent with Division 31 regulations, section 31-105 .1.11.114, CWS screeners and investigators shall record detailed information (as available) regarding any contact with collateral contracts, which may include the (1) date of contact; (2) name and phone number of each person contacted; (3) agency affiliation or person's relationship to	<b>June 14, 2018, extended to June 25, 2018 by the Office of the Attorney General per written request made by CWS</b>	<b>K. Partially Completed</b> CWS developed Intake policy and procedures and circulated to staff on 6/26/18.  CWS expects to circulate Investigations policy and procedures by 12/14/18.	<b>K. Completed</b> CWS 18-20 Investigations policy and procedures on 12/14/18.

**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
<p>the child; (4) contacts with tribe(s), extended family, Indian organizations, other Indian service providers; and (5) summary of information obtained. The use of all collateral contacts and other available resources should also be used to obtain information related to the location of children and families who are the subject of referrals, consistent with DSS All County Information Notice No. I-52-14, available at <a href="http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2014/I-52_14.pdf">http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2014/I-52_14.pdf</a>.</p>			
<p>L. To the extent permitted pursuant to Welfare and Institutions Code section 827, CWS shall create a policy that investigating social workers respond back (in writing or via telephone) to mandated reporters by the end of an investigation of a referral regarding the status of the referral. If the communication is made via telephone, the social worker shall document the time and date of the communication.</p>	<p><b>June 14, 2018, extended to June 25, 2018 by the Office of the Attorney General per written request made by CWS</b></p>	<p><b>L. Completed 6/26/18</b> CWS circulated Mandated Reporter policy and procedures; informing mandated reporters of the status of a referral will also be addressed in the Investigations policy expected to be circulated by 12/14/18.</p>	<p><b>L. Ongoing</b></p>
<p>M. In consultation with the parties' agreed-upon expert consultant, National Council on Crime and Delinquency-Children's Research Center ("NCCD"), CWS shall select and implement a family meeting model that uses a strength-based approach to engage families, formal and informal supports, communities, and tribes in a family-led planning process over the life of the case at key decision points. The model shall include a combination of family meeting types that encompass the core elements outlined in best practices, such as pre-meeting coordination and preparation, consensus-based decision making, and family team involvement in creating case plans and follow up activities.</p>	<p><b>June 14, 2018</b></p>	<p><b>M. Completed 6/26/18</b> CWS uses Child and Family Team meetings in their work with families on a regular basis. NCCD provided refresher training sessions on Child and Family Teams meetings and updated Policy and Procedure was created and distributed to staff on 6/26/18.</p>	<p><b>M. Ongoing</b></p>
<b>Tribal Collaboration</b>			
<p>N. CWS shall revise its policies and procedures to ensure collaboration with and input relating to decision-making from tribes.</p>	<p><b>June 14, 2018, extended to August 24, 1018 by the Office of</b></p>	<p><b>N. Not completed</b> CWS began consultation with tribes in June 2018</p>	<p><b>N. Completed</b> CWS completed the process of gaining input</p>

**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
	<b>the Attorney General per request made by CWS</b>	on policies and procedures requiring tribal input and expects to (re) circulate policies and procedures by 12/31/18.	on policies from tribes on 11/30/18.
N. (1) Upon receipt of a referral that involves a child who is a member of or eligible for membership in a tribe, the social worker screener shall send the referral to the appropriate tribe within 24 hours in order to seek input from the tribe, unless an immediate or 24-hour response is needed, in which case the screener shall contact the tribe immediately or as soon as practicably possible.	<b>June 14, 2018, extended to August 24, 2018 by the Office of the Attorney General per request made by CWS</b>	<b>N. (1) Not completed</b> Intake policy and procedures to be updated with tribal input by 10/12/18.	<b>N. (1) Completed 10/12/18</b> CWS updated Intake policy and procedures with tribal input. 10/12/18.
N. (1) a. The screener shall document details of that contact in the screener narrative, including whether contact was made, input was sought, and the input from the tribe, if any, including the dates and times of such contact.	<b>June 14, 2018, extended to August 24, 2018 by the Office of the Attorney General per request made by CWS</b>	<b>N. (1) a. Not completed</b> Intake policy and procedures to be updated with tribal input by 10/12/18.	<b>N. (1) a. Completed</b> CWS updated Intake policy and procedures with tribal input on 10/12/18.
N. (2) For the referrals that are assigned for investigation, CWS shall provide tribal representatives sufficient notice to allow such representatives to accompany CWS social workers to investigations to ensure that such representatives are included in decision-making relating to those referrals.	<b>June 14, 2018, extended to August 24, 2018 by the Office of the Attorney General per request made by CWS</b>	<b>N. (2) Not completed</b> To be included in Investigation policy and procedures expected to be finalized by 12/31/18.	<b>N. (2) Completed 10/12/18</b> CWS updated Investigation policy and procedures with tribal input.
O. Within 60 days of the entry of Judgment, in consultation with tribal representatives and the Attorney General's Office, CWS shall engage a qualified, independent tribal consultant, who is subject to the Attorney General's Office's approval, to work with staff and NCCD to assist with the implementation of policies and procedures relating to collaboration between tribes and CWS social workers with respect to the assessment and investigation of referrals, and addressing the needs of tribal children.	<b>April 14, 2018</b>	<b>O. Completed 4/5/18</b> DHHS/CWS committed to contracting with tribal consultant, Olin Jones in April 2018, and entered into a contract with Olin Jones on July 10, 2018.	<b>O. Ongoing</b>
P. Within nine months of the entry of Judgment, CWS shall make a good-faith effort to negotiate and develop protocols with the eight federally recognized tribes in Humboldt County governing the process for collaboration that will ensure timely, shared decision-making relating	<b>November 14, 2018</b>	<b>P. In process</b> Tribal consultant Olin Jones has met regularly with CWS and tribal	<b>P. In process</b> Tribal consultant Olin Jones has assisted in the development of a



**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
to cases involving tribal children. These protocols shall include a mutually acceptable procedure for the resolution of disputes when tribal social workers and CWS are not in agreement regarding case plan decisions.		representatives to identify priorities and begin to draft protocols.	protocol/MOU between Humboldt County and the Hoopa Valley tribe and continues to work to draft additional protocols.
<b>Revision of Policies and Procedures by Defendant Sheriff's Office</b>			
Q. Within 30 days of the entry of Judgment, the Sheriff's Office shall incorporate the requirements set forth below in this section into its policies and procedures and circulate to all personnel.	<b>March 15, 2018</b>	<b>Q. Completed 3/14/18</b> The Sheriff's Office updated policies and procedures to reflect requirements in this this section and distributed to staff x.	
R. The Sheriff's Office shall ensure compliance with CANRA, including the confidentiality requirements set forth under Penal Code section 11167, and implementing regulations set forth in California Code of Regulations, Title II, division 1, chapter 9 (11 C.C.R. §900 et seq.), including regulations relating to investigations of suspected child abuse in out-of-home care facilities.	<b>March 15, 2018</b>	<b>R. Completed 3/14/18</b> Expectations were issued to staff in child abuse and child and adult dependent safety policies on: 1. Confidentiality requirements set forth under Penal Code section 11167, and 2. Implementing regulations set forth in California Code of Regulations, Title II, division 1, chapter 9 (11 C.C.R. §900 et seq.), including regulations relating to investigations of suspected child abuse in out-of-home care facilities.	<b>R. Ongoing</b> CSSP interviewed three staff hired or promoted during MP1. They each had a thorough grasp of policies and expectations.
S. The Sheriff's Office shall ensure timely cross-reporting to CWS and the DA's office.	<b>March 15, 2018</b>	<b>S. Completed 3/14/18</b> Expectations were issued to staff in Child Abuse	<b>S. Ongoing</b> HCSO continues to report a weekly review

