

CASA PACIFICA

INTRODUCTION

Newspaper headlines in late October 1996, regarding the sexual abuse of a toddler by another child at Casa Pacifica shocked the citizens of Ventura County. How could anything like this happen?

Although Casa Pacifica is a private, nonprofit operation, county employees work there on a full-time basis and county funds partially support its operation. Thus, an inquiry into Casa Pacifica's programs, funding, staffing, and relationship to Ventura County come within the Grand Jury's oversight authority. In addition, Casa Pacifica welcomed an investigation, particularly with respect to the reported incident.

The Grand Jury wanted to determine what the problems were and whether taxpayers' money is being properly used to the best possible advantage at Casa Pacifica or if it would be more effective to put certain children in foster homes.

INQUIRY

Personnel were contacted from:

- Casa Pacifica
- Casa Pacifica Non-public School
- California Department of Social Services (DSS)
Community Care Licensing—Santa Barbara
- Assn. of Children's Services Agencies, Los Angeles
- Oranewood Children's Home, Orange, CA
- State Senator
- Ventura County Agencies:
 - County Counsel
 - District Attorney
 - Superior Court
 - Public Social Services Agency (PSSA)
 - Behavioral Health Department (BH)
 - Chief Administrative Office
 - Sheriff's Department
 - Board of Supervisors

Documentation reviewed:

- California Code of Regulations, Title 22,
Division 6, Chapter 1, "General Licensing Requirements"
- California Code of Regulations, Title 22,
Division 6, Chapter 5, "Group Homes"
- Public Social Services Agency and Casa Pacifica Contract
- Ventura County Behavioral Health Dept. and Casa Pacifica Contract
- California Welfare and Institutions Code, Section 18986.46,
Disclosure of Information and Records;

FINDINGS

Children's Multi-disciplinary Services Teams
 Incident Reports, Compliance Reports, etc.
 (subpoenaed from DSS—Santa Barbara)
 "Casa Pacifica: Summary of CCL (Child Care Licensing)
 Citations by Category from July 1994 through March 15, 1997"
 "Casa Pacifica—All You Need to Know About C.A.R.T."
 (Coordinated Assessment and Response Team)
 "Juvenile Justice and Delinquency Prevention Commission Report
 on Casa Pacifica (Jan. 1997)"
 Miscellaneous material from all agencies involved
 Numerous newspaper articles on Casa Pacifica,
 non-public schools, and related subjects

Casa Pacifica

- The Ventura County Board of Supervisors, which exercises oversight of the County agencies, authorized the necessary contracts and approved a Memorandum of Understanding between Casa Pacifica and its county (public) partners—PSSA, BH, Public Health, and the Superintendent of Schools.
- Contractually PSSA and BH have final control over placement and treatment of children at Casa Pacifica if there is a conflict of opinion. PSSA contracts for Shelter Care while BH works more in the Residential Treatment Care (RTC) Program. Public Health does not play an active role at Casa Pacifica; therefore, it will not be addressed.
- The treatment program begins when the child is admitted to Casa Pacifica; a Safety Needs Assessment is made to determine what level of supervision is needed. Within two weeks the Coordinated Assessment and Response Team meets to hear evaluations by personnel from PSSA, BH, Public Health Dept., Alcohol and Drug Programs, Ventura County Schools, and Casa Pacifica. Information obtained is used to prepare court reports and develop placement plans for housing and schools.
- As of February 1997, the staff was composed of 101 females and 46 males. The positions are not high paying and usually attract young people who have trouble maintaining a position of authority with the children. Staff turnover, which is high, is upsetting to the children.
- Staff reported that there is a need for more consistency, more follow through to implementation, and more coordination regarding proposed corrective plans.
- The security system of the cottages and campus is inadequate because it does not cover the entire area. State law does not allow gates to be locked.

Shelter Program

- The original plan was that Casa Pacifica would be only an emergency shelter with six cottages; however, during the building phase, a sharp decline in the number of shelter placements caused reduction of cottages to four. PSSA could not guarantee an occupancy rate to pay the expenses, therefore a long-term

residential program was added to maximize the use of the medical and psychiatric services available. A non-public school was added.

