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AND JANICE HAHN

Moving Forward: Removal of Barriers to Family Reunification in Los Angeles County and Providing Family Reunification and Maintenance Services and Programs in the Los Angeles County Jails for Incarcerated Parents

In September 2023, the Los Angeles County (County) Board of Supervisors (Board) directed the Department of Children and Family Services (DCFS), in collaboration with the Departments of Public Social Services (DPSS), Mental Health (DMH), Health Services (DHS), Public Health (DPH), Probation Department, Chief Executive Office (CEO), and other stakeholders, including the Superior Court and the Chief Information Office (CIO) to see how the County could do more in supporting parents to reunify, safely, with their children by reducing financial barriers for those participating in Family Reunification (FR) or Family Maintenance (FM) services¹.

To reduce generational trauma and systems involvement, in instances where it is

¹ <https://file.lacounty.gov/SDSInter/bos/supdocs/184372.pdf>

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safe and low risk, the County must take a position to provide the resources needed so that children in the child welfare system can go back to their parents and family.

Unfortunately, what exists are financial burdens and inaccessibility and unavailability of the programs wanted or needed, especially for those who are incarcerated.

In April 2024, DCFS and the other relevant departments provided the Board with a report back² with several recommended next steps to mitigate financial barriers for parents who are willing to participate in or comply with the needed programs and services to reunify with their children, such as:

- “Issue guidance to staff regarding implementation of AB 954 that includes a process for submitting emergency funding requests for services that are not funded through existing resources. Once that guidance is issued, DCFS will analyze all emergency funding request to identify service access gaps so that those areas can be prioritized as ongoing funding is established for FR and FM services.
- Conduct internal focus groups to identify services and resources that staff are successfully accessing for families on their caseloads, as well as which services staff are having difficulty accessing.
- Determine if collaboration with JCOD will provide a solution to DCFS’ digital platform needs or if a solicitation will be required for access to a digital platform.
- Finalize engagement of a consultant and begin work on improving Medi-Cal utilization.

² <https://file.lacounty.gov/SDSInter/bos/supdocs/184404.pdf>

- Continue engagement with the Court and other partners to finalize a courthouse staffing model that will maximize court appearances as an opportunity to engage with parents who need services.”
- Additionally, for DCFS to work with OCP “in establishing a forum for ongoing stakeholder engagement...for ongoing monitoring and feedback to ensure that it continues to meet parents’ needs...and to identify ways in which DCFS and all partner departments can improve the ease with which parents access services and resources across multiple departments.”

There are also concerns with accessibility and availability of programs and services for those parents who are incarcerated to have the ability to reunify with their children. It is unclear as to how many incarcerated parents are in the County jails; of which how many are held pre-trial; what reunification, visitation, and FR legal aid programs and services are available; whether incarcerated parents are able to and have received court-ordered visitations; how many are not able to complete court mandated FR programs due to the unavailability of programs in the County jails; the impact to their reunification progress and system-involved children; and what financial supports exist for them to be able to participate in FR and FM programs.

In looking at the population of women in the County jails, currently there are 1,314 women³ incarcerated. According to a 2021 statistic⁴, 80% of the 2.9 million women who are jailed are mothers – most of whom are the primary caregivers for their children – it can be assumed that almost 1,000 of women in the County jails have

³ As of June 13, 2024 Custody Division Daily Briefing

⁴ <https://centerforhealthjournalism.org/our-work/insights/can-los-angeles-countys-jail-system-take-better-care-mothers-and-their-kids>

children. Although data is limited, one study found that the likelihood of family reunification for incarcerated mothers with system-involved children was 65% less than that of nonincarcerated mothers; for fathers, it was 75% less.⁵

It is a harrowing statistic especially if data isn't collected on how many mothers in County jails are in the process of reunifying with their children and of those how many can't meaningfully pursue reunification, not because they don't want to, but because the resources are not available to them. Failure to comply with court mandated FR or FM programs and services could result in parents unable to reunify with their children, resulting in their children placed in the child welfare system or being placed with extended family or foster parents with no familial ties, and sometimes resulting in the involuntary termination of parental rights. Incarcerated parents' practical inability to exercise child visitation rights, including court-ordered rights, also can undermine their chances of reunification upon release. Even after release, aside from requiring basic needs such as housing and employment, formerly incarcerated parents also need continuing support, including legal aid, to reunify with their children.

↓ WE, THEREFORE, MOVE that the Board of Supervisors:

1. Direct the Department of Children and Family Services to move forward with the recommendations listed in the April 25, 2024 report back and provide the Board, in writing, with quarterly report backs on the status of the below, until completed or further notice:
 - a. Issue guidance to staff regarding implementation of AB 954 that

⁵ Amy D'Andrade & Melanie Valdez, San Jose University School of Social Work, *Reunifying from Behind Bars: A Quantitative Study of the Relationship Between Parental Incarceration, Service Use, and Foster Care Reunification* 17 (Oct. 2012), <https://doi.org/10.1080/19371918.2012.713294>.

includes a process for submitting emergency funding requests for services that are not funded through existing resources.

- i. Once that guidance is issued, DCFS will analyze all emergency funding request to identify service access gaps so that those areas can be prioritized as ongoing funding is established for Family Reunification and Family Maintenance services.
- b. Conduct internal focus groups to identify services and resources that staff are successfully accessing for families on their caseloads, as well as which services staff are having difficulty accessing.
- c. Determine if collaboration with the Justice, Care, and Opportunities Department will provide a solution to DCFS' digital platform needs or, if a solicitation will be required for access to a digital platform.
- d. Finalize engagement of a consultant and begin work on improving Medi-Cal utilization.

↓ WE, FURTHER, MOVE that the Board of Supervisors:

2. Direct the Department of Children and Family Services, in collaboration with the LA County Sheriff's Department, to provide the Board with a report back, in writing, in 90 days, containing at minimum:
 - a. Data and information on:
 - i. How many incarcerated parents are in the County jails;
 - ii. How many incarcerated parents are pre-trial;
 - iii. What reunification, visitation, and FR legal aid programs and services are available;

- iv. How many incarcerated parents are supposed to receive court-ordered visitation, but are not able to and why;
 - v. How many incarcerated parents are not able to complete court mandated FR programs due to the unavailability of programs in the County jails and the impact; and
 - vi. What financial barriers supports are available for them to be able to participate in FR and FM programs and whether it is provided.
- b. Assessment of incarcerated parents' need for FR and FM programs and services, including those mandated by the Court;
 - c. Implementation plan on providing the mandated and needed FR and FM services, classes, and programs for incarcerated parents to reunify with their children, including a funding plan for those parents who are unable to pay for services; and
 - d. Identification of partnerships and working with community-based providers to provide services, programs, and resources for incarcerated parents so that they are able to reunify with their children or maintain relationships with and rights to their children.

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