**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
		policy. The Sheriff's Office has provided training and implemented a weekly review process to ensure timely cross reporting.	process to ensure timely cross reporting.
T. Upon receipt of a report, a deputy (or designee) shall immediately or as soon as practicably possible cross-report by telephone to CWS and make a follow up written report to CWS as required by CANRA.	<b>March 15, 2018</b>	<b>T. Completed 3/14/18</b> Expectations were issued to staff in Child Abuse policy: upon receipt of report, cross report by telephone and in writing.	<b>T. Ongoing</b>
U. The Sheriff's Office shall make cross-reports to the DA's office in accordance with Penal Code section 11166, subdivision (k).	<b>March 15, 2018</b>	<b>U. Completed 3/14/18</b> Expectations were issued to staff in Child Abuse policy.	<b>U. Ongoing</b>
V. If there is a call for service unrelated to suspected or known child abuse or neglect, but the deputy becomes aware of such a situation during an investigation or otherwise, the deputy shall immediately or as soon as practicably possible call CWS to make a report and send a follow up written report to CWS. The deputy shall coordinate an investigative response with CWS to the extent appropriate.	<b>March 15, 2018</b>	<b>V. Completed 3/14/18</b> HCSO reports to CWS as soon as aware of child abuse/neglect situation and follow-up in writing.	<b>V. Ongoing</b>
W. The Sheriff's Office shall revise its Domestic Violence policy to address situations in which a child (or children) is in the home, and the reporting to CWS thereof.	<b>March 15, 2018</b>	<b>W. Completed</b> HCSO updated Domestic Violence policy to address child involvement and report to CWS.	
X. The Sheriff's Office shall ensure that every single report and cross-report is promptly assigned a deputy, an investigation is conducted, and a case report is completed. All reports and cross-reports shall be assigned as a "call for service."	<b>March 15, 2018</b>	<b>X. Completed 3/14/18</b> HCSO ensures that cross reports are assigned for service.	<b>X. Ongoing</b>
X. (1) On a weekly basis, the Sheriff's Office's CANRA Coordinator shall review all "calls for service" relating to reports and cross-reports to ensure that the coordination with appropriate agencies has been made, deputies have been assigned, and investigations are underway.	<b>March 15, 2018</b>	<b>X. (1) Completed 3/14/18</b> HCSO reports a weekly review of cross reports.	<b>X. (1) Ongoing</b>

**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
X. (2) An assigned deputy shall coordinate an investigative response with CWS immediately if it involves an emergency or 24-hour response. For all other responses, a deputy shall be assigned to investigate the allegations within 72 hours of receipt and report to CWS and/or other appropriate agencies that the Sheriff s Office is investigating within 36 hours after starting its investigation.	<b>March 15, 2018</b>	<b>X. (2) Completed 3/14/18</b> HCSO and CWS CANRA Coordinators track referrals and cross reports to ensure joint work.	<b>X. (2) Ongoing</b>
Y. The Sheriff s Office may not refuse to accept reports from mandated reporters or other reporters, including reports that fall outside its geographical jurisdiction.	<b>March 15, 2018</b>	<b>Y. Completed 3/15/18</b> HCSO reports not refusing to handle reports, even those which fall outside its geographical jurisdiction.	<b>Y. Ongoing</b>
Y. (1) For reports that fall outside the Sheriff s Office's geographical jurisdiction, the Sheriff s Office shall: a. Immediately electronically transfer the call to the appropriate law enforcement agency; or	<b>March 15, 2018</b>	<b>Y. (1) a. Completed 3/15/18</b> HCSO reports transferring calls to appropriate agency.	<b>Y. (1) a. Ongoing</b>
Y. (1) b. If the Sheriff s Office takes the report and cannot immediately transfer the call, it shall immediately send the report via telephone, fax, or electronic transmission to the appropriate agency, with an immediate follow up call to the agency to ensure that the report is received.	<b>March 15, 2018</b>	<b>Y. (1) b. Completed 3/15/18</b> If HCSO cannot transfer, reports are sent to the appropriate agency.	<b>Y. (1) a. Ongoing</b>
(2) For cross-reports that come from CWS that fall outside the Sheriff s Office's geographical jurisdiction, the Sheriff s Office shall: a. Immediately transfer the report via telephone, fax, or electronic transmission to the appropriate agency with an immediate follow up call to the agency to ensure that the report is received; and	<b>March 15, 2018</b>	<b>Y. (2) a. Completed 3/15/18</b> HCSO handles cross-reports from CWS that are outside jurisdiction by transferring to appropriate agency and following-up with call to appropriate agency.	<b>Y. (2) a. Ongoing</b>
Y. (2) b. Immediately call CWS to inform CWS that the report is outside the jurisdiction of the Sheriff s Office and to which agency it has transferred the report.		<b>Y. (2) b. Completed 3/15/18</b> Handling of cross-reports from CWS outside	<b>Y. (2) b. Ongoing</b>

**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
		jurisdiction, after transferring to appropriate agency, follow-up with call to appropriate agency and notify CWS.	
<b>Electronic Records and Tracking</b>			
Z. Within 45 days of the entry of Judgment, Defendant CWS shall create an internal tracking tool for reports and cross-reports. CWS shall maintain an electronic record of all reports and cross-reports received, including any subsequent actions taken.	<b>March 30, 2018</b>	<b>Z. Completed 3/25/18</b> CWS - Creation of internal system for cross-reports.	<b>Z. Ongoing</b>
AA. Within 45 days of the entry of Judgment, Defendant Sheriff's Office shall create an internal tracking tool for reports and cross-reports. The Sheriff's Office shall maintain an electronic record of all reports and cross-reports received, including any subsequent actions taken.	<b>March 30, 2018</b>	<b>AA. Completed</b> Sheriff's Office created an internal system for tracking cross-reports.	<b>AA. Ongoing</b> HCSO continues to maintain an electronic system of reports and cross reports received and made and subsequent actions taken.
AA. (1) The Sheriff's Office shall retain and categorize reports in its Records Management System ("RMS"). Any supplemental information received from CWS and other agencies or persons relating to a report, including follow up reports, documentation, or cross-reports, shall be electronically included in the case file in RMS. The case file shall include detailed information about the method and dates of making and receiving cross-reports, as well as information about the investigative response by each agency.		<b>AA. (1) Completed</b> Retain, categorize, and update reports in RMS.	<b>AA. (1) Ongoing</b>
AA. (2) Reports that fall outside the geographical jurisdiction of the Sheriff's Office shall be tracked electronically. The records of such reports shall include the date, time, method of transfer, and to which agency the report was transferred.		<b>AA. (2) Completed</b> HCSO tracks reports which fall outside jurisdiction.	<b>AA. (2). Ongoing</b> 24 reports received, tracked, and forwarded to the appropriate agency during reporting period.

**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
<b>Contract between Defendant CWS and NCCD</b>			
<p>BB. CWS has entered into a two-year contract with NCCD effective June 30, 2017 to provide for training and technical assistance services relating to the following subject areas to address the issues in this matter:</p> <p>(1) Structured Decision Making ("SDM") System, Practice Improvement Activities, which includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>a. Group supervision training and modeling for staff;</li> <li>b. SDM training and on the floor coaching for all stages of services, beginning with hotline procedures; and</li> <li>c. Case reading training for supervisors and managers.</li> </ul>	<b>June 30, 2019</b>	<p><b>BB. (1) a.-d. Completed</b> NCCD continues to provide training, technical assistance, and coaching to CWS staff and management.</p>	<b>BB. (1) a.-d. Ongoing</b>
<p>BB. (2) Culturally Responsive Services, which includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>a. Leadership coaching in the Humboldt Practice Model and Safety Organized Practice, including individual coaching sessions and trainings;</li> <li>b. Teaching effective communication skills for use internally and in collaboration with partner agencies;</li> <li>c. Providing implementation consultation regarding pre-implementation, implementation, and sustainability planning activities of the Humboldt Practice Model; and</li> <li>d. Developing a common language that facilitates effective cross-cultural communication.</li> </ul>	<b>June 30, 2019</b>	<p><b>BB. (2) a.-d. Completed</b> NCCD continues to provide training, technical assistance, and coaching to CWS staff and management.</p>	
<p>CC. Within 30 days of the entry of Judgment, CWS shall amend the contract with NCCD to provide for the following additional services and amend the term of the contract from a two-year to three-year period. CWS shall provide the Attorney General's Office with a copy of the amended executed contract within five days of the date of the last signature.</p> <ul style="list-style-type: none"> <li>(1) Assistance with revision of policies and procedures.</li> <li>(2) Additional training and coaching in SDM implementation and safety-organized practice, including review of procedures for screening reports relating to sexual abuse allegations, to ensure that the SDM screening tools are being used appropriately across all referrals.</li> <li>(3) Workload Study in order to estimate the resources and number of staff members needed to perform the necessary functions of the child</li> </ul>	<b>March 15, 2018</b>	<p><b>CC. (1) – (7) Completed 2/27/18</b> CWS amended its contract with NCCD to provide for additional services and amended the term of the contract from a two-year to three-year period. CWS provided the Attorney General's Office with a copy of CWS' amended executed contract with NCCD.</p>	<b>CC. (1) – (7) Ongoing</b>

