

# Children's Protective Services: Comprehensive Report

(FY2020 Appropriation Act - Public Act 67 of 2019)

**March 1, 2020**

**Sec. 514. The department shall make a comprehensive report concerning children's protective services (CPS) to the legislature, including the senate and house policy offices and the state budget director, by March 1 of the current fiscal year, that shall include all of the following:**

**(a) Statistical information including, but not limited to, all of the following:**

**(i) The total number of reports of child abuse or child neglect investigated under the child protection law, 1975 PA 238, MCL 722.621 to 722.638, and the number of cases classified under category I or category II and the number of cases classified under category III, category IV, or category V.**

**(ii) Characteristics of perpetrators of child abuse or child neglect and the child victims, such as age, relationship, race, and ethnicity and whether the perpetrator exposed the child victim to drug activity, including the manufacture of illicit drugs, that exposed the child victim to substance abuse, a drug house, or methamphetamine.**

**(iii) The mandatory reporter category in which the individual who made the report fits, or other categorization if the individual is not within a group required to report under the child protection law, 1975 PA 238, MCL 722.621 to 722.638.**

**(iv) The number of cases that resulted in the separation of the child from the parent or guardian and the period of time of that separation, up to and including termination of parental rights.**

**(v) For the reported complaints of child abuse or child neglect by teachers, school administrators, and school counselors, the number of cases classified under category I or category II and the number of cases classified under category III, category IV, or category V.**

**(vi) For the reported complaints of child abuse or child neglect by teachers, school administrators, and school counselors, the number of cases that resulted in separation of the child from the parent or guardian and the period of time of that separation, up to and including termination of parental rights.**

**(b) New policies related to children's protective services including, but not limited to, major policy changes and court decisions affecting the children's protective services system during the immediately preceding 12-month period. The report shall also include a summary of the actions undertaken and applicable expenditures to achieve compliance with the office of the auditor general audit number 431-1285-16.**

**(c) Statistical information regarding families that were classified in category III, including, but not limited to, all of the following:**

**(i) The total number of cases classified in category III.**

**(ii) The number of cases in category III referred to voluntary community services and closed with no additional monitoring.**

**(iii) The number of cases in category III referred to voluntary community**

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*services and monitored for up to 90 days.*

*(iv) The number of cases in category III for which the department entered more than 1 determination that there was evidence of child abuse or child neglect.*

*(v) The number of cases in category III that the department reclassified from category III to category II.*

*(vi) The number of cases in category III that the department reclassified from category III to category I.*

*(vii) The number of cases in category III that the department reclassified from category III to category I that resulted in a removal.*

*(d) The department policy, or changes to the department policy, regarding children who have been exposed to the production or manufacture of methamphetamines.*



## Section 514 PA 67 of 2019

**Sec. 514 (a) (i): Total reports investigated/dispositioned by children’s protective services (CPS) under the Child Protection Law (CPL), 1975 PA 238, Michigan Compiled Law (MCL) 722.621 to 722.638 and the number of cases classified under category I, category II, category III, category IV, and category V.**

In Fiscal Year (FY) 2019 there were 95,868 total reports of abuse or neglect assigned for investigation, 3,900 cases which were assigned and linked (cases investigated under active investigations) and 95,991 total cases disposed.

<b>Disposed Cases and Classifications</b>	
Category I (cases in which a preponderance is found and involve court intervention)	4,025
Category II (cases in which a preponderance is found, and the future risk is high or intensive)	6,787
Category III (cases in which a preponderance is found, and the future risk is low or moderate)	10,636
Category IV (cases in which a preponderance is not found)	73,676
Category V (cases in which the family is unable to be located, no evidence of child abuse or neglect is found, and cases in which a court has declined a cooperation order)	867
Other	0
<b>Total</b>	<b>95,991</b>

*\* Disparity in case disposition totals and investigation totals are the result of case report carry-overs from the previous fiscal year.*