- Children in the Shelter Program have been removed from their homes due to abuse, neglect, or abandonment. The Shelter Program takes any child who does not have a home and average stay is 28 days. The Rainbow Cottage has 18 beds (for infant through 11 years old), and McDonald Cottage has 17 beds (for ages 12-17). Each houses both boys and girls.
- Staff expressed opinions that having teenage boys and girls in the same cottage was a "supervision nightmare."
- Within the Shelter Program there are children who are entering the system for the first time. At the other extreme are 42% of the children who return because of disruptive group home or foster care placements, or unsuccessful adoptions.
- These children are more worldly-wise, hardened, and know how to work the system; 118 have come back to Casa Pacifica; 2 have been there 9 times. Some of these should be in RTC.
- There is no special cottage for children who repeatedly return from foster care or group homes in order that they can get the special attention which they need to identify their problems.
- Four children from the Shelter Program who are a danger to themselves or others have been sent out of state because California does not allow noncriminal children to be locked-up. It costs \$3,500 - \$5,000 per month in addition to the cost of monthly visits by their social workers.

Residential Treatment Care (RTC)

- Casa Pacifica is the only RTC-14 in the tri-counties and in this licensing district that is treating and caring for the community's most difficult and needy children.
- RTC serves children, ages 11-17, who have exhausted the resources of Ventura County foster care and group home settings. These are Level 14 placements, Severely Emotionally Disturbed, who cannot be maintained in a less restrictive atmosphere. Their average stay is 7-8 months, although some stay 1 1/2 to 2 years; then they step down to a less restrictive setting such as a group home or a foster home.
- They have Individual Education Plans and Individual Service Plans for treatment. Most attend the non-public school on campus. They receive care and treatment in the Angels Cottage for girls and the Caldwell Cottage for boys; each has a capacity of 14.
- Most of the people interviewed favored a total separation of the Shelter and RTC programs and agreed that it was not good to have RTC on the same campus with the young children.
- The inability to separate children by age, gender, and level of problems is complicated due to the original decision to reduce the number of cottages at the time they were built.
- The cottage setting is not suitable for the kinds of children who are at Casa Pacifica. Their idealistic dream of a cottage replicating a family setting in which

needy children would be cared for, disintegrated with reality. Many of the children are emotionally disturbed and require special care and supervision.

Licenses

- Casa Pacifica holds eight licenses or certifications, the most important of which are the two for Group Homes: the RTC Program which has a Rate Classification License 14, the highest rating which relates to the character and severity of a child's problem. The Shelter Program has a rating of 12. These are administered by the State DSS under California Code, Title 22, Div. 6, Chapters 1 and 5. Chapter 1 is a general regulation applying to all Community Care facilities. Chapter 5 applies to group homes.
- Casa Pacifica is required to hold these licenses because it is a private nonprofit corporation. If this were a county-run facility, it would not be required to have these licenses nor to comply with all the regulations.
- Title 22 requires that all incidents, even minor things, be reported to DSS within seven days. All are investigated and some allegations prove to be unsubstantiated, inconclusive, or not a deficiency. Reporting is on the honor system.
- These 1960 regulations have the same standards for 6-bed group homes as they do for large institutions; its standards apply to all age groups, including adults. Title 22 does not allow Casa Pacifica to stop a child from leaving the campus if he is determined to go unless he is a danger to himself or others. When he leaves, Casa Pacifica must follow him and report to the Sheriff's Dept. that he is AWOL, a citable incident.

Citations/Incidents

- The many citations from DSS have caused concern. Since Casa Pacifica opened through mid-March 1997, it has received 50 citations from DSS; 57% were issued in the last 4 1/2 months of that period. Casa Pacifica has received 28 Type A deficiencies (if not immediately corrected pose a direct and immediate risk to clients), and 22 Type B deficiencies (if not corrected could become a risk to clients). Multiple citations for single incidents are common—11 incidents/complaints account for 76% of the citations in one category.
- Data for July 1996 through February 1997 indicate that the top 4 types of incidents from a list of 27 are: out of bounds (child is not where he is supposed to be) 325; physical assault on staff 232; self-injurious behavior 136; minor injury/illness of child 135.
- Citations are evenly split between the Shelter and RTC programs. Most of the Incident Reports are for very minor things. Most incidents occur in the living area between hours of 3 P.M. and 10 P.M., with the heaviest occurrence between 5 P.M. and 8 P.M.
- Most of the serious incidents have been reported in newspapers. "The Incident" involving the sexual molestation of a three year old boy by a nine year old boy followed a series of errors:

Misinterpretation of confidentiality law kept PSSA from sharing vital information regarding the prior molestation of the nine year old boy in a group home before he came to Casa Pacifica. All of this information should have come out in the assessment meetings.