**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
<p>welfare agency in compliance with laws, rules, and policies applicable to Humboldt County.</p> <p>(4) Managing by Data assistance, including bolstering continuous quality improvement processes, leveraging data resources, and analytic support to improve agency practices.</p> <p>(5) Business Process Map to understand how cases of maltreatment are handled across the course of a case and what happens at each decision point in order to identify roadblocks, inefficiencies, and needs to enable fidelity to best practice.</p> <p>(6) Integration of tribal needs into system improvement, including building on the culturally responsive services training to identify and implement changes to practice that integrate tribal needs and perspectives into the CWS system to ensure that interactions and work with tribes is culturally responsive.</p> <p>(7) Assistance with the development of a Mandated Reporter Guide, as detailed in Section KK (I).</p>			
<p>CC. (8) Creation and implementation of plans to address outstanding, backlogged investigations to ensure that all referrals are investigated.</p>		<p><b>CC. (8) Completed</b> CWS implemented plans to complete backlogged investigations.</p>	
<p>CC. (8) a. CWS shall work with NCCD to create a plan to triage outstanding investigations, which may include the hiring of temporary employees. The triaging plan shall be completed and action initiated within 60 days of the amendment of the contract.</p>	<p><b>April 28, 2018</b></p>	<p><b>CC. (8) a. Completed</b> CWS implemented plans to complete backlogged investigations.</p>	
<p>CC. (8) b. CWS shall work with NCCD to create a time management plan that ensures new investigations are completed in a timely manner as CWS is addressing backlogged investigations. This may include revisions to policies and procedures, training to better utilize SafeMeasures, or other strategies. The time management plan shall be completed and action initiated within 60 days of the amendment of the contract.</p>	<p><b>April 28, 2018</b></p>	<p><b>CC. (8) b. Completed</b> CWS implemented plans to complete outstanding investigations.</p>	<p><b>CC. (8) b. Ongoing</b></p>
<p>CC, (8) c. CWS shall complete at least 30% of outstanding investigations every quarter. CWS shall close or finalize all of the outstanding investigations within one year of the entry of Judgment.</p>		<p><b>CC. (8) c. In process</b> CWS has exceeded the goal of closing 30% of backlogged investigations</p>	<p><b>CC. (8) c. Completed, 2/12/19</b> CWS eliminated the backlog of 293</p>

**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
		each quarter, reducing the backlog from 293 in February 2018 to 60 on August 13, 2018.	investigations as of February 12, 2019.
CC. (8) d. For new investigations, CWS shall improve its investigation completion rate every quarter and achieve compliance with the statutory investigation completion requirement within one year of the entry of Judgment.		<b>CC. (8) d. Not completed</b> The backlog of investigations was 168 on September 12, 2018.	<b>CC. (8) d. Not Completed</b> The backlog of investigations was 191 on February 28, 2019.
<b>Training</b>			
EE. In addition to the training provided by NCCD to Defendant CWS under the contract described in Sections BB and CC, training of CWS employees on subject matters (1) and (2) below has begun and is ongoing. Within 180 days of the entry of Judgment, CWS shall have completed mandatory training to all employees on the following subject matters:	<b>August, 12, 2018</b>		
(1) The requirements of CANRA and the Welfare & Institutions Code, including the legal obligations of CWS and confidentiality requirements;	<b>August, 12, 2018</b>	<b>EE. (1) Completed 8/9/18</b>	
EE. (2) Procedures relating to documenting referral and case information into (CWS)/CMS, including detailed information relating to cross-reporting and contact with tribes; and	<b>August, 12, 2018</b>	<b>EE. (2) Completed 8/9/18</b>	
EE. (3) The revised policies and procedures that CWS is required to implement pursuant to the Judgment.	<b>August, 12, 2018</b>	<b>EE. (3) Not completed</b> CWS has not finalized policies with input from Tribes and the Community Task Force. CWS has not circulated Investigations policy to staff.	<b>EE. (3) Completed 12/14/18</b> CWS circulated policies on that incorporated tribal input.
EE. (4) Prior to the 180-day timeframe for completion of the above trainings, CWS shall, on a monthly basis, provide the Attorney General's Office with a list of trainings provided to and completed by employees.	<b>Monthly from August 13, 2018</b>	<b>EE. (4) Completed</b> The AG advised CWS to submit training provided and completed by employees directly to	

**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
		CSSP. CSSP received training list on August 10, 2018.	
EE. (5) Training shall be conducted at least annually on the above subject matters and participation shall be tracked. Any newly hired or assigned personnel shall be required to attend such training within 30 days of hire or assignment.	<b>Annual</b>	<b>EE. (5) Partially completed</b> CWS provided training on WIC, CANRA, accepting reports, and cross reporting.  Policies and procedures, and therefore related training, have not yet been finalized.	<b>EE. (5) Completed.</b> CWS reports discussion of policies and procedures during group and individual meetings with supervisors and program meetings. CWS is not planning training classes of other sessions on policies and procedures for current staff.
FF. Defendant Sheriff s Office shall provide annual mandatory training for its deputies and records personnel on the following subject matters: (1) Requirements of CANRA, including the legal obligations of the Sheriff s Office and confidentiality requirements; (2) Handling investigations relating to child abuse and neglect; (3) The revised policies and procedures that the Sheriff’s Office is required to implement pursuant to the Judgment; and (4) Trauma-informed practices relating to interviews of children.	<b>Annual</b>	<b>FF. (1)-(4) Completed March 2018</b>	<b>FF. (1)-(4) Ongoing</b>
FF. (5) Training participation shall be tracked. New deputies shall complete the training as part of their four-month Field Training Officer Program. Lateral transfers shall be provided such training during the Field Training Program. New records personnel hires shall be required to attend such training within 30 days of hire.	<b>Ongoing</b>	<b>FF. (5) Completed</b>	<b>FF. (5) Ongoing</b>
<b>Complaint Systems</b>			
GG. Within 60 days of the entry of Judgment, Defendant CWS shall create a complaint procedure that can be easily understood by and publicized to the community. This procedure shall include the timeframe for handling complaints submitted formally and informally, written and orally. CWS shall create a policy designating a supervisor who will be	<b>April 15, 2018</b>	<b>GG. Completed 4/13/18</b> CWS opened an Office of the Ombudsperson with an assigned supervisor “to provide independent review of questions and	<b>GG. Ongoing</b> CWS continues to operate the Office of the Ombudsperson which received 63 complaints



