

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
Child and Family Services Agency**



**Public Hearing on
“B25-0243 - Child and Family Services Agency
Investigation Completion Amendment Act of 2023”**

Testimony of
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Deputy Director of Hotline and Investigations

Before the
Committee on Facilities and Family Services
Councilmember Janeese Lewis George, Chairperson

Council of the District of Columbia
John A. Wilson Building,
1350 Pennsylvania Avenue, NW
Washington, D.C. 20004

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Virtual Public Hearing via Zoom
Councilmember Lewis George’s website <https://janeeseward4.com/live>

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entertainment dc.gov](https://dc.council.hearings.entertainmentdc.gov)
TV, Channel 13 or 18

Good morning, Chairwoman Lewis George, members of the Committee on Facilities and Family Services, and Committee staff. My name is Elizabeth A. Muffoletto and I serve as Deputy Director of Hotline and Investigations of the D.C. Child and Family Services Agency (CFSA). I appreciate the opportunity to testify in support of Bill 25-0243, the “Child and Family Services Agency Investigation Completion Amendment Act of 2023”. The bill will extend the timeframes for completing a child protective abuse and neglect investigation from 30 days to 45 days and allows 60 days to complete more complex investigations involving a child fatality, sex trafficking, or a report of abuse or neglect in an institutional setting.

In addition to the investigation completion time frame provisions, we are also planning to propose additional language to the bill to align the law with our practice that sunsets the family assessment Differential Response Approach in 2019. This practice approach allowed for an alternative response to accepted Hotline reports on alleged child abuse and neglect referrals. Rather than certain reports automatically being referred for an investigation, those reports would be referred for a family assessment to provide services for family stabilization. The assigned social worker had 5-days to initiate the family assessment. Our data has shown that our families and the District are better served by conducting a thorough CPS Investigation rather than a family assessment. Furthermore, CFSA has not conducted family assessments in four years, and we have no intention of returning to that practice.

Role and Responsibility

CFSA is responsible for the investigation of allegations of abuse and neglect of children residing in the District of Columbia. The Agency’s Child Protective Services (CPS) Administration accepts referrals through the Hotline (202) 671-SAFE or (202) 671-7233. CPS staff determines whether the referrals rise to the level of abuse or neglect requiring the need for a child welfare response. If so, CPS will also determine whether the referral requires an investigation and within what time frame (immediately or within 24 hours).

Timely initiation of investigations is required for determining children’s safety:

- The “2-hour response” time is assigned when a report of suspected abuse or neglect indicates that the child’s health or safety is in imminent danger, i.e., there is present danger to the child that qualifies as an emergency and that requires an immediate response. This response must occur within 2 hours of the Hotline receiving the report.
- The “24-hour response” time is assigned to a report when there is no immediate danger or imminent risk of abuse or neglect.
- A full investigation must be completed no more than 30 days after the hotline report is accepted and assigned to an investigator.

Background Investigative Timeframes

The Child in Need of Protection Amendment Act of 2004 (D.C. Code § 4-1301.06), codified the *LaShawn* requirements that investigations of alleged child abuse or neglect be completed within 30 days.¹ In 2010, the *LaShawn* Implementation and Exit Plan reinforced that abuse and neglect investigations must be completed within 30 days.² However, it also allowed CFSA to complete an investigation involving a report of abuse or neglect at a group home, day care setting, or other congregate care setting within 60 days. In 2021, the court monitor allowed investigations with approved extensions to be considered timely.³

Support

The proposed amendments for Bill 25-0243 will provide CFSA with additional time to complete abuse and neglect investigations. This is in alignment with practices nationwide as most states requiring investigations to be completed within a certain timeframe allow more than 30 days for completion. Of the 31 states that require Child Protective Services (CPS) investigations to be completed within a specified timeframe, only four states (Iowa, Massachusetts, Mississippi, and Rhode Island) require investigations to be completed in 30 days or less. Eleven of the states that

¹ D.C. Law 15-341; effective April 12, 2005

² *LaShawn A. v. Fenty*, Implementation and Exit Plan, December 17, 2010

³ *LaShawn A. v. Bowser*, Progress Report for the Period January – December 2020. Approved extension reasons include: delays in receipt of critical information, a new investigation received and linked during the current investigation was ongoing, unable to contact or identify/locate a client, law enforcement involvement, out of jurisdiction, or child fatality.

require investigations to be completed within 45 or 60 days allow for extensions ranging from 15 days to 30 days.

This bill also allows for 60 days to complete more complex investigations involving a child fatality, sex trafficking, and reports of abuse or neglect in institutional settings which require even longer-term engagement and service provisions. The current 30-day time frame does not consider the complexities involved in investigations that often require coordination with other entities such as law enforcement and medical professionals.

Conclusion

Extending the timeframe will improve the overall quality of investigations by ensuring CFSA has the time to collect all the necessary information. Over the course of the *LaShawn* lawsuit, changes were made to the investigation process to ensure that investigations are of acceptable quality. Social workers are required to obtain more information but the timeframe for gathering information and engaging children, parents, and collaterals has not changed to align with the added requirements. Before exiting *LaShawn*, CFSA engaged in discussions with the plaintiffs and the Independent Verification Agent (IVA) to review our data regarding the number of investigations completed in 30 days and 45 days to assist with informing this shift and they were in support of our interest in amending the law in this area.

These changes would not impact child safety. CFSA would still be required to complete the initial phase of the investigation and assess the safety and risk to the child and other children in the household within 24 hours.

Finally, removing the family assessment provisions will align the law with our current practice. We intend to propose language for inclusion into this bill before first mark-up.

Thank you for the opportunity to testify and for your continuing concern for the safety and well-being of children in the District of Columbia. I am happy to answer any questions you may have.