

# Critical Incident Response Reports (CIRT)

## Frequently Asked Questions

### **What is a CIRT?**

- The reports created by the Critical Incident Review Team (CIRT) are an important and unique tool to help protect Oregon's children in state care. The CIRT process draws lessons for improvement when there is a serious injury or death caused by abuse or neglect involving a child who has had contact with the Oregon Department of Human Services.
- CIRT reports review agency actions, not the actions of the person who injured the child. Federal and state law requires DHS to protect the identity of children and other clients, so names are not included in the reports. This applies even if those names have been released through other means.

### **What happens when a child dies?**

1. A report is received at the child abuse hotline regarding a child fatality.
2. Notification from the local DHS office occurs immediately to designated staff through completion of a Sensitive Issue Report which provides a summary of the family and circumstances of death.
3. A Child Protective Services (CPS) assessment is initiated when the report meets criteria to assign. CPS response occurs immediately to determine the safety of other children in the home. Safety planning occurs if children are in danger.

Within 3 business days of the assignment of the CPS assessment:

4. Staff at the local DHS office conduct a Fatality Staffing with a CPS Safety Consultant. History and current circumstances are reviewed for planning and continued CPS assessment.
5. The CPS caseworker must evaluate the fatality and determine if any additional allegations of abuse occurred.
6. If the fatality is due to abuse or neglect, the DHS Director reviews the information to determine if CIRT criteria is met. DHS Director then either:
  - a. Declares CIRT.
  - b. Does not declare CIRT.

7. CIRT declaration may occur during the CPS Assessment or at its conclusion based on the information gathered and/or the disposition.

Within 60 days of CIRT declaration:

8. Initial Report filed. It is a public document with no confidential information, submitted to the Department that includes:
  - a. Team's Case Review Status
  - b. Initial Conclusions and Recommendations
  - c. Systemic Issues thought to have led to fatality

Every 30 days following Initial Report filing:

9. Progress Reports submitted to the department until the final report is completed.
10. Any report delays are to be posted online.

Final Steps:

Final Report posted to the website. It is a public document with no confidential information and includes:

- Description of fatality incident.
- All events leading to the fatality.
- Descriptions of concerns.
- Recommendations.
- Implementation Action Plan, with identified responsible party.
- How DHS will monitor implementation action plan.
- Expected outcomes of implementing action plan.

#### **How many CIRTs does DHS conduct?**

- 2017 – seven CIRTs were declared (5 of the 2017 reports were posted in 2018)
- 2018 – fourteen CIRTs have been declared to date, one has been posted.

#### **Why are there delays in publishing CIRT reports online?**

- Between 2017 and 2018, there were staffing, leadership and statutory changes that delayed the process of CIRT reporting.

- Due to an increase in CIRTs and a backlog becoming apparent in 2017, appropriate CIRT staffing increased in August 2018 and backlogs have been getting addressed.
- Delays within DHS are only one type of delay involved in the process. If other agencies have proceedings related to the case, those proceedings must close prior to publication. As a result, some CIRTs cannot publish when completed, sometimes quite a bit after a child's death.

### **What steps protect children's privacy?**

- Federal and state law requires DHS to protect the identity of children and other clients, so names are not included in the reports, even if those names have been released through other means.
- These laws protect the integrity of the CIRT process, protect the privacy of individuals involved and protect witnesses who report abuse.
- At the federal level, states receiving federal funding under the [Child Abuse Prevention and Treatment Act \(CAPTA\)](#) must preserve the confidentiality of all child abuse and neglect reports and records to protect the privacy rights of the child and of the child's parents or guardians.

### **When did the law change and how did it change?**

- Senate Bill 819 went into effect in July 2017 and added new provisions - amending ORS 419B.024.
- The revised statute has new elements but did not change what the agency considers to be a CIRT. The results are useful tools to identifying needed change in practice, cross-agency collaboration, and community involvement. The CIRT process has always made sure that no confidential information is contained in the Initial Report, including records that may not be disclosed or made accessible to members of the public.
- After leadership changes occurred with the Child Protective Services Program, in mid-2018, resources were reassigned within the team to complete multiple outstanding CIRT reports from 2017 and comply with the CIRT requirements.
- As background, prior to this change, only one CIRT Coordinator was assigned and leadership recognized the need to properly staff this important process. While the Department acknowledges a delay, two CPS program analysts were re-assigned to complete this ongoing work.

**Why is there a difference between the date of each report and the date that each was posted?**

- Before the final report is published on the web it goes through an approval process. The report date is the date it was submitted for approval. The published date might be later, and DHS is working to reduce time for Web posting.

**Was there political pressure related to the release of recent CIRT reports?**

- No. The reports are published when the CIRT process is completed.