A twelve year old accomplice, a former RTC client, was placed in Rainbow Cottage after a failed attempt to reunite with a relative for fear that his return to Caldwell Cottage would be perceived as failure, and he was thought to be immature.

Four of five staff members assigned to the cottage were away from the area, leaving one person to supervise approximately twelve children.

Tall bookcases within the cottage hampered the view of some areas where the children were.

- Casa Pacifica's administration is responsive to recommendations. There have been tremendous changes in procedures since "The Incident." The bookcases have been shortened to allow a better view of the entire room.
- These kinds of problems are not unique to Casa Pacifica; they also happen at other facilities dealing with the same level of disturbed children.

Communication

- Inadequate communication between supervisors and cottage workers, especially at shift changes, causes confusion.
- The Grand Jury heard complaints that there was a reluctance or failure to share vital information or documentation among the various agencies.
- There is a lack of interagency communication at all levels regarding both policy and procedure. There is confusion about responsibilities at times. Incompatibility of the three types of computers on campus hinders the transfer of vital information including e-mail.
- Confusion exists among the agencies regarding confidentiality laws. Some believe that any information in the file of a juvenile cannot be shared without a court order. Others say that it needs to be interpreted to allow information to be released on a need to know basis.
- The California Welfare Code states: "...persons who are trained, qualified, and assigned by their respective agencies to serve on children's multi-disciplinary services teams within integrated children's services programs may disclose to one another information and view records on a child or the child's family...." This law provides for the release of information among members of Coordinated Assessment and Response Team.
- Neither PSSA's nor Casa Pacifica's application forms contain parental waivers to allow release of information regarding the child or the family to those who are authorized to receive it.
- All agencies reported that their communication with Casa Pacifica was satisfactory, with some gaps. There is a willingness to work together.

Schools

- There are two schools on the Casa Pacifica campus: shelter children attend the public school which is operated by the County Superintendent of Schools, and the RTC children attend the non-public school operated by Casa Pacifica. Coordination problems exist since public school personnel are not supervised by Casa Pacifica staff. Procedures are not consistent.

- The non-public school, with a capacity for 35, is for students who have severe emotional and behavioral problems and need special attention; they are unable to function in a normal classroom. Their behavioral problems usually stem from noncompliance with rules. They are physically assaultive to the staff, use vile language, make threats, and are often self-destructive. They need to use the Refocus Room for time outs because disruptive behavior has a domino effect on other children in the classroom.
- Nine Day Program students, who have previously been residents of RTC, now live at home and are bused there to attend the non-public school at Casa Pacifica and provide an additional source of revenue.

Refocus Room

- The Refocus Room (time out) is part of the day program associated with the schools. It is staffed by four behavior specialists.
- The portion of the Refocus Room that is a source of controversy and concern about possible legal and financial responsibilities is the room with the padded walls. It has a door with a window and no lock. It is difficult for the staff to supervise the area when the door is closed.
- Casa Pacifica insists that Child Care Licensing has no jurisdiction over the Refocus Room because it is part of the school. It is a contentious issue between them.
- Discipline is a problem. State law prohibits Casa Pacifica from using restraints or from locking up wayward children. Behavior modification techniques are utilized. If verbal attempts to help a child regain self-control are unsuccessful and his behavior escalates to the point where he is a danger to himself or others, the staff is permitted to physically intervene using Physical Assault Response Training (PART).
- PART consists of containment techniques taught in a 16-hour instruction program utilizing four steps: verbal attempt to calm down, evasive measures, capture, and prone position. Putting a child in a prone position entails either two or four persons holding the child's arms and legs down on the floor until he calms down. DSS claims there are too many prones used.

Financial

- A review of Casa Pacifica's 1996/97 budget reveals total revenue of \$5,645,943, while total expenses were \$5,977,502. This leaves a deficit of \$331,559 which is borrowed against a line of credit established by Casa Pacifica.
- County General Fund support (\$700,000) is 15% of Casa Pacifica's funding. Private support is also 15%, and state and federal grants provide 70%. PSSA and BH pay a daily rate for children they place at Casa Pacifica; then they seek reimbursement from federal and state grants to pay Casa Pacifica.