**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
responsible for ensuring all complaints are investigated.		concerns related to CWS practices. <sup>45</sup>	between 9/1/18 – 2/28/19.
<p>HH. Defendant Sheriff’s Office's Policy 1020 relates to complaints. Within 60 days of the entry of Judgment, the Sheriff’s Office shall revise Policy 1020.5 to require that all formal and informal complaints and inquiries that relate to child abuse or neglect issues be categorized as "CANRA" so that such complaints can be tracked to ensure they are being addressed in accordance with Policy 1020 and this Judgment.</p>	<b>April 15, 2018</b>	<p><b>HH. Completed 3/14/18</b> HCSO updated policy (now 920) and the CANRA Coordinator is assigned to handle and track policy procedural complaints related to CANRA. Arthur, Gayle: insert text regarding new staff training</p>	<p><b>HH. Ongoing</b> HCSO received 3 calls for service related to child abuse and neglect investigations.</p>
<b>Community Task Force ("Task Force")</b>			
<p>II. Within 120 days of the entry of Judgment, the Humboldt County Sheriff and Director of DHHS ("Director") shall create a Task Force consisting of internal and external stakeholders for the purpose of making recommendations to their respective departments. The Sheriff and Director shall invite community members and representatives from the following agencies or departments to participate in the Task Force, however, membership is not limited to these entities: (1) School districts (2) Humboldt County Office of Education (3) Humboldt County Probation Department (4) DHHS, Mental Health division (5) Local law enforcement agencies (6) Tribes (7) Medical providers, specifically pediatricians and/or representatives from the local children's hospital.</p>	<b>June 14, 2018</b>	<p><b>II. Completed 5/24/18</b> First Community Task Force Meeting held May 24, 2018 by Humboldt County Sheriff’s Office and Department of Health and Human Services. Two meetings held since then during this monitoring period.</p>	<p><b>II. Ongoing</b> The monitor continues to observe Task Force meetings.</p>
<p>JJ. The Task Force shall meet on a quarterly basis to discuss issues relating to CANRA, child abuse and neglect, and child welfare within Humboldt County.</p>	<b>June 14, 2018 and ongoing</b>	<p><b>JJ. Completed 5/24/18 – 8/31/18</b> Community Task Force meetings were held 5/24/18, 6/21/18, and 7/26/18.</p>	<p><b>JJ. Ongoing</b> The monitor continues to observe Task Force meetings.</p>

<sup>45</sup> <https://humboldt.gov.org/DocumentCenter/View/63519/20180413-CWSOmbudsperson?bidId=>

**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
<p>KK. The duties of the Task Force shall generally include:                      (1) Creation of a web-based Mandated Reporter Guide, which provides an overview of CANRA and the Welfare &amp; Institutions Code, including:                      a. The legal obligations of each Defendant, including what types of reports fall within the respective jurisdiction of each agency;                      b. Policies and processes implemented by Defendants to ensure compliance with CANRA and the Welfare &amp; Institutions Code, and any other statutes relating to the investigation of reports of child abuse and neglect; and                      c. The legal obligations of mandated reporters.                      d. A hard-copy version of the guide shall be made available.</p>	<p><b>June 14, 2018 and ongoing</b></p>	<p><b>KK. (1) a.-d. In process</b>                      Sub-committee formed to create the Mandated Reporter Guide with support from NCCD.</p>	<p><b>KK. (1) a.-d. In process</b>                      The subcommittee to develop a web-based Mandated Reporter Guide continues to meet. The subcommittee plans to test the Guide by in the fall of 2019.</p>
<p>KK. (2) Input on changes or revisions to policies and procedures relating to CANRA.</p>	<p><b>June 14, 2018 and ongoing</b></p>	<p><b>KK. (2) In process</b>                      Sub-committee formed to review and provide input.</p>	<p><b>KK. (2) Completed</b>                      A sub-committee reviewed CWS policies and procedures and provided input.</p>
<p>KK. (3) Discussion of barriers encountered by the community and agencies with respect to CANRA and recommendations to address such barriers.</p>	<p><b>June 14, 2018 and ongoing</b></p>	<p><b>KK. (3) In process</b>                      Addressed through the Community Task Force and sub-committees.</p>	<p><b>KK. (3) In process</b>                      Addressed through the Community Task Force and sub-committees.</p>
<p>KK. (4) Identification of available community-based resources within Humboldt County and processes to coordinate referrals to such resources as appropriate.</p>	<p><b>Target not yet set</b></p>	<p><b>KK. (4) In process</b>                      Mandated Reporter Guide sub-committee has shared several resources to be included in the guide.</p>	<p><b>KK. (4) Ongoing</b></p>
<p>LL. By the second quarterly meeting of the Task Force, the Task Force shall create a schedule with timeframes for completion of the above duties.</p>	<p><b>December 2019</b></p>	<p><b>LL. Completed 8/7/18</b>                      The Task Force has produced a schedule with timeframes for completion of a web-based mandated reporter guide, providing input on changes or revisions to policies and procedures relating to CANRA, discussing</p>	<p><b>LL. Ongoing</b></p>

**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

Required Corrective Actions	Final Target	MP1 Performance 2/14/18 – 8/31/18	MP2 Performance 9/1/18-2/28/19
		barriers encountered by the community and agencies with respect to CANRA and recommendations to address such barriers. The Task Force has not yet begun to identify available community-based resources within Humboldt County and processes to coordinate referrals to such resources.	
MM. The Task Force shall provide the monitor, the Sheriff, and Director the schedule created pursuant to the above. Within 35 days of each meeting, the Sheriff and Director shall provide the monitor, the Attorney General's Office, and the clerk of the Humboldt County Board of Supervisors with the minutes from the meeting, as well as any documents, including the schedule created pursuant to Section LL.	<b>June 14, 2018 and ongoing</b>	<b>MM. Completed</b> Minutes and documents have been sent to the monitor within the 35-day timeframe for 2 of the 3 meetings held during MP1. Community Task Force Meetings can found on the Community Task Force website. <sup>46</sup>	<b>MM. Completed</b> Minutes and documents have been sent to the monitor within the 35-day timeframe for meetings held during MP2. Community Task Force Meetings can found on the Community Task Force website.
<b>Compliance Monitor</b>			
4. This Judgment shall be overseen by a qualified third-party compliance monitor who shall be provided access to information and documents to ensure compliance with the injunctive provisions of this Judgment. Defendants shall retain the monitor, subject to approval by the Attorney General's Office, at Defendants' expense. Within 15 days of the entry of Judgment, all parties shall meet and confer regarding the identity of the monitor and Defendants agree to give primary consideration to the Attorney General's Office's pre-approved monitor. At the sole direction of		<b>4. Completed</b> All Parties met and conferred regarding the identity of the monitor and Defendants gave primary consideration to the Attorney General's Office's pre-approved monitor, the Center for the	<b>4. Ongoing</b>

<sup>46</sup> <https://humboldt.gov.org/2373/Community-Task-Force>

**Table 3: Summary of Performance on Corrective Actions Required By Judgment**

<b>Required Corrective Actions</b>	<b>Final Target</b>	<b>MP1 Performance 2/14/18 – 8/31/18</b>	<b>MP2 Performance 9/1/18-2/28/19</b>
<p>the Attorney General's Office, the monitor shall conduct a review and prepare a written report bi-annually following the date of the entry of this Judgment for a period of three years, unless time is extended pursuant to Section 9 below, in which case the monitor shall continue to provide bi-annual reports until this Judgment's enforcement period ends. The monitor's reports shall detail the monitor's findings and recommendations for corrective action, if any is required. The Attorney General's Office shall keep all written reports prepared pursuant to this paragraph confidential except as needed to enforce compliance with the Judgment or to support any other public enforcement action by the Attorney General's Office, or as otherwise required by law.</p>		<p>Study of Social Policy (CSSP).</p>	

## Appendix I: Glossary of Acronyms<sup>47</sup>

AG – (California Office of the) Attorney General

CANRA – Child Abuse and Neglect Reporting Act

CAST – Child Abuse Services Team

CPRG – Child Protection Reporting Guide

CSSP – Center for the Study of Social Policy

CMH – (Humboldt County Department of Health and Human Services’) Children’s Mental Health

CWS – (Humboldt County Department of Health and Human Services’) Child Welfare Services

DA – (Humboldt County) District Attorney

DHHS – (Humboldt County) Department of Health and Human Services

FTO – Field Training Officer

HCSO – Humboldt County Sheriff’s Office

MDT – Multi-disciplinary team

MOU – Memorandum of Understanding

MP – Monitoring Period

MRG – Mandated Reporter Guide

NCCD – National Council on Crime and Delinquency

NICWA – National Indian Child Welfare Association

SDM® – Structured Decision Making

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<sup>47</sup> Humboldt County Glossary of Settlement Terms:

<https://humboldt.gov/DocumentCenter/View/64514/Glossary-of-Settlement-Terms>

The People of the State of CA v. Humboldt County DHHS and HCSO  
Progress Report for the Period September 1, 2018 – February 28, 2019  
Appendix I

## Appendix II: Memorandum of Understanding between Hoopa Valley Tribe and County of Humboldt Department of Health and Human Services Child Welfare Services Division<sup>48</sup>

### MEMORANDUM OF UNDERSTANDING

#### PREAMBLE

This Memorandum of Understanding ("MOU") by and between the Hoopa Valley Tribe (the "Tribe") and the County of Humboldt, by and through its Department of Health and Human Services, Child Welfare Services Division ("CWS") (referred to collectively as "the Parties") is effective as of 2/5/2019.