**Sec. 514 (a) (ii): Characteristics of perpetrators of abuse or neglect and the child victims.**

<b>FY 2019 Victims of Abuse/Neglect by Race and Gender (age 3 and under)</b>				
<b>Ethnicity</b>	<b>Female</b>	<b>Male</b>	<b>Unable to Determine</b>	<b>Grand Total</b>
American Indian/Alaskan Native	17	21	0	38
American Indian/Alaskan Native, Native Hawaiian/Other Pacific Islander	0	1	0	1
Asian	13	16	0	29

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Asian, Native Hawaiian/Other Pacific Islander	1	0	0	1
Black/African American	1,554	1,770	3	3,327
Black/African American, American Indian/Alaskan Native	5	3	0	8
Black/African American, Asian	2	1	0	3
Black/African American, Native Hawaiian/Other Pacific Islander	2	1	0	3
Native Hawaiian/Other Pacific Islander	3	4	0	7
White	2,877	3,285	7	6,169
White, American Indian/Alaskan Native	55	45	0	100
White, American Indian/Alaskan Native, Asian	0	0	0	0
White, American Indian/Alaskan Native, Native Hawaiian/Other Pacific Islander	1	1	0	2
White, Asian	11	8	0	19
White, Asian, Native Hawaiian/Other Pacific Islander	0	0	0	0
White, Black/African American	466	534	0	1,000
White, Black/African American, American Indian/Alaskan Native	3	9	0	12
White, Black/African American, American Indian/Alaskan Native, Asian	0	0	0	0
White, Black/African American, Asian	1	0	0	1
White, Black/African American, Native Hawaiian/Other Pacific Islander	0	0	0	0
White, Native Hawaiian/Other Pacific Islander	6	5	0	11
Unable to Determine	12	16	0	28
<b>Grand Total</b>	<b>5,029</b>	<b>5,720</b>	<b>10</b>	<b>10,759</b>

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<b>FY 2019 Victims of Abuse/Neglect by Race and Gender (age 4 and above)</b>				
<b>Ethnicity</b>	<b>Female</b>	<b>Male</b>	<b>Unable to Determine</b>	<b>Grand Total</b>
American Indian/Alaskan Native	41	41	0	82
American Indian/Alaskan Native, Native Hawaiian/Other Pacific Islander	0	0	0	0
Asian	37	34	0	71
Asian, Native Hawaiian/Other Pacific Islander	0	0	0	0
Black/African American	2,735	2,829	2	5,566
Black/African American, American Indian/Alaskan Native	7	10	0	17
Black/African American, Asian	2	4	0	6
Black/African American, Native Hawaiian/Other Pacific Islander	2	1	0	3
Native Hawaiian/Other Pacific Islander	6	14	0	20
White	7,471	6,985	3	14,459
White, American Indian/Alaskan Native	120	125	0	245
White, American Indian/Alaskan Native, Asian	1	0	0	1
White, American Indian/Alaskan Native, Native Hawaiian/Other Pacific Islander	1	0	0	1
White, Asian	30	37	0	67
White, Asian, Native Hawaiian/Other Pacific Islander	1	0	0	1
White, Black/African American	847	808	1	1,656
White, Black/African American, American Indian/Alaskan Native	7	8	0	15
White, Black/African American, American Indian/Alaskan Native, Asian	0	1	0	1
White, Black/African American, Asian	3	5	0	8
White, Black/African American, Native Hawaiian/Other Pacific Islander	1	2	0	3
White, Native Hawaiian/Other Pacific Islander	14	8	0	22

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Unable to Determine	27	28	2	57
<b>Grand Total</b>	11,353	10,940	8	22,301

<b>Victim Relationship to Perpetrator</b>	<b>Total</b>
Adoptive sibling	14
Adoptive child	392
Biological sibling	359
Biological child	35,060
Child (guardianship)	134
Cousin	78
Foster child	74
Foster sibling	0
Grandchild	710
Half sibling	56
Niece/nephew	17
Not related	5,855
Other relative	825
Putative child	69
Step grandchild	31
Stepchild	1,401
Step sibling	13
Unknown	343
<b>Total</b>	<b>45,431</b>