The cost related to funding:

	Per Unit of Service	Reimbursement Rate
RTC Program	\$186.92	\$164.81
Shelter Program	\$171.00	\$145.41
Day Treatment Program	\$158.37	\$129.32
Non-Public School	\$164.22	\$157.00

Alternative comparisons

- County costs could be reduced through alternative shelter care in foster homes. At a recent meeting of the Board of Supervisors, foster parents severely criticized PSSA for its failure to place children in their homes rather than in the institutional setting at Casa Pacifica.
- PSSA has allowed its network of foster homes to dissipate and has put its resources into Casa Pacifica. There is a need for more small group homes and foster parents.
- There is a need for both Casa Pacifica's Shelter Care and foster homes. Shelter Care offers medical and psychiatric services to those who need them and is able to maintain family ties by keeping siblings together. The cost per child per month is \$4423.00.
- Foster care attempts to offer a home and family setting with mother and father models, an established family routine, normal discipline, an opportunity for ethical and moral training, and the possibility of adoption, if eligible. Cost per child (ages 0-4 years) per month in a foster home is \$345.00. This does not include medical and psychiatric care.
- An expert in the field expressed an opinion to the Grand Jury that children under 12 should go to foster care.

Other considerations

- Several options have been proposed to resolve some of Casa Pacifica's main problems ranging from discontinuing the RTC Program and providing only emergency shelter care—PSSA's preference—to adding a shelter care cottage—Casa Pacifica's preference—or converting the whole operation to a county-run facility.
- The Board of Supervisors has been criticized by some for its lack of understanding of juvenile problems at Casa Pacifica.
- Some county personnel are involved in decision-making positions for both the county and Casa Pacifica. This gives the appearance of being a conflict of interest issue although no pay is received for acting as a member of the Board of Directors of Casa Pacifica, and when necessary, the person does not vote in that capacity in order to be able to vote as a member of the organization for which a salary is paid.

- Casa Pacifica is the only public/private partnership providing services to these kinds of children in the state. This uniqueness has presented issues that Community Care Licensing and DSS have never had to address.
- Casa Pacifica has requested that Community Care Licensing provide technical support by making recommendations, but the agency declined because of ongoing investigations.
- In mid-April, in an unprecedented move, DSS assembled a seven-member multi-disciplinary team to evaluate Casa Pacifica and to make recommendations to the State. This process is in progress at this time.

CONCLUSIONS

1. The main problem at Casa Pacifica is that it is making a valiant effort to be everything Ventura County needs in specialized child care services but can't afford, in facilities not designed for the types of children it serves, is governed by laws made for small group homes rather than for this unique institution, while its expenditures are static and its reimbursements fluctuate. This is a recipe for disaster! Unfortunately, it is the children who suffer the consequences.
2. Casa Pacifica is trying to do more kinds of things than it has the space to do. The Shelter and RTC Programs should be more separated. The cottages at Casa Pacifica are not well-designed and need to be modified. Supervision of the children must be top priority. There is not enough space to separate the different programs, ages, genders, and special problems. As an example, shelter children who are shuffled from one foster home or group home to another will continue the revolving door syndrome until they are retained long enough to get to the root of their problems. They need to be housed in a separate facility away from first time shelter children, and a special effort needs to be made to rehabilitate them before sending them out again.
3. Casa Pacifica should inquire into the possibility of having local construction companies donate time and materials to construct another building to house the children.
4. Infants, pre-schoolers, and the first-timers should be placed in foster homes more quickly; then room could be made for older children who need the special and expensive services offered by Casa Pacifica. Foster parents and Casa Pacifica should not be in competition with one another. There is a place for both entities. PSSA has the responsibility to mend the breach there and to build up the foster parent program to enable children who do not have serious medical or psychiatric problems to live in a normal family atmosphere until they can be returned to their families.
5. Space could be made available for better use if shelter children were bused to area public schools.
6. Security of the facility needs improvement. A better surveillance system would reduce AWOLs and alert staff more quickly to potential problems. A large, uniformed, male security guard who visibly patrolled the campus and cottages in the late afternoon and evening hours could add a calming presence during the time when most incidents occur.