#### 1. RECITALS

- a. Recognizing that the purpose of the Indian Child Welfare Act ("ICWA") is to protect the future and integrity of Native American Tribes and their children, the Parties are committed to a collaborative process intended to prevent the breakup of Native American families in Humboldt County;
- b. Recognizing that the Indian Child Protection and Family Violence Prevention Act (25 U.S.C. Sec 3201 et seq.) mandates (1) greater coordination between law enforcement and child protection agencies serving Native children on tribal lands; and (2) improved reporting standards before and during investigations of alleged child abuse and neglect involving Native children on tribal lands;
- c. Recognizing that the Parties are committed to establishing and maintaining a mutually supportive, respectful, and cooperative working relationship, and further make a firm commitment to fostering open communication and information-sharing with regard to Hoopa Valley Tribe children and families;
- d. The Parties have entered into negotiations on a government-to-government basis to address issues pertaining to the Indian Child Welfare Act and affirm that this MOU is based upon fundamental principles of Tribal sovereignty; and
- e. The Parties have established a framework for collaborative intervention, cross reporting of cases, and transfer of jurisdiction so that the purposes of ICWA can be accomplished.

<sup>48</sup> <https://humboldt.legistar.com/Calendar.aspx>

## 2. DEFINITIONS

- a. Business hours means 8:00 am to 5:00 pm, Monday through Friday excepting the following Holidays which are recognized by either or both Parties:
- i. New Year's Day
  - ii. Martin Luther King Jr.
  - iii. Lincoln's Birthday
  - iv. President's Day
  - v. Cesar Chavez Day
  - vi. Memorial Day
  - vii. Independence Day
  - viii. Labor Day
  - ix. Veteran's Day
  - x. Day of the Boat Dance
  - xi. Indian Day
  - xii. Thanksgiving Day
  - xiii. Friday after Thanksgiving
  - xiv. Christmas Day
- b. Child Welfare Services ("CWS") means the Humboldt County Department of Health and Human Services, Child Welfare Services Division.
- c. County of Humboldt is a subdivision of the government of the State of California as administered and represented by its Board of Supervisors.
- d. Hoopa Valley Tribe Child and Family Services (HVTFCFS) is the Hoopa Valley Tribe's designated child protective services agency.
- e. Indian Child Welfare Act ("ICWA") means 25 U.S.C. ' 1901 *et seq.*
- f. No support or care. The child was left without provision for support, an incarcerated or institutionalized parent cannot arrange for the child's care, or a

relative or adult custodian with whom the child was left is unwilling or unable to care for or support the child and the parent cannot be located despite reasonable effort. (WIC §361(c)(5).)

- g. Severe emotional damage. The child is suffering from severe emotional damage that requires removal from the home. (WIC §361(c)(3).)
- h. Sexual abuse. The child or a sibling was sexually abused, or is at substantial risk of sexual abuse, by the parent, guardian, household member, or other person known to the parent, and there are no reasonable means to protect the child without removal or the child does not wish to return home. (WIC §361(c)(4).)
- i. Social worker is the staff person who performs social services to identify needs for intensive casework services and provides casework services.
- j. State Court is the Superior Court of the State of California, County of Humboldt, including the Juvenile Division of the Superior Court.
- k. Structured Decision Making (SDM) is the suite of research-based assessment tools and decision guidelines used by child protection agencies to provide a high level of consistency and validity in the assessment and decision making processes for families.
- l. Substantial danger. Leaving or returning the child home will cause a substantial danger to the child's physical health, safety, protection, or physical or emotional well-being, and there are no reasonable means to protect the child without removal. (WIC §361(c)(1).)
- m. Tribal Court is the Hoopa Valley Tribe's Court system.
- n. Unwilling to assume custody. The parent or guardian is unwilling to assume physical custody of the child and was notified that the child might be declared permanently free of parental custody and control if he or she remains outside the home for a statutory period. (WIC §361(c)(2).)
- o. Hoopa Valley Tribal child means an unmarried person who is under age eighteen (18) and is either:
  - i. An enrolled member of the Tribe;
  - ii. Eligible for membership in the Tribe and is the biological child of a member of the Tribe.



### 3. COLLABORATION EXPECTATIONS

- a. CWS staff will demonstrate respect throughout all interactions and communication.
  - i. CWS staff will respect tribal sovereignty, tribal law, tribal culture, and the knowledge of the tribal staff, including social workers and elders.
    - 1. Respect includes flexibility, ability to empathize, and the ability to defer to tribal experts.
- b. CWS staff shall have an understanding of community values.
  - i. Willingness to learn from Hoopa social workers.
  - ii. Willingness to follow Hoopa placement preferences.
- c. CWS staff shall participate in cultural trainings.

### 4. REPORTING

- a. When CWS receives a report of suspected child abuse or neglect involving Hoopa Valley Tribal children or children affiliated with a member of the Tribe:
  - i. CWS and HVTFCFS shall share all details of the referral including the name of the reporting party.
  - ii. CWS will immediately cross report to HVTFCFS via telephone and follow up via email within one (1) hour.
    - 1. If HVTFCFS is available, CWS and HVTFCFS shall jointly complete the Structured Decision Making (SDM) hotline tools together to determine the response and the response time priority.
    - 2. If HVTFCFS is not available, CWS shall complete the SDM hotline tool and submit for supervisor approval. CWS shall leave a detailed message with HVTFCFS regarding the report and request a return call from HVTFCFS immediately.
      - a. If the decision is to evaluate-out and HVTFCFS returns the call prior to the 10-day response priority:

- i. CWS and HVT CVS will jointly complete the SDM hotline tools to determine the response and the response time priority.
    - ii. If HVT CVS provides information that changes the response or response time priority to an in-person response, CWS shall reopen the referral and assign it for investigation.
  3. If HVT CVS and CWS cannot agree with the response and/or the response priority, CWS shall connect HVT CVS to the on duty supervisor. When applicable, CWS will calendar the referral for a joint staffing with HVT CVS.
  4. In the event the CWS supervisor is unable to resolve the disagreement, CWS and HVT CVS shall follow the dispute resolution set forth in Section 8 of this MOU.

**b. Legally mandated reporters**

- i. The Parties agree to comply with Section 3203 of the Indian Child Protection and Family Violence Prevention Act regarding "Reporting Procedures" for the abuse of a child in Indian country, including any actions that would reasonably be expected to result in abuse of a child in Indian Country. (18 U.S.C. Section 1169.)
    - ii. The Parties acknowledge, and the Tribe agrees to comply with, the Duty to Investigate and Report Abuse and Neglect pursuant to federal and Tribal law. Hoopa Valley Tribal law requires that "mandated reporters" must report suspected abuse or neglect, and provides that such reports remain anonymous and immune from civil liability and criminal prosecution if reported in good faith.
    - iii. The Parties acknowledge, and CWS agrees to comply with, California's Child Abuse and Neglect Reporting Act (CANRA) requiring that suspected child abuse and neglect be reported when a person who is a legally mandated reporter "has knowledge of or observes a child in his or her professional capacity, or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse. . . ." (P.C. 11166(a).)

