Remarks

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Let me begin by thanking Governor Brewer for her leadership in ordering the creation of this Task Force. Arizona's Governor has demonstrated time and again her willingness to stand up for our State as a whole and this current effort represents an important commitment to stand up for Arizona's children.

The composition of this Task Force is evidence of the Governor's intent for us to do real work. We are not a study group. We are not here to praise a status quo or explain away instances or circumstances in which any Arizona resident can fairly say we have fallen short of effecting a "child **PROTECTION** system" for Arizona's children when they have been at their moments of greatest need. We are also not here, though, to condemn those who diligently persevere to make the best decisions they can to safeguard children and promote healthy families. We will endeavor to identify specific changes that can enhance the safety of children and enable dedicated workers to focus on what they do best. This is not a zero sum game where a desire to safeguard Arizona's children must come at the expense of efforts to deliver social services

where a social welfare response is appropriate. It does not have to be "either or." It can and should be a case of "both and."

This is also a beginning, not an end. What we identify through this process and see through to its implementation will not be a "silver bullet" that can resolve all of the challenges we face. We have to remain committed as a state and fellow stakeholders in our child protection system to continuously review what we do and how we do it to ensure an effective response to children and families in need.

So what brings us to this point beyond the Governor's Executive Order? Despite prior efforts at Child Protection System reform in 2003 and 2008, recent surveys show we are still falling short in protecting and safeguarding Arizona's children and they eerily echo the observations made in the landmark report: In Harm's Way. Written in 2003, the report is dedicated to a tragically long list of children killed over the preceding five years and begins with the following story from The Arizona Republic, The sad case of little Liana Sandoval, Karina Bland, January 12, 2003:

“Liana Sandoval was already dead on September 27, 2001, when a state Child Protective Services caseworker closed her file on the little girl, writing off allegations as “unsubstantiated” that her mother’s boyfriend was abusing her.

The night before, Juan Velazquez confessed to police that he tied the 20-month-old girl with heavy wire to an 18-pound chunk of concrete and sank her body in a filthy canal.

Liana had been beaten to death, her head swollen from the blows of a grown man’s fist.

A month earlier, her father’s family had called CPS to report Liana and her sister, Isabella, then 3, were missing clumps of hair and covered in bruises, marks they thought had been made by Velazquez. CPS did not take the girls from their mother.”

In Harm’s Way identified the seemingly incongruous requirements set for our child protection system to safeguard children while keeping families together. In a criminal context, this makes no sense. In Harm’s

Way also listed a series of observations from child protection system stakeholders that frustratingly remain the same observations today. For example, it was noted by courts, prosecutors, law enforcement, physicians **and** medical social workers, service providers and guardians ad litem that child protection, not family reunification, should be the driving priority. Additional observations included the need for more placement options, addressing substance-addicted newborns, and the need for prevention education.

Recent reports continue to illustrate our system's shortcomings. From the 18th Annual Report by the Arizona Child Fatality Review Program, dated November 2011, from 2009 - 2010, 70 children died from maltreatment, an increase from 64 over the same period the year before. 93% Of those deaths were preventable. Among the deaths, 18 (26%) had prior involvement with Child Protective Services and 5 had open cases at the time of death. From the Arizona Citizen Review Panel's 12th Annual Report released in December of 2010, the Review "concluded that CPS adequately fulfilled its role of assessing child safety in 14 (58%) of the 24 investigations reviewed. This finding is similar to

the finding of 61% in 2009." Within Maricopa County, in the previous 11 months, we have had 16 child fatalities resulting from abuse. In 4 of the cases, there was prior involvement with Child Protective Services. We are not getting it right and we are missing the signs and evidence of abuse in too many of these cases at the outset. It is time for us to consider a different approach. It is time for us to stop asking CPS to remove children from harm and then march them right back into a dangerous situation to reunify a family.

We must confront some basic realities when it comes to protecting children victimized by their caregivers. It took us a while, but we no longer tolerate domestic violence committed against a woman by her boyfriend or husband. We counsel her to get away from her abuser and break the cycle of violence because history teaches us that the cycle will escalate until she is dead. We will encourage her to seek a shelter, get to a place of safety, get an Order of Protection to keep the abuser away, and we encourage her to prosecute the abuser and hold him accountable because we do not accept domestic abuse.

So why do we walk a child who has been the victim of domestic violence right back into the arms of their abuser? Why do we give an abuser a second chance to harm a defenseless child simply because they share common DNA? How long will it take us to travel the same learning curve as it took us in cases of adult domestic violence?

It is time for us to separate responsibilities for investigating allegations of criminal abuse from responsibilities for providing needed services and programs. We do not ask law enforcement agencies to investigate criminals and then also serve as their probation officers. We need to stop asking CPS to functionally do the same and this is something that we can most certainly accomplish in the time ahead of us that will provide for better investigations up front and better calls for whether a family situation calls for providing services, or a child victim of a crime needs to be taken to safety and kept away from their abuser.

This Task Force is not charged with addressing each aspect of our child protection system. What we will do here is identify what can be done now to begin redressing how we have approached child protection

issues to date. What we can do is help CPS focus on its core competencies in delivering social services to families in need and prevent noncriminal cases of neglect from becoming criminal acts of abuse and neglect.

Our task is clear. From the Governor's Executive Order, we are to provide her, by December 31 of this year - in 45 days, specific recommendations for statutory, organizational, management, or protocol reforms necessary to enhance the safety for children involved in investigations of suspected child abuse and/or neglect, including the safety of children placed in the state's protective custody. To do this, Governor Brewer has directed that we engage subject-matter experts to offer advice, expertise, and testimony in the areas of child protective services investigations **and** management, law enforcement investigations, the administrative office of the courts, social services, foster care, crisis shelters and group homes, and child welfare advocacy.

To accomplish our task in the timeframe we have to work in, we will ask that all testimony provided be directly tied back to Arizona's Child Protection System. We cannot afford to engage in theoretical pursuits or general philosophical discussions. We also cannot afford to waste time with those who have previously frustrated efforts at reform through vigorous defense of the status quo or single minded adherence to a limited and narrow approach to addressing what should be the goal of our Child Protection System: protecting children. If accomplishing that goal means strengthening a family and keeping a family together, then that's what we should do. But in those instances where the family can only be called such because of biological definitions and relationships, where in reality the caregivers are criminals due to inflicting criminal abuse or neglect on a child who is now more fairly and accurately protected as a victim of a crime, then family reunification is a farce. In the instances of criminal abuse or neglect, particularly where we are dealing with conduct likely to cause death or resulting in serious physical injury or sexual abuse, then continued pursuit of family reunification is a cruel fate to deal a child who had every right to expect love, encouragement, and safety from

their caregivers, instead of the harm, torture, and brutality they found. In these cases, our child protection system must protect the safety and well-being of the child and preserve and protect their constitutional rights as a victim of a crime.

Our task is great and time is short. So I will close by noting that we will stay focused, committed, and we will accomplish the goals set before us. I will ask my fellow Task Force members at the outset to assist in our effort by helping to keep testimony on point and questions directed at developing the specific recommendations we are charged with providing.

Before me is a replica of the desk plaque President Ronald Reagan displayed in the Oval Office on his desk. I'd like to make it our unofficial motto for the work before us and a rejoinder whenever we hear naysayers doubt our resolve or what we can accomplish. Arizona's children deserve no less and have every right to expect more. Thank you.