7. Communication needs to be improved among all the agencies and personnel involved. Common sense, substantiated by the clear declaration of the Welfare and Institutions Code, of which all the agencies involved should have a thorough knowledge, dictates that confidentiality should be based on a need to know. Known problems affecting the child's welfare should be divulged during entrance assessment. Staff members at all levels who care for the children need confidential information pertinent to their handling of the child.
8. Casa Pacifica is an important function of the child care service program in Ventura County. There is a need for better cohesiveness among Casa Pacifica and the county agencies. It is imperative that they share information and cooperate with one another. Along this line, the issue of computer incompatibility needs to be addressed because it creates delays in the transmittal of vital information. Records should be available to all relevant parties without rancor.
9. State regulations which govern Casa Pacifica do not properly reflect its unique situation. Article 22 needs revision. It is designed for 6-bed facilities; however, larger facilities need different specifications. Restrictions need to be reassessed to provide guidelines appropriate for RTC children who are difficult to handle.
10. California needs to change its laws regarding locking up children who are a danger to themselves or others. Sending them out of state does not keep them from being locked up, but it does add significant cost to supervision both initially and because the social worker must visit them there once a month.
11. Casa Pacifica needs to hire staff who are older, have more life experience, can make more mature judgments, and have more experience in working with children who have these kinds of problems. Having more male staff members would be helpful. The staff needs better training in handling difficult children.
12. Casa Pacifica needs to reassess its policy of accepting children whose behavioral problems are more severe than it is equipped to handle. It should concentrate on those for whom there is hope of rehabilitation. However, do shelter children really need all of the analysis to which they are subjected before being sent to foster homes? If not, those children should be placed in foster homes more quickly.
13. Casa Pacifica's financial condition is critical; solutions must be found. RTC children, taken in from other counties, might well add revenues.
14. There is a need for an advisory panel which reports to the Board of Supervisors regarding children's services. This panel should have access to all records, have the authority to investigate, be trusted by the public, be able to evaluate the situation on a long term basis, and to make recommendations. The Board needs to be kept better informed about these important children's issues.
15. Ventura County taxpayers have invested less than expected in Casa Pacifica, and get more service than they need for Shelter children, especially in the preschool age group for whom foster care would be a better choice. This space could be better utilized for those who need the specialized care.

RECOMMENDATIONS

1. The Board of Supervisors should appoint an advisory panel to make recommendations to them and all related agencies regarding all of the children's service programs of the county.
2. Casa Pacifica must add a surveillance system for the entire campus. It should cover open area of cottages, hallways, gym, Refocus Room, all areas of the campus, and include a 24-hour monitor.
3. Casa Pacifica should hire a uniformed security guard to patrol the campus during late afternoon and evening hours.
4. Casa Pacifica should add another building, not a cottage, in order to separate all the different kinds of programs, genders, and ages.
5. Casa Pacifica should designate one cottage for displaced shelter children from foster homes, group homes, and failed adoptions and try to rehabilitate them.
6. PSSA should place infants and preschool children in foster homes within 48 hours. Other children under age ten should be placed in foster homes within two weeks, if possible.
7. PSSA must substantially reinvigorate the size and quality of the foster parent program because it is more cost effective, and the family atmosphere is better for the children.
8. Casa Pacifica should hire older staff members who have more life experience and mature judgment.
9. Casa Pacifica should change children's activity patterns in the late afternoon and evening hours to prevent incidents.
10. Casa Pacifica, PSSA, and BH must improve communication between management, line staff, and one another. Directors of PSSA, BH, and Casa Pacifica should meet on a regular basis to discuss mutual problems and clarify roles of the various agencies now that they know what the problems are.
11. Casa Pacifica, DSS, and the Superintendent of Schools must settle legal and liability issues regarding the Refocus Room.
12. The Superintendent of Schools should close the public school operation and bus Shelter children to local schools.
13. PSSA and Casa Pacifica need to change admittance applications to include a parental consensual release of pertinent information to staff who have a need to know.
14. County personnel who are involved in making decisions regarding Casa Pacifica and County policies should refrain from participating in either one to eliminate the perception of conflict of interest.
15. Casa Pacifica should consider taking RTC children from outside the county to increase revenue.
16. Casa Pacifica needs to increase its fund raising from the private sector to balance its budget and eliminate the costly line of credit it carries. Private funds should represent a larger portion of its finances. Only 15% of its revenue as a nonprofit organization comes from private sources.

COMMENDATIONS

The administrative and professional staff of Casa Pacifica are dedicated to their work. The administration has made a valiant effort to maintain its equilibrium in an atmosphere of misunderstanding and confusion.

RESPONSE REQUIRED

Board of Supervisors

Casa Pacifica

Public Social Services Agency

Behavioral Health

Superintendent of Schools

State Senator Cathie Wright

California Department of Social Services, Santa Barbara