- c. CWS and HVTFCFS will cross report all instances of child abuse or neglect involving Hoopa Valley Tribal children or children affiliated with a member of the Tribe.
- d. **Referrals requiring a 24-hour or immediate response**
  - i. When CWS receives a report of suspected child abuse and/or neglect concerning Hoopa Valley Tribal children requiring a 24-hour or immediate response, CWS will cross report via email to the on-call HVTFCFS worker within one (1) hour.
  - ii. CWS will provide HVTFCFS copies of all reports and records pertaining to Hoopa Valley Tribal children within one (1) hour.
  - iii. CWS will collaborate with HVTFCFS upon request and will abide by statutory response times when called on by HVTFCFS to participate in an investigation.
  - iv. CWS shall seek permission from the assigned HVTFCFS social worker to enter the Hoopa Valley Indian Reservation to conduct the investigation. Pursuant to section 4 (a) i of this MOU, the HVTFCFS social worker shall grant permission.
  - v. An HVTFCFS social worker will participate in all immediate response investigations involving Hoopa Valley Tribal children conducted on the Hoopa Valley Indian Reservation.
    - 1. During business hours, CWS will call HVTFCFS and will jointly respond on all investigations involving Hoopa Valley Tribal children residing on the Hoopa Valley Indian Reservation.
    - 2. After business hours:
      - a. CWS shall call the designated HVTFCFS emergency response phone number and leave a message.
      - b. The CWS assigned Social Worker (SW) will follow up the next business day with a telephone call to HVTFCFS within one (1) hour of receiving the referral assignment.

**e. Referrals that do not require an immediate or 24-hour response.**

- i. When CWS receives a report of suspected child abuse and/or neglect that does not require a 24-hour or immediate response, CWS will cross report via email to the on-call HVTCSF worker within three (3) business days.
- ii. CWS will provide HVTCSF copies of all reports and records pertaining to Hoopa Valley Tribal children within three (3) business days.

**f. Referrals determined to not require and in-person response.**

- i. CWS will notify HVTCSF of a decision to "evaluate out" a report received within three (3) business days.

**5. INVESTIGATIONS**

**a. Terms of CWS Investigations involving Hoopa Valley Tribal Children**

- i. Recognizing the sovereign status of the Hoopa Valley Tribe, CWS hereby requests, and the Hoopa Valley Tribe hereby grants, CWS permission to enter the Hoopa Valley Indian Reservation to conduct investigations into allegations of child abuse and neglect pursuant to the terms set forth in this MOU.
- ii. The Parties agree to coordinate with each other regarding any investigation into allegations of child abuse or neglect regarding any Hoopa Valley Tribal child and CWS will document this collaboration in the file. [See Exhibit A: ICWA Collaboration Checklist]
- iii. CWS agrees that if it will investigate referrals of suspected child abuse or neglect within the boundaries of the Hoopa Valley Indian Reservation, CWS will notify HVTCSF prior to entering Tribal lands.
  1. During business hours, CWS will notify HVTCSF immediately (or as soon as practicably possible) via telephone and will follow up with an email using the system established for cross-reporting referrals to HVTCSF.
  2. After hours, CWS will notify HVTCSF via email using the system established for cross-reporting referrals to HVTCSF.
  3. CWS will document this notification in the file, including HVTCSF response, if any.

- iv. For child abuse or neglect allegations investigated on the Hoopa Valley Indian Reservation by CWS, the HVTFCFS agrees that it will provide access to CWS to perform an investigation where CWS provides advance notice to the HVTFCFS, including an opportunity to participate in the investigation, in accordance with the terms of this MOU.
- v. CWS agrees that, unless there are (1) exigent circumstances, or (2) parental consent, CWS will not interview, detain, perform an investigative medical examination, or enter a private home within the Hoopa Valley Indian Reservation without first obtaining a court order, protective custody warrant, detention order, or search warrant, as appropriate, from the Humboldt County Superior Court.

**b. Investigations Requiring a 24-Hour or Immediate Response**

- i. When CWS receives a report of suspected child abuse and/or neglect involving Hoopa Valley Tribal children requiring a 24-hour or immediate response, CWS will cross-report via email to HVTFCFS within one (1) hour.
- ii. CWS will provide HVTFCFS copies of all reports and records pertaining to Hoopa Valley Tribal children within one (1) hour.
- iii. CWS will collaborate with HVTFCFS upon request and will abide by statutory response times when called on by HVTFCFS to participate in an investigations.
- iv. CWS shall notify HVTFCFS social worker before entering the Hoopa Valley Indian Reservation to conduct the investigation.
- v. HVTFCFS social worker will participate in all immediate response investigations involving Hoopa Valley Tribal children conducted on the Hoopa Valley Indian Reservation.
  - 1. After hours, CWS will call the designated telephone number and leave a message and will follow up with a phone call the next business day within one (1) hour of receiving the assignment.

**c. Investigations That Do Not Require an Immediate or 24-Hour In-Person Response**

- i. When CWS receives a report of suspected child abuse and/or neglect that does not require 24-hour or immediate response, CWS will cross report via email within three (3) business days.

**d. Release of Information**

- i. The parties acknowledge that the Hoopa Valley Tribal Code, Title 67, Info Disclosure Act, controls the release of any information that is controlled by the Hoopa Valley Tribe and that the Hoopa Valley Tribal Code, Title 14, Child Protection/Family Assistance Code, permits the exchange of confidential Child Welfare Information to provide for the welfare, care, and protection of the children and families on the Hoopa Valley Indian Reservation. To facilitate the coordination and delivery of services the Tribal Council hereby authorizes the Child and Family Services Department to release information that is necessary for Child Welfare cases and Immediately upon initiating an investigation or emergency removal HVTCSF agrees to provide a Release of Information form to Hoopa Valley Tribal families that will authorize the release of confidential information to the County. Such information shall include, not is not limited to medical/mental health records, substance abuse treatment records, and educational records.
- ii. The parties acknowledge that, pursuant to section 552a of Title 5, the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. § 1232g), or any other provision of law, agencies of any Indian tribe, of any State, or of the Federal Government that investigate and treat incidents of abuse of children may provide information and records to those agencies of any Indian tribe, any State, or the Federal Government that need to know the information in performance of their duties. For purposes of this section, Indian tribal governments shall be treated the same as other Federal Government entities. (See also Section 3205 of Title 25 of the United States Code.)
- iii. The Parties acknowledge that California Welfare and Institutions Code section 827 permits the exchange of confidential Child Welfare Information between CWS and HVTCSF.

- iv. To facilitate the coordination and delivery of services, immediately upon initiating an investigation or emergency removal, CWS agrees to provide an ROI form to HVTFCFS families that will authorize the release of confidential information to HVTFCFS. Such information shall include, but is not limited to medical/mental health records, substance abuse treatment records, and educational records.
- v. If HVTFCFS is not present when CWS investigates an allegation of child abuse or neglect involving a Hoopa Valley Tribal child, CWS agrees to:
  - 1. Describe the benefits of HVTFCFS services and Tribal assistance;
  - 2. Ensure that the family understands that HVTFCFS is required to maintain all information confidentially and in accordance with Hoopa Valley Tribal law, the Hoopa Valley Tribe's Children's Code (Title 14), and the MOU executed between the Tribe and CWS.
- vi. HVTFCFS agrees to provide an informational flyer containing information about ICWA, HVTFCFS, and the services and assistance HVTFCFS may provide to CWS or the family, as appropriate.

