



Appendix A

South Carolina Department of Social Services
V. Susan Alford, State Director

**South Carolina
Department of Social Services**

**2016 Annual Progress and Services Report
CAPTA Assurance Update
To The 2015 – 2019
Child and Family Services Plan**

Update-Child Abuse Prevention and Treatment Act as Amended by P.L. 111-320 The CAPTA Reauthorization Act of 2010 Section 106(b)(2)(B)(x)

The South Carolina Department of Social Services (“the Department”) submitted a revised CAPTA State Plan (CAPTA Plan) to the ACF on May 30, 2013. At the same time, the state submitted assurances as required by Section 106(b)(2) of the CAPTA Reauthorization Act of 2010 P.L. 111-320. Section 106(b)(2)(B)(x) requires the states to operate a statewide program with “. . . provisions which allow for public disclosure of the findings or information about the case of child abuse or neglect which has resulted in a child fatality or near fatality.” During the development of the revised CAPTA State Plan, the Department became aware of the need to improve its procedures in light of this section of the CAPTA and federal policies interpreting the section.

Upon request, the Department’s policies and procedures now allow for public disclosure of the findings or information about the case of child abuse or neglect resulting in a child fatality or near fatality. The information that is available includes the cause of and circumstances surrounding the abuse or neglect resulting in child fatality or near fatality; the child’s age and gender; information about any previous reports of child abuse or neglect investigations that is pertinent to the abuse or neglect that caused the fatality or near fatality; the case decisions in those investigations; and information about the Department’s actions and services provided. The Department may redact information that is provided or may delay release of information that is provided, when necessary to protect the safety and well-being of a child, the child’s parents, or family, or when providing information would impede a criminal investigation or endanger a reporter of abuse or neglect. Identifying cases of “near fatality,” as that term is defined in the CAPTA, has been challenging. The Department is testing procedures for identifying near fatality cases. The Department plans to use the Child and Adult Protective Services System (the Department’s SACWIS system) to improve the Department’s ability to prepare the Information Section 106(b)(2)(B)(x) in a more efficient manner and with greater consistency in quality.

The South Carolina Code Section 63-7-940 prohibits disclosure of information contained in “unfounded” investigations, except under very limited circumstances. The Department is aware that the CAPTA Section 106(b)(2)(B)(x) does not support excluding information contained in previous unfounded reports, when that information is pertinent to a child fatality or near fatality resulting from abuse or neglect. Therefore, the Department is pursuing statutory amendments that would make it permissible to disclose information contained in unfounded reports, if that information is pertinent to a child fatality or near fatality that is the result of abuse or neglect.

The South Carolina General Assembly is interested in the incidence of child fatality and near fatality resulting from abuse or neglect in the state. In March 2015, the South Carolina Senate DSS Oversight Subcommittee, issued a report recommending that the Department improve its collection and reporting of information relating to child fatalities caused by abuse or neglect. The Department is developing a website to provide information and aggregate data on child fatalities caused by abuse and neglect. The website will provide information on the factors surrounding and contributing to these child fatalities, as well as information on the Department’s activities in each case. The website will report demographics, county of residence, prior indicated reports on the family and child, circumstantial and familial factors related to the child fatalities caused by abuse or neglect. The Department anticipates publishing information annually beginning in 2015.

Although South Carolina did not enact legislation during the first half of the current legislative session that would allow the Department to include history of unfounded cases if that history is pertinent to a child fatality or near fatality caused by abuse or neglect, the Department will continue to pursue necessary statutory amendments with the goal of fully meeting the requirements of the Section 106(b)(2)(B)(x) by June 2016. The Department will report progress in the 2017 APSR.