<b>Perpetrator Relationship to Victim</b>	<b>Total</b>
Adoptive parent	398
Adoptive sibling	9
Aunt/uncle	343
Biological parent	34,974
Biological sibling	369
Cousin	82
Foster parent	66
Foster sibling	0
Grandparent	789
Guardian	125
Half sibling	57
Legal guardian	13
Not related	5,833
Other relative	791
Putative parent	117
Step parent	1,120
Step sibling	12
Unknown	333
<b>Total</b>	<b>45,431</b>

\* A single perpetrator can have multiple relationships if the individual is a perpetrator to multiple victims.

### **Children Victims Exposed to Drug Activity**

An enhancement is needed in Michigan State Automated Child Welfare Information System in order to report this number, as this is not currently captured within the system.

**Sec. 514 (a) (iii): The mandatory reporter category in which the individual who made the report fits, or other categorization if the individual is not within a group required to report under the CPL, 1975 PA 238, MCL 722.621 to 722.638.**

During FY 2019, 72.7% of all assigned investigations were reported by mandated reporters and the remaining 27.3% were reported by non-mandated reporters.

During FY 2019, 72.1% of the total number of complaints were reported by mandated reporters. The remaining 27.9% were reported by non-mandated reporters.

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*\*Disparity between the total number of disposed cases for FY 2019 and the total number of reporters is due to multiple factors, including: a referral made during the FY may not have been disposed of during the FY, along with the fact that multiple reporters can call in the same complaint, which would be assigned as one investigation with multiple complaint sources.*

<b>Mandated Reporter Category (Cases Assigned for Investigation)</b>	
Audiologist	3
Case management staff	2
Childcare provider	765
Clergy	133
Coroner/medical examiner	30
Court personnel	896
Counselor/therapist	0
Dentist/registered dental hygienist	112
Department of Mental Health (DMH) facility personnel	135
DMH facility social worker	230
Domestic violence provider	133
Family Independence Specialist (FIS)/Eligibility Specialist (ES) worker/supervisor	641
Friend of the Court	180
Hospital/clinic personnel	595
Hospital/clinic Physician/physician's assistant	1,479
Hospital/clinic social worker	10,627
Law enforcement personnel	16,797
Licensed therapist	3,536
Marriage/family therapist	356
Michigan Department of Health and Human Services (MDHHS) facility personnel	168
MDHHS facility social worker	307
Nurse (not school)	3,127
Other public social agency personnel	1,153
Other public social worker	1,488
Other school personnel	2,955
Other social worker	2,022
Paramedic/Emergency Medical Technician (EMT)	164
Private agency social worker	1,387
Private physician/physician assistant	213
Private social agency personnel	591
Psychologist	511

<b>Non-Mandated Reporter Category (Cases Assigned for Investigation)</b>	
Anonymous	3,890
Birth match	470
Friend/neighbor	5,417
Other	2,178
Parent/Subject in Home	2,100
Parent/Subject Out of Home	5,627
Relative	6,070
Sibling	219
Victim	212
<b>Total</b>	<b>26,183</b>

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School administrator	2,738
School counselor	5,880
School nurse	279
Social Services Specialist/Manager CPS, Child Foster Care (CFC), etc.)	3,419
Teacher	6,633
<b>Total</b>	<b>69,685</b>