**e. Services/Active Efforts**

- i. Federal, state and Hoopa Valley Tribal laws require that CWS and HVTFCFS make "active efforts" to prevent the removal of an Indian child by providing culturally appropriate remedial services and rehabilitative programs designed to prevent the breakup of an Indian family. CWS agrees to coordinate with HVTFCFS regarding the provision of services to Hoopa Valley Tribal families in the following circumstances:
  - 1. Where referrals for services are provided in conjunction with an involuntary proceeding, or if applicable, on a voluntary basis;
  - 2. During the development of a Case Plan in an involuntary proceeding or, if applicable, on a voluntary basis.
- ii. CWS agrees to provide HVTFCFS with the opportunity to recommend culturally appropriate services available through HVTFCFS or other Indian social services agencies or providers. CWS will document this notification, and any resulting collaboration between CWS and HVTFCFS, in writing in the file. [See Exhibit A: ICWA Collaboration Checklist]

- iii. The parties agree that HVTCFS has critical information regarding natural supports and community resources and it is essential that they participate in the Child and Family (CFT) meeting process.
    - 1. CWS shall meet and confer with HVTCFS prior to a CFT in order to reach joint agreements as to their expectations for the family.
    - 2. CWS shall include HVTCFS in all CFT meetings.
      - a. CWS shall conduct CFT meetings in the most convenient location for HVTCFS and the natural supports identified.
      - b. CWS shall make arrangements for phone participation as needed.
    - 3. CWS shall include identified supports and family members recommended by HVTCFS in all CFT meetings.
  - iv. CWS shall incorporate the HVTCFS recommendations regarding behaviors and culturally appropriate services into its Case Plan unless CWS determines that such services would not adequately address the presenting issues. In such a case:
    - 1. CWS shall document this determination in the file.
    - 2. CWS shall give HVTCFS an opportunity to recommend alternate culturally appropriate services, or referrals. [See Exhibit A: ICWA Collaboration Checklist]
  - v. CWS and HVTCFS shall collaborate to identify additional resources and funding opportunities that would assist HVTCFS or other Indian social services agencies in providing culturally appropriate services to Hoopa Valley Tribal children.
- f. Removal**
- i. CWS shall notify HVTCFS prior to the emergency removal of a Hoopa Valley Tribal child. [See Exhibit A: ICWA Collaboration Checklist]
  - ii. CWS shall conduct a CFT meeting, including HVTCFS as well as identified supports and family members recommended by HVTCFS.



- iii. Upon notification of the need for an emergency removal of a Hoopa Valley Tribal child, HVTFCFS will determine whether a relative or Indian foster home is available and shall inform CWS immediately if an emergency HVTFCFS-approved placement is available for the child. [See Exhibit A: ICWA Collaboration Checklist]
  - 1. If an emergency HVTFCFS-approved placement is available, CWS shall place the child in that placement.
  - 2. If a HVTFCFS-approved placement is not available, CWS will collaborate with HTVCFS to place the child in a HVTFCFS-preferred placement.

**g. Placement**

- i. The Parties acknowledge that CWS is required to comply with ICWA's mandatory placement preferences for Indian children. HVTFCFS mandatory placement preferences supersede all other considerations, regardless what reunification services CWS offers the parents.
  - 1. CWS shall coordinate with HTVCFS to determine whether relative or HTVCFS-approved placements are available for a Hoopa Valley Tribal child.
  - 2. CWS will collaborate with HTVCFS regarding all placement decisions for Hoopa Valley Tribal children and will document that collaboration and coordination in the file. [See Exhibit A: ICWA Collaboration Checklist]
- ii. If HVTFCFS cannot recommend a specific placement for a Hoopa Valley Tribal child, CWS and HVTFCFS will collaborate to make a placement consistent with ICWA's mandatory placement preferences. [See Exhibit A: ICWA Collaboration Checklist]

**6. EXPERT WITNESSES**

- a. When an expert witness is required pursuant to Welfare and Institutions Code section 224.6, as well as 25 U.S.C. section 1912, CWS shall select the witness designated by HVTFCFS.

## 7. CASE MANAGEMENT

- a. CWS shall make active efforts to prevent to the breakup of Hoopa Valley Tribal families receiving ongoing services (court and non-court) and shall document those active efforts in the case file. [See Exhibit A: ICWA Collaboration Checklist]
  - i. CWS and HTVCFS shall jointly conduct monthly contacts with children in their placement.
    1. CWS and HTVCFS shall jointly interview the child independent from the caregiver.
    2. CWS and HTVCFS shall jointly make recommendations to the Superior Court regarding the appropriateness of the placement.
    3. In the event HTFCFS is unavailable for a joint contact, CWS shall immediately contact HVCFS and convey the results of that interview.
  - ii. CWS and HTVCFS shall work collaboratively with the family to deliver services.
  - iii. CWS and HTVCFS shall share records and progress reports from service providers.
  - iv. CWS and HTVCFS shall collaborate to make recommendations to the Superior Court as applicable.
    1. In the event, CWS and HTVCFS do not agree on recommendations, the Parties shall follow the dispute resolution set forth in Section 8 of this MOU.
  - v. CWS shall provide adequate advance notice to the family and HTVCFS when conducting announced contacts on the Hoopa Valley Indian Reservation.
  - vi. CWS shall provide adequate advance notice to HTVCFS when conducting unannounced contacts on the Hoopa Valley Indian Reservation.
  - vii. CWS shall collaborate with HTVCFS to make recommendations to the Superior Court regarding visitation and shall document that collaboration in the file. [See Exhibit A: ICWA Collaboration Checklist]

1. CWS shall consider all background information provided by HTVCFS in making visitation recommendations.
  2. CWS shall prioritize parental behavior change and any assessment tools utilized in making recommendations to transition a Hoopa Valley Tribal child from supervised to unsupervised visitation as well as unsupervised to supervised visitation.
- viii. CWS and HTVCFS shall collaborate to recommend the long term living plan to the Superior Court, whether that plan be guardianship, tribal customary adoption and/or adoption.
1. CWS and HTVCFS shall jointly complete all applicable assessment tools to determine the best recommendation for the child's plan.
- ix. CWS and HTVCFS shall jointly complete all applicable assessment tools to determine the best recommendation for case closure.

#### **8. TRAINING**

- a. CWS shall provide education and training opportunities to HTVCFS personnel, Hoopa Valley Tribal Police Officers and staff, Tribal leaders, and Tribal foster parents, upon request.
- b. HTVCFS shall provide education and training opportunities to CWS regarding Indian children and Hoopa Valley Tribal families, including traditional and cultural approaches to child and family welfare, upon request.

#### **9. DISPUTE RESOLUTION**

- a. The Parties agree to engage in a good faith effort to resolve any issues or disputes arising from this MOU in a cooperative, culturally sensitive, and mutually respectful manner.
  - i. The Parties will make every effort to resolve disputes at lowest level possible.
  - ii. If necessary, the Parties will convene a case staffing within three (3) business days to discuss any issues or disputes.
- b. The Parties agree that where a case staffing does not resolve an issue or dispute the Parties will engage in a meet and confer dispute resolution process:

- i. The aggrieved Party will document the issue or dispute to be resolved in writing and will provide this documentation to the Director of HTVCFS or Director of CWS within ten (10) calendar days and will request a meeting to discuss the issue or dispute.
    - ii. The responding Party will respond in writing within ten (10) calendar days to HTVCFS or CWS's designated representative. Such response will either document an agreed upon solution; or proposed solution; and will provide the opportunity to schedule an additional meeting within ten (10) business days.
  - c. If the Parties are unable to resolve the dispute by means of the meet and confer process, they may engage in mediation or another traditional dispute resolution forum to resolve the issue or dispute.
  - d. The Parties agree that when issues or disputes cannot be resolved by means of a meet and confer or alternative dispute resolution process, the following process will be followed:
    - i. When the issue involves the delivery of services for families and/or specific placements of Hoopa Valley Tribal children who are dependents of the Juvenile Division Dependency Court, the Parties agree to bring their dispute before the Juvenile court for a final determination of the issue.
    - ii. When the issue involves an administrative decision not within the jurisdiction of either the Tribal or Juvenile Division Dependency Courts, including, but not limited to funding decisions, and placement approvals (for instance compliance with criminal exemption process), the Parties agree to bring the issue before the designated representative of the California Department of Social Services.

#### **10. TRIBAL COURT**

- a. The Parties acknowledge that the Hoopa Valley Tribal Court is authorized to hear Indian Child Welfare matters and the Tribal Court's civil jurisdiction extends to all

lands within the boundaries of the Hoopa Valley Indian Reservation and all lands held in trust by the United States for the Tribe.

- b. The Parties acknowledge that Tribal Court Judgments regarding Indian child welfare matters are entitled to Full Faith and Credit under Federal Law.
- c. The Parties acknowledge that State Court judgments regarding Indian child welfare are entitled to Full Faith and Credit under Tribal law.
- d. The parties acknowledge that federal, tribal, and state law provide for the transfer of Indian child welfare cases to the Hoopa Valley Tribal court.