Mandated Reporter Category (All Cases)	
Audiologist	5
Case management staff	2
Childcare provider	1,524
Clergy	362
Coroner/medical examiner	47
Court personnel	1,687
Counselor/therapist	0
Dentist/registered dental hygienist	153
DMH facility personnel	295
DMH facility social worker	549
Domestic violence provider	240
FIS/ES worker/supervisor	1,384
Friend of the Court	423
Hospital/clinic personnel	1,123
Hospital/clinic Physician/physician's assistant	2,703
Hospital/clinic social worker	17,651
Law enforcement personnel	25,089
Licensed therapist	7,835
Marriage/family therapist	790
MDHHS facility personnel	327
MDHHS facility social worker	512
Nurse (not school)	6,143
Other public social agency personnel	2,432
Other public social worker	3,137
Other school personnel	5,245
Other social worker	4,263
Paramedic/EMT	279
Private agency social worker	3,232
Private physician/physician assistant	429
Private social agency personnel	1,364
Psychologist	1,145
School administrator	5,458

Non-Mandated Reporter Category (All Cases)	
Anonymous	6,701
Birth match	1,188
Friend/neighbor	8,862
Other	4,071
Parent/Subject in Home	4,310
Parent/Subject Out of Home	11,060
Relative	10,756
Sibling	321
Victim	346
<b>Total</b>	<b>47,615</b>



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School counselor	9,568
School nurse	440
Social Services Specialist/Manager (CPS, CFC, etc.)	5,304
Teacher	11,895
<b>Total</b>	<b>123,035</b>

### **Sec. 514 (a) (iv): Cases involving child separation from a parent or legal guardian.**

In FY 2019, 6,473 children were separated from a parent or legal guardian. The period of time of separation of a child from the parent or guardian is not captured through the CPS program; however, the status of these separated children at the close of FY 2019 can be determined. Of the 6,473 children who were separated; 941 had their case closed after either returning home or to another planned living arrangement; 5,532 children had an active foster care case. Of the 6,473 children who were separated from a parent or legal guardian, both parents of 388 children had their parental rights terminated.

### **Sec. 514 (a) (v): Disposition categories for complaints made by teachers, school administrators, and counselors.**

Assigned complaints of abuse or neglect by teachers, school administrators, and school counselors totaled 15,353 investigations. Of the 15,353 investigations, 247 were classified as category I cases, 727 were classified as category II cases, 1,106 were classified as category III cases, 13,204 were classified as category IV cases, and 69 were classified as category V cases.

### **Sec. 514 (a) (vi): Cases involving child separation from a parent or legal guardian specific to cases reported by teachers, school administrators, and counselors.**

For the reported assigned complaints of abuse or neglect by teachers, school administrators and school counselors, 420 cases resulted in separation of the child from the parent or guardian and 31 cases resulted in termination of parental rights. The period of time of the separation of a child from the parent or guardian is not captured through the CPS program; however, the status of these separated children at the close of FY 2019 can be determined. Sixty-six (66) cases were closed during FY 2019 and 354 remained open at the end of the fiscal year.

### **Sec. 514 (b): New policies related to children's protective services including, but not limited to, major policy changes and court decisions affecting the children's protective services system during the immediately preceding 12-month period are listed below:**

Notification to Mandated Reporters: Children's Protective Services Policy Manual (PSM) 712-09

This policy was obsoleted.

CPS Investigations: PSM 713-01

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Changes were made to the definition of commencement to incorporate additional activities which could be taken to begin an investigation and successfully complete commencement. Policy was amended to reduce requirements for making face-to-face contact with non-custodial parents, parents not involved in caring for the child, and non-victim children. History and trends requirements were clarified. The requirement to inquire about out of state CPS history outside of the last ten years was removed. The requirement to contact the mandated reporter at the beginning of the investigation for additional information was removed. Interview requirements for adults were reduced, but a comprehensive description of intent and direction for interviews was provided. Requirements to complete an investigation checklist were removed, as the Supervisory Control Protocol (SCP) satisfies the legal requirement by CPL for the investigation checklist. Central registry clearance results obtained during a preliminary investigation are allowable within the history and trends section.

### Face-to-Face Contact: PSM 713-03

Policy item was obsoleted, and information from this item was added into PSM 713-01, CPS Investigations.

### Medical Examination and Assessments: PSM 713-04

Expanded allowance for collateral contacts for children identified as vulnerable children and eliminated medical exams as a requirement when specific information cannot be obtained.