**11. SOVEREIGN IMMUNITY**

- a. The Parties agree that nothing in this MOU shall be deemed, construed, or implied to be a waiver of sovereign immunity of either party and should a court find that any provision in this MOU is considered by law a waiver of sovereign immunity then that waiver shall be strictly and narrowly construed to the extent that the law allows.

**12. NOTICES**

TRIBE: Hoopa Valley Tribe Child and Family Services  
Attention: Millie Grant, Director, Hoopa Valley Tribe Child and Family Services  
80 Willow Lane  
Hoopa, CA 95546


COUNTY: Humboldt County DHHS - Child Welfare Services  
Attention: Stephanie Weldon, Director, Child Welfare Services  
2440 Sixth Street  
Eureka, CA 95501

**13. TERM; EXTENSION; MODIFICATION; TERMINATION**

- a. This MOU is effective on the date set forth in the PREAMBLE *infra*.
- b. The Term of this MOU is TWO YEARS.
- c. The Term of this MOU may be extended for an additional term of TWO YEARS upon written agreement of the Parties.
- d. This MOU may be amended by written agreement of the Parties.
- e. Either Party may terminate this agreement upon ninety (90) days written notice.
- f. This MOU may be executed in counterparts.

IN WITNESS THEREOF, this Memorandum of Understanding has been executed by and on behalf of the Hoopa Valley Tribal Council, the Hoopa Valley Tribe Child & Family Services, the Humboldt County Board of Supervisors, and the Humboldt County Department of Health and Human Services, Child Welfare Services as of the dates shown below.

Dated: 12-14-18

  
RYAN JACKSON  
Chairman of the Hoopa  
Valley Tribal Council

Dated: 2/5/19

  
~~XXXXXXXXXXXX~~ Rex Bohn  
Chair of the Humboldt  
County Board of Supervisors

Dated: 13/17/2018

  
MILLIE GRANT  
Director, Hoopa Valley Tribe,  
Child & Family Services

Dated: \_\_\_\_\_

~~XXXXXXXXXXXX~~ Connie Beck  
Director, Humboldt County  
Department of Health and  
Human Services, Child Welfare  
Services

**Exhibit A  
Humboldt County CWS and  
Hoopa Valley Tribe Child and Family Services (HVTFCFS) Collaboration Checklist**

Child(ren) Information							
Child Name		DOB		Hoopa Enrollment Status		Other Tribal Affiliation	
Child Name		DOB		Hoopa Enrollment Status		Other Tribal Affiliation	
Child Name		DOB		Hoopa Enrollment Status		Other Tribal Affiliation	
Child Name		DOB		Hoopa Enrollment Status		Other Tribal Affiliation	

Parent/Caregiver Information			
Mother's Name			Tribal Affiliation
Father's Name			Tribal Affiliation
Other Caregiver Name			Tribal Affiliation
Other Caregiver Name			Tribal Affiliation

Referral/Case Information	
Date/Time CWS Report Received	
Referral ID #	
Case ID #	
CWS Screening social worker	
CWS Investigating social worker	
CWS Ongoing social worker	
HVTFCFS social worker	

Intake				
Screening Social Worker	Collaboration Steps	Date	Initial to verify step completed	
			CWS SW	HVTFCFS
	Verify Tribal membership or eligibility with HVTFCFS			
	Request any additional information/input from HVTFCFS			
	Include Tribal input in screener narrative with date/time of contact and information provided			
	Complete SDM Hotline tool together with HVTFCFS			
	If HVTFCFS not available at time of call, complete tool and leave message requesting call back by HVTFCFS to re-complete the SDM Hotline tool together			
	Provide response priority to HVTFCFS			
	Submit cross report to HVTFCFS including copies of all reports and records pertaining to child			



**Exhibit A  
Humboldt County CWS and  
Hoopa Valley Tribe Child and Family Services (HVTFCFS) Collaboration Checklist**

Investigating Social Worker	Investigation				
	Collaboration Steps	Date	Initial to verify step completed		
			CWS SW	CWS SWS	HVTFCFS
	Request permission to enter Hoopa Valley Indian Reservation				
	Request a joint contact with HVTFCFS				
	HVTFCFS present during child interview				
	<i>Non-Emergency Placement:</i> Consult with Hoopa SW on Placement				
	<i>Emergency Placement during business hours:</i> Contact HVTFCFS prior to removal Place in 1) Approved or 2) Preferred HVTFCFS placement				
	<i>Emergency Placement after hours:</i> Place in 1) Approved or 2) Preferred HVTFCFS placement and contact HVTFCFS on the next business day to consult				
	Invite HVTFCFS to CAST Interview				
	Consult with HVTFCFS when completing the MH Screening tool. Include input on any disabilities or any special needs.				
	Identify Tribal supports for ongoing support				
	Complete SDM Risk Assessment with HVTFCFS				
	Develop Safety Plan in collaboration with HVTFCFS				
	Complete SDM Safety Assessment with HVTFCFS				
	Provide referral disposition to HVTFCFS				
	Provide Case Promotion decision to HVTFCFS				
	Investigation Disposition: <input type="checkbox"/> Unfounded <input type="checkbox"/> Inconclusive <input type="checkbox"/> Substantiated				
	Case Promotion Decision: <input type="checkbox"/> Do not Promote <input type="checkbox"/> Vol. FM <input type="checkbox"/> Court FM <input type="checkbox"/> FR				

Ongoing Social Worker	Ongoing				
	Collaboration Steps	Date	Initial to verify step completed		
			CWS SW	CWS SWS	HVTFCFS
	Conduct joint case planning meetings				
	Develop case plan collaboratively with HVTFCFS				
	Conduct monthly contacts jointly with HVTFCFS				
	Complete SDM Risk Reassessment Tool with HVTFCFS				
	Develop visitation plan collaboratively with HVTFCFS				
	Develop court report collaboratively with HVTFCFS				
	Develop concurrent plan collaboratively with HVTFCFS				
	Consult with HVTFCFS for school enrollment decisions				
	Invite HVTFCFS to all IEP meetings				
	Invite HVTFCFS to all 504 meetings				
	Refer parent(s) for a mental health assessment				

**Exhibit A  
Humboldt County CWS and  
Hoopa Valley Tribe Child and Family Services (HVTFCFS) Collaboration Checklist**

<b>Child's Plan</b>			
	<b>Plan Components</b>	<b>Initial to verify step completed</b>	
		<b>CWS SW</b>	<b>HVTFCFS</b>
<b>Ongoing Social Worker</b>	1. That (Child's name) _____ remain current on his/her medical and dental examinations and immunizations as patients at _____.		
	2. That _____ continue to participate in mental health counseling with _____ Ph.D, a Native American therapist or _____ LCSW/MSW or _____ title, at _____;		
	3. That _____ participate in age appropriate weekly cultural education projects and activities prepared, directed, and documented by her/his family; Tribal representatives and other Indian service providers for the Hoopa Valley Tribal children;		
	4. That _____ be allowed to continue to visit with their extended families at a minimum of ___ hour(s) a week according to the families and the children's respective schedules supervised and monitored by the ___ department or their HVTFCFS representative;		
	5. That _____ be allowed to participate in other identified cultural or religious ceremonies as identified by either family and according to the children's and families respective schedules.		
	6. Refer _____ for a mental health assessment from United Indian Health Services/Two Feathers/Other and provide the recommended treatment plan as provided in the assessment/intake evaluation.		
	7. Refer _____ for a mental health assessment from Humboldt County Mental Health and provide the recommended treatment plan as provided in the assessment/intake evaluation.		

<b>Case Closure</b>					
<b>Ongoing SW</b>	<b>Collaboration Steps</b>	<b>Date</b>	<b>Initial to verify step completed</b>		
			<b>CWS SW</b>	<b>CWS SWS</b>	<b>Hoopa SW</b>
	Consult with HVTFCFS prior to case closure				
	Complete SDM Case Closure tool with HVTFCFS				