### Medical Examination and Assessment: PSM 713-4

The policy was updated to include who a medical examination must be requested for. This change also removed siblings of the alleged victim in certain situations. Policy was updated to provide additional information regarding medically fragile children. In addition, guidance and direction were added regarding engaging with parents to obtain a medical examination.

### Special Investigative Situations: PSM 713-08

Current threatened harm was removed from policy definition.

### Completion of Field Investigation: PSM 713-09

Policy item was obsoleted and information from this policy was added into PSM 713-01, CPS Investigations.

### CPS Investigation Report: PSM 713-10

Policy was obsoleted and information from this policy was added into PSM 713-01, CPS Investigations.

### Assessments: PSM 713-11

Added guidance that a safety assessment must be completed at or near the end of the investigation when enough evidence and information has been collected to accurately complete the tool. Requirement to complete a family assessment of needs and strengths/child assessment of needs and strengths during a CPS investigation was removed.

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### Family and Child Assessments of Needs and Strengths: PSM 713-12

Policy item was obsoleted and information from this policy was added into PSM 713-11, Assessments.

### Supervisory Oversight: PSM 713-14

Policy item was created to detail supervisor responsibilities for investigation oversight and approval. The policy describes requirements for the SCP. Requirement to complete the supervisor checklist was removed as the SCP fulfills the legal requirement to complete an investigation checklist.

### Post Investigative Services: PSM 714-01

Requirement of completing most visits and the final visit in the home were removed. Removed requirement to educate and observe safe sleep at every visit and allows caseworkers to discuss safe sleep as often as needed.

### Maltreatment in Care: PSM 714-05

Policy item was created to provide guidance for maltreatment in care investigations. Added guidance on Prison Rape Elimination Act including coordination with juvenile justice facilities on these investigations may occur.

### Complaints Involving Substances: PSM 716-07

Requirement to contact medical professionals to verify medication was removed. Removed section regarding medical marijuana from policy due to legal recreational use of marijuana allowable by state law.

### New Complaint when a Child is in Foster Care: PSM 716-09

This policy was obsoleted and information from this policy was placed into PSM 714-05, Maltreatment in Care.

**Sec. 514 (c): The information required under section 8d(5) of the CPL, 1975 PA 238, MCL 722.628d, pertains to information regarding families that were classified in category III.**

Category III cases are typically identified as having two distinct sub-classifications which require referring to voluntary community service and close or referring to voluntary community service and reassessing risk within for 90 days. In FY 2019 there were no cases that had an unknown/other option selected. In FY 2019, there were 15,403 identified victims in all category III cases. There were 3,722 victims who were identified as having more than one confirmed maltreatment.

Category III Options	Total
90-day monitoring	3,012
Open/Close	7,628
Other	0
Grand Total	10,640

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Category Escalations	Total
III to II	126
III to I	34
II to I	224
Grand Total	384

For the 384 cases which were escalated during FY 2019, 34 cases were escalated from category III to category I and 8 children were removed. Of the 224 cases escalated from category II to category I, 128 children were removed.

### **Sec. 514 (d): CPS Policy regarding methamphetamine exposure.**

The department did not make any changes to CPS policy regarding children who have been exposed to the production or manufacturing of methamphetamine during FY 2019. MDHHS policy requires all complaints regarding children who have been exposed to the production or manufacture of methamphetamines be assigned for investigation. The Michigan CPL (MCL 722.623 and 722.628) requires MDHHS to refer to the prosecutor and law enforcement within 24 hours of receipt of all complaints with allegations that indicate potential violations of the public health code involving methamphetamine (MCL 333.7401c). The CPL, Section 17, requires MDHHS to file a petition for court jurisdiction within 24 hours of determining a preponderance of evidence exists that a child has been exposed to or had contact with methamphetamine. The department must also obtain a medical examination of all child victims and any other children residing in the household when a child has been exposed to or had contact with methamphetamine.